

AGENDA



BERKELEY CITY COUNCIL MEETING

Tuesday, June 25, 2019

6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
DISTRICT 8 – LORI DROSTE

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, 981-6900.

The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call:

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

1. Recognition of Elder Abuse Awareness Month
2. Recognition of Alpha Kappa Alpha 90th Anniversary

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder*

of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.

Consent Calendar

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

- 1. FY 2020 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping
From: City Manager**
Recommendation: Adopt second reading of Ordinance No. 7,656-N.S. setting the FY 2020 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at \$0.1729 (17.29 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300

- 2. FY 2020 Tax Rate: Fund the Provision of Emergency Medical Services
(Paramedic Tax)
From: City Manager**
Recommendation: Adopt second reading of Ordinance No. 7,657-N.S. setting the FY 2020 tax rate for funding the provision of emergency medical services to Berkeley residents at \$0.0393 (3.93 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

- 3. FY 2020 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,658-N.S. setting the FY 2020 tax rate for funding the provision of emergency services for the disabled at \$0.01638 (1.638 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
- 4. FY 2020 Tax Rate: Business License Tax on Large Non-Profits**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,659-N.S. setting the FY 2020 tax rate for Business License Tax on large non-profits at \$0.6420 (64.20 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
- 5. FY 2020 Tax Rate: Fund Disaster Fire Protection (Measure Q)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,660-N.S. setting the FY 2020 tax rate for funding the procurement of disaster fire equipment at \$0.0125 (1.25 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
- 6. FY 2020 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,661-N.S. setting the FY 2020 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0065%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

- 7. FY 2020 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,662-N.S. setting the FY 2020 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of \$0.05818 (5.818 cents) per square foot of improvements for dwelling units and setting the rate for all other property at \$0.08804 (8.804 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300; David Brannigan, Fire, 981-3473
- 8. FY 2020 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,663-N.S. setting the FY 2020 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0150%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
- 9. FY 2020 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,664-N.S. setting the FY 2020 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0092%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
- 10. FY 2020 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,665-N.S. setting the FY 2020 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0075%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

- 11. FY 2020 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,666-N.S. setting the FY 2020 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0062%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
- 12. FY 2020 Special Tax Rate: Fund the Provision of Library Services**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,667-N.S. setting the FY 2020 tax rate for funding the provision of Library Services in the City of Berkeley at \$0.2272 (22.72 cents) per square foot for dwelling units and \$0.3435 (34.35 cents) per square foot for industrial, commercial, and institutional buildings.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300; Elliot Warren, Library, 981-6100
- 13. Repealing and Reenacting BMC Chapter 13.104, Wage Theft Prevention**
From: Mayor Arreguin and Councilmember Harrison
Recommendation: Adopt second reading of Ordinance No. 7,668-N.S. repealing and reenacting BMC Chapter 13.104, Wage Theft Prevention to improve enforcement of the ordinance by requiring a signed acknowledgement of ordinance requirements and signed attestation at completion of the project.
First Reading Vote: All Ayes.
Financial Implications: Staff time
Contact: Jesse Arreguin, Mayor, 981-7100
- 14. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of \$224,064 for fitness center memberships for City employees and Legislative Assistants for the period of July 1, 2019 through June 30, 2020.
Financial Implications: Various Funds - \$224,064
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Consent Calendar

15. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of May 7, 2019 (two special closed and special), May 9, 2019 (special), May 11, 2019 (special), May 14, 2019 (special closed and regular), May 17, 2019 (special closed), and May 28, 2019 (special closed and regular).

Financial Implications: None

Contact: Mark Numainville, City Clerk, 981-6900

16. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 25, 2019

From: City Manager

Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

Financial Implications: Various Funds - \$1,601,761

Contact: Henry Oyekanmi, Finance, 981-7300

17. Appropriations Limit for FY 2020

From: City Manager

Recommendation: Adopt a Resolution establishing the appropriations limit at \$275,031,790 for FY 2020 pursuant to Article XIIB of the Constitution of the State of California based on the calculations for the appropriations limit.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, 981-7300

18. Franchise Tax Board / City Business Tax Reciprocal Agreement

From: City Manager

Recommendation: Adopt a Resolution approving the Franchise Tax Board / City Business Tax Reciprocal Agreement for the City's participation in the local government business license information sharing program and authorizing the City Manager to sign the agreement.

Financial Implications: Staff time

Contact: Henry Oyekanmi, Finance, 981-7300

19. Revision to the Investment Policy and Designation of Investment Authority FY 2020

From: City Manager

Recommendation: Adopt a Resolution accepting the changes to the Investment Policy and to confirm the delegation of investment authority to make investments to the Director of Finance for FY 2020.

Financial Implications: None

Contact: Henry Oyekanmi, Finance, 981-7300

Consent Calendar

- 20. Contract No. 10904 Amendment: Bay Area Community Services (BACS) for Pathways STAIR Center Year Two Operations**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 10904 with Bay Area Community Services (BACS) for Pathways STAIR Center operations, extending the program through June 30, 2020 and adding \$2,091,305 for Year Two (FY 2020).
Financial Implications: Various Funds - \$2,091,305
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- 21. Revenue Contract: Community Services Block Grant Discretionary Funding for June 1, 2019 – May 31, 2020**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept the Community Services Block Grant (CSBG) Contract Number 19F-4404 for the amount of \$30,000 to provide services for low-income people for the period June 1, 2019 – May 31, 2020.
Financial Implications: Community Action Program Fund - \$30,000 (grant)
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- 22. Contract: Dorothy Day House to Operate Shelter at Veteran’s Building**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Dorothy Day House in an amount not to exceed \$832,000 to operate the year-round shelter at the Veteran’s Building in FY20 and FY21.
Financial Implications: Homeless Emergency Aid Program Fund - \$832,000
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- 23. Revenue Contracts: FY 2020 Aging Services Programs**
From: City Manager
Recommendation: Adopt five Resolutions authorizing the City Manager or her designee to execute any resultant revenue agreements and amendments with Alameda County to provide congregate and home-delivered meals, family caregiver support, senior center activities and information and assistance services to seniors for the following programs for Fiscal Year 2020:
1. Congregate Meals in the amount of \$46,380;
2. Home Delivered Meals in the amount of \$47,525;
3. Family Caregiver Support Program in the amount of \$47,157;
4. Senior Center Activities in the amount of \$29,272; and
5. Information and Assistance Services in the amount of \$63,501.
Financial Implications: See report
Contact: Kelly Wallace, Housing and Community Services, 981-5400

Consent Calendar

- 24. Contract No. 31900042 Amendment: CivicPlus, Inc. for Training and Integration Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment to contract No. 31900042 with CivicPlus, Inc. for an additional amount of \$15,000 for professional services, and a total not-to-exceed contract value of \$58,000 for the term of November 30, 2018 through June 30, 2021.
Financial Implications: General Fund - \$15,000
Contact: Savita Chaudhary, Information Technology, 981-6500
- 25. Contract No. 10036C Amendment: TruePoint Solutions, LLC for Accela Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10036C with TruePoint Solutions, LLC for professional services, increasing the amount by \$276,000, for a total not-to-exceed amount of \$617,200, and extending the current term by 2 years for the term beginning June 1, 2015 to June 30, 2021.
Financial Implications: Permit Service Center Fund - \$276,000
Contact: Savita Chaudhary, Information Technology, 981-6500
- 26. Contract: NextRequest for Public Records Act Response Software System**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with NextRequest for software hosting, implementation, maintenance and related services for a Public Records Act Response Software System, for an amount not to exceed \$65,000 for the period commencing on July 1, 2019 through June 30, 2021.
Financial Implications: IT Cost Allocation Fund - \$65,000
Contact: Savita Chaudhary, Information Technology, 981-6500
- 27. Contract: Governmentjobs.com, Inc. DBA NEOGOV for Performance and Learning Management System (P/LMS)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with GovernmentJobs.com dba NEOGOV for software hosting, licenses, implementation, maintenance and related services for a Performance Management, and Learning Management System (P/LMS) for an amount not to exceed \$225,000 for the period commencing on July 8, 2019 through June 30, 2024.
Financial Implications: FUND\$ Replacement Fund - \$225,000
Contact: Savita Chaudhary, Information Technology, 981-6500

Consent Calendar

- 28. Contract No. 8865J Amendment: Accela, Inc. for Software Maintenance and Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8865J with Accela, Inc., for software maintenance and professional services, increasing the amount by \$418,359 for a total not to exceed \$2,059,191 from December 12, 2011 to June 30, 2021.
Financial Implications: Various Funds - \$418,359
Contact: Savita Chaudhary, Information Technology, 981-6500
- 29. Contract No. 9536 Amendment: Royston, Hanamoto, Alley & Abey (RHAA) for On-Call Landscape Architecture**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9536 with Royston, Hanamoto, Alley & Abey (RHAA) for additional on-call landscape architecture by increasing the contract amount by \$35,000 for a total not-to-exceed amount of \$210,000, and extending the term through June 30, 2021.
Financial Implications: Various Funds - \$35,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 30. Contract No. 10632 Amendment: GHD, Inc. for the WETA MOU Planning Phase for potential ferry service and public recreation pier at the Berkeley Marina**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10632 with GHD, Inc. by increasing the amount by \$360,000 for a new contract amount not to exceed \$690,744 for the Planning Phase (technical feasibility study and public engagement process) for the viability of a potential WETA ferry service and public recreation pier at the Berkeley Marina.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 31. 2019 Bay Area SunShares Residential Solar and Zero-Emission Vehicle Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a letter of commitment with the Business Council on Climate Change (BC3) to affirm the City of Berkeley's participation in the 2019 Bay Area SunShares residential solar and zero-emission vehicle program.
Financial Implications: See report
Contact: Timothy Burroughs, Planning and Development, 981-7400

Consent Calendar

32. Contract: Rincon Consultants, Inc. for Development of a Berkeley Pathway to Clean Energy Buildings Report

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions, or change orders with Rincon Consultants, Inc. (Rincon) to develop a Berkeley Pathway to Clean Energy Buildings Report for an amount not to exceed \$80,000 for the period July 1, 2019 through June 30, 2020.

Financial Implications: See report

Contact: Timothy Burroughs, Planning and Development, 981-7400

33. On-Call Planning Services Contracts

From: City Manager

Recommendation: Adopt 23 Resolutions authorizing the City Manager to approve contracts and any amendments with the following firms for planning and environmental review services for a total contract period of three years:

1. Architecture + History, LLC in an amount not to exceed \$1,000,000; and
2. Baseline Environmental Consulting in an amount not to exceed \$1,000,000; and
3. Cotton, Shires and Associates, Inc. in an amount not to exceed \$1,000,000; and
4. Firstcarbon Solutions in an amount not to exceed \$1,000,000; and
5. Garcia and Associates in an amount not to exceed \$500,000; and
6. Ground Development Consulting, LLC in an amount not to exceed \$500,000; and
7. Hatch Associates Consultants, Inc. in an amount not to exceed \$1,000,000; and
8. HortScience | Bartlett Consulting in an amount not to exceed \$500,000; and
9. ICF Jones & Stokes, Inc. in an amount not to exceed \$1,000,000; and
10. Kimley-Horn and Associates, Inc. in an amount not to exceed \$500,000; and
11. Kittelson & Associates in an amount not to exceed \$500,000; and
12. LSA Associates, Inc. in an amount not to exceed \$1,000,000; and
13. Metropolitan Planning Group in an amount not to exceed \$1,000,000; and
14. Michael Baker International in an amount not to exceed \$1,000,000; and
15. Nichols Consulting Engineers, Chtd. in an amount not to exceed \$1,000,000; and
16. Pacific Legacy Inc. in an amount not to exceed \$500,000; and
17. Paleo West Archaeology in an amount not to exceed \$500,000; and
18. Placeworks in an amount not to exceed \$1,000,000; and
19. Raimi + Associates in an amount not to exceed \$1,000,000; and
20. Rincon Consultants, Inc. in an amount not to exceed \$1,000,000; and
21. Stacy Farr - Historic Resource Consulting in an amount not to exceed \$500,000; and
22. Stantec Consulting Services, Inc. in an amount not to exceed \$1,000,000; and
23. Urban Planning Partners Inc. in an amount not to exceed \$1,000,000

Financial Implications: See report

Contact: Timothy Burroughs, Planning and Development, 981-7400

Consent Calendar

- 34. Contract: Tanko Lighting for Street Light Luminaire Retrofit Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project with Tanko Lighting, Inc. for the City Street Light Luminaire Retrofit Project in an amount not to exceed \$140,875 for the period from July 1, 2019 through December 31, 2020.
Financial Implications: Street Light Assessment District Fund - \$140,875
Contact: Phillip Harrington, Public Works, 981-6300
- 35. Educator and Educational Staff Housing**
From: Housing Advisory Commission
Recommendation: Amend the Housing Trust Fund Guidelines and other relevant City of Berkeley housing policies to foster workforce housing for educators and educational staff by expanding income eligibility to include up to 120% AMI; and Provide \$150,000 to the Berkeley Unified School District to undertake predevelopment planning for housing to be built in Berkeley that will be available to educators and educational staff working for BUSD; and Work with the District to identify possible financing opportunities for capital development; and Recommend the Berkeley Unified School District balances building as many units as possible with being as family-friendly as possible.
Financial Implications: See report
Contact: Mike Uberti, Commission Secretary, 981-7400

Council Consent Items

- 36. An Action Plan for Greening the City of Berkeley Fleet of Vehicles**
From: Councilmembers Wengraf, Harrison, Robinson and Mayor Arreguin
Recommendation: Request the City Manager and Department of Public Works collaborate to create an Action Plan ("plan"), by June 2020, to aggressively accelerate the implementation of the electrification of the City's municipal fleet and phase out fossil fuel use in municipal vehicles by 2030 with consideration of an earlier transition for light-duty passenger vehicles. The Plan should include an evaluation of the City's current fleet and an analysis of opportunities for transitioning to a fleet of fossil fuel free vehicles, as soon as the technology can safely meet operational needs. An update on our progress should be reported to City Council as an information item every six months.
In the interim, the City Manager is asked to explain criteria used to purchase fossil fuel vehicles in all future staff items related to vehicle purchases with Council.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, 981-7160

Council Consent Items

- 37. Zoning Ordinance Modification for Elmwood Commercial District**
From: Councilmember Droste, Mayor Arreguin, and Councilmembers Harrison, and Wengraf
Recommendation: Refer to the Planning Commission to amend Chapter 23E.44, C-E Elmwood Commercial District Provisions to allow for amusement device arcades with a Tier 2 Administrative Use Permit (for spaces >3,000 Sq. Ft.) and a Zoning Certificate (for spaces < 3,000 Sq. Ft.). Proposed ordinance language for changes to Table 23E.44.030 are attached to the report.
Financial Implications: See report
Contact: Lori Droste, Councilmember, District 8, 981-7180

Action Calendar

The public may comment on each item listed on the agenda for action as the item is taken up. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

The Presiding Officer will request that persons wishing to speak line up at the podium to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action items may be reordered at the discretion of the Chair with the consent of Council.

Action Calendar – Old Business

- 38. Budget Referral: Remediation of Lawn Bowling, North Green and Santa Fe Right-of-Way, FY2020-2021 (Continued from June 11, 2019)**
From: Councilmember Davila
Recommendation: Refer to the FY20 (2020/2021) RRV Budget Process for consideration of at least \$150,000 and up to remediate the Lawn Bowlers, North Green and Santa Fe Right-of-Way in advance of Request for Proposal (RFP) for these areas that potentially could provide much needed affordable alternative housing.
Refer to the Homeless Services Panel of Experts to consider Measure P funds for remediation purposes for these properties.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, 981-7120

Action Calendar – New Business

- 39. FY 2020 and FY 2021 Biennial Budget Adoption**
From: City Manager
Recommendation: Adopt a Resolution: a) Adopting the FY 2020 & FY 2021 Biennial Budget as contained in the City Manager's FY 2020 & FY 2021 Proposed Biennial Budget that includes the Proposed Capital Budget, presented to Council on May 7, 2019, and as amended by subsequent Council action. b) Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY 2020, as reflected in Attachment 2 to the report, and as amended by subsequent Council action.
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
- 40. FY 2020 Annual Appropriations Ordinance**
From: City Manager
Recommendation: Adopt first reading of an Ordinance adopting the FY 2020 Annual Appropriations Ordinance (AAO) in the amount of \$520,227,935 (gross appropriations) and \$454,517,219 (net appropriations).
Financial Implications: See Report
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
- 41. Borrowing of Funds and the Sale and Issuance of FY 2019-20 Tax and Revenue Anticipation Notes**
From: City Manager
Recommendation: Adopt a Resolution approving the borrowing of \$35,000,000 and the sale and issuance of Fiscal Year 2019-20 Tax and Revenue Anticipation Notes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300

Council Action Items

- 42. Waiver of Fees for Trash Corral Pilot Program**
From: Councilmembers Robinson and Harrison
Recommendation: Adopt a resolution waiving the Minor Encroachment Permit application and permit fees and the Miscellaneous Permit to Construct fees required by both the Telegraph Business Improvement District and the Downtown Berkeley Association for the installation of their pilot trash corrals.
Financial Implications: See report
Contact: Rigel Robinson, Councilmember, District 7, 981-7170

Information Reports

- 43. Voluntary Time Off Program for FY 2020**
From: City Manager
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Information Reports

- 44. Audit Status Report Response: Code Enforcement Resources Significantly Constrained and Improvements Needed in Case Management and Oversight from January 1, 2019 – April 16, 2019**
From: City Manager
Contact: Paul Buddenhagen, City Manager's Office, 981-7000
- 45. FY 2020 Civic Arts Grant Awards**
From: City Manager
Contact: Jordan Klein, Economic Development, 981-7530
- 46. FY 2019 Second Quarter Investment Report: Ended December 31, 2018**
From: City Manager
Contact: Henry Oyekanmi, Finance, 981-7300
- 47. Referral Response: Community Microbond Initiative**
From: City Manager
Contact: Henry Oyekanmi, Finance, 981-7300
- 48. LPO NOD: 2140 Shattuck Avenue, #LMSAP2018-0004**
From: City Manager
Contact: Timothy Burroughs, Planning and Development, 981-7400
- 49. goBerkeley Parking Management Program: Parking Rate and Time Limit Adjustments for Northside Area for August 1, 2019**
From: City Manager
Contact: Phillip Harrington, Public Works, 981-6300
- 50. 2019 Commission on Disability Work Plan**
From: Commission on Disability
Contact: Dominika Bednarska, Commission Secretary, 981-6300
- 51. 2019 Public Outreach Efforts of Commission on Disability**
From: Commission on Disability
Contact: Dominika Bednarska, Commission Secretary, 981-6300
- 52. Mental Health Commission 2018 Annual Report**
From: Mental Health Commission
Contact: Karen Klatt, Commission Secretary, 981-5400

Public Comment – Items Not Listed on the Agenda

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply:*
1) *No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code*

65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx> and KPFB Radio 89.3.

Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil> and may be read at reference desks at the following locations:

City Clerk Department
2180 Milvia Street
Tel: 510-981-6900
TDD: 510-981-6903
Fax: 510-981-6901
Email: clerk@cityofberkeley.info

Libraries:
Main - 2090 Kittredge Street
Claremont Branch – 2940 Benvenue
West Branch – 1125 University
North Branch – 1170 The Alameda
South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on June 13, 2019.***



Mark Numainville, City Clerk

## **Communications**

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.*

### **Berkeley Marina Docks**

1. Erwan Illian

### **5G**

2. Annamarta Dostourian
3. Kate Bernier (3)
4. Meaveen O'Connor
5. Ryan Van Valer
6. Phoebe Sorgen (2)
7. Vivian Warkentin
8. Alan Kiviat
9. Elisabeth Jewel

### **North Berkeley BART**

10. Ariane Michas
11. Priscilla Villanueva
12. Yvonne Nyborg
13. Mia Bruch
14. Sue von Baeyer
15. Lothar
16. Maura Ghizzoni
17. John and Susan Prausnitz
18. Alison Ascher Webber
19. David Johnson
20. Linda Friedman
21. Margot Murtaugh
22. Dana Gildemeister
23. Belle Adler
24. Walter Wood

### **Electric Vehicles**

25. Betsy Thagard
26. Vanessa Warheit (2)



**RV**

- 27. Felice Botts
- 28. Nigel Guest

**Homelessness and Encampments**

- 29. Steven Donaldson
- 30. russbumper
- 31. Mike Lee

**Recycle**

- 32. Harvey Sherback (4)

**Street Intersections**

- 33. Brian Witt
- 34. Amanda Rebel
- 35. Ben Gerhardstein
- 36. Amy Eisenberg
- 37. Janice Greenberg

**Vets**

- 38. russbumper (3)

**Police**

- 39. Fred Dodsworth
- 40. Tammmy Rieser
- 41. russbumper

**Cannabis**

- 42. Elizabeth Greene, Cannabis Commission Secretary (2)

**East Bay Rental Housing Association**

- 43. Shani Brown

**Transfer Station Rate**

- 44. David Lerman

**7<sup>th</sup> Annual Rosa Parks Fifth Grade Mock Trial**

- 45. Ty Alper

**Performance for Mama Washington**

- 46. Adriana Betti

**2701 Shattuck – ZAB**

- 47. Lee Ling

## **Committee Meetings Transparency**

48. Pam Speich

## **Missing Middle**

49. Lee Bishop

## **Orbiting Weapon**

50. Jesse Hampton

## **Proposed Senior Facility**

51. Fran Haselsteiner

## **Virginia Beach Incident**

52. Steven Schuyler

## **William Barclay Caldeira**

53. russbumper

## **Tenant's Access to Apartment Blocked**

54. Curtis Bray (2)

## **Decriminalize Nature**

55. Jessica Behrman

## **Street Lights**

56. Eric Friedman

## **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.