

**ANNOTATED AGENDA
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

Tuesday, March 17, 2020

6:00 P.M.

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

Preliminary Matters

Roll Call: 6:14 p.m.

Present: Kesarwani, Davila, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: None

Action Calendar

1. Ratification of Recommendations Issued by the Director of Emergency Services and the Public Health Officer Regarding Meetings of Legislative Bodies

From: City Manager

Recommendation: Adopt a Resolution ratifying the recommendations issued by the Director of Emergency Services and the Public Health Officer regarding meetings of Berkeley legislative bodies in response to the COVID-19 (Novel Coronavirus) pandemic.

Financial Implications: None

Contact: Dee Williams-Ridley, City Manager, (510) 981-7000

Action: 4 speakers. M/S/C (Arreguin/Robinson) to adopt Resolution No. 69,331–N.S.

Vote: All Ayes.

Action Calendar

Action: M/S/C (Arreguin/Robinson) that pursuant to Government Code Section 54954.2(b)(1) the Council finds that an emergency situation exists given the declared federal, state and local emergency regarding the COVID-19 pandemic and approves adding the following items to the March 17, 2020 agenda:

- Revised “Urgency Ordinance Adopting BMC Chapter 13.110, the COVID-19 Emergency Response Ordinance” from Mayor Arreguin
- Revised Agenda Material from Councilmember Harrison, Mayor Arreguin and Councilmember Hahn “Strategies for Special Populations During COVID-19 Crisis”
- “Alignment with Grassroots Strategies for COVID-19 City Preparedness” from Councilmember Davila
- “Letter to Employers Regarding Protective Gear for Essential Workers” from Councilmember Bartlett

Vote: All Ayes.

2. **Urgency Ordinance Adopting BMC Chapter 13.110, the COVID-19 Emergency Response Ordinance**

From: Mayor Arreguin (Author); Councilmember Robinson (Author); Councilmember Harrison (Author)

Recommendation: Adopt an Urgency Ordinance adding Berkeley Municipal Code Chapter 13.110, the COVID-19 Emergency Response Ordinance, to provide protections to residential tenants against evictions during the declared state of emergency, to preserve the health and safety of the Berkeley community.

Financial Implications: None

Contact: Jesse Arreguin, Mayor, (510) 981-7100

Action: 4 speakers. M/S/C (Arreguin/Robinson) to adopt Ordinance No. 7,693–N.S. as written in the revised materials submitted at the meeting with amendments in Sections 13.110.020, 13.110.030, 13.110.040, 13.110.050, and 13.110.070.

Vote: All Ayes.

Action Calendar

3. Berkeley COVID-19 Relief Fund and Expanding Flexible Housing Pool

From: Mayor Arreguin (Author)

Recommendation:

1. Refer to the City Manager to consider the creation of a tax-exempt special fund at up to \$ 3 million dollars, to provide gap resources which to be matched with grants or philanthropic donations to provide gap assistance to renters, small businesses and arts organizations significantly impacted (demonstrated decrease in gross receipts or patronage) by the COVID-19 state of emergency. The City Manager is requested to consider all federal, state and not-for-profit funding available to provide economic relief to businesses and arts organizations which can be leveraged with the City's additional funding.

2. Direct the City Manager to identify additional funding and increase the allocation to the Flexible Housing Pool, administered by BACS, and amend the contract and program guidelines if necessary, to provide emergency rental assistance and flexible funding for housing, and to report back to Council on the funding allocated and outcomes after the declared state of emergency.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100

Action: 8 speakers. Councilmembers Bartlett, Wengraf, and Droste added as co-sponsors. M/S/C (Arreguin/Davila) to adopt the recommendation revised to read as follows.

1. Refer to the City Manager to create a tax-exempt special fund which can accept private donations, and launch the fund with up to \$3 Million Dollars in city funding, to provide gap resources which can be matched with grants or philanthropic donations to provide gap assistance to renters, small businesses and arts organizations significantly impacted (demonstrated decrease in gross receipts or patronage) by the COVID-19 state of emergency. The City Manager is requested to consider all federal, state and not-for-profit funding available to provide economic relief for businesses and arts organizations which can be leveraged with the City's additional funding. As part of the development for criteria consider equity in the allocation of funding and consult with businesses throughout the city including business groups. Clarify that the funding will be provided to small businesses and arts groups in the form of a grant and not a loan.

The City Manager is requested to take immediate action to create the fund and identify funding and distribute funding to eligible small businesses and arts organizations. The City Manager is empowered under their authority granted by the Proclamation Declaring a Local Emergency to identify and allocate city funding to launch the fund, no Council action is required.

2. Direct the City Manager to identify additional funding and increase the allocation to the Flexible Housing Pool, administered by BACS, or other appropriate community based organization(s), and amend the contract and program guidelines if necessary, to provide emergency rental assistance and flexible funding for housing, and to report back to Council on the funding allocated and outcomes after the declared state of emergency.

Vote: All Ayes.

Action Calendar

4. Strategies for Special Populations During COVID-19 Crisis

From: Councilmember Hahn (Author)

Recommendation: Refer to the City Manager to develop and implement strategies to address the needs of populations in Berkeley who face unique challenges during the COVID-19 crisis. Coordinate with public and community agencies and consult appropriate experts as needed, to ensure the special needs of these populations, and of those who work with them, are identified and addressed. Populations for whom special strategies shall be considered include, but are not limited to:

1. People experiencing homelessness
2. Individuals with disabilities
3. Senior citizens (especially low-income Seniors)
4. Single parent households with children
5. People experiencing food insecurity
6. Undocumented residents
7. Stranded visitors

Consider allocating additional resources to City of Berkeley departments and partner agencies to meet identified challenges during the COVID-19 emergency.

Financial Implications: See report

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

Action: 6 speakers. M/S/C (Hahn/Arreguin) to adopt the recommendation as written with the addition of the recommendation submitted at the meeting amended to read as written below.

Individuals experiencing homelessness are one of the special populations named. We appreciate the City's incredible efforts to provide tents, trailers, and other forms of housing. In the interim, in addition to other measures that have already been taken, and to provide further clarification to Councilmember Hahn's referral, the City Manager is additionally requested to implement the following recommendations to support Berkeley's homeless population during the COVID-19 crisis.

- 1) Information distribution via public bulletin boards and fliers across the City.*
- 2) Allow homeless advocates to continue to provide supplies to the unhoused.*
- 3) Additional Porta Potties be placed at each homeless encampment and in areas where there are concentrated homeless populations.*
- 4) Trash pick up and vector control at each location.*
- 5) Additional handwashing stations at each encampment location and locations where homeless individuals are concentrated.*
- 6) Drinking water.*

Vote: All Ayes.

Action Calendar

Alignment with Grassroots Strategies for COVID-19 City Preparedness

From: Councilmember Davila (Author); Councilmember Bartlett (Co-sponsor)

Recommendation: Adopt the recommendations prompted by the Demands from Grassroots Organizers Concerning COVID-19 to inform the City of Berkeley's emergency response to the Coronavirus.

Financial Implications: To be determined

Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

Action: 0 speakers. M/S/C (Arreguin/Robinson) to adopt Resolution No. 69,332–N.S. amended to be recommendations to the City Manager.

Vote: Ayes – Davila, Bartlett, Harrison, Hahn, Robinson, Droste, Arreguin; Noes – None; Abstain – Kesarwani, Wengraf.

Letter to Employers Regarding Protective Gear for Essential Workers

From: Councilmember Bartlett (Author)

Recommendation: Refer to the City Manager to write a letter urging business employers offering “essential services” to supply their employees with protective personal equipment and hygienic resources to defend against the contraction of COVID-19.

Financial Implications: None

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Action: 1 speaker. Councilmembers Davila and Harrison added as co-sponsors.

M/S/C (Bartlett/Harrison) to approve the recommendation as revised to exclude reference to masks and respirators, and that employers “make best efforts” to supply employees with hygienic resources.

Vote: Ayes – Davila, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – Kesarwani; Absent – Droste.

Councilmember Droste absent at 10:55 p.m.

Adjournment

Adjourned at 11:00 p.m.

Communications

Item #1: Ratification of Recommendations Issued by the Director of Emergency Services and the Public Health Officer Regarding Meetings of Legislative Bodies

1. James McFadden (5)
2. David Lerman
3. John Caner, on behalf of Downtown Berkeley Association (2)
4. Eva Chrysanthe
5. JJ Noire
6. Cynthia Sue Larson
7. Topher Brennan
8. Margy Wilkinson
9. Phoebe Anne Sorgen

10. Forest Mozer
11. Lori Fagerholm
12. James Brook
13. Michael Frank
14. Pamela Michaud
15. Carole Marasovic, Chair of the Homeless Commission (2)

Item #2: Urgency Ordinance Adopting BMC Chapter 13.110, the COVID-19 Emergency Response Ordinance

16. Kevin Walters
17. Margy Wilkinson (2)
18. East Bay Housing Organizations

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: Ratification of Recommendations Issued by the Director of Emergency Services and the Public Health Officer Regarding Meetings of Legislative Bodies

19. Jacqueline Sarratt

Item #2: Urgency Ordinance Adopting BMC Chapter 13.110, the COVID-19 Emergency Response Ordinance

20. Revised Material, submitted by Mayor Arreguin
21. Sam Eaton
22. Caitlin Romtvedt
23. Ed Stres
24. Kris Kargo
25. Chimey Lee
26. Heidi Becker
27. Maura Allen
28. Laura Kiernan
29. LR Altman
30. Carole Kalous
31. Alex Werth, on behalf of East Bay Housing Organizations
32. Alfred Manning
33. John H. Phillips
34. Iliana Montauk
35. Janet Cusick and Tony Lioce
36. Lance Montauk
37. Steve Piantadosi
38. Mary Kazmer
39. Dan Fries
40. Jessi Carrier
41. Russ Greene
42. Igor Tregub

- 43. Helena Teply-Figman
- 44. Sandra Smith
- 45. Gramma Grass
- 46. Daniel Moore
- 47. The Berkeley Tenants Union
- 48. 14 similarly worded communications
- 49. 83 similarly worded communications

Item #3: Berkeley COVID-19 Relief Fund and Expanding Flexible Housing Pool

- 50. Ingrid Chen
- 51. Rao Singh
- 52. Jill Randall
- 53. Gary Long
- 54. Kirsten MacDonald
- 55. Tai Yu, on behalf of Great China Restaurant
- 56. Simone Arpaio
- 57. Bharat Pariyar
- 58. John Caner
- 59. Laurie Rich, on behalf of David Brower Center
- 60. Sharon Dolan

Item #4: Strategies for Special Populations During COVID-19 Crisis

- 61. Revised material, submitted by Councilmember Hahn
- 62. Hannah Liu
- 63. James McFadden
- 64. Darinxoso Oyamasela
- 65. Margy Wilkinson (2)
- 66. Alfred Twu
- 67. James Wood
- 68. Marcia Poole
- 69. Mary Behm-Steinberg
- 70. Phuoc Le
- 71. Margy Wilkinson, on behalf of Friends of Adeline
- 72. Eugene Turitz
- 73. Osha Neumann (2)
- 74. Kevin Walters
- 75. Russbumper
- 76. Michael Sullivan
- 77. Asha
- 78. 57 similarly worded communications

Urgency Item: Alignment with Grassroots Strategies for COVID-19 City Preparedness

- 79. Agenda material, submitted by Councilmember Davila

Urgency Item: Letter to Employers Regarding Protective Gear for Essential Workers

- 80. Agenda material, submitted by Councilmember Bartlett