

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, June 30, 2020
6:00 PM

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

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

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

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/87199785160>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128** and enter Meeting ID: **871 9978 5160**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

To submit an e-mail comment during the meeting to be read aloud during public comment, email clerk@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.

Please be mindful that the teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.

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, (510) 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: 6:43 p.m.

Present: Kesarwani, Wengraf, Robinson, Droste, Arreguin

Absent: Davila, Bartlett, Harrison, Hahn

Councilmember Davila present at 6:48 p.m.

Councilmember Bartlett present at 6:49 p.m.

Councilmember Harrison present at 6:51 p.m.

Councilmember Hahn present at 6:54 p.m.

Ceremonial Matters:

1. Adjourn in memory of Margy Wilkinson, Berkeley Resident
2. Adjourn in memory of Dr. Bert Lubin, Former Director of Childrens' Hospital
3. Adjourn in memory of all Vitims of COVID-19

City Auditor Comments:

The City Auditor offered condolences o the passing of Margy Wilkinson; Acknowledged the efforts of the Budget and Finance Committee to adopt a budget recommendation; Noted the leadership of Councilmember Bartlett; and informed the Council of the planned police audit.

City Manager Comments:

The City Manager provided updates on COVID-19 relief efforts related to the unhoused community, new housing provided, additional tests, water, masks, sanitizer, and showers; also provided an update on reopening plans.

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Arreguin/Harrison) to accept supplemental material pursuant to the Open Government Ordinance from the Public Works Department on Item 27, revised material from the City Manager on Item 40, supplemental material from Councilmember Harrison on Item 40, and revised material from the City Manager on Item 41.

Vote: All Ayes.

Action: M/S/C (Arreguin/Wengraf) to add an urgent item from the City Manager entitled "Adopt a Revised Resolution Calling a General Municipal Election to Add a Fifth Seat to be Elected to the Rent Stabilization Board for the November 3, 2020 Election" to the agenda pursuant to Government Code Section 54954.2(b).

Vote: All Ayes.

Action: M/S/C (Hahn/Wengraf) to add an urgent item from Councilmember Hahn entitled “Letter to IBank in Support of Berkeley’s Save Our Small (SOS) Business Loan Fund” to the agenda pursuant to Government Code Section 54954.2(b).

Vote: All Ayes.

Action: M/S/C (Harrison/Bartlett) to add an urgent item from Councilmember Harrison entitled “Urgency Item: Urgency Ordinance: Tenant’s Ability to End a Lease” to the agenda pursuant to Government Code Section 54954.2(b).

Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 15 speakers.

Action: M/S/C (Arreguin/Harrison) to continue Item 35, Item 36, and Item 38 to July 21, 2020 special meeting.

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

Action: M/S/C (Wengraf/Davila) to adopt the Consent Calendar in one motion except as indicated.

Vote: All Ayes.

Consent Calendar

Urgency Item: Adopt a Revised Resolution Calling a General Municipal Election to Add a Fifth Seat to be Elected to the Rent Stabilization Board for the November 3, 2020 Election

From: City Manager

Recommendation: Adopt a revised resolution calling a General Municipal Election to add a fifth available seat to the Rent Stabilization Board for the consolidated general municipal election on November 3, 2020.

Financial Implications: None

Contact: Mark Numainville, City Clerk, (510) 981-6900

Action: Adopted Resolution No. 69,460–N.S.

Consent Calendar

Urgency Item: Letter to IBank in Support of Berkeley's Save Our Small (SOS) Business Loan Fund

From: Councilmember Hahn (Author)

Recommendation: Send a letter to Mr. Scott Wu, Executive Director of the California Infrastructure and Economic Development Bank (IBank), requesting support for the Save Our Small (SOS) Business Loan Fund, passed by the Berkeley City Council on April 14, 2020, specifically requesting that he consider the following avenues to combine the efforts of the IBank with willing local governments to: (1) Implement allocation goals for our region within the existing Disaster Guarantee program by supporting Berkeley's Save Our Small (SOS) Business Loan Fund; and/or (2) Create a new loan vehicle for small business loans that combines private funds with State and City (or Regional, County, Town) funds that could be organized through the IBank; and send a copy of the letter to Chris Dom-browski, Acting Director, Governor's Office of Business and Economic Development (GO-Biz).

Financial Implications: None

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

Action: Approved recommendation.

Urgency Item: Urgency Ordinance: Tenant's Ability to End a Lease

From: Councilmember Harrison (Author), Councilmember Robinson (Author)

Recommendation: Adopt an urgency ordinance amending Berkeley Municipal Code 13.78.017 to accurately reflect the intent of the City Council to protect tenants, while still allowing them to terminate a lease early in accordance with their contract and amending 13.110.020 to allow tenants the ability to terminate a lease without penalty due to an impact of COVID-19.

Financial Implications: None

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Action: Adopted Ordinance No. 7,720-N.S.

1. FY 2021 Tax Rate: Fund Disaster Fire Protection (Measure Q)

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,709-N.S. setting the FY 2021 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, (510) 981-7300

Action: Adopted second reading of Ordinance No. 7,709-N.S.

Consent Calendar

- 2. FY 2021 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. 7,710-N.S. setting the FY 2021 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0070%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,710–N.S.
- 3. FY 2021 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. 7,711-N.S. setting the FY 2021 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0160%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,711–N.S.
- 4. FY 2021 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. 7,712-N.S. setting the FY 2021 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 0.0140%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,712–N.S.

Consent Calendar

- 5. FY 2021 Special Tax Rate: Fund the Provision of Library Services**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,713-N.S. setting the FY 2021 tax rate for funding the provision of Library Services in the City of Berkeley at the FY 2020 tax rate adopted by Ordinance No. 7,665-N.S. on June 11, 2019 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, (510) 981-7300; Elliot Warren, Library, (510) 981-6100
Action: Adopted second reading of Ordinance No. 7,713–N.S.
- 6. FY 2021 Tax Rate: Business License Tax on Large Non-Profits**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,714-N.S. setting the FY 2021 tax rate for Business License Tax on large non-profits at \$0.6659 (66.59 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,714–N.S.
- 7. FY 2021 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. 7,715-N.S. setting the FY 2021 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0090%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,715–N.S.
- 8. FY 2021 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. 7,716-N.S. setting the FY 2021 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0080%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,716–N.S.

Consent Calendar

- 9. FY 2021 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,717-N.S. setting the FY 2021 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at \$0.1793 (17.93 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,717–N.S.
- 10. FY 2021 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,718-N.S. setting the FY 2021 tax rate for funding the provision of emergency services for the disabled at \$0.01699 (1.699 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,718–N.S.
- 11. FY 2021 Tax Rate: Fund the Provision of Emergency Medical Services (Paramedic Tax)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,719-N.S. setting the FY 2021 tax rate for funding the provision of emergency medical services to Berkeley residents at \$0.0397 (3.97 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,719–N.S.
- 12. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the council meetings of May 5, 2020 (closed), May 12, 2020 (closed and regular), May 19, 2020 (special), May 21, 2020 (closed) and May 26, 2020 (closed and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved minutes as submitted.

Consent Calendar

- 13. Animal Services Contract with the City of Piedmont**
From: City Manager
Recommendation: Adopt a resolution authorizing the City Manager to execute a contract, with any amendments, with the City of Piedmont for animal care services for FY2021-FY2025, which increases the existing contract by up to \$180,134, with a total contract amount not to exceed \$441,984.
Financial Implications: See report
Contact: Erin Steffen, City Manager's Office, (510) 981-7000
Action: Item 13 continued to July 14, 2020.
- 14. Amendment to Contract No. 10854 (ERMA Contract No. 118939-1): Townsend Public Affairs, Inc. for Legislative and Funding Advocacy Strategy**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to the contract with Townsend Public Affairs, Inc., contract No. 10854 (ERMA Contract No. 118939-1), for an ongoing tailored legislative and funding advocacy strategy, increasing the contract amount by \$30,000, for an amount not-to-exceed \$120,000, and extending the contract from June 30, 2020 to June 30, 2021.
Financial Implications: See report
Contact: Dave White, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 69,461–N.S.
- 15. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees Pursuant to Negotiated Employee Memoranda of Understanding**
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 \$214,848 for fitness center memberships for City employees pursuant to negotiated employee memoranda of understanding from the period July 1, 2020 to June 30, 2021.
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000
Action: Adopted Resolution No. 69,462–N.S.
- 16. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 30, 2020**
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: \$195,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

17. FY 2021 Reaffirming the Investment Policies and Designation of Investment Authority

From: City Manager

Recommendation: Adopt a Resolution affirming the Statement of Investment Policies (no changes from the current policy) and to confirm the delegation of investment authority to the Director of Finance to make investments for FY 2021.

Financial Implications: None

Contact: Henry Oyekanmi, Finance, (510) 981-7300

Action: Adopted Resolution No. 69,463–N.S.

18. Appropriations Limit for FY 2021

From: City Manager

Recommendation: Adopt a Resolution establishing the appropriations limit at \$284,280,447 for FY 2021 pursuant to Article XIII B of the Constitution of the State of California based on the calculations for the appropriations limit.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, (510) 981-7300

Action: Adopted Resolution No. 69,464–N.S.

19. FY 2021 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)

From: City Manager

Recommendation: Adopt first reading of an Ordinance setting the FY 2021 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 with no increase in tax rate.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, (510) 981-7300; Dave Brannigan, Fire, (510) 981-5500

Action: Adopted first reading of Ordinance No. 7,721–N.S. Second reading scheduled for July 14, 2020.

Consent Calendar

20. Grant Agreement Amendment: Alameda County Coordinated Entry System (CES) Grant

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to: 1. Receive \$878,449 in additional funding and execute any agreements and amendments resulting from an augmentation and extension of a three-year grant from Alameda County Health Care Services Agency (HCSA) to fund a North County Housing Resource Center and Coordinated Entry System to Prevent and End Homelessness through December 31, 2020, increasing the contract amount to \$5,309,786, and extending the end date of the contract to December 31, 2020; 2. Execute resulting contracts for services with Bay Area Community Services (BACS) and the Cities of Albany and Oakland to fulfill the purpose of the grant; and 3. Retain \$90,004 in funding for staff in the Health, Housing & Community Services Department (HHCS) for program delivery.

Financial Implications: See report

Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400

Action: Adopted Resolution No. 69,465–N.S.

21. Mental Health Services Act Contract Amendment: Covenant House

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager or her designee to execute amendments for the following contracts with Covenant House that are funded through Mental Health Services Act (MHSA) Community Services and Supports (CSS) and Prevention and Early Intervention (PEI), and increasing the contract amounts as outlined below, and extending the contracts through March 31, 2021:

1. Increasing PEI ERMA Contract No. 122380-1 (8606J) with Covenant House California-YEAH! Program, in the amount of \$24,035 for a total contract amount not to exceed \$307,139 for support groups for Transition Age Youth (TAY);

2. Increasing CSS ERMA Contract No. 120650-1 (9553F) with Covenant House California-YEAH! Program by \$92,142 for a total contract amount not to exceed \$847,428 for services for transition age youth.

Financial Implications: See report

Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400

Action: Adopted Resolution No. 69,466–N.S. (Contract No. 122380-1 (8606J)), and Resolution No. 69,467–N.S. (Contract No. 120650-1 (9553F)).

Consent Calendar

22. Contract Amendments: Mental Health Services Act, Prevention and Early Intervention

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager or her designee to execute amendments for the following contracts that are funded through Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI), and extending the contracts through March 31, 2021:

1. Increasing PEI ERMA Contract No. 088999 -1 (8801I) with Center for Independent Living (CIL) in the amount of \$24,035 for a total contract amount not to exceed \$280,619 for supports for senior citizens;
2. Increasing PEI ERMA Contract No. 052129-1 (8516J) with Pacific Center for Human Growth in the amount of \$24,035 for a total contract amount not to exceed \$307,139 to serve Lesbian, Gay, Bi-sexual, Transgender, Queer/Questioning, and Intersex (LGBTQI) individuals.

Financial Implications: See report

Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400

Action: Adopted Resolution No. 69,468–N.S. (Contract No. 088999 -1 (8801I)), and Resolution No. 69,469–N.S. (Contract No. 052129-1 (8516J))

23. Contract Amendment with BOSS for Representative Payee services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract amendment with vendor Building Opportunities for Self-Sufficiency (BOSS) to provide Representative Payee services. The amendment will add \$100,000 to the current contract and extend it through June 30, 2021 for a total contract not to exceed amount of \$200,000.

Financial Implications: See report

Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400

Action: Adopted Resolution No. 69,470–N.S.

24. Reimbursement Agreement with the City of San Jose and the City of Berkeley Police Department for Training Related to the Internet Crimes Against Children (ICAC) Task Force

From: City Manager

Recommendation: Adopt a Resolution approving the Agreement of Reimbursement between the City of San Jose and the City of Berkeley Police Department (Internet Crimes Against Children Training Costs) to provide for training reimbursement of Internet Crimes Against Children federal grant-related training costs to the City of Berkeley.

Financial Implications: None

Contact: Andrew Greenwood, Police, (510) 981-5900

Action: Adopted Resolution No. 69,471–N.S.

Consent Calendar

25. **Grant Applications: Active Transportation Program Cycle 5**

From: City Manager

Recommendation: Adopt three Resolutions authorizing the City Manager to submit grant applications to the Caltrans Active Transportation Program for the following projects: 1) Washington Elementary and Berkeley High Safe Routes to School for up to \$2 million; 2) Martin Luther King Jr. Way Vision Zero Phase I Quick Build for up to \$600,000; and 3) Addison Street Bicycle Boulevard Phase II for up to \$2 million; and accept the grants awarded, and execute any resultant agreements and amendments.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

Action: Adopted Resolution No. 69,472–N.S. (Washington Elementary), Resolution No. 69,473–N.S. (Martin Luther King Jr. Way), and Resolution No. 69,474–N.S. (Addison Street).

26. **Contract No. 31900035 Amendment: Ghilotti Construction Company for Shattuck Reconfiguration and Pedestrian Safety Project**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900035 with Ghilotti Construction Company for work on the Shattuck Reconfiguration and Pedestrian Safety Project (“Project”), Specification No.17-11090-C, increasing the contract amount by up to \$300,000 for an amended total not to exceed \$8,286,960.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

Action: Adopted Resolution No. 69,475–N.S.

27. **Approval and Levy of 2018 Clean Stormwater Fee in FY 2021**

From: City Manager

Recommendation: Adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2021.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

Action: Adopted Resolution No. 69,476–N.S. including the Engineer’s Report accepted for consideration at the Council meeting.

Council Consent items

- 28. Support United States Congresswoman Barbara Lee’s legislation to establish a United States Commission on Truth, Racial Healing, and Transformation.**
From: Councilmember Davila (Author), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)
Recommendation:
1. Adopt a resolution supporting United States Congresswoman Barbara Lee’s legislation to establish a United States Commission on Truth, Racial Healing, and Transformation.
2. Send copies of this resolution to United States Congresswoman Barbara Lee.
Financial Implications: None
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
Action: Councilmember Harrison added as a co-sponsor. 1. Adopted Resolution No. 69,485–N.S. 2. Approved recommendation.
- 29. Resolution Urging Members Of Our State Legislature And Governor To Explore New Revenue Generating Options, Including A Millionaire Tax To Ensure Safety Net Programs Are Not Cut Due To An Unprecedented Statewide Deficit**
From: Councilmember Harrison (Author), Councilmember Davila (Co-Sponsor)
Recommendation: Adopt a resolution encouraging State Legislators and the Governor to explore revenue options, including an additional tax on the highest earning Californians, to address the significant state budget shortfall following the impact of COVID-19.
Financial Implications: None
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Councilmembers Bartlett and Kesarwani added as co-sponsors. Adopted Resolution No. 69,477–N.S.
- 30. Support for AB-3256: Economic Recovery and Climate Resiliency Bond**
From: Councilmember Wengraf (Author)
Recommendation: Adopt a Resolution in support of AB-3256: Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020 (E. Garcia, Bloom, Bonta, Friedman, C. Garcia, Mullin, Reyes and Wood).
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Councilmembers Harrison, Bartlett, and Kesarwani added as co-sponsors. Adopted Resolution No. 69,478–N.S.

Council Consent items

31. Support for AB-2501 COVID-19: Homeowner, Tenant, and Consumer relief

From: Councilmember Wengraf (Author)

Recommendation: Adopt a Resolution in support of AB-2501: Homeowner, Tenant and Consumer Relief (Limón). Send a copy of the Resolution to Assemblymembers Limón, Skinner and Wicks and Governor Newsom.

Financial Implications: None

Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action: Councilmembers Harrison, Bartlett, and Kesarwani added as co-sponsors. Adopted Resolution No. 69,479–N.S.

32. Support for ACA 5: California Act for Economic Prosperity

From: Councilmember Robinson (Author), Councilmember Davila (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)

Recommendation: Adopt a resolution in support of ACA 5, which would place a measure on the statewide ballot to repeal Proposition 209 (1996) and allow the State of California to pursue minority equal opportunity and access initiatives in public employment, education, and contracting. Send copies of the resolution to Assemblymembers Shirley Weber, Mike Gipson, Miguel Santiago, Lorena Gonzalez, and Buffy Wicks, and State Senator Nancy Skinner.

Financial Implications: None

Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

Action: Adopted Resolution No. 69,480–N.S. amended to also state the Council's support for the measure on the ballot.

Action Calendar – Public Hearings

33. Amend One-Way Car Share Program: Electric Mopeds, Fees, Deposits

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, 1) adopt a Resolution to amend the One-Way Car Share Program to rename it as the One-Way Vehicle Share Program, add parking permit and administration fees for electric mopeds, and adjust the administration fee and free-floating parking permit deposits for cars, and 2) adopt the first reading of an Ordinance pursuant to Berkeley Municipal Code Chapter 14.62, renaming the One-Way Car Share Program as the One-Way Vehicle Share Program and removing obsolete references to parking permit stickers affixed to vehicles.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

Public Testimony: The Mayor opened the public hearing. 5 speakers.

M/S/C (Robinson/Wengraf) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Robinson/Arreguin) to:

1. Adopt Resolution No. 69,481–N.S.

2. Adopt first reading of Ordinance No. 7,722–N.S. Second reading scheduled for July 14, 2020.

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

34. Amendments to the Berkeley Election Reform Act; Amending Berkeley Municipal Code Chapter 2.12

From: Fair Campaign Practices Commission

Recommendation: Conduct a public hearing and upon conclusion, adopt an ordinance amending the Berkeley Election Reform Act, BMC Chapter 2.12, regarding the public financing program.

Financial Implications: None

Contact: Sam Harvey, Commission Secretary, (510) 981-6950

Public Testimony: The Mayor opened the public hearing. 0 speakers.

M/S/C (Arreguin/Wengraf) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Arreguin/Robinson) to adopt first reading of Ordinance No. 7,723–N.S. Second reading scheduled for July 14, 2020.

Vote: All Ayes.

Recess 9:15 p.m. – 9:27 p.m.

Action Calendar - Old Business

- 35. Placing Charter Amendment Measure on the November 3, 2020 Ballot Related to Full-Time Status and Salaries for the Mayor and Councilmembers** *(Continued from June 16, 2020)*
From: City Manager
Recommendation:
1. Adopt a Resolution submitting an Amendment to Article V of the City Charter regarding the full-time status and salaries for the Mayor and City Council to a vote of the electors at the November 3, 2020 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Item 35 continued to July 21, 2020 special meeting.
- 36. Recommendation to Prepare a City Ballot Measure to Create a Climate Action Fund, in Response to the Fossil Fuel Free Berkeley Referral** *(Item contains supplemental material) (Continued from June 16, 2020)*
From: Energy Commission
Recommendation: The Commission recommends that the City Council develop a referendum and seek approval for it on the 2020 ballot to create a Climate Action Fund, which would support actions to achieve the Berkeley Climate Action Plan, to become Fossil Fuel free, and to respond to the Climate Emergency.
Financial Implications: See report.
Contact: Billi Romain, Commission Secretary, (510) 981-7400
Action: Item 36 continued to July 21, 2020 special meeting.
- 37. Proposed Amendment to Berkeley's Minimum Wage Ordinance: Berkeley Municipal Code Chapter 13.99** *(Continued from June 16, 2020)*
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 13.99, revising Section 13.99.040 to reinstate the exemption for youth job training programs, and freezing the youth wages at \$14.50 per hour for FY21, then increase the wage annually according to the Consumer Price Index as will occur with the Berkeley Minimum wage.
Financial Implications: See report
Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
Action: 1 speaker. M/S/C (Arreguin/Wengraf) to take no action on Item 37.
Vote: All Ayes.

Action Calendar - Old Business

- 38. Placing Charter Amendment Measure on the November 3, 2020 Ballot to Repeal the Residency Requirement for Sworn Members of the Berkeley Fire Department** *(Continued from June 16, 2020)*
From: City Manager
Recommendation:
1. Adopt a Resolution submitting an Amendment to Article VII of the City Charter regarding the residency requirement for sworn members of the Fire Department to a vote of the electors at the November 3, 2020 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Item 38 including the revised material in Supplemental Communications Packet #2 continued to July 21, 2020 special meeting.
- 39. Contract: CycloMedia Technology, Inc. for Geographic Information System Infrastructure Asset Data Acquisition** *(Continued from June 16, 2020)*
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with CycloMedia Technology Incorporated for Geographic Information System infrastructure asset data acquisition, for an amount not to exceed \$187,401 for the period commencing on May 15, 2020 to June 30, 2022.
Financial Implications: Various Funds - \$187,401
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Moved to Consent Calendar. Adopted Resolution No. 69,482–N.S. including supplemental material in Supplemental Communications Packet #2.
Vote: Ayes – Kesarwani, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – Davila.

Action Calendar – New Business

40. FY 2021 Mid-Biennial Budget Update Adoption

From: City Manager

Recommendation: Adopt a Resolution:

1. Adopting the FY 2021 Budget as contained in the City Manager's FY 2021 Proposed Budget Update presented to Council on May 12, 2020, June 9, 2020, and as amended by subsequent Council action.
2. Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY 2021, as reflected in Attachment 2, and as amended by subsequent Council action.

Financial Implications: See report

Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000

Action: M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 12:00 a.m.

Vote: All Ayes.

Action: M/S/C (Arreguin/Droste) to suspend the rules and extend the meeting to 12:30 a.m.

Vote: All Ayes.

Action: M/S/C (Arreguin/Droste) to suspend the rules and extend the meeting to 1:00 a.m.

Vote: All Ayes.

Action: M/S/C (Wengraf/Droste) to end debate and call the question on Item 40.

Vote: Ayes – Kesarwani, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – Davila.

Action: 99 speakers. M/S/C (Arreguin/Droste) to adopt Resolution No. 69,483–N.S. as amended by the Budget & Finance Committee recommendations on June 29, 2020 (contained in the supplemental material from Mayor Arreguin in Supplemental Communications Packet #2), amended to remove the \$100,000 allocation for the Alcatraz Traffic Study, and in the supplemental materials from the City Manager accepted at the meeting. Additional direction provided to the City Manager to provide quarterly reports, with the first report in September 2020, on police overtime as written in the supplemental materials from Councilmember Harrison accepted at the meeting.

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

Action Calendar – New Business

41. FY 2021 Annual Appropriations Ordinance

From: City Manager

Recommendation: Adopt first reading of an Ordinance adopting the FY 2021 Annual Appropriations Ordinance (AAO) in the amount of \$521,674,251 (gross appropriations) and \$439,737,989 (net appropriations).

Financial Implications: See report

Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000

Action: 0 speakers. M/S/C (Arreguin/Droste) to adopt first reading of Ordinance No. 7,724–N.S. as amended in the materials accepted at the meeting to revise the amounts in the recommendation to \$533,318,519 (gross appropriations) and \$447,702,457 (net appropriations). Second reading scheduled for July 14, 2020.

Vote: All Ayes.

42. Borrowing of Funds and the Sale and Issuance of FY 2020-21 Tax and Revenue Anticipation Notes

From: City Manager

Recommendation: Adopt a Resolution approving the borrowing of \$43,000,000 and the sale and issuance of Fiscal Year 2020-21 Tax and Revenue Anticipation Notes.

Financial Implications:

Contact: Henry Oyekanmi, Finance, (510) 981-7300

Action: 0 speakers. M/S/C (Arreguin/Wengraf) to adopt Resolution No. 69,484–N.S.

Vote: All Ayes.

Information Reports

43. Dispatch Audit Report Wins National Recognition

From: Auditor

Contact: Jenny Wong, Auditor, (510) 981-6750

Action: Received and filed.

44. City Auditor Fiscal Year 2021 Audit Plan

From: Auditor

Contact: Jenny Wong, Auditor, (510) 981-6750

Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 3 speakers.

Adjournment

Adjourned at 1:03 a.m.

Communications

ADU and Golden Duplexes

1. Elisa Mikiten
2. Erik Dreher
3. Lee Goodwin
4. Jas Kaminsky
5. Andrew Marowitz (2)
6. Lauren Schiller
7. Gail Martin

East Bay Community Energy Budget and Rates

8. Richard Collins

Telegraph Avenue Triangle

9. Diana Bohn

True Issues – Not Signage

10. Wini Williams

Good Cause Eviction

11. Susan Sky

Telecom Ordinance

12. Soula Culver

Clean Up Around Adeline and Alcatraz

13. Ms. Richie and Friends of Adeline

Insurance Coverage During Civil Unrest

14. Ricardo Lara, Insurance Commissioner

15. Mary Beth Bykowsky, on behalf of Community Relations and Outreach Branch

Surveillance and Technology Ordinance

16. Blair Beekman

Fuel Powered Leaf Blowers

17. Yvette Chalom

Trump=Nazi Graffiti

18. Elana Naftalin-Kelman (4)

LRDP and Campus Master Plan Update

19. Margot Smith

Measure GG Tax Rate

20. Gradiva Couzin, Chair, Disaster and Fire Safety Commission

Police Concerns

21. Russbumper

22. Catherine Huchting

23. Margy Wilkinson

24. G. Whittle

25. Carole Marasovic

26. Margy Wilkinson

27. Jane Ellis

28. Lori Pottinger

29. Caterina and Jonathan Polland

30. Tom Luce

31. Christine Schwartz

32. Bud Hazelkorn

33. Carol Denney

34. Elisa Mikiten

Black Business Owners

35. Vivian Warkentin

Removing Flyers

36. Carol Denney

Covid-19

- 37. Carla Woodworth
- 38. Rachel Bradley
- 39. Nikos Daniilidis (2)
- 40. Rochelle Nason, City Councilmember City of Albany
- 41. Dawn Abrahamson
- 42. David Lerman (5)
- 43. Lisa Hernandez, Health Office/City of Berkeley
- 44. Chimey Lee
- 45. Georg Torgun
- 46. Mariam Wolodarski Lundberg

South Berkeley Neighborhood Development Corp. Request

- 47. Landon William, on behalf of SBNDC

Supplemental Communications and Reports 1

Item #37: Proposed Amendment to Berkeley's Minimum Wage Ordinance: Berkeley Municipal Code Chapter 13.99

- 48. Supplemental material, submitted by Health, Housing and Community Services

Item #42: Borrowing of Funds and the Sale and Issuance of FY 2020-21 Tax and Revenue

- 49. Supplemental material, submitted by Finance

Supplemental Communications and Reports 2

Item #38: Placing Charter Amendment Measure on the November 3, 2020 Ballot to Repeal the Residency Requirement for Sworn Members of the Berkeley Fire Department

- 50. Revised material, submitted by the City Manager's Office

Item #39: Contract: CycloMedia Technology, Inc. for Geographic Information System Infrastructure Asset Data Acquisition

- 51. Supplemental material, submitted by Information Technology

Item #40: FY 2021 Mid-Biennial Budget Update Adoption

- 52. Supplemental material, submitted by Mayor Arreguin
- 53. Supplemental material, submitted by Councilmember Hahn

Item #42: Borrowing of Funds and the Sale and Issuance of FY 2020-21 Tax and Revenue

- 54. Supplemental material, submitted by Finance

Urgency Item: Adopt a Revised Resolution Calling a General Municipal Election to Add a Fifth Seat to be Elected to the Rent Stabilization Board for the November 3, 2020 Election

- 55. Urgent item, submitted by the City Clerk's Office

Urgency Item: Ordinance Allowing Temporary Outdoor Uses on Private Property

- 56. Urgent item, submitted by the Planning and Development Department

Supplemental Communications and Reports 3

Item #27: Approval and Levy of 2018 Clean Stormwater Fee in FY 2021

57. Supplemental material, submitted by Public Works

Item #33: Amend One-Way Car Share Program: Electric Mopeds, Fees, Deposits

58. Kerby Olsen

Item #34: Amendments to the Berkeley Election Reform Act; Amending Berkeley Municipal Code Chapter 2.12

59. Brad Smith, Chair of the Fair Campaign Practices Commissions

Item #35: Placing Charter Amendment Measure on the November 3, 2020 Ballot Related to Full-Time Status and Salaries for the Mayor and Councilmembers

60. Barbara Gilbert

Item #36: Recommendation to Prepare a City Ballot Measure to Create a Climate Action Fund, in Response to the Fossil Fuel Free Berkeley Referral

61. Nancy Rader

62. Barbara Gilbert

Item #40: FY 2021 Mid-Biennial Budget Update Adoption

63. Revised material, submitted by Budget

64. Supplemental material, submitted by Councilmember Harrison

65. Diana Pruett

66. Nancy Rader

67. Haak Saxberg

68. Rebecca Shea

69. Joel Mandella

70. S. Omowale Fowles

71. Jesse Barber

72. Uma Channer

73. Rumur Dowling

74. Tara Blossom

75. Alecia

76. Avi Simon

77. Erica Sladky

78. Toki Nagata

79. Sara Bancroft

80. Christine Schwartz

81. Laurel Chen

82. Vikram Nagarajan

83. MJ Baumann

84. Derethia Du Val

85. Mary Butler

86. Nicole Bores

87. Steven Koneff Klatt

88. Katrina Lapira

89. Sophia DeWitt

90. RJ Godin
91. Mary Butler
92. Mary Behm-Steinberg
93. Alice An
94. Benjamin Karin
95. Beth Bouffard
96. Rosslyn Contreras
97. Sanya Sehgal
98. Rahwa Neguse, on behalf of Healthy Black Families
99. Saadhana Deshpande
100. Sanya Sehgal
101. Haazim Amirali
102. Vicki Alexander
103. Mathew Vernon
104. Catherine Huchting
105. Kelysey Crutchfield-Peters
106. Ashley Ro
107. Cristina Biasetto
108. Hope Henderson
109. Juliana Fredman
110. Susun Kim
111. Jennifer Schlissel
112. Arielle Balbus
113. Adele Failes-Carpenter
114. Jessica Stern
115. Frances Schaeffer
116. Ace Chen
117. Grace Reinhalter
118. Diana Alvarado
119. Katherine Cording
120. Jonah Lounds
121. Olivia deBree
122. Michelle Yiu
123. Samantha Whitty
124. John Butterfield
125. Alison Lafferty
126. Alicia Roy
127. Elisa Mikiten
128. Eden Marish Roehr
129. Orly Suveda
130. Ellen Woods
131. Katie Look
132. Austin Henderson
133. Maya Canonizado
134. Diana Bohn
135. Amelia Rudberg

- 136. Richard Lee
- 137. Sydney Trieu
- 138. Gabriella Willenz
- 139. Barbara Gilbert
- 140. Irfan Kovankaya

Item #41: FY 2021 Annual Appropriations Ordinance

- 141. Revised material, submitted by Budget

Item #44: City Auditor Fiscal Year 2021 Audit Plan

- 142. Presentation, submitted by the Auditor

Urgency Item: Letter to IBank in Support of Berkeley's Save Our Small (SOS) Business Loan Fund

- 143. Urgent item, submitted by Councilmember Hahn

Urgency Item: Tenant's Ability to End a Lease

- 144. Urgent item, submitted by Councilmember Harrison
- 145. Tiffany Tong
- 146. Samy Cherfaoui
- 147. Tanya Koroyan
- 148. Elicia Ye
- 149. Mayor Jesse Arreguin
- 150. Christine Maly