

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, October 27, 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/86157441939>. 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** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **861 5744 1939**. 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. 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: 6:12 p.m.

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

Absent: Kesarwani, Wengraf

Ceremonial Matters:

1. Recognition of the City's Single Use Disposable Foodware Ordinance by the Bay Area Regional Water Quality Control Board
2. Adjourned the meeting in memory of Yuksel Dinkeng, Local Artist
3. Adjourned the meeting in memory of Sereinat'e Henderson, Victim of Gun Violence
4. Adjourned the meeting in memory of Walter Wallace, Jr., Victim of Police Shooting in Philadelphia

City Auditor Comments:

The City Auditor expressed gratitude for the leadership, collaboration, and commitment of city staff in their response to the COVID-19 pandemic. The Auditor provided an update on the Police Audit, noting that many of the requested documents and data has been received and her office will work as quickly as possible to complete the data analysis.

City Manager Comments:

The City Manager provided a thorough update on the Reimagining Public Safety Process.

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Arreguin/Davila) to accept an urgency item from Councilmember Bartlett pursuant to Government Code Section 54954.2(b)(2) entitled Urgent Item: Create an Interjurisdictional Group Violence Intervention Program "GVI," or "Operation Ceasefire," to Reduce Gun Violence.

Vote: All Ayes.

Consent Calendar

Action: M/S/C (Arreguin/Hahn) to accept supplemental material from Councilmember Bartlett on Item 20.

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

Public Comment on Consent Calendar and Information Items Only: 32 speakers.

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

Vote: All Ayes.

Consent Calendar

Urgent Item: Create an Interjurisdictional Group Violence Intervention Program “GVI,” or “Operation Ceasefire,” to Reduce Gun Violence

From: Councilmember Ben Bartlett (Author), Mayor Jesse Arreguin (Co-Sponsor), and Councilmember Rashi Kesarwani (Co-Sponsor)

Recommendation: Refer to the Community Engagement Process for Reimagining Public Safety creation of a Group Violence Intervention Program (GVI), or “Operation Ceasefire,” that will assemble a Berkeley-centered interjurisdictional working group of community members, law enforcement personnel, and supportive services providers to address gun violence.

Financial Implications: Staff time and monetary amount to be determined
Contact: Councilmember Bartlett (510) 981-7130

Action: Councilmember Harrison added as a co-sponsor. Approved recommendation.

1. Lease Agreement for 225 University Avenue – Qasemi Abdul Moqim dba Berkeley Sportsman Center

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,735-N.S. authorizing the City Manager to execute a lease agreement and necessary amendments with Qasemi Abdul Moqim, doing business as Berkeley Sportsman Center, at 225 University Avenue at the Berkeley Marina for a term of three years, with a two-year option.

First Reading Vote: All Ayes.

Financial Implications: See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Action: Adopted second reading of Ordinance No. 7,735–N.S.

2. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the council meetings of September 15, 2020 (closed and regular), September 22, 2020 (closed and regular) and September 29, 2020 (closed and special).

Financial Implications: None

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

Action: Approved the minutes as submitted.

3. Annual Commission Attendance and Meeting Frequency Report

From: City Manager

Recommendation: Review and accept the annual Commission Attendance and Meeting Frequency Report.

Financial Implications: None

Contact: Mark Numainville, City Clerk, (510) 981-6908

Action: Item 3 continued to November 10, 2020.

Consent Calendar

4. Addendum to the Berkeley Revolving Loan Fund (RLF) Administrative Plan to augment the RLF with a COVID-19 Resiliency Loan Program

From: City Manager

Recommendation: Adopt a Resolution approving temporary changes to the Administrative Plan of the Berkeley Revolving Loan Fund (RLF) to encompass the COVID-19 Resiliency Loan Program as financed by the CARES Act Recovery Assistance Grant.

Financial Implications: See report

Contact: Dave White, City Manager's Office, (510) 981-7000

Action: Adopted Resolution No. 69,590–N.S.

5. Berkeley Economic Dashboards and Demographic Profile Update *(Reviewed by the Land Use, Housing, & Economic Development Committee)*

From: City Manager

Recommendation: On September 17, 2020, the Land Use, Housing, & Economic Development Committee made a positive recommendation that this item be deemed received.

Financial Implications: None

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Action: Approved recommendation of the Land Use, Housing, & Economic Development Committee.

6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on October 27, 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: Various Funds - \$1,067,302

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

Action: Approved recommendation.

7. Amending Berkeley Municipal Code Chapter 12.70 Sections 12.70.020 V, 12.70.035 E and 12.70.037 C to be in accordance with California Health and Safety Code

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 12.70 to update Section 12.70.020 Definitions section V and repealing Section 12.70.035.E and 12.70.037.C and adjusting the definition of "smoke" or "smoking" to include medical cannabis to align with the State of California Health and Safety code.

Financial Implications: None

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

Action: Adopt first reading of Ordinance No. 7,736–N.S. Second reading scheduled for November 10, 2020.

Consent Calendar

8. **Contract: Allana Buick & Bers, Inc. and Wiss, Janney, Elstner Associates, Inc. for On-Call Citywide Roof Assessment Services**
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to execute a contract and any amendments with the following firms for On-Call Roof Assessment Services for City-owned facilities, each for the period July 1, 2020 through July 1, 2023.
1. Allana Buick & Bers, Inc. (ABB), for an amount not to exceed \$175,000.
 2. Wiss, Janney, Elstner Associates, Inc. (WJE), for an amount not to exceed \$175,000.
- Financial Implications:** See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,591–N.S. (Allana Buick & Bers), and Resolution No. 69,592–N.S. (Wiss, Janney, Elstner).
9. **Contract Award: DMR Builders for the 125/127 University Avenue Tenant Improvement Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for the 125/127 University Avenue Tenant Improvements Project, Specification No.19-11324; 2. Accepting the bid of DMR Builders as the lowest responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed \$293,000.
- Financial Implications:** Various Funds - \$293,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,593–N.S.
10. **Contract No. 115731-1 Amendment: SKIDATA, Inc. (formerly Sentry Control Systems) for Extending Parking Access and Revenue Control System Maintenance Services and Warranties**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 115731-1 (Contract No. 10661B in FUND\$) with SKIDATA, Inc. (formerly Sentry Control Systems) to provide critical maintenance services and warranties for parking access and revenue control system equipment nearing the end of its useful life, extending the term to June 30, 2024 and increasing the contract amount by \$660,283 for a total not-to-exceed of \$1,995,540.
- Financial Implications:** See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,594–N.S.

Consent Calendar

- 11. Contract No. 112119-1 Amendment: Technology, Engineering, and Construction, Inc. for Tank Maintenance and Certification Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 112199-1 with Technology, Engineering and Construction, Inc. for the provision of tank maintenance and certification services, extending the term to June 30, 2022 and increasing the contract by \$100,000 for a total contract amount not to exceed \$250,000.
Financial Implications: Various Funds - \$100,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,595–N.S.
- 12. Contract No. 102354-1 Amendment: Direct Line Tele Response for Citywide After-Hours Answering Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment for up to \$150,000 to Contract No. 102354-1 with Direct Line Tele Response to provide continued customer service support after normal business hours, on weekends and holidays, for a total contract amount not to exceed \$432,750, and extending the contract term through December 31, 2022.
Financial Implications: Various Funds - \$150,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,596–N.S.
- 13. Referral Response: Game Day Parking – Minor Update to Include RPP Area K**
From: City Manager
Recommendation: Adopt a Resolution re-establishing parking restrictions on UC Berkeley football game days to include Residential Preferential Parking (RPP) Zone K (Panoramic Hill), and rescinding Resolution No. 69,089-N.S.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,597–N.S.
- 14. Renewal of the Elmwood Avenue BID for Calendar Year 2021**
From: Elmwood Advisory Board
Recommendation: Adopt a Resolution approving the Elmwood Business Improvement District Advisory Board’s (hereafter “Elmwood BID Advisory Board” or “the Advisory Board”) recommendation that Council: 1) approve the 2020 Annual Report and preliminary budget for proposed improvements in the District for calendar year 2021; 2) declare its intent to levy an assessment to finance improvements in the District for calendar year 2021 and 3) direct the City Clerk to schedule a public hearing on the renewal of the assessment for November 17, 2020.
Financial Implications: See Report
Contact: Kieron Slaughter, Commission Secretary, (510) 981-7530
Action: Adopted Resolution No. 69,598–N.S.

Consent Calendar

15. **Renewal of the Solano Avenue BID for Calendar Year 2021**

From: Solano Avenue BID Advisory Board

Recommendation: Adopt a Resolution approving the Solano Avenue Business Improvement District Advisory Board's (hereafter "Solano BID Advisory Board" or "the Advisory Board") recommendation that Council: 1) approve the 2020 Annual Report and preliminary budget on proposed improvements in the District for calendar year 2021; 2) declare its intent to levy an assessment to finance improvements in the District for calendar year 2021; and 3) direct the City Clerk to schedule a public hearing on the renewal of the assessment for November 17, 2020.

Financial Implications: See report

Contact: Eleanor Hollander, Commission Secretary, (510) 981-7530

Action: Adopted Resolution No. 69,599–N.S.

Consent Calendar

16a. Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement

Modifications *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

From: Housing Advisory Commission

Recommendation: The Commission recommends that City Council:

1. Make a short term referral directing the City Manager to correct current City Policies for enforcing BMC 12.70.035 so that these policies do not contradict the ordinance and BMC 12.70.035 requires that second and third complaints must refer to a violation or violations that occur after the 12.70.035(C) notice has been made.
2. Modify BMC 12.70.035 so that the requirement that signs be posted is enforced as part of the Residential Safety ordinance. Failure to post signage may result in fines, accordingly.
3. Modify BMC 12.70.035 so that repeated failure to provide new tenants with the City's brochure shall be guilty of an infraction. It shall also be an infraction for landlords to tell new tenants, in contradiction to the law, that tobacco smoking by some tenants is permitted.
4. Obtain an analysis of the financial impacts of the recommended modifications to the BMC.

(On September 29, 2020, the Health, Life Enrichment, Equity & Community Committee made a qualified positive recommendation to send the item to Council including the following referrals: 1. Refer to staff to explore expanding the Ordinance to buildings with one unit; 2. Refer to staff to explore and consider improvements in the interface between the residential and commercial non-smoking Ordinances in mixed-use buildings; 3. Refer to staff to create a web-based complaint filing mechanism/service; 4. Refer to staff to create special protocols for chronic situations and to consider including requirements for better air filtration and purification as well as other measures to effectively manage chronic cases; 5. Refer to staff to study the infraction and enforcement mechanisms and determine if they have any benefits and to consider other potential enforcement end points; 6. Refer to staff to look for opportunities for bias in enforcement and mechanisms to better guard against bias while still allowing for maximum action to resolve legitimate complaints; 7. Refer to staff to propose funding sources for enforcement; 8. Refer to staff to collect demographic data around complaints and targets of complaints (as much as possible); and 9. To return to Council with Ordinance amendments to accomplish the following: (a) amend or remove the 10-day language element (b) modify or remove the 2-complainant rule if warranted (c) adjust for the medical cannabis state law changes, (d) propose any and all other improvements beneficial to the Ordinance.)

Financial Implications: See report

Contact: Mike Uberti, Commission Secretary, (510) 981-7400

Action: See action for Item 16b.

Consent Calendar

16b. Companion Report: Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

From: City Manager

Recommendation: The City Manager appreciates the Housing Advisory Commission's efforts to strengthen the implementation of the Smoke-free Multi-Unit Housing ordinance and recommends that the proposed modifications be referred to the City Manager Office for an analysis of the financial and legal feasibility of the proposed changes.

(On September 29, 2020, the Health, Life Enrichment, Equity & Community Committee made a qualified positive recommendation to send the item to Council including the following referrals: 1. Refer to staff to explore expanding the Ordinance to buildings with one unit; 2. Refer to staff to explore and consider improvements in the interface between the residential and commercial non-smoking Ordinances in mixed-use buildings; 3. Refer to staff to create a web-based complaint filing mechanism/service; 4. Refer to staff to create special protocols for chronic situations and to consider including requirements for better air filtration and purification as well as other measures to effectively manage chronic cases; 5. Refer to staff to study the infraction and enforcement mechanisms and determine if they have any benefits and to consider other potential enforcement end points; 6. Refer to staff to look for opportunities for bias in enforcement and mechanisms to better guard against bias while still allowing for maximum action to resolve legitimate complaints; 7. Refer to staff to propose funding sources for enforcement; 8. Refer to staff to collect demographic data around complaints and targets of complaints (as much as possible); and 9. To return to Council with Ordinance amendments to accomplish the following: (a) amend or remove the 10-day language element (b) modify or remove the 2-complainant rule if warranted (c) adjust for the medical cannabis state law changes, (d) propose any and all other improvements beneficial to the Ordinance.)

Financial Implications: See report

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

Action: Approved recommendation of the Health, Life Enrichment, Equity & Community Committee.

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

Consent Calendar

- 17a. Recommendation to Modify Policies Related to the Enforcement of the Berkeley Smoke-Free Multi-Unit Housing Ordinance** *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*
From: Housing Advisory Commission
Recommendation: Approve modifications to policies related to the enforcement of the Smoke-Free Multi-Unit Housing Ordinance, as follows:
1. Increase staffing to implement enforcement of the ordinance as part of the next budget;
 2. Improve signage related to the ordinance in residential buildings;
 3. Make the complaint process less onerous and more user-friendly, including enabling complainants to submit complaints electronically, providing complaint forms in different languages, and removing language requiring the statements to be “sworn,” and considering other, less threatening language that still expects a complaint be provided under the best of appellant’s knowledge;
 4. Relax the current requirements around how the Ordinance-based complaint form must be completed in order to be processed (e.g., removing the requirement of providing two separate complaints from different individuals within a six-month period, if the building contains two or fewer units, removing the requirement of providing a sworn statement under penalty of perjury); and
 5. Refer to the Community Health and Cannabis Commissions the question of whether the use of recreational (non-medical) cannabis should be incorporated into the Smoke-Free Housing Ordinance.
- (No final action was taken by the Health, Life Enrichment, Equity & Community Committee. Item is automatically returning to the Council agenda pursuant to the 120-day time limit for items referred to policy committees.)*
- Financial Implications:** See report
Contact: Mike Uberti, Commission Secretary, (510) 981-7400
Action: See action for Item 17b.
- 17b. Companion Report: Recommendation to Modify Policies Related to the Enforcement of the Berkeley Smoke-Free Multi-Unit Housing Ordinance** *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*
From: City Manager
Recommendation: The City Manager appreciates the Housing Advisory Commission’s efforts to strengthen the implementation of the Smoke-free Multi-Unit Housing ordinance and recommends that the proposed modifications be referred to the City Manager Office for an analysis of the financial and legal feasibility of the proposed changes.
- (No final action was taken by the Health, Life Enrichment, Equity & Community Committee. Item is automatically returning to the Council agenda pursuant to the 120-day time limit for items referred to policy committees.)*
- Financial Implications:** See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: The Council took no action on the Item 17a and Item 17b due to the responsive action on Item 16b.

Council Consent Items

- 18. Budget Referral: \$50,000 to UC Theatre Concert Career Pathways Education Program**
From: Mayor Arreguin (Author), Councilmember Wengraf (Co-Sponsor)
Recommendation: Refer to the November 2020 AAO budget process the allocation of \$50,000 to the UC Theatre Concert Career Pathways Education Program.
Financial Implications: \$50,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmembers Harrison and Davila added as co-sponsors. Approved recommendation.
- 19. Treatment of Horses at Golden Gate Fields**
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Send a letter to the California Horse Racing Board to investigate the treatment and welfare of horses at Golden Gate Fields.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmember Harrison added as a co-sponsor. Approved recommendation.
- 20. Equitable Clean Streets Budget Referral: Funding for Staff to Conduct Bi-Weekly (Once Every Two Weeks) Residential Cleaning Services**
From: Councilmember Bartlett (Author), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the November AAO budget process to allocate \$500,000 from the General Fund to require biweekly (once every two weeks) cleaning of populated encampment sites, major corridors, and encampments adjacent to residential neighborhoods throughout the City of Berkeley for approximately one year. The City should also partner with appropriate non-profit organizations to create work opportunities for homeless residents who can help City staff clean the streets on an ongoing basis.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
Action: Approved recommendation revised to remove “from the General Fund” from the recommendation. Supplemental material submitted at the meeting from Councilmember Bartlett.

Council Consent Items

21. **Convert 62nd Street between King St, and Adeline St. into a One-Way Line that exits in the direction of Adeline St.**
From: Councilmember Bartlett (Author); Mayor Arreguin (Co-Sponsor)
Recommendation: Refer to the City Manager to convert 62nd Street between King St. and Adeline St. into a one-way lane that exits to Adeline and blocks motorists from entering 62nd Street through Adeline Street.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
Action: Approved recommendation.
22. **Resolution Adopting the 2020 Traffic Circle Vegetation Policy and Maintenance Plan** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)
Recommendation: Adopt the 2020 Traffic Circle Vegetation Policy and Maintenance Plan as revised by the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee.
(On September 16, 2020 the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee made a positive recommendation to send the item to Council, as submitted by staff, and as further revised by the committee to include: 1. That this policy be reviewed every five (5) years. 2. Tree standards will be refined overtime to meet the needs of the traffic circles. 3. If any trees are to be removed, the policy is to replace the tree with a more appropriate tree when possible. 4. If a tree is to be removed and it can be successfully replanted, it shall be.)
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Approved recommendation of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee. Adopted Resolution No. 69,600-N.S.
23. **Support for Berkeley Mutual Aid**
From: Councilmember Hahn (Author), Mayor Arreguin (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the City Manager and to the November FY2020 AAO budget adjustment process to identify existing resources, or propose a new allocation of funds, to provide emergency financial support to Berkeley Mutual Aid (BMA) to allow the organization to continue its highly valued programs and services addressing the needs of Berkeley residents sheltering-in- place during the COVID-19 health emergency. Support required for BMA to continue providing critical services to the community is \$3,000 per month, starting as soon as possible and continuing until 3 months after the COVID-19 emergency order is lifted.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Councilmember Wengraf added as a co-sponsor. Approved recommendation.

Recess 8:33 p.m. – 8:45 p.m.

Action Calendar – New Business

24. Referral Response: Lessons Learned in Organizational Management During Crisis and COVID-19 Response 2020 Summary Report

From: City Manager

Recommendation: Review and discuss the report and presentation on COVID-19 Response 2020 Summary Report.

Financial Implications: None

Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000

Action: M/S/C (Arreguin/Wengraf) to accept revised material from the City Manager on Item 24.

Vote: All Ayes.

Action: M/S/C (Arreguin/Davila) to suspend the rules and extend the meeting to 11:10 p.m.

Vote: Ayes.

Action: 8 speakers. Presentation made and discussion held.

Council Action Items

25. **Adopt a Resolution to Upgrade Municipal Accounts to 100% Renewable Plan**
(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee) (Item contains revised material)

From: Councilmember Harrison (Author), Mayor Arreguin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation:

a. Adopt a Resolution to opt up Berkeley's municipal accounts to Renewable 100 (100% renewable and 100% greenhouse gas-free) electricity service, and provide for yearly Council review of the City's default municipal, residential, and commercial plans.

b. Refer the estimated annual increased cost of \$94,063 to the November 2020 budget process.

(On February 6, 2020, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee took action to:

1. Approve recommendations b and c, as revised in the supplemental report submitted by Councilmember Harrison, with a Positive Recommendation.

Revised recommendation:

b. Opt up municipal East Bay Community Energy accounts to renewable 100 (100% renewable and 100% greenhouse gas-free) electricity service, and refer the estimated increased cost of \$100,040 to the June 2020 budget process; and,

c. Providing for yearly Council review of the City's default residential, commercial and municipal plans.

And:

2. Approve recommendation a, as revised in the supplemental report submitted by Councilmember Harrison, and send the item back to the City Council with a Positive Recommendation.

Revised recommendation:

a. Changing the service plan for current and new Berkeley residential Bright Choice accounts, except those enrolled in the California Alternate Rates for Energy Program, Family Electric Rate Assistance and Medical Baseline Allowance Program accounts, and all commercial East Bay Community Energy Bright Choice accounts to the Brilliant 100 (100% greenhouse gas-free) electricity service plan, effective [] for residential customers and [] for commercial customers. Customers will not lose the option of changing their plan or opting out of EBCE entirely.)

Financial Implications: See report

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

Action: Moved to Consent Calendar. Adopted Resolution No. 69,601–N.S. as printed in the agenda packet in the item from Councilmember Harrison

(recommendations a. and b. above) with an amended resolved clause as follows:

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized, and if funded by the Council, directed to select Renewable 100 as the electricity product for the City of Berkeley's municipal accounts, and that the Council shall review annually the City's default municipal, residential, and commercial plans in order to determine whether further adjustment is appropriate.

Information Reports

26. Police Review Commission Work Plan for 2020-2021

From: City Manager

Contact: Katherine Lee, Commission Secretary, (510) 981-4950

Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 0 speakers.

Adjournment

Adjourned at 11:10 p.m.

Communications

COVID-19 Related

1. David Lerman
2. Andrea Davis
3. Thomas Lord (2)
4. Ben Esposito

Grizzly Peak Fire Danger

5. Poppy Davis
6. Barbara Freeman (8)
7. Rachel Bradley
8. Joseph Heil
9. Sandi Thompson
10. David Thill (2)
11. Carla Shapreau
12. Sally Francis
13. Melinda Drayton
14. Joshua Bloom
15. Susan Griffin
16. Jurgen Aust
17. Ellen Archilla

Adeline Corridor

18. Rahwa Neguse, on behalf of Healthy Black Families
19. Anne Torney
20. Steve Martinot

Encampments and Homelessness

21. Diana Bohn
22. Jack Hlava, on behalf of the DoubleTree by Hilton at the Berkeley Marina

Berkeley Police Department

- 23. Buraaq Alrawi
- 24. Becca Nipper
- 25. Catherine Huchting
- 26. Barnali Ghosh, on behalf of Walk Bike Berkeley
- 27. Robert Landers (2)

Gun Violence

- 28. Gigi Satris
- 29. Robert Landers

Bird Scooters

- 30. Bob Walsh, on behalf of Bird Scooters

Raccoon Attacks

- 31. Jane Kitchel

Census Deadlines/Fake News

- 32. Chimey Lee

Installing Broadband During Street Repairs

- 33. Norie Clarke

San Pablo Tennis Courts

- 34. Carly McLane

Election Related

- 35. Geoff Lomax
- 36. Bill Rosen

Berkeley Fire Department EMT Thanks

- 37. Thomas Lord
- 38. Councilmember Harrison

Berkeley Property Transfer Tax

- 39. Barbara Gilbert (2)

Berkeley Art Center

- 40. Berkeley Art Center

Vision 2025

- 41. Karen Rubio
- 42. Lisa Wade
- 43. Debbie Parsons
- 44. Niland

EBCE: Resilient Home Program

- 45. Alex DiGiorgio, on behalf of East Bay Community Energy

Sharps Container

46. Thomas Lord

5G

47. Wanda Warkentin

North Berkeley BART and Affordable Housing

48. Claudia Valas

49. Carol Hirth

50. Jason Warriner

51. Betty Kano

52. Robert and Junko Kenmotsu

53. Robbin Henderson

54. Eileen Hughes

55. Janice Schroeder

56. Cece Littlepage

Firefighters Hiring Freeze

57. Justin Ironside, on behalf of the Berkeley Firefighters Association

58. Mayor Arreguin

Construction at 1155-1173 Hearst Avenue

59. Tracey Emerson (2)

60. Pam Ormsby

Turnouts on Winding Hill Streets

61. Bob Flasher

Berkeley Rental Housing Safety bill

62. Evan Meyer

Supplemental Communications and Reports 1

Item #20: Equitable Clean Streets Budget Referral: Funding for Staff to Conduct Bi-Weekly (Once Every Two Weeks) Residential Cleaning Services

63. Sallie Hanna-Rhyne

Supplemental Communications and Reports 2

Item #25: Adopt a Resolution to Upgrade Municipal Accounts to 100% Renewable Plan

64. Jessica Woodward

65. Marcia Edelen

Urgent Item: Create an Interjurisdictional Group Violence Intervention Program “GVI” or “Operational Ceasefire” to Reduce Gun Violence

- 66. Urgent item, submitted by Councilmember Bartlett, Mayor Arreguin and Councilmember Kesarwani
- 67. Moni Law
- 68. Boona Cheema
- 69. Bekka
- 70. John Lindsay-Poland

Supplemental Communications and Reports 3

Item #3: Annual Commission Attendance and Meeting Frequency Report

- 71. Janet Stromberg, Energy Commission Acting Chair

Item #7: Amending Berkeley Municipal Code Chapter 12.70 Sections 12.70.020 V, 12.70.035 E and 12.70.037 C to be in accordance with California Health and Safety Code

- 72. Barbara Gilbert

Item #16 & #17: Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications

- 73. Igor Tregub

Item #20: Equitable Clean Streets Budget Referral: Funding for Staff to Conduct Bi-Weekly (Once Every Two Weeks) Residential Cleaning Services

- 74. Supplemental material, submitted by Councilmember Bartlett
- 75. Beth Trask
- 76. Sam Kang
- 77. Brian LaFranchi
- 78. Hilary Winters
- 79. Andy Pinost

Item #21: Convert 62nd Street between King Street, and Adeline Street into a One-Way Line that exits the direction of Adeline Street

- 80. Willa Willis Jacobs
- 81. Jacquelyn Willis-McGhee
- 82. Bert Jacobs
- 83. Robert Garvey
- 84. Elena Ocean Levin
- 85. Catherine Huchting
- 86. Anna Levin
- 87. Brian LaFranchi
- 88. Hilary Winters

Item #23: Support for Berkeley Mutual Aid

- 89. Gregory Lemieux
- 90. Barbara Freeman

91. Betsy Beazley
92. Jordan Place
93. Daveed Mandell
94. David Peattie
95. Susan Springborg
96. Rada Chandra
97. Susan Snyder
98. Allison Murray
99. Barbara Lewis
100. Alexander Aguiar
101. Jonathan Larson
102. Valerie Hammer
103. Catherine Cade
104. Sameera Mangena
105. Kamardip Singh
106. Mark Misoshnik
107. Patrice Igelzi
108. Ari Fellows-Mannion
109. Kris Muller
110. Liza Lutzker
111. Plumeria Hertz
112. Emily McAfee
113. Kim Tonkyro
114. Karen Anderson
115. Andrew Reichart
116. Anastasia Mallillin
117. Betty Kano
118. Peter Bruce DuMont
119. Zoe Hall
120. Doris Fine
121. Linda Zagula
122. Becca Freed
123. Liz Exter
124. Shari Simburg
125. Veta Jacquelin
126. Jenner Greer
127. Maile Sherman and Jerome Behrens
128. Lynn Orlando
129. Alix Blair Darling
130. Vita Wells
131. Vicki Young
132. Denni Liebowitz
133. Cheryl Buckingham
134. LeeAnn Dowd
135. Kate Dworkin
136. Sandra Barlow

- 137. Liz Ruhland
- 138. Sandy Bredt
- 139. Tobie Helene Shaipiro
- 140. Aida Curtis
- 141. Cherly Lorenz
- 142. Karen Barad
- 143. Mariah Skye
- 144. Perlita Payne
- 145. Sierra Wagner
- 146. Stella Livingston
- 147. Gradiva Couzin
- 148. Patricia Bulitt
- 149. Margaret Rigg
- 150. Breda Courtney
- 151. Megan Cohen
- 152. Alison Sanford
- 153. Sasha Futran
- 154. Kelsey Reid
- 155. Megan Moran

Item #24: Referral Response: Lessons Learned in Organizational Management During Crisis and COVID-19 Response 2020 Summary Report

- 156. Presentation, submitted by the City Manager’s Office

Item #25: Adopt a Resolution to Upgrade Municipal Accounts to 100% Renewable Plan

- 157. Kathy Dervin and Mary Ann Furda
- 158. Irene Rosenthal
- 159. Ruby MacDonald, on behalf of the League of Women Voters
- 160. Veronika Fukson
- 161. Judith Daar
- 162. Igor Tregub, on behalf of the Sierra Club
- 163. Judy Bertelsen

Urgent Item: Create an Interjurisdictional Group Violence Intervention Program “GVI” or “Operational Ceasefire” to Reduce Gun Violence

- 164. Linda Franklin
- 165. Leah Redwood
- 166. Diana Bohn
- 167. Faith Fuller
- 168. Susan Marchionna
- 169. Heather Bradley
- 170. Lucy Slater
- 171. Jesse McFarland
- 172. Tiffany Veivia
- 173. Shana DeClercq
- 174. Mary Lou Van Deventer

- 175. Joey Flegel-Mishlove
- 176. Abigail Tarail
- 177. Kitt Sagior
- 178. Sarah Garrett
- 179. Nicole Freeling
- 180. Mark Rhoades
- 181. Alexandra Mitnick
- 182. Ann Rogers
- 183. Corinne Allen
- 184. Jason Lelchuk
- 185. Sally Hughes
- 186. Diana Maria Rossi
- 187. Mari Mendonca
- 188. Emily Modde
- 189. Hilary Winters
- 190. Linda Heneghan
- 191. Brian LaFranchi
- 192. Astrid Liu
- 193. Moni Law
- 194. Sam Kang

Miscellaneous Communications

People's Park Sharps Container

- 195. Max Ventura, on behalf of the People's Park Committee

Cell Towers

- 196. Clifford Fred
- 197. KO
- 198. Connie Anderson
- 199. Sgilma2340@
- 200. Stephanie Thomas
- 201. Sandra Nixon
- 202. Connie Anderson