

CONSENT CALENDAR

May 7, 2024

To: Honorable Members of the City Council

From: Mayor Jesse Arreguín

Subject: Budget Referral: Replenishing Business Damage Mitigation Fund

RECOMMENDATION

Refer to the Fiscal Year (FY) 2025-2026 Budget Process \$50,000 to replenish the business damage mitigation fund providing one-time grants to small businesses who experience property damage due to vandalism and other problematic behavior.

BACKGROUND

On June 2, 2020, Council passed a referral to the FY 2021 Budget Process to establish a COVID-19 Business Damage Mitigation Fund in an amount up to \$100,000 to provide one-time grants to small businesses who experience property damage due to vandalism and other problematic behavior during this COVID-19 local State of Emergency. The 2020 Council referral also set conditions on the use of grant funds: 1) grants limited per incident to the amount of the affected party's deductible or \$3,000 whichever is greater; 2) limit to two grants per business; 3) prioritize repair of exterior damage; and 4) prioritize small independent businesses in need.

A total of \$85,000 was allocated to the Downtown Berkeley Association for administration of the grant program. Grants were to mitigate damage caused to businesses, such as removing graffiti, replacing broken windows, doors or furniture, or cleaning and sanitizing business site or property. Given available resources the maximum grant was \$2,500 per business. The funds were exhausted in 2022 and there was more demand for funding than there were resources.

Many businesses are still rebounding from the pandemic and have not seen the same level of business activity as before the pandemic. Some businesses are also dealing with significant public safety issues, which sometimes results in vandalism. To assist small businesses with maintenance of their property in response to damage or vandalism, and to keep our businesses going to create economic activity and jobs, we are proposing to replenish and re-launch the Business Damage Mitigation Fund. If funded this create a positive driving force to attract more small business, retain existing small businesses, and demonstrate our commitment as a City to the evolving needs circumstances that create financial constraints on our businesses.

FINANCIAL IMPLICATIONS

\$50,000 from the City's General Fund as part of the 20245/2026 biennial budget process.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

CONTACT PERSON

Mayor Jesse Arreguín

510-981-7100

Anthony Rodriguez, Senior Legislative Assistant

Attachments:

- 1: Executed contract with Berkeley Downtown Association and annotated agenda from May 26, 2020 Council Meeting, November 6, 2020.
2. Original referral to the City Manager Establishing a COVID-19 Business Mitigation Fund dated June 2, 2020

EXPENDITURE NON-CONSTRUCTION CONTRACT REVIEW FORM: AMENDMENT

Original CMS #
(To be filled in by department)

Amendment CMS #
(To be filled in by department)

Contract # 32000175
(As originally issued by Auditor)

ERM 11/9

CONTRACTOR NAME: Downtown Berkeley Association

Subject of Contract: Administration of Business Damage Mitigation Fund

This contract package contains:	With Original Contract	Attached	Waiver Attached	Not Required
3 Original Contracts (Department, Vital Record and Vendor) in folders				
*The Vital Record contract MUST be in a folder.				
*Optional: In lieu of folders, Department and Vendor copies may be assembled with an Acco-fastener.				
1. Scope of Services and Term		x	<input type="checkbox"/>	<input type="checkbox"/>
2. Payment Provisions	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>
3. Living Wage Certification (if not submitted with original contract) LWO use current form on web*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x
4. Certification of Compliance with Equal Benefits Ordinance (if not submitted with original contract) EBO use current form on web*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x
5. Federally Funded Project Requirement ONLY: Debarment status printout (\$25,000 and above)		<input type="checkbox"/>		x
6. Insurance Certificate/s AND Endorsement/s OR Insurance Waiver/s (originals, not copies)		x	<input type="checkbox"/>	<input type="checkbox"/>
7. Authorizing Council Resolution # (May 26, 2020)		x		<input type="checkbox"/>

see items 25 on annotated agency

Berkeley Business License # 03558

Requisition # _____ (Hard copy attached) **Purchase Order #** _____

Budget Code 011-21-208-251-0000-000-446-636110 **Council Approved Amount \$** 25,000

Was there any advance payment? No Yes **If Yes, Advanced Amount \$** _____
If Yes, Purchase Order # _____

Original contract amount	\$ <u>60,000</u>
Amount/s added by previous amendment/s (if applicable)	\$ _____
Amount added by this amendment	\$ <u>25,000</u>
Total/cumulative contract amount after amendment	\$ <u>85,000</u>
Contingency	\$ _____
TOTAL NOT TO EXCEED AMOUNT	\$ <u>85,000</u>

Routing and signatures:

All elements of the contract package, including information provided above and on Amendment Data Transmittal form (page 2), have been reviewed for completeness and accuracy and evidenced by the following signatures (Project Manager please print name):

<u>Eleanor Hollander</u>	<u>OED</u>	<u>7536</u>	
1. Project Manager (PRINT NAME)	Department	Phone No.	Date
<u>Felicia Graham</u>			
2. Department Administrative Officer/Accounting			Date
<i>[Signature]</i>			
3. Department Head			Date
<i>[Signature]</i>			<u>11/4/2020</u>
4. Contract Administrator			Date
<u>BudgoTVia Email (attached)</u>			<u>11/5/2020</u>

EXECUTED
NOV 06 2020

* For current vendor forms, go to City of Berkeley website: <http://www.cityofberkeley.info/ContentDisplay.aspx?id=5418>

EXPENDITURE NON-CONSTRUCTION CONTRACT REVIEW FORM: AMENDMENT

City of Berkeley Contract Amendment Data Transmittal

(To be completed by Project Manager)

5. **Budget Manager**

Date

Routing continues to the following persons, who sign directly on the contract:

6. **City Manager** *(Will not sign unless all signatures and dates appear above)*

7. **City Auditor** *(Initial _____)*

8. **City Clerk:** CMS Login _____ Destruct _____ Review _____

EXPENDITURE NON-CONSTRUCTION CONTRACT REVIEW FORM: AMENDMENT

City of Berkeley Contract Amendment Data Transmittal

(To be completed by Project Manager)

Downtown Berkeley Association
Contractor
2230 Shattuck Avenue, Suite C Lower Level
Address
Berkeley, CA 94709
City/State/Zip

<p>Amended Contract Number: <u>32000175</u></p>
--

Contract Amendment Authority

- Resolution # _____ Original Resolution # _____
- Ordinance # _____ (if appropriate)
- x City Manager Authorization May 26, 2020 Item #25

Description of Amendment/s

- x Change of Services/Scope: Business Damage Mitigation Fund
- x Change of Dollars: Original Amount: \$60,000.00 Amended Not to Exceed Amount: \$85,000.00

Change of Contract Term

Change as of This Amendment or Extension:

From: _____ To: _____

Change as of Prior Amendment (if any) per letter from City Manager (May 2019):

From: _____ To: _____

Original Term: From: _____ To: _____

Evidence of Insurance for Contract Amendment

Insurance	Waiver	Amount	Expiration Date	TICKLER DATE <i>(City Clerk)</i>
Professional Liability	<input type="checkbox"/>	\$ _____	_____	_____
General Liability	x	<u>\$2,000,000</u> _____	<u>2/1/2021</u> _____	_____
Automobile	x	\$ _____	_____	_____
Workers Comp.	x	\$ _____	_____	_____
Bond	<input type="checkbox"/>	\$ _____	_____	_____

Sweet, Darryl

From: Berkeley, Teresa
Sent: Wednesday, November 04, 2020 10:56 PM
To: Sweet, Darryl
Cc: Murty, Rama
Subject: FW: DBA amendment for budget approval
Attachments: dba-002.pdf

Budget Final Review - Approved

From: Murty, Rama
Sent: Wednesday, November 4, 2020 2:49 PM
To: Berkeley, Teresa <TBerkeley@cityofberkeley.info>
Subject: FW: DBA amendment for budget approval

Budget Initial Review - Approved

Rama Murty, Senior Management Analyst
City Manager's Office - Budget Office
Phone: 981-7044
Fax: 981-7099

From: Sweet, Darryl
Sent: Wednesday, November 4, 2020 1:26 PM
To: Murty, Rama <RMurty@cityofberkeley.info>
Subject: DBA amendment for budget approval

DBA
amendment
for budget approval

Thank you,
Darryl

Darryl Sweet, MSCM, CPSM
General Services Manager
City of Berkeley, Department of Finance
510-981-7329
dsweet@cityofberkeley.info

AMENDMENT TO CONTRACT

THIS CONTRACT is entered into on October 23, 2020 between the CITY OF BERKELEY ("City"), a Charter City organized and existing under the laws of the State of California, and Downtown Berkeley Association ("Contractor") a company, doing business at 2230 Shattuck Avenue, Suite C Lower Level, Berkeley, CA 94704.

WHEREAS, City and Contractor previously entered into Contract Number 32000175, dated January 1, 2020, which Contract was authorized by the Berkeley City Council by the City Manager of the City of Berkeley.

WHEREAS, on December 3, 2019 (Item #27), As provided by Council allocation was approved the City Manager has the option to extend this agreement, the Berkeley City Council authorized amendment of said Contract as set forth below.

WHEREAS, on May 26, 2020 (Item #25), As provided by Council allocation was approved the City Manager has the option to extend this agreement, the Berkeley City Council authorized amendment of said Contract as set forth below

THEREFORE, City and Contractor mutually agree to amend said Contract as follows:

1. Section 2 is amended to read as follows:

PAYMENT

For services referred to in Section 1, City will pay Contractor a total amount not to exceed \$85,000. City shall make payments to Contractor in accordance with provisions described in Exhibit B1, which is attached to and made part of this Contract. The original Exhibit B, still remains in full force and effect.

2. Section 3.a. is amended to read as follows;

SCOPE

Accordance with provisions described in Exhibit A1, which is attached to and made part of this Contract. The original Exhibit A, still remains in full force and effect.

3. Further, this Contract is amended to include the following language regarding the City's Sanctuary Contracting Ordinance:

SANCTUARY CITY CONTRACTING

Contractor hereby agrees to comply with the provisions of the Sanctuary City Contracting Ordinance, B.M.C. Chapter 13.105. In accordance with this Chapter, Contractor agrees not to provide the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security with any Data Broker or Extreme Vetting Services as defined herein:

- a. “Data Broker” means either of the following:
 - i. The collection of information, including personal information about consumers, from a wide variety of sources for the purposes of reselling such information to their customers, which include both private-sector business and government agencies;
 - ii. The aggregation of data that was collected for another purpose from that for which it is ultimately used.
- b. “Extreme Vetting” means data mining, threat modeling, predictive risk analysis, or other similar services. Extreme Vetting does not include:
 - i. The City’s computer-network health and performance tools;
 - ii. Cybersecurity capabilities, technologies and systems used by the City of Berkeley Department of Information Technology to predict, monitor for, prevent, and protect technology infrastructure and systems owned and operated by the City of Berkeley from potential cybersecurity events and cyber-forensic based investigations and prosecutions of illegal computer based activity.

In all other respects, the Contract dated October 1, 2018, shall remain in full force and

effect.

IN WITNESS WHEREOF, City and Contractor have executed this Contract as of the date written in the first paragraph of this Contract.

CITY OF BERKELEY

By [Signature]
City Manager

THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CITY ATTORNEY FOR THE CITY OF BERKELEY 10/2019

Registered on behalf of the City Auditor by:
[Signature]
Finance Department

Attest:

[Signature]
Deputy City Clerk

CONTRACTOR

John E. Z. Comer Jr, CEO, Downtown Berkeley Assn
Name (Printed)

By [Signature], CEO
Signature and Title

EXHIBIT A1

SCOPE OF SERVICES

This Scope of Services outlines the work to be performed by the Downtown Berkeley Association to administrate the citywide COVID-19 Business Damage Mitigation Fund for all eligible Berkeley businesses.

I. WORK PROGRAM IMPLEMENTATION

Administrate the citywide COVID-19 Business Damage Mitigation Fund to provide one-time grants to small businesses in Berkeley in good standing with a valid Berkeley business license who experience property damage due to vandalism during the declared COVID-19 local State of Emergency. The **COVID-19 Business Damage Mitigation Fund program** shall be operated with the following conditions and program parameters:

1. **COVID-19 Business Damage Mitigation Fund Program** is available for any small business in the city that has experienced documented vandalism and/ or property damage from the date that the initial local Shelter-In-Place order went into effect (March 16, 2020) until the local declaration of emergency is rescinded by the City Council of the City of Berkeley.
2. Maximum grant amount available to any small business: \$2,500
3. Recipient of grant funds shall submit pictures documenting vandalism / property damage, invoices and receipts, and proof of payment.
4. List of items that qualify for a grant under the COVID-19 Business Damage Mitigation includes, but is not limited to:
 - Removing graffiti
 - Repairing and/or replacing broken windows, doors, and furniture
 - Cleaning and / or Sanitization of business site or property
5. DBA shall provide the City a monthly report on the businesses that have received a grant under the COVID-19 Business Damage Mitigation Fund including the business name, address, amount of grant funds received, and items subject to reimbursement.
6. Recipients of any amount of COVID-19 Business Damage Mitigation Funds shall attest that third-party funds (i.e. insurance reimbursement or any other grant) have not been used to repair the vandalism and/or property damage subject to reimbursement.
7. DBA shall work collaboratively with the City to widely publicize the COVID-

19 Business Damage Mitigation Fund to all eligible Berkeley businesses.

8. Any Recipient of a grant from the COVID-19 Business Damage Mitigation Fund shall retain records for 5 years.
9. In the event the fund is oversubscribed at the outset, payments will be proportionally reduced by amount over subscribed. Conversely, if the fund is not oversubscribed at the outset (beginning with the disbursement of funds and execution of this contract), then payments will be continue to be may after that date on a 'first come first serve' basis.

EXHIBIT B1

PAYMENT

City of Berkeley agrees to provide the Downtown Business Association with a lump-sum payment of \$25,000 to administer, on the City's behalf, a COVID-19 Business Damage Mitigation Fund that is available to all small businesses in the City of Berkeley.

Any remaining funds in the COVID-19 Business Damage Mitigation Fund that have not be granted at the time that the City Council rescinds the local declaration of emergency due to COVID-19 shall be returned to the City within 90 days of the date that the local declaration of emergency expires.

The City will pay funds to the Downtown Berkeley Association upon receipt of a complete invoice.

An invoice shall be submitted once for payment upon the execution of this contract amendment.

The estimated total amounts of each invoice shall be:

	Amount NTE
<u>Payment One</u>	<u>\$25,000</u>
Total Additional Contract Amount	\$25,000

The cumulative total amount of the contract not to exceed is (\$60,000 [original] + \$25,000[additional]), or \$85,000.

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING**

**Tuesday, May 26, 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/84645708594>. 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: **846 4570 8594**. 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: 6:09 p.m.

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

Absent: None

Action: M/S/C (Arreguin/Robinson) to adopt the temporary rules presented by the Mayor for the conduct of business at the May 26, 2020 Council meeting.

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

Ceremonial Matters:

1. Adjourn in memory of all victims of COVID-19
2. Morton McDonald, Berkeley Resident
3. Lynette Levy, Berkeley Resident
4. Maria Guevarra, Local Activist
5. William Barclay Caldeira a.k.a."300"
6. Recognition of May 2020 as Mental Health Month

City Auditor Comments:

The City Auditor provided a summary of the services provided by the City Auditor Department and an update on the budget and staffing demands on the Department.

City Manager Comments:

The City Manager expressed appreciation to the City Council and COVID-19 response team for their efforts. The City Manager also provided a summary of the efforts to respond to and contain COVID-19 in the Skilled Nursing Facilities and Long Term and Memory Care Facilities in Berkeley.

Public Comment on Non-Agenda Matters: 8 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 3 speakers.

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

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

Action: M/S/C (Arreguin/Wengraf) to add an urgent item from the City Manager to the agenda pursuant to Government Code Section 54954.2(b).

Vote: All Ayes.

Consent Calendar

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

Vote: All Ayes.

Consent Calendar

Urgency Item: Contract with Berkeley Food & Housing Project for COVID-19 Non-Congregate Shelter Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to: 1) Execute one or more sole-source contract(s) and any amendments with Berkeley Food & Housing Project (BFHP) for one year to provide homeless wrap-around supportive services at Berkeley's COVID-19 Respite Sites, located at 1281 University Avenue, 1654 5th Street and 701 Harrison Street; and 2) Make an advance payment on this contract from Homeless Emergency Aid Program (HEAP) funding sufficient to cover one month's worth of services prior to contract execution.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,399–N.S.

1. **Amendment: FY 2020 Annual Appropriations Ordinance**

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,700-N.S. amending the FY 2020 Annual Appropriations Ordinance No. 7,694–N.S. for fiscal year 2020 based upon recommended re-appropriation of committed FY 2019 funding and other adjustments in the amount of \$47,770,093 (gross) and \$42,815,104 (net).

First Reading Vote: All Ayes.

Financial Implications: See report

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

Action: Adopted second reading of Ordinance No. 7,700-N.S.

2. **Dorothy Day House License Agreements: Veterans Memorial Building and Old City Hall**

From: City Manager

Recommendation: Adopt second reading of Ordinance Nos. 7,701-N.S. and 7,702-N.S. authorizing the City Manager or her designee to execute license agreements and any amendments thereto with Dorothy Day House to provide services at the Veterans' Memorial Building at 1931 Center Street (Ordinance No. 7,701-N.S.) and the Old City Hall at 2134 Martin Luther King Jr. Way (Ordinance No. 7,702-N.S.).

First Reading Vote: All Ayes.

Financial Implications: See report

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

Action: Adopted second reading of Ordinance No. 7,701-N.S. (1931 Center Street) and Ordinance No. 7,702-N.S. (2134 MLK Jr. Way).

Consent Calendar

- 3. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the council meetings of April 14, 2020 (special closed and regular), April 21, 2020 (special closed and regular) and April 28, 2020 (regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved minutes as submitted.
- 4. California Governor's Office of Emergency Services - Authorized Agent for Disaster Relief for COVID-19**
From: City Manager
Recommendation: Adopt a Resolution designating the City Manager as the Authorized Agent for the purpose of obtaining certain state and financial assistance related to preparation for, response to, and recovery from the COVID-19 pandemic.
Financial Implications: See report
Contact: Dave White, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 69,400–N.S.
- 5. Assessments: Downtown Berkeley Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Downtown Berkeley Property Based Business Improvement District (DPBID) Annual Report of FY 2020 and proposed budget for FY 2021, and declaring Council's intention to levy an annual assessment for the DPBID for FY 2021.
Financial Implications: See report
Contact: Jordan Klein, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 69,401–N.S.
- 6. Assessments: Telegraph Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Telegraph Property Based Business Improvement District (TBID) Annual Report of FY 2020 and proposed budget for FY 2021, and declaring Council's intention to levy an annual assessment for the TBID for FY 2021.
Financial Implications: See report
Contact: Jordan Klein, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 69,402–N.S.

Consent Calendar

7. **Notice of Appropriations Limit for Fiscal Year 2021**
From: City Manager
Recommendation: Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2021 at its meeting of June 30, 2020; and 2) the amount of the limit and the background material used in its calculation will be available for public review from the City Clerk's Office on or before June 15, 2020.
Financial Implications: See report
 Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 69,403–N.S.
8. **Contract Amendment: Berkeley Food & Housing Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with vendor Berkeley Food & Housing Project (BFHP) to provide administrative services for Berkeley Mental Health (BMH) Flexible Spending Programs and the Russell Street Residence through June 30, 2021 in an amount not to exceed \$960,874. This will extend the existing contract by one year and add in \$603,874 in funding to pay for the services outlined below.
Financial Implications: Various Funds - \$603,874
 Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,404–N.S.
9. **Contract: Bay Area Community Resources for the Placement of AmeriCorps Members**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an expenditure contract and any amendments or extensions thereto with Bay Area Community Resources in an amount not to exceed \$56,000 for the period July 1, 2020 through June 30, 2021 for the placement of AmeriCorps members.
Financial Implications: See report
 Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,405–N.S.
10. **Grant Agreement: Funding Support from Alameda County to Public Health Infrastructure Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to Alameda County, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Public Health Infrastructure Program in the projected amount of \$32,080 for FY 2021.
Financial Implications: See report
 Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,406–N.S.

Consent Calendar

- 11. Revenue Grant Agreements: Funding Support from Alameda County to Conduct Public Health Services**
From: City Manager
Recommendation: Adopt four Resolutions authorizing the City Manager or her designee to submit grant agreements to Alameda County, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following five revenue agreements:

 1. Foster Care Program in the projected amount of \$93,187 for FY 2021;
 2. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of \$178,778 for FY 2021;
 3. School Linked Health Services Program (Measure A Funding) in the projected amount of \$193,175 for FY 2021;
 4. Tobacco Prevention Program in the projected amount of \$76,290 for FY 2021.

Financial Implications: See report
Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,407–N.S. (Foster Care), Resolution No. 69,408–N.S. (Berkeley High), Resolution No. 69,409–N.S. (School Linked), and Resolution No. 69,410–N.S. (Tobacco Prevention).

- 12. Revenue Grant Agreement: Funding Support from the State of California for the Tuberculosis Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Tuberculosis Control Program in the projected amount of \$14,000 for FY 2021.
Financial Implications: See report
Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,411–N.S.

- 13. Contract: Software AG, Inc. for Software, maintenance and professional services for Data Integration Middleware Platform webMethods**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Software AG, Inc. for software, maintenance and professional services for Data Integration Middleware Platform webMethods in an amount not to exceed \$436,000 for the term June 1, 2020 to June 30, 2023.
Financial Implications: See report
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,412–N.S.

Consent Calendar

- 14. Contract No. 10414B Amendment: Geographic Technologies Group (GTG) for Geographic Information System (GIS) Master Plan**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10414B with Geographic Technologies Group (GTG) for Geographic Information System (GIS) Master Plan, for a total not to exceed \$95,451 and for a total contract value of \$399,411 from September 14, 2016 to June 30, 2022.
Financial Implications: Professional Services Fund - \$95,451
 Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,413–N.S.
- 15. Donation: Friends of Berkeley Tuolumne Camp for Berkeley Tuolumne Camp Shade Structure Design**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation from the Friends of Berkeley Tuolumne Camp in the amount of \$74,266 for the Berkeley Tuolumne Camp Shade Structure Design.
Financial Implications: Donation - \$74,266
 Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 69,414–N.S.
- 16. Lease for 235 University Avenue – YOONACO, Inc. dba Hana Japan**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement and necessary amendments with YOONACO, Inc., doing business as Hana Japan Steak and Seafood, at 235 University Avenue at the Berkeley Marina for a term of five years, with a five year tenant-option.
Financial Implications: See report
 Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted first reading of Ordinance No. 7,703–N.S. Second reading scheduled for June 16, 2020.
- 17. Declaration of Intent - FY 2021 Street Lighting Assessments**
From: City Manager
Recommendation: Adopt two Resolutions granting the City Manager the authority to approve the Engineer's Reports; set a public hearing to be held before the Council of the City of Berkeley at its June 16, 2020 meeting; and authorize the City Clerk to publish Notice of the Public Hearing for FY 2021 Levy of Assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018.
Financial Implications: See report
 Contact: Phillip Harrington, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,415–N.S. (District No. 1982-1) and Resolution No. 69,416–N.S. (District 2018).

Consent Calendar

- 18. Contract Amendment No. 31900055: Community Conservation Centers, Inc. for Processing and Marketing Services of Recyclable Materials**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend and extend Contract No. 31900055 with Community Conservation Centers, Inc. for the Processing and Marketing of Recyclable Materials, which includes curbside collected, residential drop-off and buyback materials, for one (1) year through June 30, 2021, with an increase of \$2,100,000 for a revised Contract not to exceed amount of \$6,100,000.
Financial Implications: Zero Waste Fund - \$2,100,000
Contact: Phillip Harrington, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,417–N.S.
- 19. Contract No. 10661A Amendment: SKIDATA, Inc. (formerly Sentry Control Systems) for 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. 10661A with SKIDATA, Inc. (formerly Sentry Control Systems) to provide maintenance services and warranties for parking access and revenue control system equipment, increasing the contract amount by \$111,150 for a total not-to-exceed amount of \$1,335,257.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,418–N.S.
- 20. Contract No. 10145 Amendment: IPS Group, Inc. for Parking Meter Operations**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No.10145 with IPS Group, Inc. to provide parking meters, replacement parts, and support services, increasing the contract amount by an additional \$1,513,540 for a total contract amount not to exceed \$7,033,457 through June 30, 2022.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,419–N.S.

Consent Calendar

21. **Contract No. 9977A Amendment: Portable Computer Systems dba PCS Mobile for Automated License Plate Reader Equipment**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9977A with Portable Computer Systems dba PCS Mobile to replenish the contract budget for automated license plate reader equipment, increasing the contract amount by \$175,000, for a total amount not to exceed \$1,825,000.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,420–N.S.
Vote: Ayes – Kesarwani, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – Davila, Bartlett, Harrison, Hahn.

Action Calendar – Public Hearings

22. **Electric Bike Share Program Franchise Amendment** (*Continued from April 21, 2020*)
From: City Manager
Recommendation: Pursuant to Berkeley Municipal Code Chapter 9.60, conduct a public hearing and upon conclusion, adopt the first reading of an Ordinance granting a Franchise Agreement Amendment to Bay Area Motivate, LLC, a subsidiary of Lyft Incorporated, to provide shared electric bicycles to the Berkeley public.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, (510) 981-6300

Action: Item 22 removed from the agenda by the City Manager.

Action Calendar – Old Business

23. **Contract: CycloMedia Technology, Inc. for Geographic Information System Infrastructure Asset Data Acquisition** (*continued from May 12, 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: 3 speakers. M/S/C (Harrison/Hahn) to continue Item 23 to the June 16, 2020 agenda and direct the City Manager to provide an acquisition report and use policy for the infrastructure asset data technology.
Vote: All Ayes.

Recess 8:15 p.m. – 8:25 p.m.

Action Calendar – New Business

24a. Fiscal Year 2021 Proposed Budget Update Discussion

From: City Manager

Recommendation: Discussion regarding the FY 2021 Proposed Budget Update.

Financial Implications: See FY 2021 Proposed Budget Update

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

Action: 4 speakers. Presentation made and discussion held.

24b. FY 2020 Mid-Year Budget Update (*Continued from May 12, 2020*)

From: City Manager

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

Action: M/S/C (Arreguin/Robinson) to continue Item 24b to June 2, 2020.

Vote: All Ayes.

25. ~~Establishing a COVID-19 Business Damage Mitigation Fund~~

From: ~~Mayor Arreguin (Author), Councilmember Harrison (Author),~~

~~Councilmember Robinson (Author)~~

~~**Recommendation:** Refer to the City Manager to establish a COVID-19 Business Damage Mitigation Fund in an amount up to \$100,000 to provide one-time grants to small businesses who experience property damage due to vandalism and other problematic behavior during this COVID-19 local State of Emergency~~

~~**Financial Implications:** Up to \$100,000~~

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

~~**Action:** speakers. M/S/C (Arreguin/Harrison) to suspend the rules and extend the meeting to 11:30 p.m. and continue Item 25 to June 2, 2020 to be the first item on the Action Calendar.~~

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

26. Support a Global Ceasefire During the Coronavirus (COVID-19) Pandemic

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

Recommendation:

1. Adopt a Resolution in Support of a Global Ceasefire during the COVID-19 Pandemic.

2. Send copies of this resolution to the United Nations Secretary-General, United States Senators Bernie Sanders, Kamala Harris, Dianne Feinstein, and United States Congressional Representatives Barbara Lee, Ro Khanna, Alexandria Ocasio-Cortez, Ilhan Omar, Ayanna Pressley, Rashida Harbi Tlaib, and Pramila Jayapa.

Financial Implications: None

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

Action: Moved to Consent Calendar. Adopted Resolution No. 69,421–N.S. and approved sending the resolution to the listed entities.

Action Calendar – New Business

27. **Urgency Ordinance: Updates to the Covid-19 Emergency Response Ordinance From: Councilmember Harrison (Author), Councilmember Davila (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)** *(Item contains revised material)*
Recommendation: Adopt an urgency ordinance amending Berkeley Municipal Code 13.110, Title 13, "The COVID-19 Emergency Response Ordinance," to enhance emergency tenant protections consistent with recently adopted County laws, action in other jurisdictions, and consultation with community stakeholders.
Financial Implications: None
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- Action:** speakers. M/S/C (Arreguin/Hahn) to suspend the rules and extend the meeting to 11:40 p.m.
Vote: Ayes – Kesarwani, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – Davila.
- Action:** 16 speakers. M/S/C (Harrison/Davila) to adopt Ordinance No. 7,704–N.S. as revised in Supplemental Communications Packet #1 from Councilmember Harrison with additional amendments to sections 13.110.020B, 13.110.030A, 13.110.030D, 13.110.050A, and 13.110.050B introduced verbally at the meeting.
Vote: All Ayes.

Information Reports

28. **FY 2019 Fourth Quarter Investment Report: Ended June 30, 2019** *(Reviewed by Budget & Finance Policy Committee. Item contains supplemental material)*
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed. (Item contains supplemental material.)
29. **FY 2020 First Quarter Investment Report: Ended September 30, 2019** *(Reviewed by Budget & Finance Policy Committee. Item contains supplemental material)*
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed. (Item contains supplemental material.)

Public Comment – Items Not Listed on the Agenda – 4 speakers.

Adjournment

Adjourned at 11:40 p.m.

Communications

- Item #25: Establishing a COVID-19 Business Damage Mitigation Fund**
1. John Caner, on behalf of the Downtown Berkeley Association

Item #27: Urgency Ordinance: Update to the Covid-19 Emergency Ordinance

2. Samara Bennett
3. Diana Bohn
4. Friends of Adeline
5. Ellen Woods
6. David Seegal
7. Ariana Thompson-Lastad

Berkeley Manufacturing

8. Kirsten MacDonald, on behalf of the Berkeley Chamber of Commerce
9. Sam Johnson (4)
10. Dee Williams-Ridley, City Manager (2)

Slow Streets – Walkers, Runners and Bicyclists

11. Sabina McMurtry
12. Shirley Stuart
13. Hanna Tamrat
14. Josie Gerst

Homelessness

15. Alfred Manning
16. Safiyah Lazkani

Construction during the Pandemic

17. Thomas Lord

Transfer Station Rates

18. David Lerman

Berkeley Businesses, Arts and Education Programs

19. Doris Fukawa, on behalf of the Crowden Music Center

TOD at Ashby and Berkeley BART

20. Laura Klein
21. Councilmember Harrison
22. Barbara Gilbert
23. David Taylor

People's Park

24. Max Ventura
25. Ivar Diehl
26. Tom Luce

KPFB

27. Thomas Lord (2)
28. Mark Numainville, City Clerk

Property Lien

29. Sinan and Arzu Sabuncuoglu

Golden Duplex/ADU/Airbnb

30. Monika Mann

31. Judy Hunt

32. Sage Linda Spatz

Crisis at Aquatic Park

33. James Corrie

Salary Cuts for City of Berkeley Employees

34. Genevieve Wilson (2)

COVID-19

35. Todd Seeley

36. David Lerman (3)

37. Carol Denney

38. Topher Brennan

39. Thomas Lord

Supplemental Communications and Reports 1

Item #25: Establishing a COVID-19 Business Damage Mitigation Fund

40. Kathryn Collins, on behalf of Harvest Properties

41. Eric Friedman

Item #27: Urgency Ordinance: Updates to the Covid-19 Emergency Response Ordinance

42. Revised material, submitted by Councilmember Harrison

43. Chimey Lee

44. The 1921 Walnut Street Association

45. Chris Hudson

46. Pablo

47. Tim Ranahan

48. Samara Bennett

Supplemental Communications and Reports 2

Item #22: Electric Bike Share Program Franchise Amendment

49. Ingrid Good

50. Chimey Lee

Item #25: Establishing a COVID-19 Business Damage Mitigation Fund

51. Eric Friedman (2)

52. Councilmember Harrison (2)

Item #26: Support a Global Ceasefire During the Coronavirus (COVID-19) Pandemic

53. Chimey Lee

Item #27: Urgency Ordinance: Updates to the Covid-19 Emergency Response Ordinance

54. Evelina Nava, on behalf of the East Bay Community Law Center
55. Max Ventura
56. Pam Speich
57. Juli Dickey
58. Todd Jersey
59. Summi Kaipa
60. Bruce Bagnell
61. Margot Smith
62. Michael Katz
63. Jane Kitchel
64. Donna Mickleson
65. Carol Denney
66. Kitty Calavita
67. Sophia DeWitt
68. Arnold Kessler
69. Glen Lindwall
70. Erik Dreher
71. Zane Dundon
72. Milind Hegde
73. Elizabeth Ferguson
74. Louise Rosenkrantz
75. Igor Tregub, on behalf of the Sierra Club Northern Alameda County
76. Travis King
77. Blair Beckman
78. Mick Mize
79. Bert Knorr
80. Corey Sherman
81. Izaak Meckler
82. Michael Stock-Matthews
83. Liza Veale
84. Leah Bacon
85. Isaac Krone
86. Linda Franklin
87. Sally Nelson
88. Kitty Calavita
89. Rose Glickman
90. Lynne Camerson
91. Rosie Cohan
92. Zoe Stahl
93. Kevin Jude
94. Emma Heinichen, on behalf of Zacks, Freedman & Patterson Law Firm
95. Andrew Muhoberac
96. Chimey Lee
97. Xenia Lopez (2)

Supplemental Communications and Reports 3

Item #24a: Fiscal Year 2021 Proposed Budget Update Discussion

- 98. Supplemental material, submitted by the City Manager's Office
- 99. Presentation, submitted by the City Manager's Office

Item #27: Urgency Ordinance: Updates to the Covid-19 Emergency Response Ordinance

- 100. Andrea Mullarkey
- 101. Sophia Hussain
- 102. Melanie Lawrence & John Small
- 103. Terry Taplin
- 104. Brian Troutwine
- 105. Sara Elzeiny
- 106. Sara
- 107. Sheila Jordan
- 108. Chimey Lee
- 109. Christine Schwartz
- 110. Bay Area Community Land Trust
- 111. Bryce Nesbit
- 112. Carole Marasovic

Urgent Item: Contract with Berkeley Food & Housing Project for COVID-19 Non-Congregate Shelter Services

- 113. Urgent Item, submitted by the City Manager's Office

Miscellaneous Communications

Keeping Lockdown Livable

- 114. Bryce Nesbit

Cell Tower Installation

- 115. Wanda Warkentin (2)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/13/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AJ GALLAGHER & CO INS BKR CA/PHS 57101944 The Hartford Business Service Center 3600 Wiseman Blvd San Antonio, TX 78251	CONTACT NAME: PHONE (888) 920-6259 FAX (888) 443-6112 (A/C, No, Ext): (A/C, No):	
	E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE NAIC#	
INSURED DOWNTOWN BERKELEY ASSOCIATION 2230 SHATTUCK AVE STE C BERKELEY CA 94704-1416	INSURER A: Sentinel Insurance Company Ltd. 11000	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YYYY)	LIMITS	
A	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> General Liability	X		57 SBA BI9918	02/01/2020	02/01/2021	EACH OCCURRENCE	\$2,000,000
	<input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
							MED EXP (Any one person)	\$10,000
							PERSONAL & ADV INJURY	\$2,000,000
							GENERAL AGGREGATE	\$4,000,000
							PRODUCTS - COMP/OP AGG	\$4,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> AUTOS			57 SBA BI9918	02/01/2020	02/01/2021	COMBINED SINGLE LIMIT (Ea accident)	
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB			57 SBA BI9918	02/01/2020	02/01/2021	EACH OCCURRENCE	\$1,000,000
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						AGGREGATE	\$1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		57 SBA BI9918	02/01/2020	02/01/2021	PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	
							E.L. DISEASE -EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	
A	DATA BREACH - DEFENSE & LIAB COVG			57 SBA BI9918	02/01/2020	02/01/2021	Limit	\$250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Those usual to the Insured's Operations City of Berkeley, its officers, agents, employees and volunteers are additional insured per the Business Liability Coverage Form SS0008 attached to this policy.

CERTIFICATE HOLDER CITY OF BERKELEY 2180 MILVIA ST BERKELEY CA 94704-1122	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Susan S. Castaneda</i>
---	---



THE HARTFORD
BUSINESS SERVICE CENTER
3600 WISEMAN BLVD
SAN ANTONIO TX 78251

February 13, 2020

CITY OF BERKELEY
2180 MILVIA ST
BERKELEY CA 94704-1122

Account Information:

Policy Holder Details :	DOWNTOWN BERKELEY ASSOCIATION
--------------------------------	-------------------------------



Contact Us

Business Service Center

Business Hours: Monday - Friday
(7AM - 7PM Central Standard Time)

Phone: (888) 920-6259

Fax: (888) 443-6112

Email: agency.services@thehartford.com

Website: <https://business.thehartford.com>

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team

RECEIVED
NOV 16 2020
CITY OF BERKELEY
CITY CLERK DEPARTMENT

RECEIVED
MAR 10 2020
CITY OF BERKELEY
CITY CLERK DEPARTMENT



ACTION CALENDAR
May 26, 2020

To: Members of the City Council

From: Mayor Jesse Arreguín (Author), Councilmembers Kate Harrison (Author) and Rigel Robinson (Author)

Subject: Establishing a COVID-19 Business Damage Mitigation Fund

RECOMMENDATION

Refer to the City Manager to establish a COVID-19 Business Damage Mitigation Fund in an amount up to \$100,000 to provide one-time grants to small businesses who experience property damage due to vandalism and other problematic behavior during this COVID-19 local State of Emergency

BACKGROUND

The local Shelter in Place order, which initially went into effect on March 17, prohibits in-person dining and retail activity. This has created a significant decrease in revenues to local businesses which has resulted in layoffs and in some extreme cases permanent closures. Additionally, many of our commercial districts are empty throughout the day, which means that those businesses that are still in operation see limited foot traffic, leaving employees vulnerable to aggressive behavior. Based on preliminary figures from the Berkeley Police Department, crime in most areas during the year to date has gone down compared to this time last year. However, one notable exception to this is a 10.4% increase in thefts. Specifically, petty theft (a loss less than \$950) is up 7.4% and grand theft (a loss of more than \$950) is up by 56.4% - a spike attributed in part to a rise in catalytic converter thefts. While these preliminary numbers have not been fully vetted, they are believed to be solid indicators of the crime situation in Berkeley.

During this COVID-19 emergency, City staff have received numerous complaints from local businesses regarding problematic and violent behavior, including assault of employees and property damage. As a result of increased criminal activity, the Berkeley Police Department have deployed overtime shifts in Telegraph and the Downtown to increase police patrols to respond more quickly to calls for service and to increase police presence to deter crime. While the deployment of the Downtown Task Force has provided additional presence and support for businesses, crime is still occurring. Businesses have specifically requested that the City establish a Damage Mitigation Fund to provide one-time funding for repairs to local businesses occurring as a result of vandalism and other problematic behavior during this COVID-19 State of Emergency.

FINANCIAL IMPLICATIONS

Up to \$100,000.

ENVIRONMENTAL SUSTAINABILITY

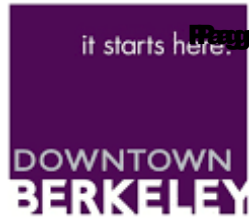
There are no identifiable environmental impacts from the recommendation

CONTACT PERSON

Mayor Jesse Arreguín 510-981-7100

Attachments:

- 1) Letter from business associations requesting Damage Mitigation Fund
- 2) Report on vandalism from the Downtown Berkeley Association and the Telegraph Business Improvement District



May 4, 2020 - VIA EMAIL

Mayor Jesse Arreguin and City Council
City of Berkeley
2180 Milvia St., Berkeley, CA 94704

Dear Mayor and City Council,

Our merchants and property owners need help NOW with a Damage Mitigation Fund due to extraordinary adverse impacts related to the coronavirus on their businesses, employees, and livelihoods. Since the Shelter in Place order went into effect on March 16, merchants and property owners in the Downtown and Telegraph commercial districts have sustained a significant increase in property damage and deeply disturbing behaviors. Not only are we experiencing a significant increase in the homeless population (60% increase Downtown), but also a small subset of homeless and/or street population are engaging in very aggressive behaviors. Many know they will not be jailed for illegal behaviors because of the COVID related mandate from the California Judicial Council. Moreover, there is absence of students, workers, and residents in our districts, that usually have a moderating impact on behavior norms.

As per attached examples this violent behavior has included multiple broken windows, doors and fixtures; and well as spreading of feces, firing extinguishers, throwing furniture, assaulting employees, etc. Just this past Saturday a woman entered McDonalds on at University and Shattuck and went behind counter and into the kitchen touching equipment and employees and ripping out cabling and damaging point-of-sale system. Understandably their employees were terrified. Moreover, McDonalds had to shut down and bring in a decontamination company to insure the kitchen and food preparation was safe to resume operations.

In addition to this damage, most our businesses have experienced a serious decline in revenues due to the coronavirus and the Shelter in Place order. Many businesses have been forced to close, and many essential businesses and restaurants doing take-out and delivery are hanging on by a thread with sales down often 50% to 80%. And then they have to deal with wanton property damage, that is traumatizing and they cannot afford.

While we appreciate BPD's efforts for increased patrols, these courageous businesses need City support NOW to defray the cost of this property damage and clean up costs. Hence, we are requesting that the City set up a Damage Mitigation Fund for businesses and property owners in the Downtown and Telegraph commercial districts that immediately reimburses them documented property damage repair, third party cleaning expenses, and/or health or leave costs of traumatized employees, from the start of the Shelter in Place order on March 16 through as long as the order continues, or the fund is exhausted. It is the least we can do, and also the right thing to do, so they hopefully survive and we are not faced by lost businesses and vacancies in the heart of our great City.

Thank you for your timely consideration of this urgent matter.

Sincerely,

John Caner, CEO
Downtown Berkeley Association

Alex Knox, Executive Director
Telegraph Business Improvement District

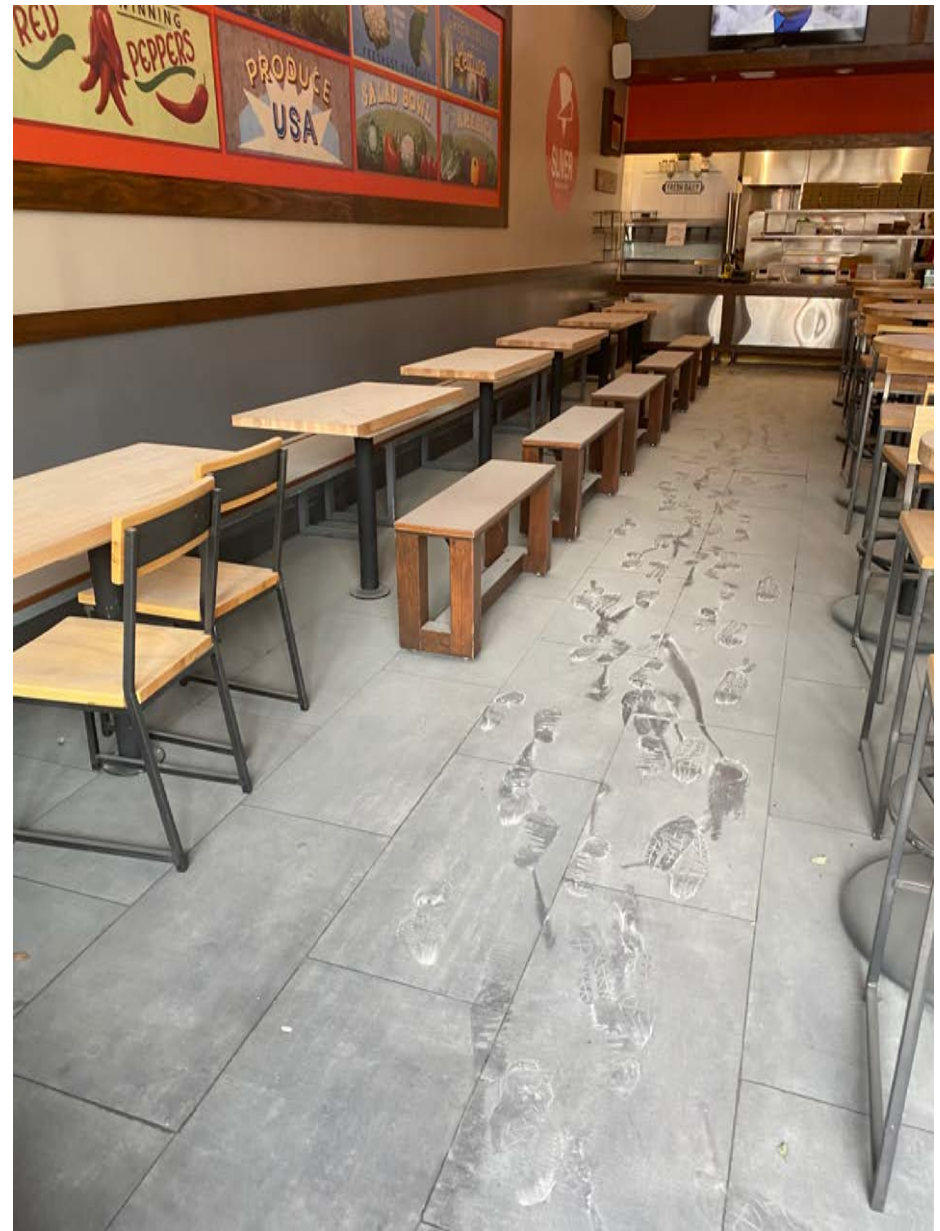
CC: City Manager Dee Williams-Ridley

Merchant Vandalism

Telegraph Business District
Downtown Business District

Updated: April 28th, 2020





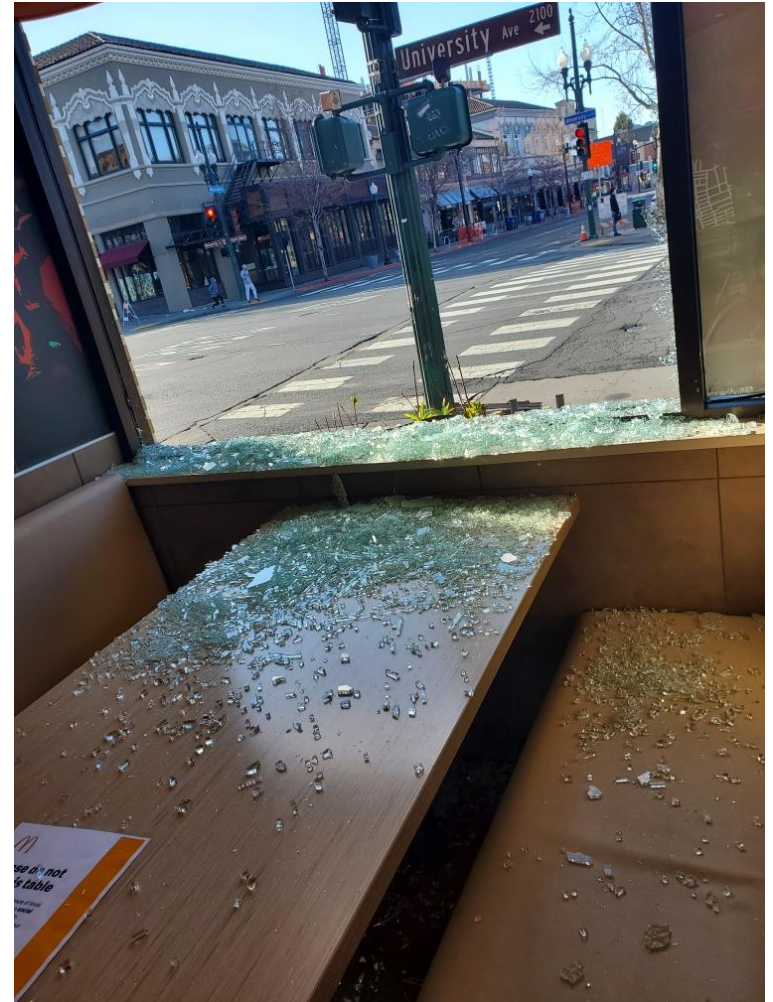
Sliver Pizzeria
2174 Shattuck Ave, Berkeley, CA 94704



Cancun Sabor Mexicano
2134 Allston Way, Berkeley, CA 94704



it starts here.
**DOWNTOWN
BERKELEY**



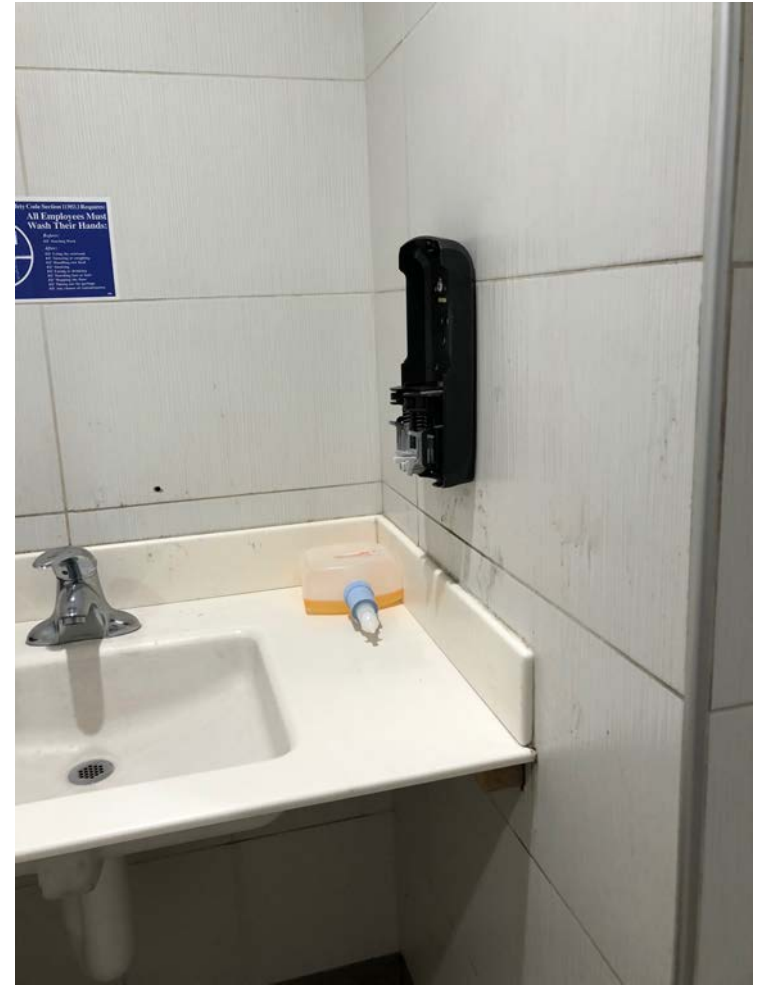
McDonalds 4/5
1998 Shattuck Ave, Berkeley, CA 94704

it starts here.
**DOWNTOWN
BERKELEY**



McDonalds 1/5
1998 Shattuck Ave, Berkeley, CA 94704

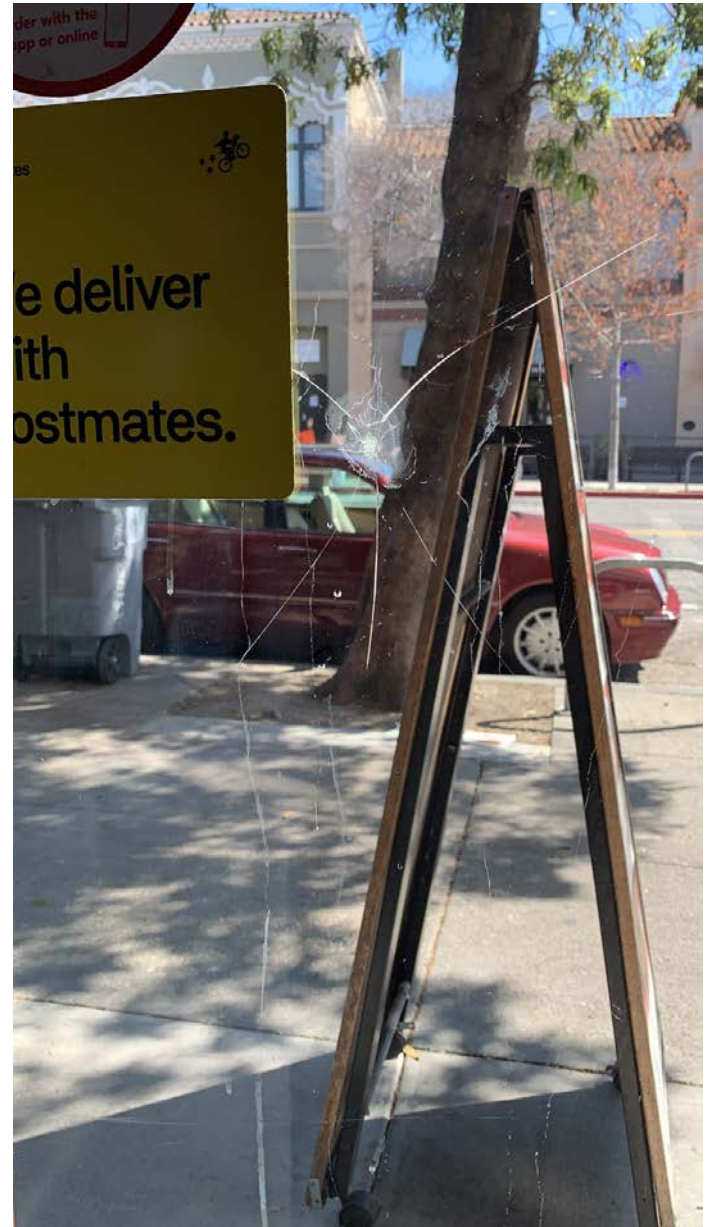
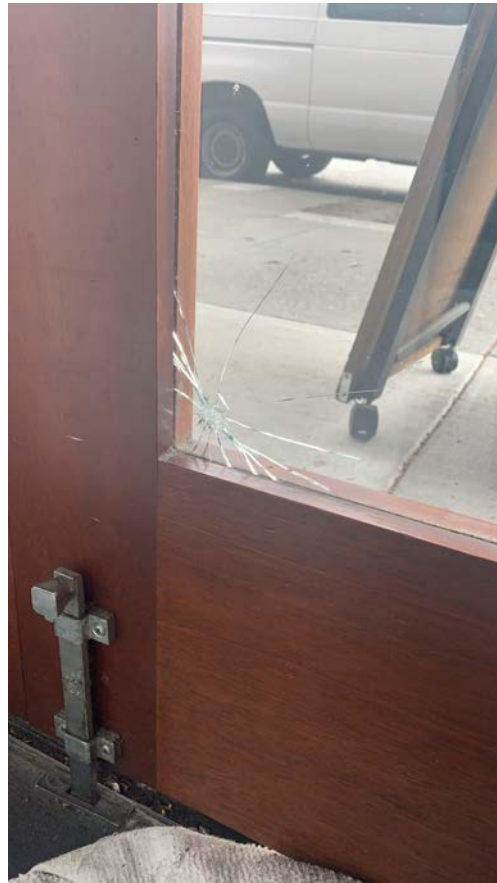
it starts here.
DOWNTOWN
BERKELEY



McDonalds 3/5
1998 Shattuck Ave, Berkeley, CA 94704



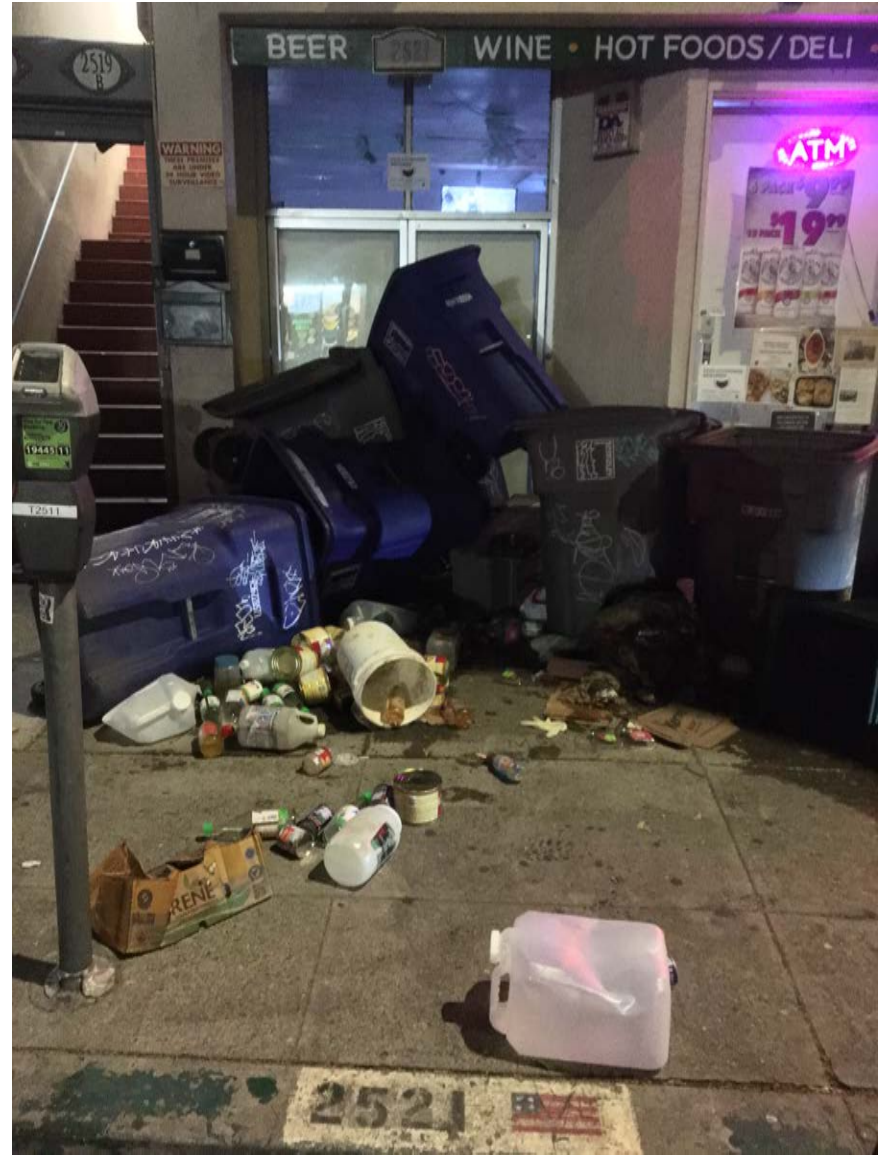
McDonalds 2/5
1998 Shattuck Ave, Berkeley, CA 94704



Barbarian Grub & Ale
2012 Shattuck Ave, Berkeley, CA 94704



Bank of America
2347 Telegraph Ave, Berkeley, CA 94704



2521 Telegraph Ave

