

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING**

Tuesday, November 14, 2017

6:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 6:01 p.m.

Present: Bartlett, Davila, Droste, Hahn, Harrison, Maio, Wengraf, Worthington, Arreguin

Absent: None

Ceremonial Matters:

1. Recognition of Dr. Naomi Quinonez
2. Recognition of Pacha Day
3. WWI Memorial Plaque Update

City Auditor Comments:

1. Update on Parks Audit – Item 11
2. Update on the Audit Budget for ERP – Item 12

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Public Comment on Consent Calendar and Information Items Only: 6 speakers.

Consent Calendar

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

Vote: All Ayes.

Consent Calendar

- 1. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on November 14, 2017**
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 - \$250,000
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Approved recommendation.
- 2. Revenue Contract: Community Services Block Grant for Calendar Year 2018**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept the Community Services Block Grant (CSBG) Contract Number 18F-5001 for the amount of \$263,217, and execute any resultant agreements and amendments to provide services for low-income people for the period January 1, 2018 to December 31, 2018.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,215–N.S.
- 3. Memorandum of Understanding for HomeStretch Permanent Supportive Housing Registry**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and execute a memorandum of understanding (MOU) among the Alameda County Health Care Services Agency, the Alameda County Continuum of Care (COC) and the City of Berkeley that outlines the roles and responsibilities for Permanent Supportive Housing Providers funded by the federal Department of Housing and Urban Development (HUD) Continuum of Care program that participate in in the Alameda County Home Stretch housing registry.
Financial Implications: See report
Contact: Paul Buddenhagen, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,216–N.S.

Consent Calendar

- 4. Contract No. 8958D Amendment: Bartel Associates, LLC for Actuarial Consulting Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 8958D in the amount of \$95,000 with Bartel Associates, LLC for expanded actuarial services pertaining to the unfunded liabilities projection of the City's CalPERS pension plan, Retiree Health Premium Assistance Plan, Police Employees Retirement Income Plan, Safety Members Pension Fund, and Supplementary Retirement and Income Plans, for a revised total contract amount not to exceed \$175,000 through June 30, 2020.
Financial Implications: See report
Contact: Margarita Zamora, Human Resources, 981-6800
Action: Adopted Resolution No. 68,217–N.S.
- 5. Contract: Lind Marine for Sunken Boat Removal Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Lind Marine for the removal and disposal of the sunken vessel "Chloe Marie" from the Berkeley Marina in an amount not-to-exceed of \$70,400.
Financial Implications: Various Funds - \$70,400
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 68,218–N.S.
- 6. Donation: Memorial Bench in Cesar Chavez Park from the Hill Family**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 from the Hill family for a memorial bench to be placed in Cesar Chavez Park.
Financial Implications: \$3,400 (Donation)
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 68,219–N.S.
- 7. Grant Application: Surrendered and Abandoned Vessel Exchange (SAVE) Grant Program of the Division of Boating & Waterways**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to apply for a grant in the amount of \$100,000 from the California Division of Boating & Waterways ("DBW") Surrendered and Abandoned Vessel Exchange (SAVE) grant program for the removal and disposal of approximately sixteen abandoned vessels located at the Berkeley Marina; and authorizing a local match contribution of \$10,000.
Financial Implications: \$100,000 (Revenue); Marina Fund - \$10,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 68,220–N.S.

Consent Calendar

- 8. Additional Meeting for Children, Youth and Recreation Commission in Calendar Year 2017**
From: City Manager
Recommendation: Adopt a Resolution approving one additional meeting for the Children, Youth, and Recreation Commission in calendar year 2017.
Financial Implications: None
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 68,221–N.S.
- 9. Filling Vacancies Among the Elected Representatives for the Poor**
From: Human Welfare and Community Action Commission
Recommendation: Adopt a Resolution confirming the appointment of Ms. Dru Howard (District 2), as an elected representative for the poor on the Human Welfare and Community Action Commission (HWCAC), having been voted at the HWCAC September 20, 2017 meeting, and that her term expires November 21, 2018.
Financial Implications: None
Contact: Wing Wong, Commission Secretary, 981-5400
Action: Adopted Resolution No. 68,222–N.S.
- 10. Approval of Three Additional Meetings for Parks and Waterfront Commission in Calendar Year 2017**
From: Parks and Waterfront Commission
Recommendation: Adopt a Resolution requesting Council approval of three additional meetings for the Parks and Waterfront Commission in calendar year 2017.
Financial Implications: None
Contact: Roger Miller, Commission Secretary, 981-6700
Action: Adopted Resolution No. 68,223–N.S.
- 11. Audit Report: Parks, Recreation, and Waterfront On-Call Program: Ensure Equity by Developing Procedures for Charging for Services, and Improve Monitoring Practices and Communication**
From: Auditor
Recommendation: Request that the City Manager report back by April 3, 2018, and every six months thereafter, regarding the status of recommendations until reported fully implemented.
Financial Implications: See report
Contact: Ann-Marie Hogan, Auditor, 981-6750
Action: Recommendation approved.

Consent Calendar

12. **City Auditor Salary Savings Allocation for FUND\$ Replacement/ERP**

From: Auditor

Recommendation: Approve a \$197,000 set aside from City Auditor's Office FY 2017 savings to augment funding for the City's Enterprise Resource Planning (ERP) implementation, including replacement of the FUND\$ payroll module.

Financial Implications: See report

Contact: Ann-Marie Hogan, Auditor, 981-6750

Action: Recommendation approved.

Council Consent Items

13. **Disposition of the Kenney Cottage from City-Owned Lot in the 1200 Block of University to Make Way for Creating Needed Housing**

From: Councilmember Maio

Recommendation: That the City Manager communicate with the Berkeley Architectural Heritage Association (BAHA) that the subject City-owned lot on which the Kenney Cottage has been stored for over a decade, at BAHA's request, is the subject of a Request for Proposals (RFP) for much-needed housing development, and that we request BAHA relocate the cottage by the end of May 2018.

Financial Implications: Staff time

Contact: Linda Maio, Councilmember, District 1, 981-7110

Action: Recommendation approved.

14. **Indigenous Peoples Day Committee: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**

From: Councilmember Maio, Mayor Arreguin, and Councilmembers Harrison and Wengraf

Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$200 per councilmember, including \$200 from Councilmember Maio, Mayor Jesse Arreguin, and Councilmembers Kate Harrison and Susan Wengraf, to the Indigenous Peoples Day Committee, with funds relinquished to the City's general fund for this purpose from the discretionary council office budget of Councilmember Maio and any other councilmembers who would like to contribute.

Financial Implications: Councilmembers' Discretionary Funds - \$200

Contact: Linda Maio, Councilmember, District 1, 981-7110

Action: Adopted Resolution No. 68,224–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$200; Councilmember Maio - \$200; Councilmember Davila - \$100; Councilmember Harrison - \$200; Councilmember Hahn - \$100; Mayor Arreguin - \$100.

Council Consent Items

- 15. Bilingual Helpdesk at California International Airports**
From: Councilmember Davila
Recommendation: Send a letter to Governor Jerry Brown requesting that a Bilingual Helpdesk be set up at California International Airports to provide essential information about California State Resources for Puerto Ricans and U.S. Virgin Islanders arriving to the State of California due to the devastation of the recent hurricanes.
Financial Implications: None
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: Recommendation approved as revised in Supplemental Reports Packet #2 to include a letter from Hon. Marco Crespo to the President.
- 16. Budget Referral: Berkeley Youth Alternatives**
From: Councilmember Davila
Recommendation: Refer to the budget process for inclusion on the list of items to be prioritized for funding consideration in November 2017, \$30,000 to support for Berkeley Youth Alternatives (BYA) Afterschool Center and \$49,674 to support the BYA Counseling Center.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, 981-7120
Action: Recommendation approved.
- 17. Berkeley High African American Studies Department: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**
From: Councilmembers Bartlett and Davila
Recommendation: Adopt a Resolution approving the expenditure of an amount to be determined by each Councilmember, including \$100 from Councilmember Ben Bartlett, to the African American Studies Department of Berkeley High School. The funds shall be relinquished to the City's general fund for this purpose from the discretionary council office budget of Councilmember Ben Bartlett and any other councilmembers who would like to contribute.
Financial Implications: Councilmembers' Discretionary Funds - \$100
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Adopted Resolution No. 68,225–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Maio - \$100; Councilmember Davila - \$75; Councilmember Harrison - \$100; Councilmember Hahn - \$100; Councilmember Worthington - \$250; Mayor Arreguin - \$100.

Council Consent Items

18. **Healthy Black Families, Inc.: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**
From: Councilmembers Bartlett, Hahn, Maio, and Davila
Recommendation: Adopt a Resolution approving the expenditure of an amount to be determined by each Councilmember to the Healthy Black Families Inc. annual holiday celebration.
Financial Implications: Unknown
Contact: Ben Bartlett, Councilmember, District 3, 981-7130
Action: Adopted Resolution No. 68,226–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$100; Councilmember Maio - \$100; Councilmember Davila - \$75; Councilmember Harrison - \$100; Councilmember Hahn - \$100; Councilmember Worthington - \$250.
19. **Require City Council Approval of Any Proposed Acquisition of Material from the Department of Defense 1033 Program and Request Report and Related Documentation of Material Transferred**
From: Councilmember Harrison
Recommendation: 1. Adopt a Resolution requiring City Council (“Council”) to review and approve any proposed acquisition of material prior to the Berkeley Police Department applying for material through the Department of Defense (“DOD”) 1033 Program. 2. Refer to the City Manager a request for a report on the dates, contents, and uses of the transfers of materials to the Berkeley Police Department through the 1033 Program that have occurred to date. Direct that the City Manager issue the report by December 5, 2017. 3. Refer to the Police Review Commission a request for a report considering the City’s enrollment in the 1033 Program.
Financial Implications: Staff time
Contact: Kate Harrison, Councilmember, District 4, 981-7140
Action: Moved to Action Calendar. 5 speakers. M/S/C (Harrison/Maio) to adopt Resolution No. 68,227–N.S.; Recommendation approved as amended in Supplemental Reports Packet #2 and with the change to Recommendation #2 to request an off-agenda memo from the City Manager on the equipment previously obtained through the 1033 program.
Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin; Noes – Davila.
20. **Coyote Management and Co-Existence Educational Materials**
From: Councilmember Wengraf
Recommendation: Request that the Animal Care Commission add to their work plan a project to create educational materials and web content for the City of Berkeley website that informs Berkeley residents of coyote behavior and suggests best ways to co-exist with coyotes without conflict. Information on coyote behavior, management strategies, recommended responses to coyote encounters and attacks, and other pertinent information should be included.
Financial Implications: Minimal
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Councilmember Davila added as a co-sponsor. Recommendation approved.

Council Consent Items

21. City Manager Referral to Improve Fire Safety Standards for Rebuilt Fire-Damaged Structures

From: Councilmember Worthington

Recommendation: Refer to the City Manager to require repair and replacement of fire damaged buildings to be brought up to current fire safety standards.

Financial Implications: Minimal

Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Action: Recommendation approved as revised below.

Refer to the Disaster and Fire Safety Commission and the City Manager to research an Ordinance to require repair and replacement of fire damaged buildings to be brought up to current fire safety standards.

Action Calendar – Public Hearings

22. ZAB Appeal: 2777 Shattuck Avenue

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution dismissing the appeal and upholding the Zoning Adjustments Board decision to approve Final Design Review No. DRCF2017-0005.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 15 speakers.

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

Vote: All Ayes.

Action: M/S/Failed (Bartlett/Davila) to remand the project to the Zoning Adjustments Board for further consideration.

Vote: Ayes – Davila, Bartlett; Noes – Maio, Harrison, Hahn, Wengraf, Worthington, Droste, Arreguin.

Action: M/S/C (Droste/Wengraf) to adopt Resolution No. 68,228–N.S. dismissing the appeal and upholding the Zoning Adjustments Board decision to approve Final Design Review No. DRCF2017-0005 with the additional requirement that the parking spaces in the triangle lot be stenciled with the name of the business to which they are allocated.

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

Councilmember Davila absent 10:53 p.m. – 11:55 p.m.

Action Calendar – Old Business

23. **Ohlone Park Bench Plaque in Memoriam** *(Continued from October 31, 2017)*

From: Mayor Arreguin and Councilmembers Hahn, Harrison, and Maio

Recommendation: 1. Adopt a Resolution approving the expenditure of an amount not to exceed \$500, to pay for the fabrication and installation of a brass plaque honoring Martha Nicoloff, with funds relinquished to the City's general fund for this purpose from the discretionary Council office budget including \$100 from Mayor Arreguin, and any other Councilmembers who would like to contribute. 2. Direct the City Manager to install a brass plaque on the existing northwesternmost bench in the City of Berkeley's Ohlone Park dog park (Attachment A). The plaque will serve as a memorial to Martha Nicoloff in honor of her decades of service to, and activism for, Berkeley open space and neighborhoods and shall read: Martha Nicoloff (1929-2016) Dedicated neighborhood, Ohlone Park and open space activist.

Financial Implications: Councilmembers' Discretionary Funds – Up to \$500

Contact: Jesse Arreguin, Mayor, 981-7100

Action: Moved to Consent Calendar. Adopted Resolution No. 68,229–N.S. amended to include a new Whereas clause that states "WHEREAS, Applicant qualifies for Low Income Status pursuant to HUD guidelines; and" and further amended to include contributions from the following Councilmembers up to the amounts listed:

Councilmember Maio - \$100; Councilmember Wengraf - \$100; Councilmember Hahn - \$100; Mayor Arreguin - \$100.

Action Calendar – New Business

24. **Refer to the Berkeley Police Department to Address Disparate Racial Treatment and Implement Policy and Practice Reforms** (*Continued from October 31, 2017. Item contains revised materials.*)

From: Councilmembers Worthington, Bartlett, and Harrison

Recommendation: Refer to the Berkeley Police Department to track yield rates, develop training programs to address disparities found through the yield rates, and implement policy and practice reforms that reflect cooperation between the Berkeley Police Department and broader Berkeley community.

Financial Implications: Staff time

Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Recess 8:23 p.m. – 8:37 p.m.

Action: 24 speakers. M/S/C (Bartlett/Wengraf) to approve the following recommendation.

Direct the City Manager to track yield, stop, citation, search and arrest rates by race, develop training programs to address any disparities found, and implement policy and practice reforms that reflect cooperation between the Berkeley Police Department (“BPD”), the Police Review Commission (“PRC”) and the broader Berkeley community. The City Manager will report findings in September 2018 and annually thereafter, using anonymized data.

- 1. Tracking yield rates (i.e., the percentage of citations or arrests per traffic or pedestrian stop and the ratio of contraband found by search conducted) by individual officer, by patrol and by the department as a whole disaggregated by the race of the individual(s) stopped. This will include analyzing whether police actions were officer- initiated or in response to calls for service or warrants. This data will focus BPD examination of the reasons for disparate racial treatment and to identify any outliers.*
- 2. Considering any other criteria which would contribute to a better understanding of stops, searches, citations and arrests and the reasons for such actions.*
- 3. Developing training programs to address the organizational causes of any disparate treatment and outcomes by race uncovered in #1 above and, in accordance with the City’s body worn camera policy, through examination of footage on police body cameras (e.g., more scenario-based training on procedural justice and the roots of disparate treatment, expanded de-escalation training).*
- 4. Consulting and cooperating with the broader Berkeley community, especially those communities most affected by observed racial disparities, to develop and implement policy and practice reforms that reflect these shared values. Work closely with the PRC, providing the commission all legally available information that may be helpful to designing reforms.*
- 5. Once released, BPD should analyze the final Center for Policing Equity report and propose improvements as needed.*

Departmental, personnel and training issues will be easier to address with accessible and granular empirical data.

Vote: All Ayes.

Action Calendar – New Business

25. Referral to Police Review Commission to Write a Charter Amendment Ballot Measure *(Continued from October 31, 2017. Item contains revised materials.)*

From: Councilmembers Worthington and Harrison

Recommendation: Referral to the Police Review Commission to write a charter amendment ballot measure to present to Berkeley voters to reform the Police Review Commission structure.

Financial Implications: Minimal

Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Action: M/S/C (Arreguin/Maio) to call the previous question on Item 25.

Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – Worthington; Abstain – Davila.

Action: M/S/C (Hahn/Droste) to adopt the following recommendation.

Refer to the City Manager and Police Review Commission (PRC) to review the existing enabling legislation, rules, and regulations for the PRC, and to consider all options, including charter amendments, ballot measures, and any other amendments to strengthen the authority of the PRC to consider and act on citizen complaints, and other possible structural, policy and procedural reforms.

Direct the City Manager (through the City Attorney) to provide a legal analysis of which proposals can be completed legislatively and which require amendments to the City Charter.

Changes the City Manager and PRC should consider, but not be limited to, include the following:

- 1. Use the “preponderance of the evidence” as the standard of proof for all PRC decisions.*
- 2. Extend the current 120-day limit on the imposition of discipline up to one year, consistent with existing California law.*
- 3. Give the PRC full discretion and access to evidence to review complaints as to alleged officer misconduct.*

As part of the review of proposed improvements to the PRC process, the PRC should analyze police review policies and structures in other jurisdictions (e.g. San Francisco, BART, etc.), all PRC models and engage relevant stakeholders, including the Berkeley Police Association and community organizations, in developing proposals.

Full analysis by the PRC and City Manager must be reported to the City Council by May 2018.

Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Wengraf, Droste, Arreguin; Noes – Worthington; Abstain – Davila.

Action Calendar – New Business

26. Implementation Plan for Affordable Housing Action Plan Referrals

From: City Manager

Recommendation: Adopt the attached interdepartmental implementation plan for Affordable Housing Action Plan referrals.

Financial Implications: None

Contact: Paul Buddenhagen, Housing and Community Services, 981-5400, and Timothy Burroughs, Planning and Development, 981-7400

Action: M/S/C (Worthington/Arreguin) to accept supplemental material from Mayor Arreguin on Item 26.

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

Action: Item held over to November 28, 2017

Council Action Items

27. Referral to the City Manager: Equitable Access to Greenspace

From: Councilmembers Bartlett and Harrison

Recommendation: Refer to the City Manager to explore developing a plan for increasing Equitable Access to Greenspace in Berkeley.

Financial Implications: Staff time

Contact: Ben Bartlett, Councilmember, District 3, 981-7130

Action: Moved to Consent Calendar. Councilmember Droste added as a co-sponsor. Approved recommendation as amended below.

Refer to the City Manager to explore developing a plan for increasing Equitable Access to Greenspace in Berkeley.

Future parks and greenspace investments should be targeted at reducing disparities in access to greenspace. Criteria to consider should include:

- *Geographical distance and square footage of available greenspace*
- *Income levels of area residents, which may impact their ability to afford non-public facilities and/or transportation to green spaces*
- *The proportion of youth, seniors and disabled people unable to travel to more distant facilities*

The City may utilize recommendations from the report “Berkeley Parks Planning for an Equitable Future” produced by the Parks and Waterfront Commission’s Subcommittee on Planning.

The City should also consider the work of San Francisco’s Green Connections (see <http://sf-planning.org/green-connections>) which promotes the presence and attractiveness of walking and bike paths to green spaces in order to encourage their use.

The City should investigate strategies for expanding park capacity including assessing prime areas for developing new parks and greenspaces, such as in the Adeline Corridor and Santa Fe ROW. The Adeline Corridor Plan must consider and account for increasing greenspace in the Southeast Quadrant of Berkeley, and explore innovative ways for integrating greenspace into our urban environment.

To implement these recommendations, the City should explore public private funding partnerships as well as community partnerships with Berkeley residents, community organizations, and local businesses. The City should also explore development foundations, and bonds for supporting further investment in parks and greenspaces

Elements of the plan can include the following items:

- *Purchasing vacant lots to use as parks*
- *Developing urban farms*
- *Developing community gardens*
- *Planting trees in streets and yards*
- *Building publicly accessible eco-roofs, increasing education and outreach to developers and private citizens regarding eco-roofs, and incorporating incentives for eco-roofs into the planning process*
- *Integrating street planters into sidewalks*

Council Action Items

- 28. Discussion on and Decision Regarding the Relocation of Council Chambers from 2134 Martin Luther King, Jr. Way**
From: Councilmembers Worthington and Davila
Recommendation: That the Council discusses and makes a decision to provide direction regarding the relocation of the Council Chambers from its current location at 2134 Martin Luther King, Jr. Way.
Financial Implications: See report
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- Action:** M/S/C (Hahn/Arreguin) to suspend the rules and extend the meeting to 11:30 p.m.
Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Worthington, Droste, Arreguin; Noes – None; Abstain – None; Absent – Davila, Wengraf.
- Councilmember Wengraf absent 10:57 p.m. – 11:55 p.m.
- Action:** M/S/C (Hahn/Droste) to suspend the rules and extend the meeting to 11:45 p.m.
Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Droste, Arreguin; Noes – None; Abstain – Worthington; Absent – Davila, Wengraf.
- Action:** M/S/C (Droste/Hahn) to suspend the rules and extend the meeting to 11:55 p.m.
Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Droste, Arreguin; Noes – None; Abstain – Worthington; Absent – Davila, Wengraf.
- Action:** 3 speakers. M/S/C (Droste/Maio) to enter into a final negotiation attempt with BUSD for use of the Board Room and report to the City Council by November 28, 2017.
Vote: Ayes – Bartlett, Harrison, Hahn, Worthington, Arreguin; Noes – None; Abstain – Maio, Droste; Absent – Davila, Wengraf.
- Action:** 3 speakers. M/S/C (Droste/Maio) to state the intent of the City Council to allocate the funds for a council chambers at 1011 University and also the intent to return to Old City Hall when the current chambers has been renovated and seismically retrofitted.
Vote: Ayes – Maio, Bartlett, Harrison, Hahn, Droste, Arreguin; Noes – Worthington; Abstain – None; Absent – Davila, Wengraf.
- 29. ***Removed from Agenda by Councilmember Worthington*** Primate Protection Ordinance**
From: Councilmember Worthington
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Council Action Items

30. Changes to Labor Commission

From: Councilmembers Droste and Wengraf

Recommendation: Amend Berkeley Municipal Code 3.62.090 to add a provision to allow employees and business owners who live outside of Berkeley to serve on the Labor Commission.

Financial Implications: Minimal

Contact: Lori Droste, Councilmember, District 8, 981-7180

Action: Item removed from the agenda by Councilmember Droste.

Information Calendar

31. League of California Cities 2017 Annual Conference Report

From: Councilmember Hahn

Contact: Sophie Hahn, Councilmember, District 5, 981-7150

Action: Received and filed.

Public Comment – Items Not Listed on the Agenda – 1 speaker.

Adjournment

Adjourned at 11:55 p.m.

Communications

2016 Berkeley Elections

1. Thomas Hodgman / Mark Numainville

Protecting Iconic Views

2. Tree Fitzpatrick / Sophie Hahn

Little Houses for Homeless

3. Avram Gur Arye (2)

Planning Commission Concerns

4. Diego Aguilar-Canabal / Sophie Hahn

Link to Video / Articles

5. Donald Goldmacher (3)

Parking Issue

6. Matthew Coleman / Jacquelyn McCormick

Homeless Encampments

7. Rebecca Weinstein / Jacquelyn McCormick
8. Pedro Alvarez Jr. / Linda Maio
9. Diana Bohn
10. Tom Luce
11. Sally Nelson
12. Osha Neumann

- 13. Phoebe Sorgen
- 14. Sally Hindman
- 15. East Bay for Everyone

Planning Director Selection

- 16. James Peterson, Marcia Poole, Eric Friedman, Charlene Woodcock, Lisa Tucker

Ohlone Greenway / Cedar Street

- 17. Richard Wolter

Fundraiser

- 18. Barbara Brust

Cannabis Use

- 19. Don Duncan

2527 San Pablo Avenue

- 20. Maria Rosa Keys

Drones

- 21. Gina Rieger

Civic Center T1 Planning Process

- 22. John Caner

Air Pollution Monitors

- 23. David Lerman

Cannabis Smoke

- 24. Steven Schuyler

Family Leave Act

- 25. Kasra Kamooneh

Poem

- 26. JP Massar

Cancellation Notice

- 27. W.B.C.

Notice of Apparent Lawful Rent Ceiling

- 28. W.B.C.

Rent Validation Report

- 29. W.B.C.

Notice to New Tenants

- 30. W.B.C.

Supplemental Communications and Reports 1

Item 19: Require City Council Approval of Any Proposed Acquisition of Material from the Department of Defense 1033 Program and Request Report and Related Documentation of Material Transferred

- 31. Revised materials, submitted by Councilmember Harrison

Item 22: ZAB Appeal: 2777 Shattuck Avenue

32. Jane Kitchel

Item 24: Refer to the Berkeley Police Department to Address Disparate Racial Treatment and Implement Policy and Practice Reforms

33. Revised materials, submitted by Councilmember Worthington

Item 25: Referral to Police Review Commission to Write a Charter Amendment Ballot Measure

34. Diana Bohn

Item 29: *Removed from Agenda by Councilmember Worthington*** Primate Protection Ordinance**

35. Michael Colbruno, on behalf of the East Bay Animal PAC

Item 30: Changes to Labor Commission

36. Revised materials, submitted by Councilmember Droste

Supplemental Communications and Reports 2

Item 15: Bilingual Helpdesk at California International Airports

37. Revised materials, submitted by Councilmember Davila

Item 19: Require City Council Approval of Any Proposed Acquisition of Material from the Department of Defense 1033 Program and Request Report and Related Documentation of Material Transferred

38. Revised materials, submitted by Councilmember Harrison

39. Phoebe Sorgen

40. David Welsh

41. Christine Schwartz

Item 21: City Manager Referral to Improve Fire Safety Standards for Rebuilt Fire-Damaged Structures

42. Revised materials, submitted by Councilmember Worthington

Item 22: ZAB Appeal: 2777 Shattuck Avenue

43. Andrew Sabey, on behalf of Berkeley Honda

Item 23: Ohlone Park Bench Plaque in Memoriam

44. Revised materials, submitted by Mayor Arreguin

Item 24: Refer to the Berkeley Police Department to Address Disparate Racial Treatment and Implement Policy and Practice Reforms

45. Supplemental materials, submitted by Councilmember Hahn

46. Mansour Id-Deen, on behalf of the Berkeley NAACP

47. Associated Students of the University of California, External Affairs

Item 25: Referral to Police Review Commission to Write a Charter Amendment Ballot Measure

48. Revised materials, submitted by Councilmember Worthington

Item 27: Referral to the City Manager: Equitable Access to Greenspace

49. Revised materials, submitted by Councilmember Bartlett

Supplemental Communications and Reports 3

Item 22: ZAB Appeal: 2777 Shattuck Avenue

50. Presentation, submitted by Planning & Development

51. Unknown (2)

Item 26: Implementation Plan for Affordable Housing Action Plan Referrals

52. Supplemental materials, submitted by Mayor Arreguin

Item 28: Discussion on and Decision Regarding the Relocation of Council Chambers from 2134 Martin Luther King, Jr. Way

53. Presentation, submitted by Public Works

Winter Shelter Plans

54. Homeless Commission

South Branch Library Event

55. Unknown

Berkeley Historical Plaque Project

56. Unknown