

**PROCLAMATION
CALLING A SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

SATURDAY, MAY 11, 2019

9:00 A.M.

David Brower Center – Tamalpais Room, 2150 Allston Way, Berkeley, CA 94704

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call:

Worksession:

1. City Council Development and Planning

- A. Welcome – Call Meeting to Order - Remarks by Mayor Arreguin
- B. Public Comment
- C. City Manager Comments and Introductions
- D. Review of Agenda & Meeting Objectives
- E. Learning About Council Member's Service to Berkeley
- F. High-Performance Governance & Council Norms
- G. Presentation: Berkeley Charter, Roles & Responsibilities
- H. Council Relations as a Body/With Staff/With Community
- I. Break for Lunch

Worksession (continued)

- J. Presentation: View From the Bridge
- K. 5 Year Vision & Critical Initiatives
- L. Brainstorm - Systems Realignment
- M. Wrap Up, Evaluations, and Closing Remarks – Council

Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 7th day of May, 2019.


Jesse Arreguin, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:



Date: 5/7/19
Mark Numainville, City Clerk

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6 and Government Code Section 65009(c)(1)(E), no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed and served on the City more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

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This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346(V) or 981-7075 (TDD) at least three business days before the meeting date.

Please refrain from wearing scented products to this meeting.

EXAMPLES OF CITY COUNCIL NORMS

- ❖ Demonstrate honesty and integrity in every action and statement
- ❖ Inspire public confidence in our city government
- ❖ Work for the common good, not personal interest
- ❖ Respect the proper roles of elected officials and City staff in ensuring open and effective government
- ❖ Communicate through the City Manager
- ❖ Prepare in advance of Council meetings and be familiar with issues on the agenda
- ❖ Fully participate in City Council meetings and other public forums while demonstrating respect, consideration, and courtesy to others
- ❖ Participate in scheduled activities to increase Council effectiveness
- ❖ Share information with other Councilmembers about committee meetings attended
- ❖ Work for win-win -- strive for consensus and seek common ground
- ❖ Honor "discussion" before "decisions" – reserving making formal motions until initial discussions have taken place
- ❖ Disagree agreeably and professionally
- ❖ Share information and avoid surprises
- ❖ Approach the business of governing in a professional manner – conducting business in a way that brings honor to the institution of government
- ❖ Praise in public; criticize in private
- ❖ Work together as a body, modeling teamwork and civility for our community

A Key Ingredient for Success: An Effective City Council/City Manager Relationship

Kevin C. Duggan
ICMA West Coast Regional Director
International City/County Management Association

Introduction

Mayors and councilmembers need to have effective working relationships with a number of key audiences in order to successfully undertake their responsibilities. These audiences include citizens/voters, community groups, the press, other governmental agencies, other elected officials, nonprofit organizations and many more. However, critical to a successful and satisfying career on the city council in a city council/city manager form of government is a successful and effective working relationship with the city manager. This article suggests the necessary ingredients for a mutually successful council/manager working relationship.

The City Council/City Manager Form of Local Government:

The "Council/Manager Form of Government" is designed for the elected city council to set policy direction as the direct representatives of the community with the city manager providing the professional expertise to manage the organization and carry out the council's direction. Policy direction is provided in a variety of ways, including through local laws/ordinances, planning policies (general plan and zoning), financial policies, the annual budget and capital improvement plan, the adoption of city council policies and through numerous other program directives.

The city manager is responsible for carrying out the council's policy direction through the day-to-day management of city functions, including the oversight of city operating departments. Key tasks associated with this role include the hiring and supervision of department heads, the recommendation and implementation of the annual budget and the assurance of quality service delivery. This form of government is predicated on the philosophy that elected representatives are better able to make community value judgments on behalf of residents and translate these values into policy direction—the "what" in city government. It is also based on the belief that professional staff are best able to determine the "how" of implementing policies and delivering day-to-day services due to their experience and training. Since both roles are closely related, it is the city manager's responsibility to coordinate between both realms to assure the effective delivery of services consistent with city council direction.

This is often referred to as the policy/administration dichotomy (the separation of these responsibilities)—which, oftentimes, has a good deal of "gray" on the boundaries. When it works most effectively, the elected officials focus on big picture of policy

development and minimize their role relating to administrative implementation while the staff works to avoid an undue influence on policy development while focusing on policy implementation and service delivery. While the line between the two can become blurred, the city council/city manager system is subject to failure if the line is disregarded.

If the city council and the city manager have an effective and mutually supportive working relationship, the likelihood of the policy and administrative roles being effectively coordinated increases significantly, resulting in a more successful city governance and management.

Among the issues to consider in trying to establish the best possible city council/city manager working relationship are the following:

- The relationship cannot be taken for granted and requires attention and work to establish and maintain. If not diligently pursued, it will not be accomplished.
- The work of city councils is not easy! Not only do you confront the typical challenges of group decision-making, but the "group" in this case may not have a great deal in common. Also, the issues can be weighty and controversial. The decision-making is also done in public, often on TV or the Web, scrutinized by the public and press, and anyone can join in on the deliberations.
- Among the factors that can get in the way of an effective relationship include:
 - Not understanding/appreciating/respecting each other's roles.
 - Differing philosophies.
 - Differing personalities.
 - Challenging issues.
 - External pressures from the media, community groups, employee organizations, etc.
- Fully appreciate that you need to establish a good working relationship with your fellow councilmembers and the city manager in order to maximize:
 - Organizational performance.
 - Organizational reputation.
 - Value to the community.

- Personal reputation.
- Community pride and confidence.
- Don't underestimate how important it is to a city manager to have a good working relationship with the city council. It has been reported that the relationship with the city council is the primary factor impacting a city manager's job satisfaction. Among the reasons for this are the following:
 - City councils are the source of formal performance feedback. Like almost everyone, positive feedback from supervisor(s) is very important.
 - City councils control the city manager's job security.
 - City councils determine the city manager's compensation.
 - City councils establish the city manager's "parameters of success."
 - City council support for the city manager, particularly during tough times, is of tremendous value.

Recommended Practices:

So while the stakes are high and the challenges significant, there are a variety of "best practices" and techniques that can improve the odds of your individual success as a mayor or councilmember, as well as the success of the city council and city as a whole.

The following are offered as ideas to consider in your efforts to establish and maintain a strong and effective working relationship with your city manager:

- **Recognize that you are now "different" than before you were elected (and more than you may realize):**

You are now viewed as a community/city leader and what you do and say can have a much greater impact. Your comments will now be viewed as representing "the city." What you do and say will also be more closely scrutinized. You should be aware that the city staff will view you much differently now that you are one of the organization's leaders. Even an offhand comment can be viewed as a directive for action. So even though you may not view yourself any differently than before you were elected, don't underestimate to what degree others are viewing you differently.

- **Understand and respect the city council/city manager plan of governance:**

It is critical for you to understand why your city is organized under this plan of governance and how it should operate. It is important to understand and appreciate- ate the distinction between policymaking and implementation and the different roles played by individual councilmembers, the city council as a whole, the city manager and the city staff.

- **Allow time for you and the city manager to get to know each other and develop a working relationship:**

Try not to overly rely on what you have heard from others regarding what it will be like to work with the manager—others' views may or may not be accurate. Most city managers understand the need to work very hard to adjust to the issues, concerns and priorities of the new city council. Try to be open-minded to your ability to establish a productive and effective working relationship with the manager.

- **City managers will do their best to carry out the policy direction of the city council (even when there is a major change in policy direction):**

Professional city managers are committed to carry out the policy direction of the city council regardless if they personally agree or disagree with the policy as long as what they are asked to implement is:

- Legal.
- Ethical.
- Within their/the city's authority.

It is often misunderstood that when a city manager effectively implements a city council's policy, the manager personally agrees with the policy or can only implement city services consistent with that policy. City managers can change the organization's approach to an issue as may be directed by a new city council. Avoid overly associating the city manager with the policies that the city has previously implemented at the direction of the previous council.

- **Take your role seriously, but not yourself:**

This common advice is particularly important for mayors and councilmembers. While you are doing important and serious work on behalf of the community, you will do it better and more effectively if you keep the normal "ups and downs" and "wins and losses" in perspective. You were elected to make tough decisions on

oftentimes controversial issues. It's a given that you will be criticized and there will be those who vehemently disagree with your decisions. That is unavoidable. Develop a thick skin and do your best to not take personally the conflicts and disagreements that are a normal part of your new role. If you don't develop a thick skin, you will overreact to criticism.

Additionally, you are now part of an organization and will be blamed/criticized for the actions of the organization that you had nothing to do with. That is the reality of your new role and you should keep that in mind.

And remember, the city manager is not always to blame when things go wrong, though he/she should take appropriate responsibility for the organization's actions. It can be easy to focus your frustration on the city manager. You will be happier and more effective if you can experience the normal "ups and downs" of city life without needing to always find someone at fault.

Whatever the issue or encounter, try not to take it personally. Try to keep personal likes and dislikes out of the equation. Your fellow councilmembers and the city manager are not your family or personal friends; they are your "professional colleagues," and you need to work effectively with them even if you would not select them as friends.

Lastly, always "live to fight another day." There are always future issues to decide; focus on those versus the votes already taken. And always remember not to burn bridges due to a difficult defeat; you will need those "bridges" for future votes!

- **Appreciate the legitimate difference between the "community perspective" and the "professional/technical" perspective:**

While you will primarily view issues from your perspective as a resident/citizen in a manner similar to the other residents of the community, the city staff will often have a more "technical/professional" perspective. What might make a great deal of sense to the staff looking at an issue from a purely "business" point of view may not be the right answer based on community perspectives and values. While the city manager will do his or her best to bridge the gap between the two points of view, it is very helpful for councilmembers to understand that while the staff should be sensitive to community values, they will often raise issues based on their professional training that can differ from a purely community values point of view. An appreciation for these varied perspectives is critical to the council-staff relationship. That does not mean the one perspective is "right" while the other is "wrong"; but both parties should try to understand and appreciate the views of the other.

- **Don't fall into the trap of feeling you are VERY special:**

While being elected to a city council is an honor bestowed upon you by the voters, keep that "honor" in perspective. Citizens view electing you as showing trust in your judgment in representing their interests in community decision-making. They did not elect you because they felt you were personally deserving of special rights and privileges. Don't expect the city manager or staff to be able to assist you in ways outside your formal role on the city council. By and large, they will be required to treat you just the same as any other citizen on matters outside the realm of your official duties. Any compensation and "perks" of office should be visible and public.

- **Professional city managers will not "play favorites":**

Professional city managers will strive to have a positive working relationship with all the members of the city council regardless of personality, philosophy or positions on specific issues. They will also not let personal likes or dislikes affect how he or she interacts with councilmembers, and you should not expect the manager to act otherwise.

- **It is critical to city managers to have clear policy direction:**

The city manager and the city organization cannot carry out the policy direction of the city council if that direction is not clearly established. The clearer the direction, the more effectively the manager and staff can implement. Even when the council is split on an issue, the majority's will needs to be clearly stated. The manager should seek clarification from the city council when necessary.

- **Be sensitive to the need for city managers to sometimes tell you "what you don't want to hear":**

One of the least favorite tasks for a city manager is to tell an individual councilmember or the council as a whole something they don't want to hear. This could range from a mistake the organization has made to informing a councilmember that something they want done (or want to do) cannot be done or is not appropriate. While city managers try to be as flexible as possible in meeting the needs of the city council, you will not be well served by a manager who will not tell you when something is not appropriate or cannot be achieved simply to avoid appearing uncooperative. While the manager needs to be clear why the request cannot be fulfilled, it is very helpful for you to understand that the manager has a professional obligation to give you advice contrary to what you would like to hear when he/she is so required.

- **Why managers can't always do what you want them to do:**

The manager can often be confronted with a situation of an individual council-member wanting something done that is not consistent with the wishes of the city council. The manager needs to respond to the direction of the city council as a whole. While managers try to be as responsive as possible to the needs/desires of individual members, on matters of any consequence, the direction of the city council will often be required.

- **Take your role to evaluate your city manager's performance seriously:**

Like any other employee, the city manager benefits from regular and thoughtful performance evaluations. Performance evaluations are an important communication tool between the manager and council. Working for multiple individuals is challenging enough without clear and consistent feedback on performance. At least annual evaluations should be conducted. This provides the opportunity to communicate how the council views the manager's performance, including areas of strength and areas for potential additional emphasis. This is also the only opportunity for the council as a whole to provide this input in private. Also, due to the inherent challenge of multiple individuals attempting to evaluate an individual who works for them as a group, the use of a consultant to facilitate the evaluation can be very helpful. If done right, evaluations can be a very valuable communication mechanism for the council and manager.

- **Tolerance for organizational imperfection (mistakes!):**

While no one likes mistakes, they are unavoidable in the context of organizational life. Cities are complex organizations dealing with a wide variety of services with unique and sometimes challenging clientele. It is not a matter of whether mistakes will be made, but when. It is critical as a leader of your city that you react to mistakes appropriately. While mistakes should be avoided to the greatest extent possible, overreacting can cause further damage. You should expect that mistakes will be addressed promptly, fully disclosed and that steps will be taken to avoid repeating the same mistakes again. You will need to trust the manager to follow up and effectively address the situation when organizational miscues occur. Have high expectations but recognize that mistakes will occur, even in the best organizations, and try not to overreact when they do.

- **Support of reasonable risk-taking:**

High-performing organizations will occasionally need to take "reasonable risks" in order to achieve community objectives. Sometimes these endeavors will not be successful. However, organizations that avoid ANY unnecessary risk are not likely to accomplish a great deal. While city councils need to be informed and concur that the risk being taken is reasonable for the potential benefit being

gained, councils should also be understanding that projects and initiatives that have inherent unknowns may not always turn out as hoped. Intolerance for any

mistakes/risk will breed an overly conservative organization and will stifle creativity and flexibility and the benefits these values can bring.

- **Try to focus feedback on service quality, not individuals:**

An ongoing challenge is the difficulty of reconciling the ultimate responsibility of the city council for city service quality versus the need to avoid interfering in the daily management of the organization. It is much better for the city council to communicate service level or quality concerns to the city manager versus performance judgments regarding individual staff members. It is particularly inappropriate for individual members or the council as a whole to try to direct the manager to hire, fire, or promote members of the city staff.

- **Don't expect managers to take sides in councilmember disputes:**

Regardless of how they may personally feel, most city managers will avoid, at all costs, "taking sides" in disputes between councilmembers. While on occasion the manager might try to help reconcile councilmembers, don't expect the manager to take your side in a dispute with a fellow member. Even if they may agree with you, most managers will avoid taking part in public or private criticism of councilmembers unless professionally required to do so in extreme cases.

- **Don't jump to conclusions regarding citizen/customer feedback:**

While it is your responsibility to be available to listen to citizen and customer feedback regarding the city organization, be careful not to jump to conclusions based on what you are told. Oftentimes an individual may sound completely sincere and credible while providing you an inaccurate account of their experience with the city organization. It is best to not jump to conclusions, one way or the other, until the manager is able to provide you a response to the concern. It is embarrassing to criticize staff for poor performance only to find out that the information you relied on was not accurate. At the same time, the manager needs to not be overly defensive regarding staff performance until he or she also has heard "both sides of the story."

- **Don't expect the manager to exercise "political leadership":**

While managers are inherently leaders of their organizations and, to varying degrees, in their communities, their role is not to be political leaders. That is, it is not intended for the manager to be "out front" on community policy issues. Sometimes city councils want managers to take leadership (advocate publicly) on controversial issues to avoid potential political consequences to themselves. While tempting, this is contrary to the intent of the council/manager form of government under which the elected officials are to take the lead on purely policy matters.

- **Disagree with the recommendation/don't attack the "messenger":**

When dealing with a difficult issue at a council meeting, it can be tempting to not only disagree with the recommendation being presented, but also to challenge/discredit the manager or staff member presenting the recommendation. The best practice is to focus your comments on the recommendation, not the individual. Having a policy discussion devolve into a personal attack is uncomfortable and embarrassing to everyone involved. Even if you are frustrated by the recommendation, it is poor form to attack the presenter. If you do have concerns regarding how a recommendation was developed or presented, that should be provided privately to the manager.

P.S.: Don't play "stump the staff" by trying to ask questions at the meeting that you think staff will have difficulty answering on the spot. It doesn't really make you look smarter, nor is it helpful to the deliberations to ask a question that cannot be answered. While staff members should work diligently to anticipate questions, it is not possible to anticipate all possible questions. If you really want the answer, get the question answered before the meeting or provide a heads up regarding what you will be asking.

- **Conduct yourself at council meetings in a professional/businesslike manner:**

Even on very controversial topics with greatly varying opinions, the council deliberation can be and should be "businesslike" and professional. While it may be more entertaining (possibly from a reality TV perspective) to see councilmembers and citizens yelling and having temper tantrums, it gets in the way of thoughtful deliberations and only tends to lower the respect for the council and city in the eyes of your constituents.

- **Consider the use of council team-building and goal-setting workshops:**

Recognizing the importance of both effective councilmember/councilmember and council/city manager working relationships, often an investment of time in team-building workshops is very worthwhile. These workshops allow for a thoughtful conversation of working relationships outside the context of discussing specific issues. These discussions can help create a better understanding of work styles and perspectives.

Additionally, recognizing that clear direction and priorities are critical for effective council/manager relations, goal-setting workshops can be very effective forums for establishing city council and organizational priorities.

- **Have a clear understanding with the manager of the type and frequency of communication you prefer:**

While a fundamental value of city managers is to provide regular and complete information equally to each councilmember, councilmembers can vary significantly regarding the type and frequency of contact with the manager they desire. While the manager will use written reports in one form or another as a base line of information to all the members, it is important for the manager to understand your preference for how information should be communicated, including the frequency of personal contact. While some members prefer regular "face-to-face" contact with the city manager, others prefer less time-intensive information-sharing methods. While sharing the same information among all councilmembers, it is helpful for you and the manager to understand how much and what type of contact you prefer.

- **Do your homework:**

It takes time and effort to be a successful councilmember. It makes the manager's and staff's job a lot easier if you have reviewed the reports and related materials provided to you prior to the city council meeting. This facilitates efficient meetings, accelerates decision-making and gives the impression that staff and council are working well as a team. Additionally, it will avoid you appearing unprepared to your fellow councilmembers, the staff and your constituents.

- **Trust above all:**

As in all relationships, an effective city council/manager relationship must be based on trust. Other potential obstacles such as differing personalities, styles, philosophies, etc., can be overcome if there is mutual trust. Without trust, little else will be successful. Both parties need to treat each other with respect and be truthful and forthcoming in their dealings.

- **No Surprises:**

Both the manager and council should do their best to make sure that important information is not first learned from others. While in this age of instant communication this is more difficult, and in some cases impossible, the parties should do their best to make sure that noteworthy information to which they are privy is not communicated to other organizational leaders by third parties (particularly the media). The manager needs to work hard to make sure that the council is not taken off guard while councilmembers should keep the city manager in the loop as well. "Surprises" can have a very negative impact on the working relationship in that it speaks directly to the trust issue.

- **Work through the city manager to get things done:**

While practice and philosophy can vary to some degree between cities, councilmembers should generally work through the city manager to obtain action by staff. Individual councilmembers are not authorized to direct staff, though routine referral of citizen requests (or to simply request information) is sometimes appropriate depending on local practice. Coordinating through the manager will make sure the issue is sent to the right staff person for action and will allow the manager to confirm timely follow-up. This also helps the manager stay informed regarding issues of community concern.

- **Council/Mayor Role:**

It is also important to make sure there is clarity between the council, the manager and the mayor on respective roles. At times there can be a conflict between the role the mayor views themselves as playing and the expectations of the remainder of the council. It is difficult if the manager gets caught in a dispute over these respective roles. In particular, how the city manager relates to the mayor versus the other councilmembers needs to be clear.

- **Don't blame the manager or staff for carrying out the direction of the city council:**

The city manager and staff are required to faithfully carry out the direction of the city council, regardless if they did or did not recommend it and regardless if some councilmembers oppose it. Respect the staff for faithfully carrying out the will of the council, whether or not you share the view of the council majority.

- **If the council/manager relationship is not going well:**

If you or the council are having difficulty with the city manager, try your best to resolve the issue. First of all, find an appropriate way to communicate the concerns. The manager can't respond if he/she is not aware of the concern. As noted earlier, try to obtain clear council consensus for the expectations for the manager and communicate those expectations clearly. Try to be optimistic regarding the possibility of the manager making adjustments to satisfy the concerns of the council and give sufficient time to do so. Additionally, provide the manager opportunities to respond to the feedback and communicate how he/she will address the concerns.

- **If all else fails and there needs to be a "parting of the ways":**

A forced separation of the manager is not a good experience for the council, the manager or the city. It can be costly, controversial and can cast everyone in a negative light. It can also erode citizen confidence in the city. Assuming all

reasonable steps have been taken to avoid a forced transition and recognizing a parting based on "irreconcilable differences" is always better than an "ugly, contested divorce" (in an "ugly divorce," both parties end up looking bad), keep the following in mind:

- Keep it professional.
- Don't unnecessarily damage the manager's reputation—it is not needed to make a change.
- Provide a reasonable period of time for the manager to find another position or provide reasonable severance—it takes time to find a manager's job.
- Remember, how you handle the transition of the current manager will have an impact on the quality of the candidate pool for the next manager.

Summary/Concluding Thoughts:

An unstable council/manager relationship has negative consequences for the city council, the manager, the organization and the community. A positive and mutually supportive relationship will increase the odds of having a high-performing and successful city. Councilmembers and the manager need to make creating, supporting and sustaining the relationship a high priority. If made a high priority, the odds of success are great.

Remember that your service on the city council is a unique honor that has been bestowed on you by your fellow citizens. While it is often a challenge, with inherent difficulties, someone needs to do it and your community has selected you for that responsibility. You have been selected to serve in a professional and honorable manner, during good times and bad. Your service on the city council will be over soon enough. Conduct yourself in a manner that will allow you to look back with pride—not only for what you accomplished, but also the way in which you conducted yourself (which will likely be remembered the longest).

January 2017

Attributes of Exceptional Councils

Leading public organizations and governing with colleagues on a council is a challenging art of community service. The Institute recognizes that many aspects of leadership and governance are not intuitive. This piece is intended to provide councilmembers and city managers insight into the attributes of exceptional councils as well as provide practical tips to help them become exceptional.

1. Exceptional councils develop a sense of team – a partnership with the city manager to govern and manage the city

The mayor, councilmembers and city manager see themselves and work as a team as they undertake a series of tasks to further their common purpose. The individual team members work in a coordinated and collaborative manner with a high degree of respect, trust and openness. The team values diversity in style and perspective. The team thinks and acts strategically as it examines issues/situations and decides on a course of action serving their city's mission and goals.

KEY CHARACTERISTICS

- Successfully transition from candidate to a member of the council.
- Become a champion of the city. Make decisions based on the needs and interests of the community at-large / the greater good.
- Develop, communicate and support policy goals and council decisions.
- Demonstrate a willingness to work collaboratively (as a team) and have a citywide perspective.

BEST PRACTICE TIPS

Build capacity to create a more effective team. The governance team (mayor, councilmembers and city manager) should get to know each other; how each person approaches issues, decision making style and so on. This can be accomplished at annual meetings or workshops through-out the year. In the event that councilmembers disagree, clear ground rules (norms of behavior and practice) can help quell acrimony before it becomes a problem. It's important to remember that trust is built around understanding and respect, not necessarily agreement.

2. Exceptional councils have clear roles and responsibilities that are understood and adhered.

Exceptional councils understand their role is to serve as policy maker - to represent the values, beliefs and priorities of their community while serving in the community's best interest. They carry out a variety of responsibilities including: developing and adopting a vision for the city; focusing and aligning plans, policies, agreements and budgets in furtherance of this vision; and holding themselves and the city manager accountable for results.

Exceptional councils understand that the city manager is responsible for the day-to-day operations of the city. The city manager is responsible for undertaking and accomplishing the policy objectives of the council. Exceptional councils recognize the subject matter expertise of staff and utilize their knowledge and experience to guide and inform decision making.

KEY CHARACTERISTICS

- Understand the role of local government and their responsibilities.
- Know their role- to set vision and policy, avoid micromanagement.
- Councilmembers should strive to be informed about the issues facing the city and be prepared to ask questions of staff and each other.

BEST PRACTICE TIPS

Create a shared understanding of the city manager's role and the council's expectations to optimize the working relationships. This shared understanding is informed by local charter and ordinance provisions that provide the overall framework for the relationship. The council should make time to have conversations during retreats and or study sessions to define and/or reveal and refine their role and responsibilities. Since role clarity between the city council and city management is critical to mutual success, having clear protocols helps avoid misunderstandings.

3. Exceptional councils honor the relationship with staff and each other

Exceptional councils understand that a good working relationship with staff is vital for the city to be run successfully. Exceptional councils treat each other and staff with dignity and respect. They act with civility and a high level of professional decorum. Councilmembers build trust by not playing the “gotcha game” and strive to have a no secrets, no surprises approach as an operating norm. Finally, they respect the diversity of styles and perspectives among their colleagues and staff and are open to new ideas.

KEY CHARACTERISTICS

- Councilmembers have the ability to respectfully disagree (to disagree without being disagreeable). They are able to leave it at the dais; debates are about policy, not personality.
- Exceptional councilmembers reflect positive decorum/model of leadership by providing respectful tone with colleagues.
- Establish a set of behaviors ahead of time, potentially documented in a code of conduct, to help promote civility and respect.

BEST PRACTICE TIPS

Set council priorities and strategic goals at an annual meeting; these goals and priorities are a tool to guide the city manager and staff on where to focus their efforts. This annual meeting provides time for the council to reflect on community priorities as well as offer an opportunity to discuss their decorum and their relationship among each other and the relationship between the city manager/staff and the council.

4. Exceptional councils routinely conduct effective meetings

Open and public meetings are central to democratic decision-making. Exceptional councils master the art of effective meetings. They develop and adhere to meeting protocols and processes. They spend time planning and organizing the agenda with the aim of having a more focused meeting. They allocate the council’s time and energy appropriately (focused on the council’s role and responsibilities) and meeting short- and long-term priorities. They honor the public’s participation and engagement and they generally start on time and are held during reasonable hours.

Exceptional councils use public meetings not only for their intended purpose, information sharing and decision-making,

KEY CHARACTERISTICS

- Councilmembers are respectful of each other, the public and everyone’s time.
- Councilmembers use engaging body language as a way to demonstrate respect.
- Issues are not personalized, thoughtful dialogue is the objective.
- Agenda packets are read, councilmembers come prepared and have an open mind
- Respect is demonstrated for varied opinions.
- Everyone strives to be civil and act with decorum.

but they also use the meeting to demonstrate respect and civility for each other, staff and the public. Exceptional councilmembers prepare in advance of the meeting, remain focused on the city goals and objectives and mindful of their role and responsibilities.

BEST PRACTICE TIPS

Develop and adopt (with regular reviews and updates), guidelines for conducting meetings and making decisions. These governance protocols typically address meeting procedures (agenda preparation, how to put issues on the agenda, debate and voting procedures (parliamentary rules) and standards of decorum (civility)). As part of a regular self-assessment, councils should evaluate their meetings and their effectiveness and adjust behavior and practices for better results.

5. Exceptional councils hold themselves and the city accountable

Exceptional councils operate openly, ethically and work to engage the community in a myriad of decisions impacting the prosperity and well-being of their community. Toward that end, exceptional councils consistently provide short- and long-term strategic direction and goals, as well as provide budget, program and policy oversight.

Exceptional councils hold themselves accountable for the conduct, behavior and effectiveness of the council. They establish clear priorities and goals and hold the city manager accountable for results. And finally, they embrace accountability as a process and tool to calibrate ongoing efforts to address and meet policy and program objectives.

KEY CHARACTERISTICS

- Councilmembers operate ethically and with integrity.
- Councils conduct team building / goal setting exercise to track progress towards mutually agreed upon goals
- Councils taking responsibility for the results (good and bad).
- Councils celebrate success.
- Councilmembers hold themselves responsible for adhering to operating protocols and codes of conduct.

BEST PRACTICE TIPS

Annually evaluate council and city manager performance toward achieving the city's priorities and goals (consider having this be part of an annual goal setting meeting). Council should consider assessing its own behavior and effectiveness as part of its annual self-assessment.

6. Exceptional councils have members who practice continuous personal learning and development

Governance is not intuitive. In addition, the policy and economic environment impacting cities are ever changing. Exceptional councils continually provide the opportunity to build their knowledge and skills, to enhance their understanding of key issues, increase their awareness of best practices and sharpen their leadership and governance skills.

KEY CHARACTERISTICS

- Stay informed on key issues
- Gain key insights and knowledge on all aspects of governing, from budgets to plans and everything in between.
- Learning to listen is sometimes more important than learning to give a speech.

BEST PRACTICE TIPS

Seek out national, state and local professional growth and educational opportunities. These opportunities can focus on the nuts and bolts of governing to helping you gain valuable information and/or insights on key policy issues facing your city. In addition, city run orientations for newly elected officials provide a good way to acclimate new members to the council's norms and protocols as well as the budget and key policy issues.

RESOLUTION NO. 68,726-N.S.

ESTABLISHING THE GOVERNING POLICIES AND PROCEDURES FOR STANDING POLICY COMMITTEES OF THE CITY COUNCIL AS A SUPPLEMENT TO THE CITY COUNCIL RULES OF PROCEDURE AND ORDER

WHEREAS, an efficient and standardized structure for public policy development and consideration is a priority for the City Council; and

WHEREAS, on October 16, 2018, the City Council directed the City Manager to bring back, no later than November 27, 2018, amendments to the City Council Rules of Procedure to implement a system of policy committees; and

WHEREAS, the goal of the new committee structure is to provide the community and the City Council with adequate opportunity for detailed policy discussions outside of a meeting of the full City Council; and

WHEREAS, there is a clear need to enhance the limited legislative structure and workflow that currently exists in Berkeley; and

WHEREAS, staff is proposing that Council adopt the policies in Exhibit A as interim governing procedures for policy committees to serve as an overlay on the Rules of Procedure while the full amendments to the Rules of Procedure are drafted.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Governing Policies and Procedures for City Council Policy Committees attached hereto as Exhibit A, are hereby adopted.

BE IT FURTHER RESOLVED that the provision in Exhibit A supersede any conflicting provisions of the City Council Rules of Procedure and Order adopted by Resolution Nos. 68,362–N.S. and 68,383–N.S. with regards to the legislative process of the city and the powers and authority of the Agenda Committee.

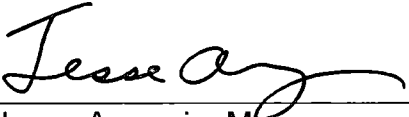
BE IT FURTHER RESOLVED that this resolution is effective January 1, 2019.

The foregoing Resolution was adopted by the Berkeley City Council on December 11, 2018 by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: Davila.

Absent: None.



Jesse Arreguin, Mayor

Attest: 

Mark Numainville, City Clerk

Governing Policies and Procedures for City Council Policy Committees December 11, 2018

A. Legislative Item Process

All agenda items begin with submission to the Agenda Committee.

Full Council Track

Items under this category are exempt from Agenda Committee discretion to refer them to a policy committee. Items in this category may be submitted for the agenda of any scheduled regular meeting pursuant to established deadlines (same as existing deadlines). Types of Full Council Track items are listed below.

1. Items submitted by the City Manager and City Auditor
2. Items submitted by Boards and Commissions
3. Resolutions on Legislation and Electoral Issues relating to Outside Agencies/Jurisdictions
4. Position Letters of Support/Opposition
5. Donations from Councilmember District Office Budgets
6. Referrals to the Budget Process
7. Proclamations
8. Sponsorship of Events
9. Information Reports
10. Presentations from Outside Agencies and Organizations
11. Ceremonial Items

Notwithstanding the exemption stated above, the Agenda Committee, at its discretion, may route a Full Council Track item submitted by a Councilmember to a policy committee if the item has 1) a significant lack of background or supporting information, or 2) significant grammatical or readability issues.

The Agenda Committee has discretion to determine if an item falls under a Full Council Track exception or if it will be processed as a Policy Committee Track item.

Policy Committee Track

Items submitted by Councilmembers with moderate to significant administrative, operational, budgetary, resource, or programmatic impacts will go first to the Agenda Committee (*on a list*).

The Agenda Committee must refer an item to a policy committee at the first meeting that the item appears before the Agenda Committee. The Agenda Committee may only assign the item to a single policy committee.

For a Policy Committee Track item, the Agenda Committee, at its discretion, may either route item directly to 1) the agenda currently under consideration, 2) one of the next three full Council Agendas (based on completeness of the item, lack of potential controversy, minimal impacts, etc.), or 3) to a policy committee.

Time Critical Track

A Time Critical item is defined as a matter that is considered urgent by the sponsor and that has a deadline for action that is prior to the next meeting of the Council and for which a report prepared by the Mayor or council member is received by the City Clerk after established deadlines and is not included on the Agenda Committee's published agenda.

The Agenda Committee retains final discretion to determine the time critical nature of an item.

- a) Time Critical items submitted on the Full Council Track deadlines, that would otherwise be assigned to the Policy Committee Track, may bypass policy committee review if determined to be time critical. If such an item is deemed not to be time critical, it will be referred to a Policy Committee.
- b) Time Critical items on the Full Council Track or Policy Committee Track that are submitted at a meeting of the Agenda Committee may go directly on a council agenda if determined to be time critical.

B. Council Referrals to Committees

The full Council may refer any agenda item to a policy committee by majority vote.

C. Functions of the Committees

Committees shall have the following qualities/components:

1. All committees are Brown Act bodies with noticed public meetings and public comment. Regular meeting agendas will be posted at least 72 hours in advance of the meeting.
2. Minutes shall be available online.
3. Committees shall adopt regular meeting schedules, generally meeting once or twice per month; special meetings may be called when necessary, in accordance with the Brown Act.
4. Generally, meetings will be held at 2180 Milvia Street in publicly accessible meeting rooms that can accommodate the committee members, public attendees, and staff.

5. Members are recommended by the Mayor and approved by the full Council no later than January 31 of each year. Members continue to serve until successors are appointed and approved.
6. Chairs are elected by the Committee at the first regular meeting of the Committee after the annual approval of Committee members by the City Council. In the absence of the Chair, the committee member with the longest tenure on the Council will preside.
7. Committees will review items for completeness in accordance with Section III.B.2 of the City Council Rules of Procedure and Order and alignment with Strategic Plan goals.
8. Reports leaving a policy committee must adequately include budget implications, administrative feasibility, basic legal concerns, and staff resource demands in order to allow for informed consideration by the full Council.

The quorum of a three-member policy committee is always two members. A majority vote of the committee (two 'yes' votes) is required to pass a motion.

Items referred to a policy committee from the Agenda Committee or from the City Council must be agendaized for a committee meeting within 60 days of the referral date.

Within 120 days of the referral date, the committee must vote to either (1) accept the author's request that the item remain in committee until a date certain (more than one extension may be requested by the author); or (2) send the item to the Agenda Committee to be placed on a Council Agenda with a Committee recommendation consisting of one of the four options listed below.

1. Positive Recommendation (recommending Council pass the item as proposed),
2. Qualified Positive Recommendation (recommending Council pass the item with some changes),
3. Qualified Negative Recommendation (recommending Council reject the item unless certain changes are made) or
4. Negative Recommendation (recommending the item not be approved).

The Policy Committee will include their recommendation in a new section of the report template for that purpose.

A policy committee may refer an item to another policy committee for review. The total time for review by all policy committees is limited to the initial 120-day deadline.

If a policy committee does not take final action by the 120-day deadline, the item is returned to the Agenda Committee and appears on the next available Council agenda. The Agenda Committee may leave the item on the agenda under consideration or place it on the next Council agenda.

Once the item is voted out of a policy committee, it will return to the Agenda Committee on the next available agenda. The Agenda Committee may leave the item on the agenda under consideration or place it on the following Council agenda. Only items that receive a Positive Recommendation can be placed on the Consent Calendar.

The lead author may request expedited committee review for items referred to a committee. Criteria for expedited review is generally to meet a deadline for action (e.g. grant deadline, specific event date, etc.). If the committee agrees to the request, the deadline for final committee action is 45 days from the date the item first appeared on the committee agenda.

D. Number and Make-up of Committees

Six committees are authorized, each comprised of three councilmembers. Each Councilmember and the Mayor will serve on two committees. The committees are as follows:

1. Agenda and Rules Committee
2. Budget and Finance Committee
3. Facilities, Infrastructure, Transportation, Environment, and Sustainability
4. Health, Life Enrichment, Equity, and Community
5. Land Use, Housing, and Economic Development
6. Public Safety

The Agenda Committee shall establish the policy committee topic groupings, and may adjust said groupings periodically thereafter in order to evenly distribute expected workloads of various committees.

E. Role of City Staff at Committee Meetings

Committees will be staffed by appropriate City Departments and personnel. As part of the committee process, staff will undertake a high-level, preliminary analysis of potential costs, timelines and staffing demands associated with the item. Staff analysis at the Policy Committee level is limited to the points above as the recommendation, program, or project has not yet been approved to proceed by the full Council.

Agenda & Rules Committee
(City Manager, City Attorney, City Clerk)

- Review items for completeness
- Send items either to council agenda, policy committee, or back to author
- Set agendas
- Review rules and procedures and open government policies
- Consider items not readily assignable to a policy committee

Budget & Finance
(Budget Office, Finance, Human Resources)

- Investment Policy
- Budget Development
- Revenue Development
- Expenditures
- Fiscal Planning and Policy
- Taxes and Fees
- Large-scales fiscal investments

Facilities, Infrastructure, Transportation, Environment & Sustainability
(Public Works, IT, Parks, Planning-OESD)

- Streets, sidewalks, public space
- Parks
- Traffic safety
- Bikes, pedestrians, transit
- Capital Improvements
- Facilities and Infrastructure
- Technology Infrastructure/Security
- Maintenance
- Zero Waste
- Climate Action Plan
- Sustainability
- Energy and Water Conservation

Public Safety
(Police, Fire)

- Police, Fire, dispatch, etc.
- Disaster preparedness
- Resilience Plan

Land Use, Housing & Economic Development
(Planning, OED)

- Land Use
- Preservation
- Development standards
- Housing & Affordable Housing
- Disability/Universal Access
- Business and economic growth
- Business retention, attraction, and development
- Civic arts and culture

Health, Life Enrichment, Equity & Community
(HHCS, Parks, City Manager)

- Seniors and Youth
- Mental Health
- Public Health
- Homelessness
- Health equity and outcomes
- Recreation
- Berkeley's 2020 Vision
- Events
- Neighborhood Services
- Animal control/care
- Code Enforcement/livability

Agenda & Rules Committee

Arreguin, Wengraf, Harrison
(City Manager, City Attorney, City Clerk)
Rose Thomsen

- Review items for completeness
- Send items either to council agenda, policy committee, or back to author
- Set agendas
- Review rules and procedures and open government policies
- Consider items not readily assignable to a policy committee

Budget & Finance

Droste, Davila, Kesarwani
(Budget Office, Finance, HR)
April Richardson

- Investment Policy
- Budget Development
- Revenue Development
- Expenditures
- Fiscal Planning and Policy
- Taxes and Fees
- Large-scales fiscal investments

Facilities, Infrastructure, Transportation, Environment & Sustainability

Davila, Harrison, Robinson
(Public Works, IT, PRW, Planning-OESD)
April Richardson

- Streets, sidewalks, public space
- Parks
- Traffic safety
- Bikes, pedestrians, transit
- Capital Improvements
- Facilities and Infrastructure
- Technology Infrastructure/Security
- Maintenance
- Zero Waste
- Climate Action Plan
- Sustainability
- Energy and Water Conservation

Public Safety

Wengraf, Bartlett, Robinson
(Police, Fire)
Rose Thomsen

- Police, Fire, dispatch, etc.
- Disaster preparedness
- Resilience Plan

Land Use, Housing & Economic Development

Arreguin, Droste, Hahn
(Planning, OED)
Deon Sailes

- Land Use
- Preservation
- Development standards
- Housing & Affordable Housing
- Disability/Universal Access
- Business and economic growth
- Business retention, attraction, and development
- Civic arts and culture

Health, Life Enrichment, Equity & Community

Bartlett, Hahn, Kesarwani
(HHCS, PRW, City Manager)
April Richardson

- Seniors and Youth
- Mental Health
- Public Health
- Homelessness
- Health equity and outcomes
- Recreation
- Berkeley's 2020 Vision
- Events
- Neighborhood Services
- Animal control/care
- Code Enforcement/livability

	Monday	Tuesday	Wednesday	Thursday	Friday
First	<p>10:30am Public Safety</p> <p>2:30pm Agenda & Rules*</p>			<p>10:30am Land Use, Housing & Economic Development</p> <p>2:00pm Facilities, Infrastructure, Transportation, Environment & Sustainability</p>	
Second	<p>10:00am Health, Life Enrichment, Equity & Community</p>			<p>2:00pm Budget & Finance</p>	
Third	<p>2:30pm Agenda & Rules*</p>			<p>10:30am Land Use, Housing & Economic Development</p> <p>2:00pm Facilities, Infrastructure, Transportation, Environment & Sustainability</p>	
Fourth	<p>10:00am Health, Life Enrichment, Equity & Community</p>			<p>2:00pm Budget & Finance</p>	

* Agenda & Rules Committee generally meets twice per month as determined by the agenda publishing timeline.

Compilation of Doodle Poll Responses

	Monday AM	Tuesday AM	Wednesday PM	Thursday AM
	Kesarwani	Robinson	Hahn	Kesarwani
	Hahn	Arreguin	Arreguin	Hahn
	Bartlett		Wengraf	Robinson
	Robinson		Harrison	Harrison
	Bartlett		Davila	Arreguin
	Wengraf			Hahn
	Kesarwani			Droste
	Droste			
	Monday PM			Thursday PM
	Arreguin			Kesarwani
	Wengraf			Droste
	Harrison			Davila
				Robinson
				Wengraf
				Davila
				Harrison
				Robinson
				Hahn
Agenda & Rules	Monday PM			
Budget & Finance	Thursday PM			
Health, Life Enrichment	Monday AM			
Facilities	Thursday PM			
Land Use	Thursday AM			
Public Safety	Monday AM			



Purposes of Policy Committees:

As described in Resolution No. 68,726-N.S. which established our new Policy Committee system the purposes are to:

Ensure “*an efficient and standardized structure for public policy development and consideration*”; and

“*Provide the community and the City Council with adequate opportunity for detailed policy discussions outside of a meeting of the full City Council*”

As stated in the Governing Policies and Procedures for City Council Policy Committees adopted on December 11, 2018, items with moderate to significant administrative, operational, budgetary, resource or programmatic impacts should be referred to a Policy Committee.

Committees will review items for completeness in accordance with Section III.B.2 of the City Council Rules of Procedure and Order and alignment with Strategic Plan goals.

Committees are also designed to allow a fuller review and discussion of City Council items, to allow Councilmembers to engage with authors and ask questions, to afford citizens and commissions an opportunity to comment on proposals before they come to Council and allow for recommended changes based on discussion with the Committee and the authors.

In addition, to assist in Committee and full Council review, staff will undertake a high-level, preliminary analysis of potential costs, timelines, and staffing demands associated with the item.

Procedures Adopted by Council for Committee Review:

Items must appear on a Committee agenda within 60 days of referral by either the Agenda Committee or Council.

Within 120 days of the referral date, the Committee must vote to either (1) accept the author’s request that the item remain in committee until a date certain (2) send the item to the Agenda Committee to be placed on a Council agenda with a Committee recommendation.

The Committee shall review items for completeness in accordance with Section III.B.2 and use the “Guidelines for Developing and Writing Council Agenda Items” in their analysis of items for completeness.

In addition, the Committee will engage with the author to understand the purposes, costs, and impacts and feasibility of implementation and may propose amendments to the author for consideration.

After preliminary discussion, the Committee will request that staff provide the “high-level, preliminary analysis of potential costs, timelines and staffing demands associated with the item”.

After substantive policy discussion and review for completeness, the Committee will make one of the four recommendations to the City Council:

- “Positive Recommendation”: Recommending Council pass the item as proposed originally by the author;
- “Qualified Positive Recommendation”: Recommending Council pass the item with some changes;
- “Qualified Negative Recommendation”: Recommending that Council reject the item unless certain changes are made;
- “Negative Recommendation”: Recommending that the item not be approved.

If a Committee does not take final action by the 120-day deadline the item is automatically returned to the Agenda Committee and appears on the next Council agenda.

Issue Focus of Land Use Committee:

- Land Use
- Preservation
- Development standards
- Housing and Affordable Housing
- Disability/Universal Access
- Business and economic growth
- Business retention, attraction and development
- Civic arts and culture

Proposed New Procedures for Committee Review:

Public Comment: Public comment at the beginning of the Committee meeting should be for non-agenda items within the purview of the policy committee.

The Committee will allow public comment when each agenda item is taken up.

Order of Committee Discussion of Items:

1. When an item is called, the Chair will permit the author of the referred item 5 minutes to introduce the item.
2. Then the Committee will ask initial questions of the author on the proposal.
3. After initial questions, the Committee will then take public comment on the item. The Committee will follow the established time limits in the Council Rules of Procedure, 2 minutes, and if 10 or more speakers 1 minute, with time yielded for a maximum of 4 minutes per speaker.
4. After public comment, the Committee will return to discussion and possible action. Items will likely take two or more meetings to complete Committee discussion and review.

The Committee will request the financial, legal, administrative high-level analysis from staff to be presented at the next Committee meeting.

The Committee after review for completeness and discussion of policy merits, can make a Positive Recommendation to Council, or a Qualified Recommendation.

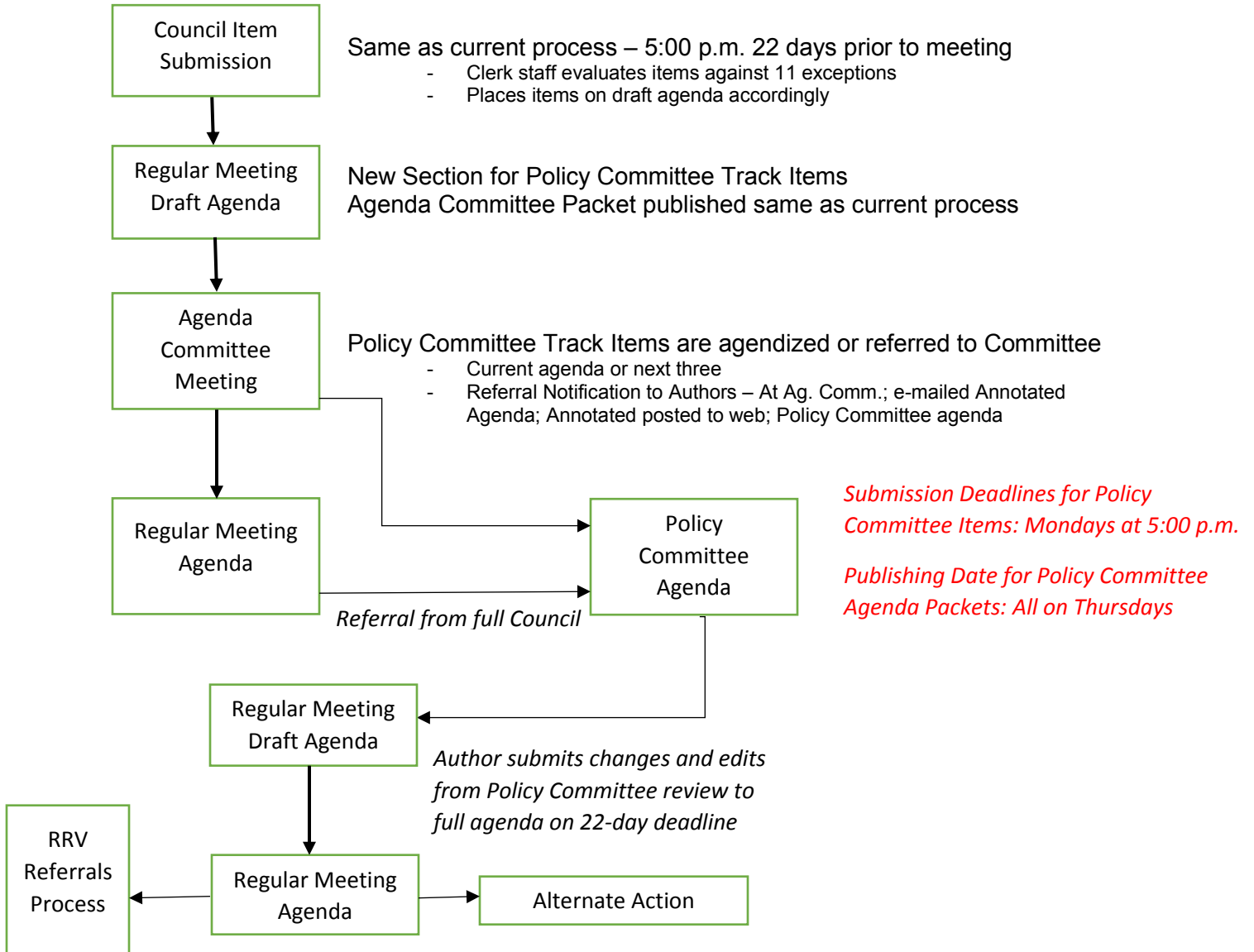
Focus of Committee Process:

The Policy Committee process should not just be limited to review of referred items. If time permits, the Committee should allow for hearings on policy matters within the jurisdiction of the Committee, allowing open forums to solicit input from community members or experts on relevant policy issues, and initiate policy proposals for Council consideration.

Along these lines, I am specifically proposing that the Land Use, Housing and Economic Development Committee have an open forum of 30 minutes (or more if Committee wishes to extend time) to invite representatives of Business Associations and other small business owners to speak and engage with the Committee on issues impacting businesses.



CITY COUNCIL POLICY COMMITTEE PROCESS AND DEADLINES



Other Governing Procedures:

1. Incorporating the Policy Committee Recommendation into the report template:
 - a. Author may include narrative of changes/edits/discussion
 - b. City Clerk adds standard language:

POLICY COMMITTEE RECOMMENDATION

On February 4, 2019, the Agenda and Rules Committee adopted the following action: M/S/C (Arreguin/Wengraf) to send the item to the full Council with a Positive Recommendation. Vote: All Ayes.

2. Policy Committee Chairs may set order of agenda prior to meeting; preside over meeting.
3. Author may withdraw their item from the legislative process during the committee review.
4. City Commissions interact with Policy Committees under the same rules and restrictions as governs their interactions with the full Council.



CITY COUNCIL POLICY COMMITTEE PROCESS AND DEADLINES

Policy Committee Agenda Posting

Policy Committee agenda packets are published on Thursdays in the standard ePacket e-mail and posted to the Policy Committee web page that is linked through the City Council page - <https://www.cityofberkeley.info/citycouncil/>.

Committee agendas and packets are posted in two ways: (1) On the web, the packet is posted in the same manner as Agenda & Rules Committee – full packet; (2) Physical postings are available on the posting board at Old City Hall and a summary calendar for the front door of 2180 Milvia. Meetings will also be listed in the Community Calendar on the website.

Deadlines

The deadline for authors to submit revisions/supplemental material to the City Clerk for items on any upcoming Policy Committee agenda is Monday at 5:00 p.m. Please send to the Policy Committee Inbox (policycommittee@cityofberkeley.info). Please indicate the Committee Name in the subject line.

The deadline to submit a revised council report for an item that is going from a committee to the full council is Monday at 5:00 p.m. The item will be placed on the next available draft agenda. Please send these items to the Agenda Inbox (agenda@cityofberkeley.info).

Meetings

Policy Committee meetings are generally held at 2180 Milvia Street in the Cypress Room or Redwood Room.

The public comment rules for committees are the same as for the Agenda & Rules Committee. The Rules of Procedure govern the Policy Committees with regard to public comment.

Communications/Revisions

Communications from the public are e-mailed to Committee members and City staff, and are placed in public viewing binders for each committee on a rolling basis (as received).

There are no supplemental communications packets published prior to the committee meeting. All revised materials may be submitted at the meeting or by the Monday 5:00 p.m. deadline (same as the current process for the Agenda & Rules Committee).

Staff distinguishes communications to specific committee(s) vs. full Council based on the salutation, content, and those who are included on the e-mail.



CITY COUNCIL POLICY COMMITTEE PROCESS AND DEADLINES

Item Tracking

The 120 day/45 day deadlines for committee action are printed with the item on every committee agenda.

All items referred to a Policy Committee will appear on every agenda. The Chair may assign certain items to the Unscheduled Items portion of the agenda if they do not plan to discuss the item at the upcoming committee meeting.

Items on the committee agenda are organized by date referred, oldest first. As stated above, the Chair may reorder the agenda or place items on the Unscheduled Items portion of the agenda.

Role of Staff at Policy Committee Meetings

Committees will be staffed by appropriate City Departments and personnel. As part of the committee process, *staff will undertake a high-level, preliminary analysis of potential costs, timelines and staffing demands associated with the item.* Staff analysis at the Policy Committee level is limited to the points above as the recommendation, program, or project has not yet been approved to proceed by the full Council.

The Berkeley City Council Rules of Procedure and Order

Adopted by Resolution No. 68,753–N.S.
Effective
January 29, 2019

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I. DUTIES**A. Duties of Mayor**

The Mayor shall preside at the meetings of the Council and shall preserve strict order and decorum at all regular and special meetings of the Council. The Mayor shall state every question coming before the Council, announce the decision of the Council on all subjects, and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order.

B. Duties of Councilmembers

Promptly at the hour set by law on the date of each regular meeting, the members of the Council shall take their regular stations in the Council Chambers and the business of the Council shall be taken up for consideration and disposition.

C. Motions to be Stated by Chair

When a motion is made, it may be stated by the Chair or the City Clerk before debate.

D. Decorum by Councilmembers

While the Council is in session, the City Council will practice civility and decorum in their discussions and debate. Councilmembers will value each other's time and will preserve order and decorum. A member shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Council, use personal, impertinent or slanderous remarks, nor disturb any other member while that member is speaking or refuse to obey the orders of the presiding officer or the Council, except as otherwise provided herein.

All Councilmembers have the opportunity to speak and agree to disagree but no Councilmember shall speak twice on any given subject unless all other Councilmembers have been given the opportunity to speak.

The presiding officer has the affirmative duty to maintain order. The City Council will honor the role of the presiding officer in maintaining order. If a Councilmember believes the presiding officer is not maintaining order, the Councilmember may move that the Vice-Mayor, or another Councilmember if the Vice-Mayor is acting as the presiding officer at the time, enforce the rules of decorum and otherwise maintain order. If that motion receives a second and is approved by a majority of the Council, the Vice-Mayor, or other designated Councilmember, shall enforce the rules of decorum and maintain order.

E. Voting Disqualification

No member of the Council who is disqualified shall vote upon the matter on which the member is disqualified. Any member shall openly state or have the presiding officer announce the fact and nature of such disqualification in open meeting, and shall not be subject to further inquiry. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the member affected, be decided by the other members of the Council, by motion, and such decision shall determine such member's right and obligation to vote. A member who is disqualified by conflict of interest in any matter shall not remain in the Chamber during the debate

and vote on such matter, but shall request and be given the presiding officer's permission to absent themselves. Any member having a "remote interest" in any matter as provided in Government Code shall divulge the same before voting.

F. Requests for Technical Assistance and/or Reports

A majority vote of the Council shall be required to direct staff to provide technical assistance, develop a report, initiate staff research, or respond to requests for information or service generated by an individual council member.

G. City Council Policy for Naming and Renaming Public Facilities

The City Council Policy for Naming and Renaming Public Facilities adopted on January 31, 2012, and all its successors, is incorporated by reference into the City Council Rules of Procedure and included as Appendix A to this document.

II. MEETINGS

A. Call to Order - Presiding Officer

The Mayor, or in the Mayor's absence, the Vice Mayor, shall take the chair precisely at the hour appointed by the meeting and shall immediately call the Council to order. Upon the arrival of the Mayor, the Vice Mayor shall immediately relinquish the chair at the conclusion of the business presently before the Council. In the absence of the two officers specified in this section, the council member present with the longest period of Council service shall preside.

B. Roll Call

Before the Council shall proceed with the business of the Council, the City Clerk shall call the roll of the members and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes.

C. Quorum Call

During the course of the meeting, should the Chair note a Council quorum is lacking, the Chair shall call this fact to the attention of the City Clerk. The City Clerk shall issue a quorum call. If a quorum has not been restored within two minutes of a quorum call, the meeting shall be deemed automatically adjourned.

D. Council Meeting Schedule

The City Council shall hold a minimum of twenty-four (24) meetings, or the amount needed to conduct City business in a timely manner, whichever is greater, each calendar year.

Regular meetings of the City Council shall be held generally two to three Tuesdays of each month; the schedule to be established annually by Council resolution taking into consideration holidays and election dates.

Regular City Council meetings shall begin no later than 6:00 p.m.

The agenda for the regular business meetings shall include the following: Ceremonial; Comments from the City Manager; Comments from the Public; Consent Calendar; Action Calendar (Appeals, Public Hearings, Continued Business, Old Business, New Business); Information Reports; and Communication from the Public. Presentations and workshops may be included as part of the Action Calendar. Items removed from the Consent Calendar will be moved to the Action Calendar. The Chair will determine the order in which the item(s) will be heard with the consent of Council.

Upon request by any council member, any item may be moved from the Consent Calendar or Information Calendar to the Action Calendar. Unless there is an objection by any council member, a council member may also move an item from the Action Calendar to the Consent Calendar.

A public hearing that is not expected to be lengthy may be placed on the agenda for a regular business meeting. When a public hearing is expected to be contentious and lengthy and/or the Council's regular meeting schedule is heavily booked, the Agenda Committee, in conjunction with the staff, will schedule a special meeting

exclusively for the public hearing. No other matters shall be placed on the agenda for the special meeting. All public comment will be considered as part of the public hearing and no separate time will be set aside for public comment not related to the public hearing at this meeting.

Except at meetings at which the budget is to be adopted, no public hearing may commence later than 10:00 p.m. unless there is a legal necessity to hold the hearing or make a decision at that meeting or the City Council determines by a two-thirds vote that there is a fiscal necessity to hold the hearing.

E. Adjournment

1. No Council meeting shall continue past 11:00 p.m. unless a two-thirds majority of the Council votes to extend the meeting to discuss specified items; and any motion to extend the meeting beyond 11:00 p.m. shall include a list of specific agenda items to be covered and shall specify in which order these items shall be handled.
2. Any items not completed at a regularly scheduled Council meeting may be continued to an Adjourned Regular Meeting by a two-thirds majority vote of the Council.

F. Unfinished Business

Any items not completed by formal action of the Council, and any items not postponed to a date certain, shall be considered Unfinished Business. All Unfinished Business shall be referred to the Agenda Committee for scheduling for a Council meeting that occurs within 60 days from the date the item last appeared on a Council agenda. The 60 day period is tolled during a Council recess.

G. City Council Recess Periods

A recess period is defined as a period of time longer than 21 days without a regular or special meeting of the Council.

When a recess period occurs, the City Manager is authorized to take such ministerial actions for matters of operational urgency as would normally be taken by the City Council during the period of recess except for those duties specifically reserved to the Council by the Charter, and including such emergency actions as are necessary for the immediate preservation of the public peace, health or safety; the authority to extend throughout the period of time established by the City Council for the period of recess.

The City Manager shall have the aforementioned authority beginning the day after the Agenda Committee meeting for the last regular meeting before a Council recess and this authority shall extend through the deadline for submission of staff reports for the first meeting after the Council recess.

The City Manager shall make a full and complete report to the City Council at its first regularly scheduled meeting following the period of recess of actions taken by the City Manager pursuant to this section, at which time the City Council may make such findings as may be required and confirm said actions of the City Manager.

H. Pledge of Allegiance to the Flag

At the first meeting of each year following the August recess and at any subsequent meeting if specifically requested before the meeting by any member of the Council in order to commemorate an occasion of national significance, the first item on the program will be the Pledge of Allegiance.

I. Ad Hoc Subcommittees

From time to time the Council or the Mayor may appoint several of its members but fewer than the existing quorum of the present body to serve as an ad hoc subcommittee. Only Council members may become members of the ad hoc subcommittee; however, the subcommittee shall seek input and advice from the residents, related commissions, and other groups. Ad Hoc Subcommittees must be reviewed annually by the Council to determine if the subcommittee is to continue.

Upon creation of an ad hoc subcommittee, the Council shall allow it to operate with the following parameters:

1. A specific charge or outline of responsibilities shall be established by the Council.
2. A target date must be established for a report back to the Council.
3. Maximum life of the subcommittee shall be one year, with annual review and possible extension by the Council.

Subcommittees shall conduct their meetings in public and in accessible locations that are open to the public. Meetings may be held at privately owned facilities provided that the location is open to all that wish to attend and that there is no requirement for purchase to attend. Agendas for subcommittee meetings must be posted in the same manner as the agendas for regular Council meetings except that subcommittee agendas may be posted with 24-hour notice. The public will be permitted to comment on agenda items but public comments may be limited to one minute if deemed necessary by the Committee Chair. Agendas and minutes of the meetings must be maintained and made available upon request.

City staff may attend and participate in subcommittee meetings. Depending on the desires of the subcommittee members, City staff may participate the same as members of the public, or may be called upon to offer insights or provide information during discussion.

Subcommittees must be comprised of at least two members. If only two members are appointed, then both must be present in order for the subcommittee meeting to be held. In other words, the quorum for a two-member subcommittee is always two.

Certain requirements listed above may not apply to ad hoc subcommittees seeking legal advice and assistance from the City Attorney or meeting with the City Manager or his/her designees for purposes of real estate or labor negotiations.

III. AGENDA

A. Declaration of Policy

No ordinance, resolution, or item of business shall be introduced, discussed or acted upon before the Council at its meeting without prior thereto its having been published on the agenda of the meeting and posted in accordance with Section III.D.2. Exceptions to this rule are limited to circumstances listed in Section III.D.4.b and items carried over.

B. Definitions

For purposes of this section, the terms listed herein shall be defined as follows:

1. "Agenda Item" means an item placed on the agenda (on either the Consent Calendar or as a Report For Action) for a vote of the Council by any council member, the City Manager, the Auditor, or any board/commission/committee created by the City Council, or any Report For Information which may be acted upon if a council member so requests. For purposes of this section, appeals shall be considered action items. All information from the City Manager concerning any item to be acted upon by the Council shall be submitted as a report on the agenda and not as an off-agenda memorandum and shall be available for public review, except to the extent such report is privileged and thus confidential such as an attorney client communication concerning a litigation matter.
2. Agenda items shall contain all relevant documentation, including the following as applicable:
 - a) A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested;
 - b) Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information;
 - c) Recommendation of the City Manager, if applicable (these provisions shall not apply to Mayor and Council items.);
 - d) Fiscal impacts of the recommendation;
 - e) A description of the current situation and its effects;
 - f) Background information as needed;
 - g) Rationale for recommendation;
 - h) Alternative actions considered;
 - i) For awards of contracts; the abstract of bids and the Affirmative Action Program of the low bidder in those cases where such is required (these provisions shall not apply to Mayor and Council items.);

- j) Person or persons to contact for further information, with telephone number. If the author of any report believes additional background information, beyond the basic report, is necessary to Council understanding of the subject, a separate compilation of such background information may be developed and copies will be available for Council and for public review in the City Clerk Department, and the City Clerk shall provide limited distribution of such background information depending upon quantity of pages to be duplicated. In such case the agenda item distributed with the packet shall so indicate.
3. "Agenda" means the compilation of the descriptive titles of agenda items submitted to the City Clerk, arranged in the sequence established in Section III.E hereof.
 4. "Packet" means the agenda plus all its corresponding duplicated agenda items.
 5. "Emergency Matter" arises when prompt action is necessary due to the disruption or threatened disruption of public facilities and a majority of the Council determines that:
 - a) A work stoppage or other activity which severely impairs public health, safety, or both;
 - b) A crippling disaster, which severely impairs public health, safety or both. Notice of the Council's proposed consideration of any such emergency matter shall be given in the manner required by law for such an emergency pursuant to Government Code Section 54956.5.
 6. "Continued Business" Items carried over from a prior agenda of a meeting occurring less than 11 days earlier, as uncompleted items.
 7. "Old Business" Items carried over from a prior agenda of a meeting as uncompleted items.

C. Procedure for Bringing Matters Before City Council

1. Persons Who Can Place Matters on the Agenda.

Matters may be placed on the agenda by any council member, the City Manager, the Auditor, or any board/commission/committee created by the City Council. All items, other than board and commission items shall be subject to review by an Agenda Committee, which shall be a standing committee of the City Council. The Agenda Committee shall consist of the Mayor and two councilmembers, nominated by the Mayor and approved by the Council. A third council member, nominated by the Mayor and approved by the Council, will serve as an alternate on the Committee in the event that an Agenda Committee member cannot attend a meeting.

The Agenda Committee shall meet 15 days prior to each City Council meeting and shall approve the agenda of that City Council meeting. The Agenda Committee packet, including a draft agenda and Councilmember and Commission

reports shall be distributed by 5:00 p.m. 4 days before the Agenda Committee meeting.

The Agenda Committee shall have the powers set forth below.

- a) **Items Authored by a Councilmember or the Auditor.** As to items authored by the Mayor, a Councilmember, or the Auditor, the Agenda Committee shall review the item and may recommend that the matter be referred to a commission, to the City Manager, or back to the author for adherence to required form or for additional analysis as required in Section III.B.2, or suggest other appropriate action including scheduling the matter for a later meeting to allow for appropriate revisions.

The author of a “referred” item must inform the City Clerk within 24 hours of the adjournment of the Agenda Committee whether he or she prefers to: 1) hold the item for a future meeting pending modifications as suggested by the Committee; 2) have the item appear on the Council agenda under consideration as originally submitted; 3) pull the item completely; or 4) re-submit the item with revisions as requested by the Agenda Committee for the Council agenda under consideration.

In the event that the City Clerk does not receive guidance from the author of the referred item within 24 hours of the Agenda Committee’s adjournment, the recommendation of the Agenda Committee will take effect.

Items held for a future meeting to allow for modifications will be placed on the next available Council meeting agenda at the time that the revised version is submitted to the City Clerk. If changes made to the item extend beyond the scope of the Agenda Committee referral recommendations, the item must be re-submitted as a new Council item.

For authors of referred items that select option 2) above, the referred item will automatically be placed at the end of the Action Calendar under the heading “Referred Items”. The Agenda Committee shall specify the reason for the referral from the categories listed below. This reason shall be printed with the item on the agenda.

Reason 1 – Significant Lack of Background or Supporting Information

Reason 2 – Significant Grammatical or Readability Issues

- b) **Items Authored by the City Manager.** The Agenda Committee shall review agenda descriptions of items authored by the City Manager. The Committee can recommend that the matter be referred to a commission or back to the City Manager for adherence to required form, additional analysis as required in Section III.B.2, or suggest other appropriate action including scheduling the matter for a later meeting to allow for appropriate revisions.

If the City Manager determines that the matter should proceed notwithstanding the Agenda Committee's action, it will be placed on the agenda as directed by the Manager. All City Manager items placed on the Council agenda against the referral recommendation of the Agenda Committee or revised items that have not been resubmitted to the Agenda Committee will automatically be placed on the Action Calendar.

- c) **Items Authored by Boards and Commissions.** Council items submitted by boards and commissions are subject to City Manager review and must follow procedures and timelines for submittal of reports as described in the Commissioners' Manual. The content of commission items is not subject to review by the Agenda Committee.
- i) For a commission item that does not require a companion report from the City Manager, the Agenda Committee may act on an agendized commission report in the following manner:
1. Move a commission report from the Consent Calendar to the Action Calendar or from the Action Calendar to the Consent Calendar.
 2. Re-schedule the commission report to appear on one of the next three regular Council meeting agendas that occur after the regular meeting under consideration. Commission reports submitted in response to a Council referral shall receive higher priority for scheduling.
 3. Allow the item to proceed as submitted.
- ii) For any commission report that requires a companion report, the Agenda Committee will schedule the item on a Council agenda for a meeting occurring not sooner than 60 days and not later than 120 days from the date of the meeting under consideration by the Agenda Committee. A commission report submitted with a complete companion report may be scheduled pursuant to subparagraph c.i. above.
- d) The Agenda Committee shall have the authority to re-order the items on the Action Calendar regardless of the default sequence prescribed in Chapter III, Section E of the Rules of Procedures and Order.

2. **Scheduling Public Hearings Mandated by State, Federal, or Local Statute.**

The City Clerk may schedule a public hearing at an available time and date in those cases where State, Federal or local statute mandates the City Council hold a public hearing.

3. **Submission of Agenda Items.**

- a) **City Manager Items.** Except for Continued Business and Old Business, as a condition to placing an item on the agenda, agenda items from

departments, including agenda items from commissions, shall be furnished to the City Clerk at a time established by the City Manager.

- b) **Council and Auditor Items.** The deadline for reports submitted by the Auditor, Mayor and City Council is 5:00 p.m. on Monday, 22 days before each Council meeting.
- c) **Time Critical Items.** A Time Critical item is defined as a matter that is considered urgent by the sponsor and that has a deadline for action that is prior to the next meeting of the Council and for which a report prepared by the City Manager, Auditor, Mayor or council member is received by the City Clerk after established deadlines and is not included on the Agenda Committee's published agenda.

The author of the report shall bring any reports submitted as Time Critical to the meeting of the Agenda Committee. Time Critical items must be accompanied by complete reports and statements of financial implications. If the Agenda Committee finds the matter to meet the definition of Time Critical, the Agenda Committee may place the matter on the Agenda on either the Consent or Action Calendar.

- d) The City Clerk may not accept any agenda item after the adjournment of the Agenda Committee meeting, except for items carried over by the City Council from a prior City Council meeting occurring less than 11 days earlier, which may include supplemental or revised reports, and reports concerning actions taken by boards and commissions that are required by law or ordinance to be presented to the Council within a deadline that does not permit compliance with the agenda timelines in BMC Chapter 2.06 or these rules.

4. **Submission of Supplemental and Revised Agenda Material.**

Berkeley Municipal Code Section 2.06.070 allows for the submission of supplemental and revised agenda material. Supplemental and revised material cannot be substantially new or only tangentially related to an agenda item. Supplemental material must be specifically related to the item in the Agenda Packet. Revised material should be presented as revised versions of the report or item printed in the Agenda Packet. Supplemental and revised material may be submitted for consideration as follows:

- a) Supplemental and revised agenda material shall be submitted to the City Clerk no later than 5:00 p.m. seven calendar days prior to the City Council meeting at which it is to be considered. Supplemental and revised items that are received by the deadline shall be distributed to Council in a supplemental reports packet and posted to the City's website no later than 5:00 p.m. five calendar days prior to the meeting. Copies of the supplemental packet shall also be made available in the office of the City Clerk and in the main branch of the Berkeley Public Library. Such material may be considered by the Council without the need for a determination that

the good of the City clearly outweighs the lack of time for citizen review or City Council member evaluation.

- b) After 5:00 p.m. seven calendar days prior to the meeting, supplemental or revised reports may be submitted for consideration by delivering a minimum of 42 copies of the supplemental/revised material to the City Clerk for distribution at the meeting. Each copy must be accompanied by a completed supplemental/revised material cover page, using the form provided by the City Clerk. Revised reports must reflect a comparison with the original item using track changes formatting. The material may be considered only if the City Council, by a two-thirds roll call vote, makes a factual determination that the good of the City clearly outweighs the lack of time for citizen review or City Council member evaluation of the material. Supplemental and revised material must be distributed and a factual determination made prior to the commencement of public comment on the agenda item in order for the material to be considered.

5. **Scheduling a Presentation.**

Any request for a presentation to the Council will be submitted as an agenda item and follow the time lines for submittal of agenda reports. The agenda item should include general information regarding the purpose and content of the presentation; information on the presenters; contact information; and the length of the presentation. The request may state a preference for a date before the Council. The Agenda Committee will review the request and recommend a presentation date and allotted time based on the Council's schedule.

The City Clerk will notify the presenters of the date and time of the presentation and will coordinate use of any presentation equipment and receipt of additional written material.

D. Packet Preparation and Posting

1. **Preparation of the Packet.**

Not later than the thirteenth day prior to said meeting, the City Clerk shall prepare the packet, which shall include the agenda plus all its corresponding duplicated agenda items. No item shall be considered if not included in the packet, except as provided for in Section III.C.4 and Section III.D.4. Reports carried over, as Continued Business or Old Business need not be reproduced again.

2. **Distribution and Posting of Agenda.**

- a) The City Clerk shall post each agenda of the City Council regular meeting no later than 11 days prior to the meeting and shall post each agenda of a special meeting at least 24 hours in advance of the meeting in the official bulletin board. The City Clerk shall maintain an affidavit indicating the location, date and time of posting each agenda.
- b) The City Clerk shall also post agendas and annotated agendas of all City Council meetings and notices of public hearings on the City's website.

- c) No later than 11 days prior to a regular meeting, copies of the agenda shall be mailed by the City Clerk to any resident of the City of Berkeley who so requests in writing. Copies shall also be available free of charge in the City Clerk Department.

3. Distribution of the Agenda Packet.

The Agenda Packet shall consist of the Agenda and all supporting documents for agenda items. No later than 11 days prior to a regular meeting, the City Clerk shall:

- a) distribute the Agenda Packet to each member of the City Council;
- b) post the Agenda Packet to the City's website;
- c) place copies of the Agenda Packet in viewing binders in the office of the City Clerk and in the main branch of the Berkeley Public Library; and
- d) make the Agenda Packet available to members of the press.

4. Failure to Meet Deadlines.

- a) The City Clerk shall not accept any agenda item or revised agenda item after the deadlines established.
- b) Matters not included on the published agenda may be discussed and acted upon as otherwise authorized by State law or providing the Council finds one of the following conditions is met:
 - A majority of the Council determines that the subject meets the criteria of "Emergency" as defined in Section III.B.5.
 - Two thirds of the Council determines that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the posting of the agenda as required by law.
- c) Matters listed on the printed agenda but for which support materials are not received by the City Council on the eleventh day prior to said meeting as part of the agenda packet, shall not be discussed or acted upon.

E. Agenda Sequence and Order of Business

The Council agenda for a regular business meeting is to be arranged in the following order:

- 1. Preliminary Matters: (Ceremonial, Comments from the City Manager, Public Comment)
- 2. Consent Calendar
- 3. Action Calendar
 - a) Appeals
 - b) Public Hearings

- c) Continued Business
 - d) Old Business
 - e) New Business
 - f) Referred Items
4. Information Reports
 5. Communications
 6. Adjournment

Action items may be reordered at the discretion of the Chair with the consent of Council.

The Agenda Committee shall have the authority to re-order the items on the Action Calendar regardless of the default sequence prescribed in this section.

F. Closed Session Documents

This section establishes a policy for the distribution of, and access to, confidential closed session documents by the Mayor and Members of the City Council.

1. Confidential closed session materials shall be kept in binders numbered from one to nine and assigned to the Mayor (#9) and each Councilmember (#1 to #8 by district). The binders will contain confidential closed session materials related to Labor Negotiations, Litigation, and Real Estate matters.
2. The binders will be maintained by City staff and retained in the Office of the City Attorney in a secure manner. City staff will bring the binders to each closed session for their use by the Mayor and Councilmembers. At other times, the binders will be available to the Mayor and Councilmembers during regular business hours for review in the City Attorney's Office. The binders may not be removed from the City Attorney's Office or the location of any closed session meeting by the Mayor or Councilmembers. City staff will collect the binders at the end of each closed session meeting and return them to the City Attorney's Office.
3. Removal of confidential materials from a binder is prohibited.
4. Duplication of the contents of a binder by any means is prohibited.
5. Confidential materials shall be retained in the binders for at least two years.
6. This policy does not prohibit the distribution of materials by staff to the Mayor and Councilmembers in advance of a closed session or otherwise as needed, but such materials shall also be included in the binders unless it is impracticable to do so.

IV. CONDUCT OF MEETING

A. Comments from the Public

Public comment will be taken in the following order:

- An initial ten-minute period of public comment on non-agenda items, after the commencement of the meeting and immediately after Ceremonial Matters and City Manager Comments.
- Public comment on the Consent and Information Calendars.
- Public comment on action items, appeals and or public hearings as they are taken up under procedures set forth in the sections governing each below.
- Public comment on non-agenda items from any speakers who did not speak during the first round of non-agenda public comment at the beginning of the meeting.

Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. A speaker wishing to yield their time shall stand, shall be recognized by the chair, and announce publicly their intention to yield their time. Disabled persons shall have priority seating in the front row of the public seating area.

A member of the public may only speak once at public comment on any single item, unless called upon by the Mayor or a Councilmember to answer a specific inquiry.

1. Public Comment on Consent Calendar and Information Items.

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar,” or move “Consent Calendar” items to “Action.” Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent.”

The Council will then take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. A speaker may only speak once during the period for public comment on Consent Calendar and Information items. No additional items can be moved onto the Consent Calendar once public comment has commenced.

At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

2. Public Comment on Action Items.

After the initial ten minutes of public comment on non-agenda items and public comment and action on consent items, the public may comment on each remaining item listed on the agenda for action as the item is taken up.

The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time.

If ten or fewer persons are interested in speaking, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

3. Appeals Appearing on Action Calendar.

With the exception of appeals from decisions of the Zoning Adjustments Board and Landmarks Preservation Commission, appeals from decisions of City commissions appear on the "Action" section of the Council Agenda. Council determines whether to affirm the action of the commission, set a public hearing, or remand the matter to the commission. Appeals of proposed special assessment liens shall also appear on the "Action" section of the Council Agenda. Appeals from decisions of the Zoning Adjustments Board and Landmarks Preservation Commission are automatically set for public hearing and appear on the "Public Hearings" section of the Council Agenda.

Time shall be provided for public comment for persons representing both sides of the action/appeal and each side will be allocated seven minutes to present their comments on the appeal. Where the appellant is not the applicant, the appellants collectively shall have seven minutes to comment and the applicant shall have seven minutes to comment. Where the appellant is the applicant, the applicant/appellant shall have seven minutes to comment and the persons supporting the action of the board or commission on appeal shall have seven minutes to comment. In the case of an appeal of proposed special assessment lien, the appellant shall have seven minutes to comment.

After the conclusion of the seven-minute comment periods, members of the public may comment on the appeal. Comments from members of the public regarding appeals shall be limited to one minute per speaker. Any person that addressed the Council during one of the seven-minute periods may not speak again during the public comment period on the appeal. Speakers may yield their time to one other speaker, however, no speaker shall have more than two minutes. Each side shall be informed of this public comment procedure at the time the Clerk notifies the parties of the date the appeal will appear on the Council agenda.

4. **Public Comment on Non Agenda Matters.**

Immediately following Ceremonial Matters and the City Manager Comments and prior to the Consent Calendar, persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting.

The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.

Persons submitting speaker cards are not required to list their actual name, however they must list some identifying information or alternate name in order to be called to speak.

For the second round of public comment on non-agenda matters, the Presiding Officer retains the authority to limit the number of speakers by subject. The Presiding Officer will generally request that persons wishing to speak, line up at the podium to be recognized to determine the number of persons interested in speaking at that time. Each speaker will be entitled to speak for two minutes each unless the Presiding Officer determines that one-minute is appropriate given the number of speakers.

According to the current Rules and Procedures, no Council meeting shall continue past 11:00 p.m. unless a two-thirds majority of the Council votes to extend the meeting to discuss specified items. If any agenda item remains unfinished at 11:00 p.m. or the expiration of any extension after 11:00 p.m., it will be referred to the Agenda Committee for scheduling pursuant to Chapter II, Section F. In that event, the meeting shall be automatically extended for up to fifteen (15) minutes for public comment on non-agenda items.

5. **Ralph M. Brown Act Pertaining to Public Comments.**

The "Brown Act" prohibits the Council from discussing or taking action on an issue raised during Public Comment, unless it is specifically listed on the agenda. However, the Council may refer a matter to the City Manager.

B. Consent Calendar

There shall be a Consent Calendar on all regular meeting agendas on which shall be included those matters which the Mayor, councilmembers, boards, commissions, City Auditor and City Manager deem to be of such nature that no debate or inquiry will be necessary at the Council meetings. Ordinances for second reading may be included in the Consent Calendar.

It is the policy of the Council that councilmembers wishing to ask questions concerning Consent Calendar items should ask questions of the contact person identified prior to the Council meeting so that the need for discussion of consent calendar items can be minimized.

Consent Calendar items may be moved to the Action Calendar by the Council. Action items may be reordered at the discretion of the Chair with the consent of Council.

C. Information Reports Called Up for Discussion

Reports for Information designated for discussion at the request of any council member shall be added to the appropriate section of Reports for Action and may be acted upon at that meeting or carried over as pending business until discussed or withdrawn. The agenda will indicate that at the request of any council member a Report for Information may be acted upon by the Council.

D. Communications

Letters from the public will not appear on the Council agenda as individual matters for discussion but will be distributed as part of the Council agenda packet with a cover sheet identifying the author and subject matter and will be listed under "Communications."

All such communications must have been received by the City Clerk no later than 5:00 p.m. fifteen days prior to the meeting in order to be included on the agenda.

In instances where an individual forwards more than three pages of email messages not related to actionable items on the Council agenda to the Council to be reproduced in the "Communications" section of the Council packet, the City Clerk will not reproduce the entire email(s) but instead refer the public to the City's website or a hard copy of the email(s) on file in the City Clerk Department.

All communications shall be simply deemed received without any formal action by the Council. A council member may refer a communication to staff for action, if appropriate, or prepare a consent or action item for placement on a future agenda.

E. Public Hearings for Land Use, Zoning, Landmarks, and Public Nuisance Matters

The City Council, in setting the time and place for a public hearing, may limit the amount of time to be devoted to public presentations. Staff shall introduce the public hearing item and present their comments.

Following any staff presentation, each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Members shall also submit a report of such contacts in writing prior to the commencement of the hearing. Such reports shall include a brief statement describing the name, date, place, and content of the contact. Written reports shall be available for public review in the office of the City Clerk prior to the meeting and placed in a file available for public viewing at the meeting.

This is followed by five-minute presentations each by the appellant and applicant. Where the appellant is not the applicant, the appellants collectively shall have five

minutes to comment and the applicant shall have five minutes to comment. Where the appellant is the applicant, the applicant/appellant shall have five minutes to comment and the persons supporting the action of the board or commission on appeal shall have five minutes to comment. In the case of a public nuisance determination, the representative(s) of the subject property shall have five minutes to present.

The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time.

If ten or fewer persons are interested in speaking, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

F. Work Sessions

The City Council may schedule a matter for general Council discussion and direction to staff. Official/formal action on a work session item will be scheduled on a subsequent agenda under the Action portion of the Council agenda.

In general, public comment at Council work sessions will be heard after the staff presentation, for a limited amount of time to be determined by the Presiding Officer.

The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time. If ten or fewer persons are interested in speaking, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

After Council discussion, if time permits, the Presiding Officer may allow additional public comment. During this time, each speaker will receive one minute. Persons who spoke during the prior public comment time may be permitted to speak again.

G. Public Discussions

The City Council may, from time to time, schedule a matter for public discussion and may limit the amount of time to be devoted to said discussions. At the time the public discussion is scheduled, the City Council may seek comment from others if they so determine.

H. Protocol

People addressing the Council may first give their name in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body and not to any member thereof. No one other than the Council and the person having the floor

IV. CONDUCT OF MEETING

shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked of a council member except through the Presiding Officer.

V. PROCEDURAL MATTERS

A. Persons Authorized to Sit at Tables

No person, except City officials, their representatives and representatives of boards and commissions shall be permitted to sit at the tables in the front of the Council Chambers without the express consent of the Council.

B. Decorum

No person shall disrupt the orderly conduct of the Council meeting. Prohibited disruptive behavior includes but is not limited to shouting, making disruptive noises, such as boos or hisses, creating or participating in a physical disturbance, speaking out of turn or in violation of applicable rules, preventing or attempting to prevent others who have the floor from speaking, preventing others from observing the meeting, entering into or remaining in an area of the meeting room that is not open to the public, or approaching the Council Dais without consent. Any message to or contact with any member of the Council while the Council is in session shall be through the City Clerk.

C. Enforcement of Decorum

When the public demonstrates a lack of order and decorum, the presiding officer shall call for order and inform the person(s) that the conduct is violating the Rules of Order and Procedure and provide a warning to the person(s) to cease the disruptive behavior. Should the person(s) fail to cease and desist the disruptive conduct, the presiding officer may call a five (5) minute recess to allow the disruptions to cease.

If the meeting cannot be continued due to continued disruptive conduct, the presiding officer may have any law enforcement officer on duty remove or place any person who violates the order and decorum of the meeting under arrest and cause that person to be prosecuted under the provisions of applicable law.

D. Precedence of Motions

When a question is before the Council, no motion shall be entertained except:

1. To adjourn,
2. To fix the hour of adjournment,
3. To lay on the table,
4. For the previous question,
5. To postpone to a certain day,
6. To refer,
7. To amend,
8. To substitute, and
9. To postpone indefinitely.

These motions shall have precedence in order indicated. Any such motion, except a motion to adjourn, amend, or substitute, shall be put to a vote without debate.

E. Roberts Rules of Order

Roberts Rules of Order have been adopted by the City Council and apply in all cases except the precedence of motions in Section V.D shall supercede.

F. Rules of Debate

1. Presiding Officer May Debate.

The presiding officer may debate from the chair; subject only to such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of that person acting as the presiding officer.

2. Getting the Floor - Improper References to be avoided.

Members desiring to speak shall address the Chair, and upon recognition by the presiding officer, shall confine themselves to the question under debate.

3. Interruptions.

A member, once recognized, shall not be interrupted when speaking unless it is to call a member to order, or as herein otherwise provided. If a member, while speaking, were called to order, that member shall cease speaking until the question of order is determined, and, if in order, the member shall be permitted to proceed.

4. Privilege of Closing Debate.

The council member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate. When a motion to call a question is passed, the council member moving adoption of an ordinance, resolution or other action shall have three minutes to conclude the debate.

5. Motion to Reconsider.

A motion to reconsider any action taken by the Council may be made only on the day such action is taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made and seconded by one of the prevailing sides, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or other motion at a subsequent meeting of the Council.

6. Repeal or Amendment of Action Requiring a Vote of Two-Thirds of Council, or Greater.

Any ordinance or resolution which is passed and which, as part of its terms, requires a vote of two-thirds of the Council or more in order to pass a motion pursuant to such an ordinance or resolution, shall require the vote of the same percent of the Council to repeal or amend the ordinance or resolution.

G. Debate Limited

1. Except as provided in Section V.F.b hereof, consideration of each matter coming before the Council shall be limited to 20 minutes from the time the matter is first taken up, at the end of which period consideration of such matter shall terminate and the matter shall be dropped to the foot of the agenda, immediately ahead of Good of the City; provided that either of the following two not debatable motions shall be in order:
 - a) A motion to extend consideration which, if passed, shall commence a new twenty-minute period for consideration; or
 - b) If there are one or more motions on the floor, the previous question, which, if passed, shall require an immediate vote on pending motions.
2. The time limit set forth in subparagraph a.1 hereof shall not be applicable to any public hearing, public discussion, Council discussion or other especially set matter for which a period of time has been specified (in which case such specially set time shall be the limit for consideration) or which by applicable law (e.g. hearings of appeals, etc.), the matter must proceed to its conclusion.
3. In the interest of expediting the business of the City, failure by the Chair or any council member to call attention to the expiration of the time allowed for consideration of a matter, by point of order or otherwise, shall constitute unanimous consent to the continuation of consideration of the matter beyond the allowed time; provided, however, that the Chair or any council member may at any time thereafter call attention to the expiration of the time allowed, in which case the Council shall proceed to the next item of business, unless one of the motions referred to in subparagraph a.1 hereof is made and is passed.

H. Motion to Lay on Table

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority and with consent of two-thirds of the members present.

I. Division of Question

If the question contains two or more propositions, which can be divided, the presiding officer may, and upon request of a member shall, divide the same.

J. Addressing the Council

Any person desiring to address the Council shall first secure the permission of the presiding officer to do so. Under the following headings of business, unless the presiding officer rules otherwise, any qualified and interested person shall have the right to address the Council in accordance with the following conditions and upon obtaining recognition by the presiding officer:

1. Written Communications.

Interested parties or their authorized representatives may address the Council by written communications in regard to matters of concern to them.

Communications pertaining to an item on the agenda which are received by the City Clerk after the deadline for inclusion in the Council Agenda packet and through 5:00 p.m. seven calendar days prior to the meeting shall be compiled into a supplemental communications packet. The supplemental communications packet shall be made available to the City Council, public and members of the press no later than five days prior to the meeting.

Communications received by the City Clerk after the aforementioned deadline and by noon on the day of a Council meeting shall be duplicated by the City Clerk and submitted to the City Council at the meeting if related to an item which is on the agenda for that meeting. Communications submitted at the Council meeting will be included in the public viewing binder and in the Clerk Department the day following the meeting.

2. Public Hearings.

Interested persons or their authorized representatives may address the Council by reading protests, petitions, or communications relating to matters then under consideration.

3. Public Comment.

Interested persons may address the Council on any issue concerning City business during the period assigned to Public Comment.

K. Addressing the Council After Motion Made

When a motion is pending before the Council, no person other than a council member shall address the Council without first securing the permission of the presiding officer or Council to do so.

VI. FACILITIES

A. Council Chamber Capacity

Council Chamber attendance shall be limited to the posted seating capacity thereof. Entrance to the City Hall will be appropriately regulated by the City Manager on occasions when the Council Chamber capacity is likely to be exceeded. While the Council is in session, members of the public shall not remain standing in the Council Chamber except to address the Council, and sitting on the floor shall not be permitted. The Council proceedings may be conveyed by loudspeaker to those who have been unable to enter the Council Chambers.

B. Alternate Facilities for Council Meetings

The City Council shall approve in advance a proposal that a Council meeting be held at a facility other than the City Council Chambers.

If the City Manager has reason to anticipate that the attendance for a meeting will be substantially greater than the capacity of the City Council Chambers and insufficient time exists to secure the approval of the City Council to hold the meeting at an alternate facility, the City Manager shall make arrangements for the use of a suitable alternate facility to which such meeting may be recessed and moved, if the City Council authorizes the action.

If a suitable alternate facility is not available, the City Council may reschedule the matter to a date when a suitable alternate facility will be available.

Alternate facilities are to be selected from those facilities previously approved by the City Council as suitable for meetings away from the City Council Chambers.

C. Signs, Objects, and Symbolic Materials

Objects and symbolic materials such as signs which do not have sticks or poles attached or otherwise create any fire or safety hazards will be allowed within the Council Chamber during Council meetings.

D. Fire Safety

Exits shall not be obstructed in any manner. Obstructions, including storage, shall not be placed in aisles or other exit ways. Hand carried items must be stored so that such items do not inhibit passage in aisles or other exit ways. Attendees are strictly prohibited from sitting in aisles and or exit ways. Exit ways shall not be used in any way that will present a hazardous condition.

E. Overcrowding

Admittance of persons beyond the approved capacity of a place of assembly is prohibited. When the Council Chambers have reached the posted maximum capacity, additional attendees shall be directed to the designated overflow area.

APPENDIX A. POLICY FOR NAMING AND RENAMING PUBLIC FACILITIES

Purpose

To establish a uniform policy regarding the naming and renaming of existing and future parks, streets, pathways and other public facilities.

Objective

- A. To ensure that naming public facilities (such as parks, streets, recreation facilities, pathways, open spaces, public building, bridges or other structures) will enhance the values and heritage of the City of Berkeley and will be compatible with community interest.

Section 1 – Lead Commission

The City Council designates the following commissions as the ‘Lead Commissions’ in overseeing, evaluating, and ultimately advising the Council in any naming or renaming of a public facility. The lead commission shall receive and coordinate comment and input from other Commissions and the public as appropriate.

Board of Library Trustees

Parks and Recreation Commission –Parks, recreation centers, camps, plazas and public open spaces

Public Works Commission –Public buildings (other than recreation centers), streets and bridges or other structures in the public thoroughfare.

Waterfront Commission –Public facilities within the area of the City known as the Waterfront, as described in BMC 3.36.060.B.

Section 2 – General Policy

- A. Newly acquired or developed public facilities shall be named immediately after acquisition or development to ensure appropriate public identity.
- B. No public facility may be named for a living person, but this policy can be overridden with a 2/3 vote of the City Council.
- C. Public facilities that are renamed must follow the same criteria for naming new facilities. In addition, the historical significance and geographical reference of the established name should be considered when weighing and evaluating any name change.
- D. The City encourages the recognition of individuals for their service to the community in ways that include the naming of activities such as athletic events, cultural presentations, or annual festivals, which do not involve the naming or renaming of public facilities.
- E. Unless restricted by covenant, facilities named after an individual should not necessarily be considered a perpetual name.

Section 3 – Criteria for Naming of Public Facilities

When considering the naming of a new public facility or an unnamed portion or feature within an already named public facility (such as a room within the facility or a feature within an established park), or, the renaming of an existing public facility the following criteria shall be applied:

- A. Public Facilities are generally easier to identify by reference to adjacent street names, distinct geographic or environmental features, or primary use activity. Therefore, the preferred practice is to give City-owned property a name of historical or geographical significance and to retain these names.
- B. No public facility may be named for a living person, but this policy can be overridden with a 2/3 vote of the City Council.
- C. The naming of a public facility or any parts thereof in recognition of an individual posthumously may only be considered if the individual had a positive effect on the community and has been deceased for more than 1 year.
- D. When a public facility provides a specific programmatic activity, it is preferred that the activity (e.g. skateboard park, baseball diamond) be included in the name of the park or facility.
- E. When public parks are located adjacent to elementary schools, a name that is the same as the adjacent school shall be considered.
- F. When considering the renaming of an existing public facility, in addition to applying criteria A-E above, proper weight should be given to the fact that: a name lends a site or property authenticity and heritage; existing names are presumed to have historic significance; and historic names give a community a sense of place and identity, continuing through time, and increases the sense of neighborhood and belonging.

Section 4 –Naming Standards Involving a Major Contribution

When a person, group or organization requests the naming or renaming of a public facility, all of the following conditions shall be met:

- A. An honoree will have made a major contribution towards the acquisition and/or development costs of a public facility or a major contribution to the City.
- B. The honoree has a record of outstanding service to their community
- C. Conditions of any donation that specifies that name of a public facility, as part of an agreement or deed, must be approved by the City Council, after review by and upon recommendation of the City Manager.

Section 5 –Procedures for Naming or Renaming of Public Facilities

- A. Any person or organization may make a written application to the City Manager requesting that a public facility or portion thereof, be named or renamed.
 - 1. Recommendations may also come directly of the City Boards or Commissions, the City Council, or City Staff.
- B. The City Manager shall refer the application to the appropriate lead commission as defined in Section 1 of the City’s policy on naming of public facilities, for that commission’s review, facilitation, and recommendation of disposition.
 - 1. The application shall contain the name or names of the persons or organization making the application and the reason for the requested naming or renaming.
- C. The lead commission shall review and consider the application, using the policies and criteria articulated to the City Policy on Naming and Renaming to make a recommendation to Council.
 - 1. All recommendations or suggestion will be given the same consideration without regard to the source of the nomination
- D. The lead commission shall hold a public hearing and notify the general public of any discussions regarding naming or renaming of a public facility.

1. Commission action will be taking at the meeting following any public hearing on the naming or renaming.

E. The commission's recommendation shall be forwarded to Council for final consideration.

The City of Berkeley Policy for Naming and Renaming Public Facilities was adopted by the Berkeley City Council at the regular meeting of January 31, 2012.

APPENDIX B. GUIDELINES FOR DEVELOPING AND WRITING COUNCIL AGENDA ITEMS

These guidelines are derived from the requirements for Agenda items listed in the Berkeley City Council Rules of Procedure and Order, Chapter III, Sections B(1) and (2), reproduced below. In addition, Chapter III Section C(1)(a) of the Rules of Procedure and Order allows the Agenda Committee to request that the author of an item provide “additional analysis” if the item as submitted evidences a “significant lack of background or supporting information” or “significant grammatical or readability issues.”

These guidelines provide a more detailed and comprehensive overview of elements of a complete Council item. While not all elements would be applicable to every type of Agenda item, they are intended to prompt authors to consider presenting items with as much relevant information and analysis as possible.

Chapter III, Sections (B)(1) and (2) of Council Rules of Procedure and Order:

2. Agenda items shall contain all relevant documentation, including the following as Applicable:
 - a. A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested;
 - b. Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information;
 - c. Recommendation of the City Manager, if applicable (these provisions shall not apply to Mayor and Council items.);
 - d. Fiscal impacts of the recommendation;
 - e. A description of the current situation and its effects;
 - f. Background information as needed;
 - g. Rationale for recommendation;
 - h. Alternative actions considered;
 - i. For awards of contracts; the abstract of bids and the Affirmative Action Program of the low bidder in those cases where such is required (these provisions shall not apply to Mayor and Council items.);
 - j. Person or persons to contact for further information, with telephone number. If the author of any report believes additional background information, beyond the basic report, is necessary to Council understanding of the subject, a separate compilation of such background information may be developed and copies will be available for Council and for public review in the City Clerk Department, and the City Clerk shall provide limited distribution of such background information depending upon quantity of pages to be duplicated. In such case the agenda item distributed with the packet shall so indicate.

Guidelines for City Council Items:

1. Title
2. Consent/Action/Information Calendar
3. Recommendation
4. Summary Statement/Current situation and its effects
5. Background
6. Review of Existing Plans, Programs, Policies and Laws
7. Actions/Alternatives Considered
8. Consultation/Outreach Overview and Results
9. Rationale for Recommendation
10. Implementation, Administration and Enforcement
11. Environmental Sustainability
12. Fiscal Impacts
13. Outcomes and Evaluation
14. Contact Information
15. Attachments/Supporting Materials

1. Title

A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested.

2. Consent/Action/Information Calendar

Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information.

3. Recommendation

Clear, succinct statement of action(s) to be taken. Recommendations can be further detailed within the item, by specific reference.

Common action options include:

- Adopt first reading of ordinance
- Adopt a resolution
- Referral to the City Manager (City Manager decides if it is a short term referral or is placed on the RRV ranking list)
- Direction to the City Manager (City Manager is directed to execute the recommendation right away, it is not placed on any referral list)
- Referral to a Commission or to a Standing or Ad Hoc Council Committee
- Referral to the budget process
- Send letter of support
- Accept, Approve, Modify or Reject a recommendation from a Commission or Committee
- Designate members of the Council to perform some action

4. Summary Statement/ “Current situation and its effects”

A short resume of the circumstances that give rise to the need for the recommended action(s).

- Briefly state the opportunity/problem/concern that has been identified, and the proposed solution.
- Example (fictional):
Winter rains are lasting longer than expected. Berkeley’s winter shelters are poised to close in three weeks, but forecasts suggest rain for another two months. If they do not remain open until the end of the rainy season, hundreds of people will be left in the rain 24/7. Therefore, this item seeks authorization to keep Berkeley’s winter shelters open until the end of April, and refers to the Budget Process \$40,000 to cover costs of an additional two months of shelter operations.

5. Background

A full discussion of the history, circumstances and concerns to be addressed by the item.

- For the above fictional example, Background would include *information and data about the number and needs of homeless individuals in Berkeley, the number and availability of permanent shelter beds that meet their needs, the number of winter shelter beds that would be lost with closure, the impacts of such closure on this population, the weather forecasts, etc.*

6. Review of Existing Plans, Programs, Policies and Laws

Review, identify and discuss relevant/applicable Plans, Programs, Policies and Laws, and how the proposed actions conform with, compliment, are supported by, differ from or run contrary to them. What gaps were found that need to be filled? What existing policies, programs, plans and laws need to be changed/supplemented/improved/repealed? What is missing altogether that needs to be addressed?

Review of all pertinent/applicable sections of:

- The City Charter
- Berkeley Municipal Code
- Administrative Regulations
- Council Resolutions
- Staff training manuals

Review of all applicable City Plans:

- The General Plan
- Area Plans
- The Climate Action Plan
- Resilience Plan
- Equity Plan

- Capital Improvements Plan
- Zero Waste Plan
- Bike Plan
- Pedestrian Plan
- Other relevant precedents and plans

Review of the City's Strategic Plan

Review of similar legislation previously introduced/passed by Council

Review of County, State and Federal laws/policies/programs/plans, if applicable

7. Actions/Alternatives Considered

- What solutions/measures have **other jurisdictions** adopted that serve as models/cautionary tales?
- What solutions/measures are recommended by **advocates, experts, organizations**?
- What is the range of actions considered, and what are some of their major pros and cons?
- Why were other solutions not as feasible/advisable?

8. Consultation/Outreach Overview and Results

- Review/list external and internal stakeholders that were consulted
 - **External:** constituents, communities, neighborhood organizations, businesses and not for profits, advocates, people with lived experience, faith organizations, industry groups, people/groups that might have concerns about the item, etc.
 - **Internal:** staff who would implement policies, the City Manager and/or deputy CM, Department Heads, City Attorney, Clerk, etc.
- What reports, articles, books, websites and other materials were consulted?
- What was learned from these sources?
- What changes or approaches did they advocate for that were accepted or rejected?

9. Rationale for Recommendation

A clear and concise statement as to whether the item proposes actions that:

- Conform to, clarify or extend existing Plans, Programs, Policies and Laws
- Change/Amend existing Plans, Programs, Policies and Laws in **minor** ways
- Change/Amend existing Plans, Programs, Policies and Laws in **major** ways
- Create an exception to existing Plans, Programs, Policies and Laws
- Reverse/go contrary to or against existing Plans, Programs, Policies and Laws

Argument/summary of argument in support of recommended actions. The argument likely has already been made via the information and analysis already presented,

but should be presented/restated/summarized. Plus, further elaboration of terms for recommendations, if any.

10. Implementation, Administration and Enforcement

Discuss how the recommended action(s) would be implemented, administered and enforced. What staffing (internal or via contractors/consultants) and materials/facilities are likely required for implementation?

11. Environmental Sustainability

Discuss the impacts of the recommended action(s), if any, on the environment and the recommendation's positive and/or negative implications with respect to the City's Climate Action, Resilience, and other sustainability goals.

12. Fiscal Impacts

Review the recommended action's potential to generate funds or savings for the City in the short and long-term, as well as the potential direct and indirect costs.

13. Outcomes and Evaluation

State the specific outcomes expected, if any (i.e., "*it is expected that 100 homeless people will be referred to housing every year*") and what reporting or evaluation is recommended.

14. Contact Information

15. Attachments/Supporting Materials

Council Prioritization Process Re-Weighted Range Voting RRV Summary

City Council Referrals – Pre-RRV

Prior to the adoption of RRV, Councilmembers placed referrals on the agenda and adopted them. No priority or preference was assigned by Council at the time of adoption. Staff took up the referrals roughly in the order that they were referred or on an ad hoc basis at times. There was a list, but there was no logical system for prioritizing or completing the work. At one point there were over 230 referrals on the list.

What is RRV?

Rewighted Range Voting (RRV) is a proportional representation voting system designed for a blend of fairness and consensus, meaning that it ensures some representation for minority views as well. It accomplishes this by reducing the influence of Councilmembers in proportion to the points they have awarded to the referrals prioritized thus far.

Under RRV, Each Councilmember rates every referral on a scale of 0-5 (zero being the least support and five being the most support) using a basic scoresheet. There is no limit to repeat scores (i.e. a Councilmember could give every referral a five). When the scores are tallied, the referral with the highest total score becomes the 1st priority. Once the first priority is assigned, the scores for the remaining referrals are reweighted based on how much influence each Councilmember has used up to that point (based on the score they assigned, 0-5). If a Councilmember assigns high scores to several referrals, they use up the strength of their weighted vote more quickly and exercise diminishing influence when the scores are reweighted for subsequent referrals. This guarantees equal influence throughout the full list.

Berkeley RRV Process

The City Council unanimously adopted the RRV system for Council Referrals in March 2016.

Since 2016, the Council has undertaken an annual process to rank the new referrals in relation to the existing referrals already on the list. Under the annual referral prioritization system, the following steps occur:

- All referrals to the City Manager adopted by the City Council throughout the year are added to the master referrals list, except, 1) referrals designated as urgent to protect life safety or to avoid losing time-sensitive funding; and 2) referrals designated by the City Manager as “short-term,” meaning that it can be addressed within approximately 90 days.
- Each spring, a new prioritization process is conducted wherein the Council assigns ratings to all the referrals remaining on the previous year’s list and all new referrals added to the list in the past 12 months. The Council scores range from 0 – 5, with 0 being the lowest rating and 5 being the highest rating.

**Council Prioritization Process
Re-Weighted Range Voting RRV
Summary**

- Referrals on which work has begun and completed referrals are removed from the list prior to the rating process.
- To assist Council to prioritize referrals, staff provides a basic analysis score for each referral based on estimated staff time, cost, and benefit of the referred work.
- Staff compiles all the scores from the Council and uses the RRV formula to assign the consensus priority rating of the full Council.
- In November, an interim status report is provided to the Council on the referrals started and completed since the previous rating process.
- All referrals should have a nexus to the Strategic Plan.

For the 2019 process, all new City Council referrals adopted through the April 30, 2019 meeting have been added to the prioritization list. Council can review the referrals and assign scores until Friday, May 31, 2019. The final rankings will be presented to the City Council at a special meeting on June 11, 2019 immediately preceding the regular meeting on that date. At the June 11 meeting, all the referrals noted as Marked for Removal will be presented to the Council for disposition.

Summary

The goal with RRV was to establish clear priorities for staff, so that they are able to accomplish various projects in a coordinated fashion. Having clear priorities allows staff to see success, plan for deployment of resources, budget and execute the important policies and requests of Council.

Reference Materials

January 26, 2016 Special Meeting (Items 1 and 2) – Introduction of RRV and Demonstration

https://www.cityofberkeley.info/Clerk/City_Council/2016/01_Jan/City_Council_01-26-2016_-_Special_Meeting_Agenda.aspx

March 8, 2016 Regular Meeting (Item 39) – Adoption of Re-Weighted Range Voting System for Prioritization

<http://records.cityofberkeley.info/Agenda/Meetings/ViewMeeting?id=174&doctype=1>

June 12, 2018 Annual RRV Process Report

https://www.cityofberkeley.info/Clerk/City_Council/2018/06_June/Documents/2018-06-12_Special_Item_01_City_Council_Referral.aspx

December 4, 2018 Interim Report (Item 17)

https://www.cityofberkeley.info/Clerk/City_Council/2018/12_Dec/Documents/2018-12-4_Item_17_City_Council_Referral_Process_%E2%80%93_2018_Interim_Update.aspx

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2018-10-16	17	Approving Installation of Cameras at San Pablo Park and Environmental Safety Assessment	Adopt the following recommendations to address violent crime in and around San Pablo Park: 1. Approve the installation and use park cameras in San Pablo Park, and requests that the City Manager install cameras as expediently as possible. 2. Refer to the City Manager to perform an environmental safety assessment of San Pablo Park with a focus on crime prevention specifically around the areas of recent shooting incidents, and requesting that the City Manager post a community survey on the cameras to Berkeley Considers.	Completed	Council member	Jesse Arreguin, Linda Maio, Sophie Hahn			CITY MANAGER'S OFFICE	2019-04-26 11:16:40 - Mark Numainville (Additional comments) Cameras installed Q1 of 2019
2012-09-18	6	6. City Manager Referral: Standardize Finance Categories of Software and Exclusively Internet Companies	Refer to the City Manager creating one simple clear standard for categorizing software companies and exclusively internet companies that do business in Berkeley	Completed	Council member	Kriss Worthington			Finance	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2018-10-02	13	Whistleblower Ordinance - Revised materials (Supp 2)	<p>The purpose of this proposal is to protect the whistleblowers from many forms of retaliation, including but not limited to discrimination, harassment, intimidation, alienation, and in some cases even termination. The following recommended actions can be considered to comply with the aforementioned purpose:</p> <p>1. Adopt the attached ordinance that provides legal safeguards which protect whistleblowers from retaliation.</p> <p>2.a. Assign the responsibilities to a current city department to accept and investigate such reports/complaints from whistleblowers within the existing resources.</p> <p>Or</p> <p>b. Create a separate unit within the department or establish a contract with an independent contractor to be managed by the city department to accept and investigate such reports/complaints from current employees and the public.</p> <p>Or</p> <p>c. Establish a contract with an independent contractor to provide a "hotline" that would then turn the complaint over to the city unit for further investigation.</p>	Completed	Council member	Kriss Worthington			Human Resources	2019-04-26 10:46:03 - Mark Numainville (Additional comments) Cost to external vendor is \$2,500/year

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2019-01-22	23	Refer to the City Manager to consider boycotting Amazon for its role in tracking immigrants in cooperation with ICE and abusive working conditions and its labor practices toward its employees	Refer to the City Manager to consider the City of Berkeley boycotting Amazon and refrain from using its services to purchase goods for city use.	Completed	Councilmembers	Kriss Worthington , Cheryl Davila			Information Technology	2019-04-25 09:16:25 - Mark Numainville (Additional comments) https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/AmazonBoycott%20012819.pdf 2019-04-25 09:15:00 - Mark Numainville (Additional comments) Off agenda memo sent on 1/28/19
2016-11-01	18	City Manager Referral: Consider Mitigations for Minimum Wage Increases to Support Small Businesses and Non-Profits by Addressing Parking, Permit and High Rents Issues	Refer to the City Manager to consider mitigations for minimum wage increases to support small businesses and non-profits by attempting to address parking and permits. Request that the Office of Economic Development report on other methods to mitigate the impacts of minimum wage increases on small businesses.	Completed	Council member	Kriss Worthington			Office of Economic Development	2019-04-24 16:15:46 - Mark Numainville (Additional comments) Completed as part of Small Business Support Package on 2/5/19

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2016-12-13	41	City Manager Referral: Support Berkeley Non-Profit Service Providers to Assist Planning for Capital Renovation, Rehabilitation and/or Relocation	Refer to the City Manager to support Berkeley non-profit service providers by examining methods to assist planning for capital renovation, rehabilitation and/or relocation.	Completed	Council member	Kriss Worthington			Office of Economic Development	2019-01-30 15:06:21 - Mark Numainville (Additional comments) https://www.cityofberkeley.info/Clerk/City_Council/2019/01_Jan/Documents/2019-01-29_Item_21_Referral_Response__Support_for_Berkeley_Nonprofit_Service_Providers.aspx
2018-03-13	10	Festival Grants Program	Refer to the City Manager the establishment of the City of Berkeley Festival Grants Program to allocate General Fund grants for special events and festivals via a regular and transparent process, for implementation beginning in the FY2020 budget year. Approved recommendation revised to include direction that the commission will include geographic and racial entity when considering funding requests.	Completed	Commission			Civic Arts Commission	Office of Economic Development	2019-01-30 15:05:38 - Mark Numainville (Additional comments) https://www.cityofberkeley.info/Clerk/City_Council/2019/01_Jan/Documents/2019-01-29_Item_22_Referral_Response__Establishment_of_a_Festival_Grants_Program.aspx
2017-07-25	42	Ordinance to Clarify City Policy on Cannabis Nurseries	That the Planning Commission and Medical Cannabis Commission create an ordinance to clarify city policy on cannabis and existing nurseries.	Completed	Council member			Cannabis Commission	PLANNING & DEVELOPMENT	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2018-05-15	9	Referral Response: Modifications to the Zoning Ordinance to Support Small Businesses	Refer to the Planning Commission modifications to the Zoning Ordinance that are designed to help modernize the ordinance and make the zoning review process for new or expanding small businesses easier, clearer, and more streamlined.	Completed					PLANNING & DEVELOPMENT	2019-05-03 10:26:08 - Mark Numainville (Additional comments) Initiated by city Manager
2016-10-18	37	Referral Response: Modify Numeric Limitations ("Quotas") in the Elmwood (C-E) Commercial District; Amending BMC Chapters 23E.44 and 23E.04	2) Requested that the City Manager review the square footage limitations in Section 23E.44.040 and return with options for modification	Completed					PLANNING & DEVELOPMENT	
2017-12-19	24	Referral to Planning Commission: Reclassification of 1050 Parker Street/2621 Tenth Street	Pursuant to Berkeley Municipal Code Section 23A.20.020.B.1: Refer to the Planning Commission the reclassification of the existing MUI zoned portion of 1050 Parker Street/2621 Tenth Street (APN 054 176300103) to C-W West Berkeley Commercial District. Request that the Planning Commission submit its recommendation to the City Council on the reclassification request by March 27, 2018.	Completed	Council member	Jesse Arreguin			PLANNING & DEVELOPMENT	
2014-04-01	9	9. Conversion of Loading Zones on Telegraph Avenue between Bancroft Avenue and Dwight Way into Regular Metered Parking with Morning Commercial-Loading Hours	The City Manager should examine the costs and time associated with yellow-zone conversion and present to the City Council a cost and implementation plan including recommended hours for restricted commercial loading.	Completed					Public Works	2019-05-03 09:50:14 - Mark Numainville (Additional comments) Bates referral

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2013-11-19	9	9. Portable Sign Pilot Program	Refer to the City Manager, the Commission on Disability, and the Transportation Commission for consideration the expansion of the existing portable sign program that enables businesses to place portable signs on sidewalks and medians.	Completed	Council member	Jesse Arreguin			Public Works	
2016-05-31	31	Tenant Protection Ordinance	Refer to the City Manager and City Attorney to develop a Tenant Protection Ordinance, incorporating the elements described in the Background section of the report.	Completed	Council member		Jesse Arreguin		City Attorney	
2016-05-10	36	Healthy Default Beverages with Children's Meals	Direct the City Manager to develop specific ordinance language, prepared in consultation with the City Attorney's Office that requires food vendors who offer children's meals to provide healthy default beverages, and a cost estimate for implementation for Council's consideration.	Completed	Commission			Sugar-Sweetened Beverage Product Panel of Experts	City Attorney	
2013-12-17	43	43. City Manager Referral: Updating a Mandated Reporting Policy Under the California Child Abuse and Reporting Act	Refer to the City Manager to review the California Child Abuse Reporting Act to consider updating a Mandated Reporting Policy so that all appropriate city employees and volunteers are aware of their obligations in reporting abuse	Completed	Council member	Kriss Worthington	Kriss Worthington		City Attorney	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2016-06-14	31	Limited Use of Eminent Domain on Vacant and Blighted Properties	Referral to the City Manager to report to Council on the feasibility of using eminent domain to enable the City to purchase vacant and/or blighted properties (both residential and commercial properties, and on vacant lands). The report should identify the scope of public use, including but not limited to: the development of affordable housing, public open space, and/or providing city services for our homeless population. Consideration should be limited to: 1. Vacant, derelict or abandoned properties in commercial districts. 2. Vacant multi-unit residential buildings.	Completed	Council member		Sophie Hahn		City Attorney	
2016-05-31	21	City Manager Referral: Create an Ordinance to Prohibit Housing Discrimination Based on the Source of a Tenant's Income	Refer to the City Manager to create an ordinance to prohibit housing discrimination based on the source of a tenant's income.	Completed	Council member		Kriss Worthington		City Attorney	
2016-01-19	35	Declare a Homeless Shelter Crisis in Berkeley and Potential Implementation Strategies	Adopted Resolution No. 67,357–N.S. amended to include direction that the City Manager review the resolution for accuracy and have the power to add or subtract from the resolution, to make whatever changes are necessary to maximize our chances for additional funding.	Completed	Council member		Kriss Worthington		CITY MANAGER'S OFFICE	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2015-12-01	29	City Manager Referral: Implementation of Tier One Recommendations from the Homeless Task Force (Continued from November 17, 2015)	Refer to the City Manager to develop a plan to implement the Tier One Recommendations of the Homeless Task Force, which involve expanding the city's Homeless Outreach Team and Mobile Crisis Team, increasing funding for the Crisis Intervention Training (CIT), increasing the number of public restrooms, and providing additional storage spaces and warming centers for the homeless population.	Completed	Council member		Jesse Arreguin		CITY MANAGER'S OFFICE	
2016-02-23	22	Public Restrooms in City Parks	Refer to the City Manager and the Parks and Waterfront Commission the idea of constructing permanent public restrooms in all parks with one or more acres that are maintained by the City of Berkeley and ensure that existing permanent public restrooms are maintained to an adequate standard.	Completed	Council member		Jesse Arreguin		CITY MANAGER'S OFFICE	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2015-11-17	27	Protecting our Parks from Unsafe, Unsanitary Conditions	<p>Request the City Manager to implement the following recommendations for Ohlone Park and utilize them for other parks where appropriate.</p> <ol style="list-style-type: none"> 1. Increase nighttime enforcement and enable police to enter the parks at night with their cars (being sensitive to landscaping), to enforce park rules and ordinances. 2. (Requires further discussion.) 3. Consider the presence of needles, traces of drugs like meth and heroin, human feces, a public health threat and involve the Health Department to cordon off areas of encampment for the purpose of clearing the areas of contamination and insuring the areas are safe for public use. Monitor areas used for encampment for public health risks to enable additional action. 4. Determine where additional signage is needed regarding camping rules, park hours, and use of the park especially in locations where encampments frequently occur. 5. Place covered trash and recycling receptacles in high use areas in Ohlone, such as at McGee/Hearst. Determine other areas where such receptacles are needed. 6. Assess Ohlone Park for need of additional porta potties. Northwest area of park at Grant and Hearst has been reported as "public bathroom." 	Completed	Council member		Linda Maio		CITY MANAGER'S OFFICE	
2016-09-13	29	City Manager Referral: Evaluate the Effectiveness of the City "Move-out" Program	Refer to the City Manager to examine the effectiveness of the City "Move-out" program and respond to the findings prior to May 2017.	Completed	Council member		Kriss Worthington		CITY MANAGER'S OFFICE	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2015-09-29	36	City Manager Referral: Creating an Animal Friendly Menu Policy for the Berkeley Animal Care Shelter at Official Sponsored Events	Refer to the City Manager to examine the feasibility of creating an animal friendly menu policy for the Berkeley Animal Care Shelter at official sponsored events.	Completed	Council member		Kriss Worthington		CITY MANAGER'S OFFICE	
2014-09-16	15	City Manager Referral: Reform Berkeley's 3 Strike Rule, Whereby 3 Parking Tickets Can End An Entire Business	Refer to the City Manager to look into the unintended consequences of the 3 strikes law on Berkeley taxi cab owners, which can revoke a cab company's business license after receiving 3 parking tickets	Completed	Council member		Kriss Worthington		CITY MANAGER'S OFFICE	
2015-12-15	28	Explore the Feasibility of Installing Utility-Free Restrooms in Cesar Chavez and Aquatic Parks	Refer to the City Manager to explore installing utility-free restrooms at Cesar Chavez and Aquatic Park.	Completed	Council member		Cheryl Davila		CITY MANAGER'S OFFICE	
2014-01-21	26	26. Pending and Outstanding Referrals to the City Manager's Office and City Commissions by the City Council	1. Request the City Manager report on pending and outstanding referrals made to the City Manager's Office and City Commissions by the City Councilmembers. 2. The Referral Report will be sent to the Councilmember who made the referral for them to prioritize their top five referrals. 3. After the prioritizing has taken place, the City Manager will provide an estimate of cost, staff time and any other related costs likely to be incurred by the implementation of the referral. 4. Council shall then determine its priority of implementation so they may be reflected in the adoption of its budget.	Completed					CITY MANAGER'S OFFICE	
2016-07-12	41	Community Control of Surveillance Equipment	Refer to the City Manager, the Police Review Commission, and the Peace and Justice Commission to consider adopting a community control of surveillance measure similar to that of Ordinance No. NS-300.897 of Santa Clara County.	Completed	Commission		Kriss Worthington		CITY MANAGER'S OFFICE	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2013-02-19	19	19. Driving Under the Influence (DUI) Policy Recommendations	Instruct the Mental Health, Community Health, Transportation, and Police Review Commissions to research and submit recommendations to the Peace and Justice Commission's DUI Subcommittee within six (6) months of referral. Research and recommendations should focus on improvements to Harm Reduction and Minimization policies with respect to DUI in Berkeley..	Completed	Commission			Peace & Justice Commission	CITY MANAGER'S OFFICE	
2014-10-21	33	Installation of Automatic External Defibrillators (AEDs) in City Buildings	Review and consider implementation of a third party administered, citywide AED program. This program would be referred to the city's budget process for FY 2015 - FY 2016	Completed	Council member		Kriss Worthington		FIRE & EMERGENCY SERVICES	
2014-10-21	29	City Manager Referral: Consider Potential Additional Ambulances a High Priority for an Amendment to This City Budget	Refer to the City Manager to consider the addition of new ambulances to the Berkeley Fire and EMS Services as a high priority for an amendment to the city budget if determined necessary by the Fire Chief and City Manager.	Completed	Council member		Kriss Worthington		FIRE & EMERGENCY SERVICES	
2016-04-05	6	Analyzing All City-Owned Properties for Potential for Housing Development	Request that the City Manager explore the opportunity for the City of Berkeley to build housing on city-owned property: conduct an inventory of city owned properties and return to City Council as soon as possible with an evaluation and analysis of those properties that are appropriate for the development of affordable housing.	Completed	Council member		Susan Wengraf		HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2017-01-31	5	City Maintained Below Market Rate Units (BMR) Online Resource [Housing Action Plan]	Establish a City maintained online resource that would provide a brief overview of the history and purpose of Below Market Rate (BMR) units, a current list of all buildings that contain BMR units and the characteristics of the units, the % of median income qualification levels for the units, the HUD published income guidelines for % of median and family size, the property owner, rental agent, and/or management company contact information, and other relevant information that would be helpful to potential renters of BMR units. The City shall update the information as more units become available, and quarterly, to ensure that information is current.	Completed	Council member	Linda Maio	Linda Maio		HEALTH, HSG & COMMUNITY SVC	
2017-02-14	20	Direct City Manager to Accept Late Applications for 2017-2019 Budget Cycle Community Agency Grants, and to Provide Enhanced Information and Support for Community Agencies During the Application Process	3. Develop protocols for enhanced outreach to community organizations regarding Community Agency Grant application submission deadlines and to inform applicants of resources available to assist in preparing and submitting timely applications. 4. Develop a hardship exemption policy for late application submissions for reasons including, but not limited to, changes in key organizational staff, technical challenges with submissions, and other significant or unforeseen barriers to timely submissions.	Completed	Council member	Sophie Hahn	Sophie Hahn		HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2015-11-17	28	Improve Conditions on Our Community Sidewalks; Amending Berkeley Municipal Code Chapters 13.36 and 14.48	Discuss and refer the following services and ordinances to the City Manager for implementation, and adopt first reading of three Ordinances: 1. Adding Section 13.36.085 to the Berkeley Municipal Code prohibiting urination and defecation in public places. 2. Amending Sections 14.48.020 and 14.48.170 of the Berkeley Municipal Code regulating use of sidewalks. 3. Adding Section 13.36.040 to the Berkeley Municipal Code prohibiting obstruction of City-owned planters and trees. Additional Services: 1. Create a secure storage facility for personal belongings; bins must be of adequate size, of reasonable number (estimate of 50 – 100 at the outset) and ensure reasonable access, with posted hours. 2. Provide additional bathrooms in the Downtown and Telegraph areas. 3. Provide mobile showers and bathrooms for public use.	Completed	Council member	Linda Maio, Lori Droste			HEALTH, HSG & COMMUNITY SVC	
2016-06-14	32	Workforce Housing for Berkeley Unified School District Personnel [Housing Action Plan]	Request the City Manager to direct staff to investigate the feasibility of developing workforce housing, in conjunction with Berkeley Unified School District, for teachers and employees. This investigation should include research into what other California cities (such as San Francisco, Oakland, Santa Clara and San Mateo County) are considering as part of their pursuit of school district workforce housing.	Completed	Council member	Cheryl Davila	Cheryl Davila		HEALTH, HSG & COMMUNITY SVC	
2018-05-01	26	Supplemental materials (Supp 2)	Refer to the City Manager to develop health and safety standards as called for under AB 932 (GC 8698.4) for alternative housing models.	Completed					HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2018-01-30	14	Direction and Referral to the City Manager Regarding "Premier Cru" Property	3. The Berkeley Way Affordable Housing Project is the City's top affordable housing priority. Premier Cru, as a City property, to be developed for affordable housing falls under the "High Priority" on the list of housing initiatives passed by Council on November 28, 2017. In light of the above, refer to the City Manager to take the following actions to move Premier Cru forward as a High Priority initiative: a. Based on recommendations from Health, Housing and Community Services and other Departments, the Housing Advisory Commission, and on consultation with local affordable housing providers, and taking into consideration requirements and restrictions associated with potential funding sources, create a recommendation or recommendations to Council regarding levels of affordability, unit sizes, on-site services and other features to be included in the proposed project or projects. b. Based on the above analyses and recommendations, and on Council direction, develop and issue an RFQ or RFP to affordable housing developers for proposals to develop affordable housing at the site.	Completed	Council member	Sophie Hahn, Jesse Arreguin, Linda Maio, Kate Harrison			HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2017-04-04	27	Addressing Berkeley's Homeless Crisis: The Pathways Project	2. Refer to the City Manager the creation of a 1,000 Person Plan to address the homeless crisis in Berkeley as described in the attached Pathways Project report, including prevention measures and a comprehensive approach that addresses the long-term needs of the City's approximately 1,000 homeless individuals. The plan should include the assessment, development and prioritization of all homeless housing projects currently underway; all homeless housing referrals from Council; housing and service opportunities that may be proposed by the City Manager; and a comprehensive plan to purchase, lease, build or obtain housing and services for Berkeley's homeless. The 1,000 Person Plan shall be presented to the City Council by the end of 2017 and include a preliminary budget and proposed sources of income to fund capital and operational needs over a 10-year period.	Completed		Jesse Arreguin, Sophie Hahn, Linda Maio, Kriss Worthington			HEALTH, HSG & COMMUNITY SVC	
2017-06-27	42	Amendments to Housing Retention Program	Direct the City Manager to make the following changes to the City of Berkeley's Housing Retention Program. Proposed changes would make the program more accessible for displaced tenants by amending eligibility requirements and documentation needed for application, as well as increasing the maximum amount of grants.	Completed		Ben Bartlett, Kate Harrison, Cheryl Davila, Jesse Arreguin			HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2014-10-21	25	Fair Chance Ordinance	1. Refer to the Labor Commission for review a Fair Chance Ordinance that would extend the City's "Ban the Box" policy to private employers within the City of Berkeley, which would remove any questions regarding an individual's conviction history from an initial application and delaying background check inquiries until later in the hiring process; additionally, the Ordinance would regulate background check inquiries to ensure that applicants are considered fairly for a job position 2. Adopt a Resolution urging our State Representatives and to introduce legislation extending the State's "Ban the Box" law to private employers and to reform employment background checks, which are often private companies that may provide inaccurate, incomplete and/or expunged conviction information. Copies of the Resolution are to be sent to Governor Jerry Brown, Senate President Pro Tem Kevin de León, State Senator Loni Hancock, Assembly Speaker Toni Atkins, Assemblymembers Nancy Skinner and Roger Dickinson, and the National Employment Law Project.	Completed		Jesse Arreguin, Kriss Worthington			HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2016-06-14	45	Living Wage for All City of Berkeley Employees	Direct the City Manager to develop a more detailed plan for raising eight (8) unrepresented classifications to the Living Wage level, and to analyze its fiscal implications citywide. The plan would include adjustments to the current salary pay schedule for the impacted classification, and a corresponding budget adjustment for those City departments that have employees in the impacted classifications.	Completed					Human Resources	
2016-06-14	45	City Manager Referral: Create a Pathway for City Employees to Earn a Living Wage Within Two Years	Item 45.a. amended to read, "Refer to the City Manager to consider a pathway for City full-time and parttime employees to earn a living wage within two years."	Completed	Council member		Kriss Worthington		Human Resources	
2015-01-27	22	City Manager Referral: Add Easily Accessible Language Translation on City Website	Refer to the City Manager to add an easily accessible language translation feature on the City website.	Completed	Council member		Kriss Worthington		Information Technology	
2014-10-21	30	City Manager Referral: Consider Implementing a Neighborhood Notification System for the City of Berkeley	Refer to the City Manager to look into a mass communication system for the City of Berkeley as a way for Berkeley's government departments to send residents important notifications through text messages, email, and the web.	Completed			Kriss Worthington		Information Technology	
2019-02-26	15	Ensuring the Sustainability of the Berkeley Flea Market	Short-term referral to the City Manager to provide material and strategic assistance to the Berkeley Flea Market, to sustain and enhance its ability to serve both merchant participants and the community at large.	Completed	Councilmembers	Ben Bartlett, Sophie Hahn, Cheryl Davila			Office of Economic Development	
2014-10-07	20	City Manager Referral on "Digital Divide" in Ultrafast Fiber Optic Internet Technology	Refer to the City Manager to address the growing "Digital Divide" through making ultrafast fiber technology available to middle class and low income residents.	Completed	Council member		Kriss Worthington		Office of Economic Development	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2018-04-24	37	YSA Tiny Homes Project - Revised materials (Supp 2)	The YSA application will be processed under the normal development review process. Any additional staff work needed on the YSA project beyond the normal development review process, such as ordinance amendments, is referred to the Council prioritization process.	Completed		Ben Bartlett, Kate Harrison			PLANNING & DEVELOPMENT	
2015-07-14	31	Referral to Planning Commission: Clarifying Front and Rear Units	Refer to the Planning Commission a request to clarify the relationship (height, bulk) between front and rear units when a rear unit is proposed for the rear yard.	Completed	Council member		Linda Maio		PLANNING & DEVELOPMENT	
2017-01-31	10	Medical Cannabis Ordinance Revisions and Cultivation Application Process	Request that the City Manager provide Council with analysis of the questions presented by Councilmember Sophie Hahn.	Completed	Council member		All		PLANNING & DEVELOPMENT	
2017-06-13	45	Referral to the City Manager to Provide a Bi-Annual Housing Pipeline Report	Direct the City Manager to provide a Bi-Annual Housing Pipeline Report. This report should include residential projects and details as outlined in the agenda report. The report should indicate the total and proportion of Extremely Low Income, Very Low Income, Low Income, and Moderate Income for proposed and approved projects and display the progress made towards meeting the Regional Housing Needs Allocation (RHNA) goals set forth by ABAG (Association of Bay Area Governments).	Completed		Kate Harrison, Sophie Hahn, Ben Bartlett, Cheryl Davila			PLANNING & DEVELOPMENT	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2015-11-17	23	Revising the Rental Housing Safety Program (Continued from October 27, 2015) Revision	Refer to the City Manager the following proposals to revise the Rental Housing Safety Program (RHSP) and improve housing safety in the City of Berkeley: Prioritize proactive inspections; Increase re-inspection fees; Consider an across-the-board RHSP fee increase; Enhanced enforcement of Schedule A requirement; Explore establishment of a mandatory inspection program; Allow confidential housing code complaints; Amend the Housing Code to make mold and mildew a public nuisance; Increase remedies for non-compliance. The goal of this recommendation is to improve housing safety and habitability while shifting costs to those properties not in compliance and containing the costs to those following the law.	Completed	Council member		Jesse Arreguin		PLANNING & DEVELOPMENT	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2016-11-29	22	Urban Agriculture Package	Refer to the Planning Commission to develop regulations to facilitate urban agriculture, taking into consideration the following concepts: 1. Designate “urban agriculture” as a primary and incidental use category and define as, “the production of food or horticultural crops for harvest, sale, and/or donation, not including cannabis”. 2. Add urban agriculture as an Outdoor Use in all Commercial zones. 3. Permit urban agriculture on unoccupied lots in residential zones (in context of Measure L). 4. Consider whether to permit urban agriculture in lots in the Hillside Overlay, and whether to permit urban agriculture on lots of a certain slope or requiring a geotechnical study. 5. Define rooftop gardens and develop requirements that comply with existing building codes. 6. Permit accessory uses, including sheds, greenhouses, trellises, pergolas and fences on occupied and vacant lots used for urban agriculture. 7. Permit group class instruction, community gatherings, and sales as an accessory use in commercial and residential zones and establish conditions for these uses in residential zones based on the requirements in Section 23C.20.010 (B), Sales of Non-Processed Edibles. 8. Permit sales of “value-added” products or processed food products to be sold on site during the sales of	Completed	Council member		Jesse Arreguin		PLANNING & DEVELOPMENT	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2016-05-10	37	Referral to Planning Commission: Community Garden Zoning	Refer to the Planning Commission the following amendments to the Zoning Ordinance to define Community Gardens and permit them in all zoning districts: 1. Add language to Section 23F.04.010 (Definitions) to define Community Gardens as a new zoning use. 2. Establish community gardens and accessory structures including, but not limited to tool sheds, greenhouses, pergolas and trellises as a "by right" use in all zoning districts requiring only a Zoning Certificate. 3. Permit group class instruction, community gatherings, and sales as an exempt accessory use subject to limitations on the number of persons, hours, similar to the requirements set forth in BMC Section 23C.20.010(B) (Sale of Non-Processed Edibles in Residential Districts). Revised to include requests to consider limiting the size of the accessory structure, requiring and AUP, and impacts of Measure L.	Completed					PLANNING & DEVELOPMENT	
2016-01-19	28	City Manager Referral: Consider Adding Ygrene as an Additional Property Assessed Clean Energy Program	Refer to the City Manager to consider adding Ygrene as an additional property assessed clean energy program.	Completed	Council member		Kriss Worthington		PLANNING & DEVELOPMENT	
2014-07-08	44	Support Selected NAACP Housing Recommendations	Refer the HAC recommendation "Remove the R-4 requirement that new residential buildings must provide one parking space per 1000 square feet of floor space" to the Planning Commission	Completed	Council member		Linda Maio		PLANNING & DEVELOPMENT	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2014-12-16	27	Referral to Planning Commission and City Manager Regarding the Feasibility of Requiring the Installation of Water Fountains/Filling Stations for New Commercial Development Projects	Refer to the Planning Commission and the City Manager the development of an ordinance requiring all new commercial development projects and remodels above a specified amount to incorporate a publicly available drinking fountain and/or water bottle filling station or locations on the premises where one may be installed without additional cost to the city for piping water to the location. Report back to council within 6 months.	Completed	Council member		Cheryl Davila		PLANNING & DEVELOPMENT	
2017-05-30	39	Amend One Percent for Art Ordinance to Incentivize Fees for the Arts and Culture Plan	Amend the One Percent for Art Ordinance to incentivize contributions to the Civic Arts Commission's Arts and Culture Plan. Referred to Planning Commission. Revised materials - http://www.cityofberkeley.info/Clerk/City_Council/2017/05_May/Documents/2017-05-30_Item_39_Amend_One_Percent_-_Rev.aspx	Completed	Council member		Kriss Worthington		PLANNING & DEVELOPMENT	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2015-02-10	10	Amendments to BPD General Orders C-64 (Crowd Control), M-2 (Mutual Aid) and U-2 (Use of Force)	Refer to the Police Review Commission (PRC) and City Manager the attached changes to BPD General Orders C-64, M-2, U-2, and request that they return to the City Council with recommended revisions to the General Orders. The proposed changes are modeled after the Oakland Police Department's recent amendments to their Crowd Control Policy and address issues raised with the police response to the December 6, 2014 Ferguson protests. 2. Adopt a motion declaring as a temporary City of Berkeley policy that the use of chemical agents (tear gas etc.), Specialty Impact Less-Lethal Weapons ("projectiles" or rubber bullets, wooden dowels, stinger grenades, rubber bullets) and over the shoulder baton strikes, are prohibited uses of force in responding to crowd situations, until such time as an investigation is conducted as to the Police response to the December 6, 2014 protests, and a review of General Orders C-64, M-2, and U-2 is completed.	Completed	Council member		Jesse Arreguin		Police	
2015-02-10	8	Berkeley Police Department Use of Police Vehicle In-Vehicle and Body-Worn Cameras	Refer to the City Manager to develop a plan to implement the use of dash cameras and body-worn cameras for the Berkeley Police Department. The report should be presented to the City Council within 3 months.	Completed		Jesse Arreguin, Linda Maio			Police	
2015-11-03	14	City Manager Referral: Campus National Night Out to Reduce Crime	Refer to the City Manager to create a Campus National Night Out to help reduce crime in the campus area.	Completed	Council member		Kriss Worthington		Police	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2018-11-27	31	City Manager short-term Referral; Preliminary steps towards the expansion of the GoBerkeley Transportation Program to Increase Parking Efficiency	City Manager short-term Referral; Amendment to the City of Berkeley municipal code regulating off-street parking lots in order to facilitate the expansion of the GoBerkeley Transportation Program to allow private parking vendors to charge adjustable rates for parking spaces.	Completed	Councilmembers	Kriss Worthington , Kate Harrison			Public Works	
2018-03-13	13	Referral to the City Manager's Office: Amendments to Berkeley Municipal Code Title 14	Refer to the City Manager's office to: 1. Develop amendments to Berkeley Municipal Code Title 14 to authorize new parking meters in South Berkeley along the following areas: a. Shattuck Ave between Derby and Ward; and b. Shattuck Ave between Derby and Carleton. 2. Hold a public hearing and upon conclusion adopt the first reading of the ordinance incorporating amendments identified above.	Completed		Ben Bartlett, Sophie Hahn			Public Works	
2015-09-29	28	City Council Referral to Develop a Comprehensive Plan for Funding the Undergrounding of Utility Wires on All Major and Collector Streets in Berkeley (Continued from July 14, 2015)	Postpone implementation of a Utility Undergrounding Work Plan and direct the City Manager to return to Council in Fall 2015 with a report detailing the budget and staffing required to implement a Utility Undergrounding Work Plan and Special Commission. The report would also identify projects in the City's adopted Work Plan that would be delayed in order to implement the Commissions' recommendations.	Completed					Public Works	
2016-09-20	32	City Manager Referral: Implementing BigBelly Solar Compactor Bins	Refer to the City Manager to examine the feasibility of procuring BigBelly Solar Compactor Bins to save money, meet zero waste goals, and reduce Berkeley's greenhouse gas emissions.	Completed	Council member	Kriss Worthington , Lori Droste	Kriss Worthington		Public Works	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2014-11-18	30	City Manager Referral: Implement the PayByPhone Parking Technology as Used by San Francisco and UC Berkeley	Refer to the City Manager to examine the feasibility of implementing the PayByPhone parking technology as used by the City of San Francisco and UC Berkeley.	Completed			Kriss Worthington		Public Works	
2015-02-10	18	B. Amending BMC Chapter 11.60 for Compostable or Recyclable Foodware	Direct the City Manager to analyze the Zero Waste Commission's recommendation; refer the fiscal impacts of the recommendation to the budget process; and report back on the impact to the City's Zero Waste operations of implementing the requirement for compostable or recyclable foodware.	Completed	Commission			Zero Waste Commission	Public Works	
2014-09-09	50	Expansion of Residential Preferential Parking Citywide, Adjacent to Commercial Areas	Expansion of Residential Preferential Parking Citywide, Adjacent to Commercial Areas	Completed			Linda Maio		Public Works	
2017-04-04	19	City Manager Referral; Expansion of the GoBerkeley Transportation Program to Increase Parking Efficiency	City Manager Referral; Expansion of the GoBerkeley Transportation Program to allow private parking vendors to charge adjustable rates for parking spaces	Completed	Council member		Kriss Worthington		Public Works	
2017-05-16	38	Protected Pedestrian Walkways	Refer to the City Manager and request that the Transportation Commission review and craft potential policy solutions—including but not limited to open or covered protected walkways—to improve pedestrian accessibility immediately surrounding construction or sidewalk upgrades.	Completed	Council member	Lori Droste, Susan Wengraf, Linda Maio, Sophie Hahn		Transportation Commission	Public Works	
2016-07-19	25	City Manager Referral: Expand Scooter and Motorcycle Parking in Front of the Recreational Sports Facility	Refer to the City Manager to examine the feasibility of adding more parking and scooter parking spaces to the Recreational Sports Facility (RSF).	Completed	Council member		Kriss Worthington		Public Works	

Long Term Referrals - Completed

Meeting Date	Agenda Item #	Proposed Project Name	Recommendations	Status	Referral by	Sponsor	Referral Member	Referral Commission	Lead City Department	Additional comments
2017-02-28	16	Increasing the Parking Permit Guidelines for Two BUSD Schools with Limited Access to Public Transit	Request the City Manager to increase the guidelines used to grant residential permit parking to BUSD schools from 60% to 70% of the number of BUSD staff (includes teachers) for schools more than 1/2 mile from a BART Station, or 1/4 mile from a Rapid Transit Stop, or 1/4 mile from two (2) major transit lines	Completed	Council member		Linda Maio		Public Works	
2018-06-26	36	GoBerkeley Expansion - Revised materials (Supp 2)	City Manager Referral; Amendment to the City of Berkeley municipal code regulating off-street parking lots in order to facilitate the expansion of the GoBerkeley Transportation Program to allow private parking vendors to charge adjustable rates for parking spaces.	Completed	Council member		Kriss Worthington		Public Works	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-12-11	24	Referral to City Manager to establish Recreational Vehicle Waste Discharge Facility on City Property and Referral to FY 2020/21 Budget Process	1. Refer to the City Manager to establish a recreational vehicle waste discharge facility on City property and equitable administrative fee program, and 2. Refer costs associated with the facility to the FY 2020/21 Budget Process. Include consideration of 1) method of pump out; 2) cost; 3) locations; and 4) capacity.	Pending	Councilmembers	Kate Harrison, Cheryl Davila		City Attorney	
2016-01-26	15	Condition of Approval for Major Development Projects	Refer to the City Manager to generate an ordinance requiring all projects that include new construction of greater than 30,000 square feet and that are not subject to local, state or federal prevailing wage requirements or do not have a valid Project Labor or Community Workforce Agreement to adhere to the requirements as outlined below. The City Manager is requested to provide a history of the wage theft problem in Berkeley.	Work in Progress	Council member	Cheryl Davila, Kriss Worthington, Sophie Hahn, Linda Maio		City Attorney	
2015-10-27	15	Private Parking Lot Regulations	Refer to the City Manager the development of an ordinance that would allow parking lot operators to manage their parking facilities so as to meet the needs of local businesses and their customers.	Work in Progress	Council member	Cheryl Davila		City Attorney	
2012-01-17	21	Treatment of women in custody at Santa Rita Jail	Refer to the Commission on the Status of Women the alleged offensive treatment of women in custody at Santa Rita Jail, as reported below with the aim of ensuring that searches of women not be conducted in the presence of men (be they male officers or inmates) and any other changes in protocol that might be needed to ensure appropriate policies are followed during searches of women in custody.	Work in Progress	Council member	Linda Maio		CITY MANAGER'S OFFICE	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-10-17	40	Administrative Changes Related to Taxicabs	Request the City Manager consider the following administrative changes, in order to increase the competitiveness of the taxi industry: 1. Reduce the annual vehicle inspection fee from \$88 to \$45 and the re-inspection fee from \$45 to \$25.; 2. Increase the maximum amount of free taxi scrip that drivers are able to redeem each week from the current limit of \$400 to \$800 (if taxi scrip is redeemed twice per week, the maximum amount redeemed at once should be raised to \$400 from \$200).; 3. Consolidate all taxi-related undertakings, including customer service and taxi scrip redemption, to one office located at 1947 Center Street, Berkeley, CA 94704.; 4. Reduce the burden of the current mandatory sensitivity training course for taxi drivers, by exploring an option to complete the course online instead of in San Francisco, which costs \$50 and imposes onerous logistical costs. For example, available courses can be found at http://www.equo.co.uk/11-Taxi-Drivers .; 5. Clarify in writing that taxi-drivers may purchase collective insurance instead of individual insurance. This will allow drivers to accumulate a more substantial fund to cover individual crashes, pay less per person, and reap similar benefits as rideshare drivers (who are insured by Transportation Network Companies) do.	Work in Progress		Kriss Worthington, Kate Harrison		CITY MANAGER'S OFFICE	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-10-16	18	Amend April 26, 2018 Referral Regarding Sidewalks Policies	In light of the 9th Circuit Court of Appeal's September 4, 2018 ruling in Martin v. City of Boise, refer to the City Manager further analysis of Council's April 26, 2018 proposed "Regulations for Sitting, Lying, Dogs and Objects on Sidewalks and in Parklets" and analysis of Berkeley's existing regulations and practices, including but not limited to ordinances, administrative regulations, training protocols and other policies and practices, related to use and limits to use of sidewalks, parklets, streets, parks and other City property. Refer to the City Manager to collaborate with the offices of the Mayor and Councilmember Hahn to amend existing and, as necessary, draft new policies and procedures compliant with the above analysis, and report back to Council with recommendations for compliant policies.	Work in Progress	Council member	Sophie Hahn, Linda Maio, Jesse Arreguin, Kate Harrison		CITY MANAGER'S OFFICE	
2016-02-09	13	City Manager Referral: Expanding Gun Safety Measures in Berkeley	Refer to the City Manager to consider the following ordinances: 1. Banning Unsecured Firearms And Ammunition Located In Unattended Vehicles In The Public Right Of Way And "Public Places" As Defined In The Ordinance; and 2. Requiring That City-Issued Firearms In Unattended Vehicles Be Secured	Work in Progress		Kriss Worthington, Susan Wengraf		CITY MANAGER'S OFFICE	
2017-04-04	17	Developing a Report Detailing Impacts of Potential Loss of Federal Funding on the City of Berkeley	Refer to the City Manager to prepare a preliminary conceptual report on possible scenarios of loss of federal funds, the impacts on the City of Berkeley, and potential solutions.	Work in Progress	Council member	Sophie Hahn		CITY MANAGER'S OFFICE	
2018-09-25	30	Managing RV Parking Via Permit Process	Refer to the City Manager to look into how other cities use permitting to manage RV parking and suggest a permit process that Council can consider to enable RV parking but place some sensible limits.	Work in Progress		Linda Maio, Sophie Hahn, Jesse Arreguin		CITY MANAGER'S OFFICE	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-03-29	38	Multi-Departmental Homelessness Working Group	<p>1. Establish a Multi-Departmental Homelessness Working Group (modeled after the City Sustainability Working Group)</p> <p>2. Initiate a public process to develop a comprehensive plan to address homelessness in Berkeley, taking into consideration all of the ideas put forward by the Homeless Commission and Homeless Task Force, with the goal of creating more transitional and permanent housing for our city homeless population.</p>	Work in Progress	Council member	Jesse Arreguin		CITY MANAGER'S OFFICE	
2019-03-26	21	Referral Responses: Managing Recreational Vehicle (RV) Parking	<p>The City of Berkeley seeks to implement all laws and ordinances in a fair and humane manner.</p> <p>To that end, we refer to the City Manager for consideration the following guidelines to help ensure enforcement of revised RV parking restrictions allowed under Ordinance No. 7,643-N.S. (BMC Section 14.40.120) is conducted with outreach, including information and resource guides and written notice.</p> <p>Further, we refer to the City Manager to quickly establish a three-month permit program (with possibility for renewal), to be offered on a one-time basis to existing priority populations and we refer to the Health, Life Enrichment, Equity & Community Policy Committee to establish basic criteria for a standard two-week permitting process.</p> <p>The City Council reiterates its February 28, 2019 referral to identify and develop a temporary RV site to serve highly vulnerable populations, as well as a regional non-profit RV site, and to develop a program to allow private entities to host RVs on their property.</p>	Work in Progress	Councilmembers	Jesse Arreguin, Rashi Kesarwani, Sophie Hahn		CITY MANAGER'S OFFICE	2019-04-26 11:13:03 - Mark Numainville (Additional comments) Item adopted 3/26/19

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-06-13	44	Referral to the Energy Commission and the CITY MANAGER'S OFFICE: Electric Vehicle Charging Ordinance	Refer to the Energy Commission and the CITY MANAGER'S OFFICE to develop an Electric Vehicle (EV) Charging Ordinance for the City of Berkeley. The Ordinance shall consider the requirements outlined in the report for installation of electric vehicle charging infrastructure in all new buildings or buildings undergoing major alterations.	Work in Progress		Ben Bartlett, Kate Harrison		CITY MANAGER'S OFFICE	
2018-09-13	30	Resolution Establishing Green Monday	Adopt a Resolution establishing Green Monday in The City of Berkeley and referring to the City Manager to implement the program in coordination with Green Monday US, which would have two primary components; City owned and operated institutions serving plant-based foods on Mondays (or another day) and educating residents on the impacts of their food choices on climate change and the environment.	Work in Progress		Kate Harrison, Cheryl Davila, Sophie Hahn		CITY MANAGER'S OFFICE	
2016-02-09	27	Supporting Worker Cooperatives and Referral to City Manager to Develop a Worker Cooperative Ordinance (Continued from January 12, 2016 – Item includes revised materials.)	Adopt a Resolution to support worker cooperatives, and refer to the City Manager to develop a Worker Cooperative Ordinance, which includes: 1. Revising the existing Buy Local contracting preference and adding a worker cooperative preference; 2. Revising the business permit application; 3. Incentivizing existing businesses to convert to cooperatives; 4. Creating business tax and land use incentives, and 5. Developing educational materials.	Work in Progress	Council member	Jesse Arreguin		CITY MANAGER'S OFFICE	2019-03-01 13:32:02 - Mark Numainville (Additional comments) Item A on the 2/26/19 Agenda. Additional referral; regarding buy local preference added.
2016-06-28	43	Ban-the-Box for Employers Doing Business with the City of Berkeley	Request that the City Manager draft language requiring businesses doing business with the City of Berkeley to eliminate disclosure of conviction history prior to receiving a <u>conditional offer of employment</u> .	Work in Progress	Council member	Cheryl Davila		Finance	
2016-09-27	17	City Manager Referral: Improvements to Berkeley's Very Low Income Tax Relief Refund Program	Refer to the City Manager to make improvements to Berkeley's Very Low Income Refund Program.	Work in Progress	Council member	Kriss Worthington		Finance	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-05-01	22	Community Microbond Initiative. Revised materials (Supp 2)	Refer to the 2018 prioritization process to direct the City Manager to produce a report outlining steps required if the City were to implement a Pilot Project for the Community Microbond Initiative within 90 days. Consider including a community engagement component (such as a survey) to identify a project for the pilot, identify City staff who would be involved in the Pilot Project, analyze the cost structure to the City, clarify the process to identify, select and collaborate with relevant vendors, and outline any and all other necessary steps to achieve a Pilot Microbond offering. Consider including the following requirements for a proposed RFP: Vendor(s) selected should have municipal bond underwriting capabilities; Vendor(s) selected should have experience with blockchain technology	Work in Progress	Council member	Kriss Worthington, Kate Harrison, Cheryl Davila	Labor Commission	Finance	
2018-11-27	25	Comprehensive Investment Policy based on ESG Principles	Refer to the City Manager to consider the integration of ESG (environmental, social and governance) principles into the current City of Berkeley Investment Policy framework and return to Council with a recommendation.	Work in Progress	Councilmembers	Susan Wengraf, Kriss Worthington, Lori Droste, Jesse Arreguin		Finance	
2017-01-24	29	Socially Responsible Banking Services for the City of Berkeley	Request that the City Manager initiate a process for proposals from providers of banking services that uses criteria articulated in the 2013 process, but adds and emphasizes criteria related to ethical business practices. Ask for an extension of the existing contract with Wells Fargo should additional time be needed. Also, include consideration of provisions of a socially responsible banking policy such as elements of social and environmental justice, requirement for a code of fair treatment, low pay inequity between executives and rank and file, and support for	Work in Progress	Council member	Linda Maio		Finance	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-11-28	15	Referral to the Disaster and Fire Safety Commission and the City Manager: Five Year Plan for Expanded Disaster Preparedness Services [Non-RRV Prioritization Process]	Refer to the Disaster and Fire Safety Commission and the City Manager's office to explore developing a five year plan for expanded disaster preparedness services.	Work in Progress	Council member	Ben Bartlett	Disaster and Fire Safety Commission	FIRE & EMERGENCY SERVICES	
2018-02-27	22	Wildland Urban Interface Fire Safety and Fire Safety Education	To address long term fire, earthquake and disaster preparedness, response, and safety: Refer all of the Proposed Measures from the Commission's report to the City Manager for review by the Fire Department, Public Works, Parks, Recreation & Waterfront and other affected departments to be considered and prioritized along with: Councilmember Bartlett's November 28, 2017 referrals, Councilmember Hahn's January 30, 2018 referrals, and The January 2018 Conceptual Study to Underground Utility Wires. All of these measures should be reviewed, evaluated and prioritized by the City Manager. Report the City Manager's prioritization to Council.	Work in Progress	Commission		Disaster and Fire Safety Commission	FIRE & EMERGENCY SERVICES	
2017-04-25	42	Comprehensive Study of Emergency Services Call Center, Staffing and Development Systems Revised Materials	Refer to the City Manager and the Disaster and Fire Safety Commission to work with the Berkeley Fire Department and Berkeley Firefighters Association to investigate the Department's current practices and determine the feasibility of implementing a criteria-based dispatching system that allocates staffing based on need and risk, ensures that calls are prioritized based on acuity, and more efficiently delivers the appropriate allocation of resources to every 911 call. Include Alta Bates ER closure in analysis.	Work in Progress	Council member	Sophie Hahn		FIRE & EMERGENCY SERVICES	
2018-10-02		Companion Report and Referral Response: Creation of a Small Sites Program	4) Request that the Council and Housing Advisory Commission receive copies of small sites loan applications along with staff's corresponding analysis and decision. 6) Refer further consideration of a long-term small sites program to the City Manager and the Housing Advisory Commission. 7) Refer the small sites program to the November budget update and next biannual budget planning cycle in 2019.	Work in Progress	Commission		Housing Advisory Commission	HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-10-31	13	Homeless Youth Policy	Refer to the City Manager, the Homelessness Commission, and the Labor Commission to develop a Homeless Youth Policy for the City of Berkeley.	Work in Progress		Ben Bartlett, Sophie Hahn, Kate Harrison	Commission for the Homeless	HEALTH, HSG & COMMUNITY SVC	
2015-05-26	28	Mobile Shower Referral	Refer to the Homeless Commission and City Manager the establishment of a mobile shower unit in Berkeley and assess the feasibility/cost of such a project in comparison to existing programs.	Work in Progress	Council member	Lori Droste		HEALTH, HSG & COMMUNITY SVC	
2017-04-04	26	Referral Response: Gender Pay Equity	2. Complete a pay audit on the salaries of City of Berkeley employees to investigate potential gender pay gaps within the city workforce	Work in Progress	Commission		Commission on the Status of Women	Human Resources	
2016-10-18	24	Expanding the Downtown Arts District	1. Request the Planning Commission examine expanding the boundaries of the current Downtown Arts District Overlay as well as the allowable active ground-floor uses. 2. Request the City Manager consider the Downtown Arts District as part of the update to the Berkeley Arts and Culture Plan.	Work in Progress		Lori Droste		Office of Economic Development	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-04-25	41	Small Business Support Package	Refer to the City Manager the development of a package of policies and programs to support the establishment of new, and sustainability of existing small and/or locally owned businesses. Measures to explore, evaluate and report back on as part of the package include, but are not limited to: 1. A program to provide financial and other forms of support to small/locally owned businesses and not-for-profits impacted by development projects, either due to direct displacement or to direct or indirect business interference or interruption; 2. A program to reach out to, work with, help develop and attract small/local businesses to establish themselves in Berkeley and to assist existing small/local businesses to remain in Berkeley with a focus on women and minority owners; 3. Taxes and/or fees on vacant storefronts, buildings and/or empty lots; 4. A One-Stop Small/Local Business Advocacy Center to coordinate, facilitate and expedite permitting, licensing, payment of taxes and fees, inspections, access to city resources, and all other City of Berkeley-related matters, and to provide information about other services available to small businesses; 5. Streamlining of zoning, permitting and licensing requirements and processes for small/local businesses and not-for-profits, to reduce associated costs and delays, and, where appropriate, provide less onerous levels of review; 6. Strengthening and/or expanding the City of Berkeley's Revolving Loan Fund program, including identification of barriers to accessing such loans and potential improvements to Revolving Loan Fund processes, and exploration of additional sources of income for the Fund; 7. Further expanding Buy-Local preferences and policies for the City of Berkeley,	Work in Progress	Council member	Sophie Hahn		Office of Economic Development	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2015-02-10	16	Evaluation of Possible Ban on New Planting of Certain Tree Species	Take action to either: a) Direct the City Manager to proceed with Option 1, and continue the City's current practice regarding tree plantings on City property, which currently do not include Eucalyptus, and Monterey Pine (except at the Marina).-OR- b) Adopt a Resolution as described in Option 2 that would ban the new planting of certain tree species on City property. -OR-c) Direct the City Manager to develop an ordinance for Council adoption that bans the new planting of certain tree species on both public and private property, and includes enforcement mechanisms.	Work in Progress	Council member	Susan Wengraf		Parks, Recreation & Waterfront	
2017-03-14	23	Potential Recreational Opportunities at Willard Park and Pool	Refer the issue of recreational opportunities in the vicinity of Willard Park to the City Manager, Parks and Waterfront Commission and the 2X2 Committee of the City Council and the Board of Education to determine the best course of action for increased recreational equity in South Berkeley, including but not limited to the re-opening of Willard Pool. Authorize staff to develop cost estimates for a minimal level of repairs to get Willard Pool operational.	Work in Progress	Council member	Lori Droste		Parks, Recreation & Waterfront	
2017-10-17	27	Referral to the City Manager and Parks and Waterfront Commission to Create a Policy to Establish a Commemorative Tree Program	Refer to the City Manager and the Parks and Waterfront Commission the creation of a policy establishing a Commemorative Tree Program, similar to the City's Park Bench Donation Policy.	Work in Progress	Council member	Sophie Hahn, Kate Harrison, Susan Wengraf, Cheryl Davila	Parks and Waterfront Commission	Parks, Recreation & Waterfront	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-11-14	27	Referral to the City Manager: Equitable Access to Greenspace	<p>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:</p> <ul style="list-style-type: none"> ☐ 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 <p>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</p> <p>Elements of the plan can include the</p>	Work in Progress	Council member	Ben Bartlett		Parks, Recreation & Waterfront	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2015-10-27	27	27. Green Affordable Housing Package (Continued from October 6, 2015)	Refer that the Planning Commission and City Manager investigate the following two policies as ways to reduce barriers for the creation of affordable housing. City Council requests that commissions and staff address and propose solutions and/or an implementation plan using the recommendations in the report by September 1, 2016. Policy 1: Designate units and funding for affordable housing by prioritizing housing over parking spaces in new developments. Policy 2: Remove the structural and procedural barriers to creating more housing.	Work in Progress	Council member	Lori Droste		PLANNING & DEVELOPMENT	
2012-05-01	20	Amend the Zoning Code to Facilitate Toxic Remediation in Manufacturing Districts (PDF)	Refer to the Planning Commission recommendations for amending the zoning code in order to facilitate toxic remediation in manufacturing districts and to develop a streamlined process that would allow for one application process, rather than separate application processes for the City's Planning Department and the Toxics Division.	Work in Progress	Council member	Cheryl Davila		PLANNING & DEVELOPMENT	
2017-02-28	27	Berkeley Deep Green Building Initiative (Continued from November 15, 2016) Revised materials	Refer to the City Manager and Energy Commission the development of policies and programs to improve the energy efficiency and sustainability of buildings based on the Berkeley Deep Green Building proposal.	Work in Progress	Council member	Jesse Arreguin		PLANNING & DEVELOPMENT	
2017-10-31	27	City Manager and Planning Commission Referral: Facilitate Primarily Student Housing by a Twenty Feet Height Increase and Adjust Floor Area Ratio in the R-SMU, R-S and R-3 Areas Only From Dwight to Bancroft and From College to Fulton	Refer to the City Manager and Planning Commission to facilitate primarily Student Housing by amending the Zoning Ordinance to add a twenty feet height increase and adjust Floor Area Ratio in the R-SMU, R-S and R-3 areas only from Dwight to Bancroft and from College to Fulton.	Work in Progress		Kriss Worthington, Kate Harrison		PLANNING & DEVELOPMENT	
2015-12-01	33	City Manager and Planning Commission's Referral: Enable Implementation of Council Approved Floor Area Ratio in the Telegraph Commercial District between Dwight and Bancroft by Amending the Zoning Ordinance	Refer to the City Manager and Planning Commission an immediate implementation strategy to bring the City Zoning Ordinance in compliance with the policy adopted by City Council to increase Floor Area Ratio (FAR) in the Telegraph Commercial District between Dwight and Bancroft - COUNCIL DIRECTION ON COMMUNITY BENEFITS NEEDS FOLLOW UP WORK AND REPORT TO COUNCIL	Work in Progress	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-01-19	38	City Manager Referral: Streamline the Permit Process for Housing Projects with a Majority or More Affordable Units	Refer to City Manager to create an ordinance that will streamline the permit process for housing projects with a majority or more affordable units if it includes at least 20 percent of units at 50% AMI, after consideration of Austin and Santa Fe policies and policies proposed in San Francisco.	Work in Progress	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	
2011-12-06	26	Classify Home Occupation Activities Receiving Five or Fewer Visits as Moderate Impact Home Operation (PDF)	Refer to the City Manager that the zoning code for Moderate Impact Home Operation (Moderate Impact HO) be amended to include home occupation activities receiving five or fewer visits weekly, requiring an AUP rather than a Use Permit with public hearing.	Work in Progress	Council member	Linda Maio		PLANNING & DEVELOPMENT	
2016-01-26	16	Customer Service Improvements to Land Use Permit Process	Direct staff to make structural improvements to the Zoning Ordinance, communication improvements to better explain complex technical and procedural elements to the public, and organizational improvements to the Land Use Planning Division; and authorize the issuance of a request for proposals (RFP) for the selection of consultants to make structural improvements to the Zoning Ordinance and develop graphic communication elements in an amount not to exceed \$300,000.	Work in Progress				PLANNING & DEVELOPMENT	2019-05-03 10:11:41 - Mark Numainville (Additional comments) Initiated by City Manager
2014-11-18	23	Expansion of Medical Cannabis Cultivation Beyond the Manufacturing (M) District Presentation	Request the Planning Commission consider amending the Zoning Ordinance to allow for medical cannabis cultivation in zoning districts beyond the Manufacturing (M) District.	Work in Progress	Commission		Cannabis Commission	PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-07-11	29	Housing Accountability Act	Refer to the City Manager, Planning Commission, Zoning Adjustments Board, and Design Review Committee to consider the following actions, and others they may find appropriate, to address the potential impacts of the Housing Accountability Act and to preserve local land use discretion: 1. Amend the General Plan and Zoning Ordinance to adopt numerical density and/or building intensity standards that can be applied on a parcel-by-parcel basis in an easy and predictable manner. These would constitute reliable and understandable "objective general plan and zoning standards" that would establish known maximum densities. This could be done across the board or for specified districts. 2. Devise and adopt "objective, identified written public health or safety standards" applicable to new housing development projects. 3. Adopt "design review standards that are part of 'applicable, objective general plan and zoning standards and criteria". 4. Quantify and set objective zooming standards and criteria under the first sentence of Government Code Section 65589.5(j) for views, shadows, and other impacts that often underlie detriment findings.	Work in Progress	Council member	Jesse Arreguin	Zoning Adjustments Board	PLANNING & DEVELOPMENT	
2015-09-15	39	Mandatory Green Stormwater Infrastructure in New Developments	Refer to the City Manager and Planning and Community Environmental Advisory Commissions to develop an ordinance requiring large residential developments of 100 units or more or commercial developments that result in 5,000 square feet of new or replaced impervious surface, to incorporate Green Stormwater Infrastructure (GSI) and water conservation features into new projects.	Work in Progress	Council member	Jesse Arreguin		PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-12-05		Ministerial Approval of Zoning-Compliant Affordable Housing	Refer to the Planning Commission and City Manager to amend the zoning ordinance by July of 2018 to allow ministerial zoning approval of: Housing projects that receive Housing Trust Fund monies; and/or Housing projects that have more than 50% below market rate (BMR) units with 20% of the BMR units designated for those earning up to 50% AMI (extremely low and very low income earners). Design review will be conducted by staff for the aforementioned projects. *** amended to include direction to explore the potential appeal processes, if any, under a ministerial approval process, and to require the applicant to hold a community meeting prior to submitting an application.	Work in Progress		Lori Droste, Ben Bartlett, Jesse Arreguin, Kriss Worthington		PLANNING & DEVELOPMENT	
2018-04-24	16	Partial Response to Council Referral on Deep Green Building Initiative - Recommendation for Dedicated Revenue Stream to Incentivize Residential Energy Efficiency and Electrification	City Council refers to staff a request to conduct an analysis to identify and develop a set of programs and policies consistent with the Climate Action Plan to incentivize residential energy efficiency and electrification investments, based on a cost benefit analysis to determine highest value energy-saving measures. This recommendation supports the Deep Green Building Initiative referral from the Council to the Energy Commission. Council further refers \$50,000 to the budget process for the staff work and analysis.	Work in Progress	Commission		Energy Commission	PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-07-19	24	Permit Service Center Improvements	Refer to the City Manager to include in current efforts to improve the Land Use Permitting process the following proposals to increase the efficiency and outreach of the Permit Service Center, making the permitting process easier for staff and applicants alike. Specific proposals to consider include: 1. Website improvements for tracking of permits, calculating permit fees, and applying online; 2. Case Managers for coordinated intake of permit applications and materials; 3. Informational materials including an improved user guide and infographics modeled after BizGrid; 4. Customer service improvements at the Center including a fast track line, kiosks, and an online appointment booking system.	Work in Progress	Council member	Jesse Arreguin		PLANNING & DEVELOPMENT	
2017-05-30	41	Planning Commission Referral for a Pilot Density Bonus Program for the Telegraph Avenue Commercial District to Generate Revenue to House the Homeless and Extremely Low-Income Individuals	Refer a City Density Bonus policy for the Telegraph Avenue Commercial District to the Planning Commission to generate in-lieu fees that could be used to build housing for homeless and extremely low-income residents.	Work in Progress		Kriss Worthington, Ben Bartlett, Jesse Arreguin		PLANNING & DEVELOPMENT	
2015-01-20	20	Referral to Planning Commission to Amend Zoning Ordinance (non-commercial ground floor)	Refer to the Planning Commission an amendment to the Zoning Ordinance to create a use permit process to allow non-commercial use on the ground floor where commercial might otherwise be required.	Work in Progress	Council member	Susan Wengraf		PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-04-26	51	Referral to Planning Commission: City-Wide Green Development Requirements	Refer to the Planning Commission, Energy Commission, and the Community Environmental Advisory Commission to consider requiring the same Green Building and Transportation Demand Management (TDM) measures required in the Commercial Downtown Mixed Use District (C-DMU) for projects of 75 units or more throughout the City of Berkeley's commercial zoning districts. The commissions are to consider the standards as outlined in the report which would apply to larger projects city-wide and pertain to: bicycle parking spaces, vehicle sharing spaces, Residential Parking Permits, required parking spaces, LEED rating, Stopwaste Small Commercial Checklist standards, and transportation benefits. In addition, the commissions are to also consider the following 1. that transit passes would only be required for projects within a quarter of a mile of a bus stop; 2. a square-footage threshold, in addition to the unit threshold, for projects to which the requirements would apply, 3. the validity of the LEED certification; and 4. the impact on the financial feasibility of proposed requirements on the development of housing and affordable housing in particular.	Work in Progress	Councilmembers	Jesse Arreguin		PLANNING & DEVELOPMENT	
2017-07-25	38	Referral to the City Manager and the Planning Commission: Adeline Corridor Community Benefits Ordinance	Refer to the Planning Commission to: Establish a zoning overlay for properties designated as part of the Adeline Corridor Plan in order to promote innovations in housing policy; and Develop regulations for the Adeline Corridor zoning overlay. This overlay district should be adopted in conjunction with the Adeline Corridor plan or incorporated into it directly.	Work in Progress	Council member	Jesse Arreguin		PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-09-12	34	Referral to the Community Environmental Advisory Commission and the City Manager: Anti-Idling Ordinance	Refer to the Community Environmental Advisory Commission and the City Manager to explore developing an anti-idling ordinance. The ordinance should limit vehicle engine idling when a vehicle is parked, stopped, or standing, including for the purpose of operating air conditioning equipment; and prohibit all unattended private passenger motor vehicles from idling. The ordinance should outline enforcement and citation procedures. The Commission and the City Manager should develop appropriate exceptions for commercial vehicles. Any funds received through enforcement of the ordinance should accrue to the General Fund to provide additional funding for sustainability efforts. The Community Environmental Advisory Commission and the City Manager should review the District of Columbia's anti-idling regulations (attached to report) to aide in the development of the ordinance.	Work in Progress	Council member	Ben Bartlett, Kate Harrison, Cheryl Davila	Community Environmental Advisory Commission	PLANNING & DEVELOPMENT	
2018-03-13	21	Referral to the Energy Commission: Strategies to Improve EV Usage	Refer to the Energy Commission and the City Manager to research best practices to encourage and support the use of electric vehicles, and develop a draft EV Plan for Berkeley that City Council can adopt. The plan should include realistic goals supported by city-wide initiatives to improve EV infrastructure and incentivize EV use for Berkeley's residents and workers.	Work in Progress		Susan Wengraf, Kate Harrison, Ben Bartlett, Sophie Hahn	Energy Commission	PLANNING & DEVELOPMENT	
2017-04-04	21	Referral to the Planning Commission to Allow Non-commercial Use on Ground Floor	Refer to the Planning Commission an amendment to the Zoning Ordinance to create a use permit process to allow non-commercial use on the ground floor in appropriate locations, where commercial might otherwise be required.	Work in Progress	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-11-27	26	Short Term Referral to Expedite Components of the More Student Housing Now Resolution, and budget referral to the annual appropriation ordinance adoption	Short term referral to the City Manager and the Planning Department to promptly move forward with components of the More Student Housing Now Resolution that do not require additional CEQA review, amend existing City ordinances and policies that prevent the implementation of SB 1227, and provide a budget referral to the annual appropriation ordinance adoption that would allocate the necessary resources as determined by the Planning Staff.	Work in Progress	Councilmembers	Kriss Worthington		PLANNING & DEVELOPMENT	
2016-07-12	39	Zoning Ordinance Amendments to Increase the Floor Area Ration (FAR) and Building Heights in Portions of the Telegraph Avenue Commercial (C-T) District; Amending BMC Chapter 23E.56; REFERRAL: refer to the City Manager to develop community benefit requirements, with a focus on labor	Adopt first reading of an Ordinance amending the Zoning Ordinance, Berkeley Municipal Code Chapter 23E.56, Telegraph Commercial District (C-T) to increase the floor area ration and building heights in portions of the Telegraph Avenue Commercial (C-T) District.	Work in Progress				PLANNING & DEVELOPMENT	2019-05-03 10:56:44 - Mark Numainville (Additional comments) From City Manager
2017-09-12	45	Direct the City Manager to Draft an Ordinance to Waive Certain Fees for Berkeley Housing Trust Fund Projects and Send a Letter to BUSD Board of Education Requesting Consideration of a Waiver of School Facility Fees for Berkeley Housing Trust Fund Projects	1. Direct the City Manager to draft an ordinance establishing automatic waiver of certain administrative, permit, impact and other fees for projects receiving City of Berkeley Housing Trust Fund (HTF) monies and submit a draft within 90 days for Council approval. Fee waivers shall apply to all HTF projects that have not yet been issued a building permit, and should include, but not be limited to: a. Waiver of internal, staff-time-related permit, inspection, and other fees; and c. Notwithstanding the above, fees to cover City "out of pocket" costs, fees passed-through to other agencies, and fees necessitated by CEQA should not be waived.	Work in Progress		Sophie Hahn, Kate Harrison, Jesse Arreguin		PLANNING & DEVELOPMENT	
2018-05-01	25	Referral to the Planning Commission to Allow 4 Temporary Zoning Amendments to Increase Student Housing in the Southside Area	Refer to the City Manager and the Planning Commission to consider conversion of existing commercial space for residential use between College Avenue and Fulton Street and Bancroft Way to Dwight Way.	Work in Progress	Council member			PLANNING & DEVELOPMENT	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-02-09	14	Extend the Berkeley Police Department Drone Moratorium for One Additional Year	Extend the moratorium on the use of unmanned aircraft systems, or "drones," by the Berkeley Police Department for one additional year. REFERRAL: Approved recommendation amended to request that the City Manager return to Council with a policy on the use of drones by Berkeley Police.	Work in Progress	Council member	Kriss Worthington		Police	
2016-01-26	11	Response to PRC Report on BPD Response to December 6 Protests, Revision of Police Crowd Management Policies (Continued from December 15, 2015)	Direct the City Manager to have the Berkeley Police Department collaborate with the Police Review Commission to further develop mutually agreed upon revisions to the Berkeley Police Department's policies and procedures regarding response to protest activity and to report back to the Council within 180 days for an update.	Work in Progress	Commission		Police Review Commission	Police	
2014-07-08	31	31. City Manager Referral: Refer CPTED Streetscape for Action and Exploration of Grant or Other Funding Opportunities to Find the Funds to Construct the Proposed Improvements	Refer the Crime Prevention Through Environmental Design (CPTED) streetscape to the City Manager for action and exploration of grant or other funding opportunities to find the funds to construct the proposed improvements.	Work in Progress	Council member	Kriss Worthington		Public Works	
2013-12-17	48	48. City Manager Referral: Preparations to Apply for Telegraph Pedestrian Safety Funds (Continued from December 3, 2013)	Refer to the City Manager to apply for Telegraph Ave pedestrian safety funds and to produce a preliminary plan for Telegraph pedestrian safety improvements as requested by the Telegraph Merchants Association.	Work in Progress	Council member	Kriss Worthington		Public Works	
2016-03-15	8	City Manager Referral: Plan for Lighting and Signage at the Ohlone Greenway at Cedar, Rose, and Hopkins	Refer to the City Manager to develop a plan to improve the lighting and signage (e.g. stop signs) at the Ohlone Greenway crossing at Cedar, Rose, and Hopkins, particularly for bicycle transit.	Work in Progress	Council member	Linda Maio		Public Works	
2017-06-13	47	Consideration of Universal Design Standards in City Projects	Refer to the City Manager to make the consideration of Universal Design features an explicit and listed criteria for all projects undertaken by the city, including the many upcoming projects to be funded through Measure T1.	Work in Progress		Sophie Hahn, Cheryl Davila		Public Works	
2015-11-17	17	Installation of Solar Panels at the Donna Spring Animal Shelter Parking Area	Request that the City Manager pursue grant funding for a solar installation at the Donna Spring Animal Shelter parking area.	Work in Progress		Susan Wengraf		Public Works	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-09-25	26	Refer to the City Manager UC Berkeley Game Day Parking Restrictions and Fines in RPP Surrounding Campus	Refer to the City Manager to adopt a Resolution: 1) Modifying RPP zones A, B, and D on posted University of California football game days to prohibit parking without a valid Residential Preferential Parking permit; 2) Modifying RPP zones F, G (which do not have RPP on Saturdays) to include RPP enforcement and prohibit parking without a valid RPP permit on posted University of California football game days. (No RPP on Saturdays except game days) 3) Establishing a new Parking Fine Schedule including increased parking fines of \$300 per violation of BMC 14.40.090 in Residential Preferential Parking zones A, B, D, F G on posted University of California football game days; 4) Replacing existing RPP signs in zones A, B, D, F, and G with new signs clearly indicating the University of California football game day parking prohibitions and listing the dates on the sign of University of California football game days; and 5) Assessing the modified University of California Football Game Day Parking Fine program within three years of implementation and recommend to Council whether to continue or modify the program; and rescinding Resolution 63,800- N.S.	Work in Progress		Lori Droste, Susan Wengraf, Jesse Arreguin		Public Works	
2015-09-15	49	Refer to the City Manager, Disability Commission, and Planning Commission to Develop an Ordinance Requiring New Residential Buildings to Provide Auto-door Openers and Roll-in Showers	Refer to the City Manager, Disability Commission, and Planning Commission to require new residential buildings in Berkeley to include essential wheelchair-accessible modifications such as auto door openers and roll-in showers.	Work in Progress	Council member	Kriss Worthington		Public Works	
2015-10-06	12	Referral to the City Manager: Prioritize Climate Action Plan's Policy to Redesign/Rebuild the Berkeley Transfer Station and Material Recovery Facility into a State of the Art Zero Waste Facility	Referral to the City Manager: Prioritize the City of Berkeley's Climate Action Plan's policy to redesign/rebuild the Berkeley Transfer Station and the material recovery facility into a state of the art Zero Waste facility.	Work in Progress	Council member	Kriss Worthington		Public Works	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-02-13	30	Residential Preferential Parking (RPP) Program Reform and Expansion	2. Refer to the City Manager to explore options to amendments to the ordinance related to the cap on permits for situations such as caregivers, child care, and others.	Work in Progress				Public Works	2019-05-03 10:45:17 - Mark Numainville (Additional comments) Initiated by City Manager
2016-02-09	22	Restrict Parking in the Hills Hazardous Fire Area (Continued from January 12, 2016)	Refer to staff the design of a parking restriction program in the Hills Fire Zone to ensure access for emergency vehicles and to allow for safe evacuations in an emergency and to hold public meetings to get community input in the design of such a program	Work in Progress	Council member	Susan Wengraf		Public Works	
2017-01-24	27	Special RPP Designation, Grant Street between Ohlone Park and Delaware Street	Request the City Manager to designate a special "no 2-hour parking grace period" residential permit parking zone for the one cul-de-sac block of Grant Street between Ohlone Park and Delaware Street. Also, request to provide Council with an Info Report on the process and perform increased enforcement	Work in Progress	Council member	Linda Maio		Public Works	
2018-03-27	18	Vision Zero	1) Adopted Resolution No. 68,371-N.S. in support of a Vision Zero framework to eliminate all traffic-related fatalities and severe injuries in Berkeley through a safe systems approach, which prioritizes roadway design and policy strategies, complimented by proven education and enforcement strategies. 2) Refer specific Vision Zero policy development to the City Manager and Transportation Commission. Recommendations could include, but are not limited to, the following: • Creation of a Vision Zero Task Force or Transportation Commission subcommittee that will engage staff across departments, including Public Works, Berkeley Police Department, etc. • Creation a Vision Zero Action Plan that utilizes data-driven strategies to improve bicycle/pedestrian safety • Engaging community members in Action Plan development • Creation of a public website that outlines the Vision Zero Action Plan and offers a venue for public input.	Work in Progress		Lori Droste, Jesse Arreguin, Susan Wengraf	Transportation Commission	Public Works	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2013-02-19	19	19. Driving Under the Influence (DUI) Policy Recommendations	Instruct the Mental Health, Community Health, Transportation, and Police Review Commissions to research and submit recommendations to the Peace and Justice Commission's DUI Subcommittee within six (6) months of referral. Research and recommendations should focus on improvements to Harm Reduction and Minimization policies with respect to DUI in Berkeley..	Cancelled	Commission		Peace & Justice Commission	CITY MANAGER'S OFFICE	P & J decided not to pursue
2018-01-30	7	Immediate Measures to Address Fire Safety and Prevention [Non-RRV Prioritization Process]	Refer to the City Manager to study and evaluate, in consultation with relevant Commissions, the following fire safety and prevention measures on a priority basis. After study and evaluation, implement or, where additional resources may be required, recommend implementation and sources of funding. 1. Complete the Berkeley Fire Department's comprehensive Evacuation Plan and publicize evacuation routes and protocols on a priority basis. 2. Increase outreach efforts to sign up residents for the Alameda County Emergency Alert program. 3. Review and update the City's existing Fire Safety ordinances, including BMC 12.50 Fire Inspection Program. 4. Consider implementation of a siren warning system, similar to Oakland's Emergency Siren system. 5. Review and, as necessary, strengthen coordination and communication with Oakland, East Bay Regional Parks (EBRP), Alameda County, Contra Costa and other neighboring Fire Department and emergency response service providers. 6. Expand programs and practices to reduce fire hazards and fuel loads and ensure clearance for utility lines on both public and private property as outlined in the report.	Not Started		Sophie Hahn, Susan Wengraf, Kate Harrison		FIRE & EMERGENCY SERVICES	Ranked separately in Non-RRV process

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2018-05-01	24	Referral to Develop Comprehensive Plan for Disaster Preparedness and Post-Disaster Rebuilding with Respect to Multi-Family Housing [Non-RRV Prioritization Process]	Refer to applicable City departments and commissions the development of a comprehensive plan for both disaster preparedness and post-disaster rebuilding with respect to multi-family housing. As part of the plan, applicable departments and commissions should explore how applicable ordinances (e.g., Demolition Ordinance, Relocation Ordinance, Rent Stabilization Ordinance) may interface with rebuilding efforts in the event of a major disaster and make recommendations to amend or clarify them as appropriate. The referral can be added to existing referrals concerning disaster preparedness item and prioritized as appropriate.	Not Started	Commission		Housing Advisory Commission	FIRE & EMERGENCY SERVICES	Ranked separately in Non-RRV process
2017-06-13	38	Adding Threat of Displacement of a Berkeley Resident to the Current Income Qualification Guidelines Which Would Place an Applicant in Priority Status for BMR (Below Market Rate) Units [Housing Action Plan]	Refer to the City Manager adding to income qualification the status of pending displacement of a Berkeley resident or family, for priority eligibility for BMR units.	Not Started		Linda Maio, Kate Harrison, Hahn, Ben Bartlett		HEALTH, HSG & COMMUNITY SVC	Housing Action Plan items were removed from the RRV process by Council action.
2017-03-14	31	Companion Report: Support for Oregon Park Senior Apartments - [Housing Action Plan]	Refer the Housing Advisory Commission's recommendation that staff work with Oregon Park Senior Apartments (OPSA) to the Council prioritization process so that the Council can evaluate this recommendation in the context of other recommendations for the use of Housing & Community Services staffing resources. Adopted with the following conditions: 1. Oregon Street Park Apartments will conduct a financial audit. 2. Oregon Street Park Apartments will conduct a full assessment of the structure of the building and the facility needs. 3. Oregon Street Park Apartments will hire a property manager to oversee the financials and the property. 4. The City will commit to holding the fines in abeyance until such time that conditions 1-3 are completed.	Not Started	Commission		Housing Advisory Commission	HEALTH, HSG & COMMUNITY SVC	Housing Action Plan items were removed from the RRV process by Council action.

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-02-14	9	Moderate-Income Housing Strategies [Housing Action Plan]	Forward these strategies to the Housing Advisory Commission (HAC) and staff for follow-up as appropriate: 1. Renter Strategies: Encourage homeowners to rent out unused rooms. Encourage homeowners to build Accessory Dwelling Units (ADU's) that could be rented to tenants. 2. Owner/Renter Strategies: Continue to study the use of a small sites strategy to maintain affordability in existing housing. Commit to securing one site as a small sites case study that could be replicated. Encourage and support new development that is owned and financed in less traditional ways, including expanded use of land trusts, cooperative form of ownership, and other approaches, such as co-housing and collaborative housing. Promote construction of affordable housing on surplus public land, particularly for BUSD teachers and staff. 3. Allocation of New Funding Sources: Inform Berkeley residents of the new Measure A1 funds that will be available from the County to assist moderate-income homeowners. Allocate a portion of the Measure U1 funds for moderate-income housing development.	Not Started	Commission		Housing Advisory Commission	HEALTH, HSG & COMMUNITY SVC	Housing Action Plan items were removed from the RRV process by Council action.

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-04-25	32	Referral to the City Manager: Adopt Section 8 Landlord Incentives [Housing Action Plan]	Refer to the City Manager the adoption of the following measures to encourage landlords to accept Section 8 and Shelter + Care vouchers: 1. Create a list of qualified, efficient and affordable contractors vetted by the City, and a discount or waiver of permit fees, to support bringing their unit(s) to code; 2. Provide legal and/or mediation support, offered either through the City or a partner, in negotiating Landlord/Tenant disputes out-of-court; 3. Allow parcel and/or property tax reductions based on the percentage of property or units that are currently Section 8 and/or decided during annual Section 8 inspection; and 4. Identify organizations who can support financial literacy and management for Section 8 tenants, including establishing bank accounts with direct deposit to Landlords. We ask City staff to research and develop a proposal of options for implementing these within the next six months.	Not Started	Council member	Cheryl Davila		HEALTH, HSG & COMMUNITY SVC	Housing Action Plan items were removed from the RRV process by Council action.
2016-05-17	3	Workforce Housing Affordability Plan [Housing Action Plan]	Refer to the City Manager the addition of a new workforce housing option to the inclusionary housing law that raises the percentage of inclusionary units by allowing the production of more subsidized units at a reduced subsidy per unit. Additionally, request that the City Manager return with "affordable by design" suggestions to help address the underproduction of middle-income units in Berkeley.	Not Started		Lori Droste		HEALTH, HSG & COMMUNITY SVC	Housing Action Plan items were removed from the RRV process by Council action.
2016-06-14	32	Workforce Housing for Berkeley Unified School District Personnel [Housing Action Plan]	Request the City Manager to direct staff to investigate the feasibility of developing workforce housing, in conjunction with Berkeley Unified School District, for teachers and employees. This investigation should include research into what other California cities (such as San Francisco, Oakland, Santa Clara and San Mateo County) are considering as part of their pursuit of school district workforce housing.	Not Started	Council member	Cheryl Davila		HEALTH, HSG & COMMUNITY SVC	Housing Action Plan items were removed from the RRV process by Council action.

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-10-18	38	Tiny Homes and Tiny Home Communities as Homeless Housing Options [Housing Action Plan]	2. Refer the item to the City Manager for further research and analysis. The creation of Tiny Homes on public or private property for long-term use and/or as habitable dwellings with facilities intended as a homeless program would require modifications to the existing zoning and building codes and additional program requirements to ensure such developments are moving clients out of homelessness.	Not Started	Commission		Commission for the Homeless	PLANNING & DEVELOPMENT	Housing Action Plan items were removed from the RRV process by Council action.
2017-01-31	5	City Maintained Below Market Rate Units (BMR) Online Resource [Housing Action Plan]	Establish a City maintained online resource that would provide a brief overview of the history and purpose of Below Market Rate (BMR) units, a current list of all buildings that contain BMR units and the characteristics of the units, the % of median income qualification levels for the units, the HUD published income guidelines for % of median and family size, the property owner, rental agent, and/or management company contact information, and other relevant information that would be helpful to potential renters of BMR units. The City shall update the information as more units become available, and quarterly, to ensure that information is current.	Work in Progress	Council member	Linda Maio		HEALTH, HSG & COMMUNITY SVC	
2016-04-05		Neighborhood Preference in Affordable Housing to Reduce the Impact of Displacement and Ellis Act Evictions (Continued from March 29, 2016) [Housing Action Plan]	Refer to the City Manager and Planning Commission an ordinance to clarify existing preferences in allocating City affordable housing units to Berkeley residents living within ½ mile of any new development and tenants evicted under the Ellis Act, expand the second category of preference for eligible tenants displaced under the Ellis Act to include certain tenants displaced through an Owner Move-In or (Measure Y) eviction.	Work in Progress		Lori Droste, Linda Maio		HEALTH, HSG & COMMUNITY SVC	

Long Term Referrals - Started

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2017-02-14	18	Small Sites Acquisition Program and Tenant Opportunity to Purchase [Housing Action Plan]	Refer to the City Manager the implementation of the following strategies to preserve existing affordable housing and prevent displacement: 1. Create a Small Sites Program to assist non-profits in acquiring existing properties that considers the following criteria: a. Targets 5-25 unit multi-family buildings, particularly properties with strong potential for conversion to resident ownership, those in which no-fault evictions have been filed, or those at high risk of speculative purchase. b. Allocates \$1-2 million from multiple funding sources. Such sources could include Measure A1 and U1 funds, Section 8 vouchers, and the MTC NOAH program. c. Includes administrative guidelines for a streamlined allocation process that will ensure an expedited commitment and funding process. Such commitments could include a letter of commitment from the City when non-profit organizations are placing an option on a property, or a small grant to make a down payment. 2. Review and develop an ordinance modeled after Washington D.C.'s Tenant Opportunity to Purchase Act that offers existing tenants the first right of refusal when property owners place rental property on the sale market, which can be transferred to a qualifying affordable housing provider.	Work in Progress	Council member	Jesse Arreguin		HEALTH, HSG & COMMUNITY SVC	
2016-09-27	19	City Manager Referral: Facilitate the Local Implementation of Senate Bill 1413 and Expedite the Development of Teacher and School Employee Housing [Housing Action Plan]	Refer to the City Manager to work with the Planning Department to facilitate the local implementation of Senate Bill 1413 in an effort to expedite the development of housing for teacher and school employees in Berkeley.	Work in Progress		Kriss Worthington		PLANNING & DEVELOPMENT	

Short Term Referrals

Meeting Date	Agenda Item #	Project Name	Recommendations	State	Referral by	Sponsor	Referral Commission	Lead City Department	Additional comments
2016-05-10	21	Resolutions Consenting to Inclusion of the City of Berkeley Properties in the California Home Finance Authority PACE Programs and Associate Membership in California Home Finance Authority	ABAG has a new report and the City Council has voted twice in favor; thus, the City of Berkeley should approve and sign an agreement for collaborative services for Property Assessed Clean Energy Financing (PACE) marketplace. Also, that the City of Berkeley approve and sign acknowledgement addendum of RCSA, as executed between ABAG and RPPs.	Completed	Council member	Kriss Worthington		City Attorney	
2016-12-13	29	Ordinance for Standards for Testing and Certification of DAS Antennas	Request that the City Manager draft ordinance language to amend Section 16.10.100 of the Berkeley Municipal Code to include Standards for Testing and Certification of DAS Antennas and return to the City Council within 60 days	Completed	Council member	Susan Wengraf		City Attorney	
2016-11-01	15	City Manager Referral: Increasing Transparency in City Public Record Act Responses	Approved revised recommendation to request a report from the City Manager on how the City is using the permitted exemptions in compliance with the Public Records Act.	Completed	Council member	Kriss Worthington		City Attorney	
2018-09-25	22	Safe storage of firearms - Revised materials (Supp 2)	Refer to the City Manager to review draft Safe Storage of Firearms ordinance, identify and resolve issues, and return to Council within 90 days.	Completed	Council member	Susan Wengraf, Sophie Hahn		City Attorney	
2018-10-02		Lobbyists Registration and Regulation Ordinance; Amendments to Existing Revolving Door Ordinance	Request an analysis from the City Manager before the November budget discussion on the administrative impacts and cost to implement the lobbyist ordinance.	Completed	Council member			City Attorney	

Short Term Referrals

2017-12-05	18	City Manager Referral: Prioritizing New Business Before Old Business at City Council Meetings	Prioritize new business before old business at City Council Meetings by: 1. Altering the Council rules of procedure as adopted May 24, 2016 so that new business comes before old business. The reformatted section will read "The agenda for the regular business meetings shall include the following: Ceremonial; Comments from the City Manager; Comments from the Public; Consent Calendar; Action Calendar (Appeals, Public Hearings, Continued Business, New Business, Old Business); Information Reports; and Communication from the Public"; and 2. Granting explicit authorization to Agenda Committee to move new business backwards or forwards at their discretion by amending section III E of the Rules of Procedure.	Completed	Council member			City Clerk	
2017-10-03	21	Referral to the City Manager to Provide a Public Master List of the Legislation on which the City Council Has Taken a Position	Request that the City Manager work with the City's lobbyist to create and maintain a master list of the legislation on which the City Council has taken a formal position of support or opposition through passage of an item.	Completed	Council member	Kate Harrison, Sophie Hahn, Cheryl Davila		City Clerk	
2018-07-10	17	Referral to City Manager to Consolidate all City Commission Workplans in One Place for Easy Access for Staff, the Public, and Elected Officials	Make a referral to the City Manager to consolidate all City Commission Workplans in one place for easy (electronic) access for staff, the public, and elected officials.	Completed	Council member			City Clerk	
2018-02-13	26	Referral to the City Manager on Gender Options of the General Application for City Boards and Commissions	Refer to the City Manager to add a nonbinary gender option on the General Application for appointment to Berkeley boards and commissions.	Completed	Council member	Lori Droste, Linda Maio, Susan Wengraf, Worthington		City Clerk	

Short Term Referrals

2017-09-12	33	Voter Registration Forms in All City Buildings on Their Main Floors	Direct the City Manager to provide voter registration forms on the main floor of all designated city buildings that are open to the public and in all Community based organizations within the city limits. Community based organizations that are funded by the City of Berkeley will be required to pick up the voter registration forms from the City Clerk's Office and that should be clearly stated in their respective contracts.	Completed	Council member	Cheryl Davila, Kate Harrison, Sophie Hahn		City Clerk	
2015-12-15	35	Amending Open Government Ordinance to Allow Submission of Revised/Supplemental Items	Refer to the City Manager and City Attorney to draft an ordinance amending Berkeley Municipal Code Section 2.06.070.E (Open Government Ordinance) to allow the submission of revised or supplemental agenda material for the Supplemental Communications Packet 2. The revised or supplemental material must be submitted no later than 12 noon the day of the City Council meeting at which the item is to be considered. The online version of the City Council agenda shall also contain a link to such items. If revised agenda material is submitted by this deadline, it would not require a two-thirds vote of the Council to accept the material.	Completed	Council member	Jesse Arreguin, Susan Wengraf, Lori Droste		City Clerk	
2017-05-30	53	Eliminate the Required Affidavits of Residency for Commissioners	Eliminate the requirement for Commissioners to submit Affidavits of Residency when they are appointed, and annually thereafter, in pursuit of saving time and money for the City of Berkeley. Revised Materials - http://www.cityofberkeley.info/Clerk/City_Council/2017/05_May/Documents/2017-05-30_Item_53_Eliminate_the_Required_Residency	Completed	Council member			City Clerk	

Short Term Referrals

2016-09-20	22	Amending Council Rules Regarding Removal of Commissioners	Direct staff to return with a policy recommendation consistent with the recommendations in this report, i.e., noting that as a matter of courtesy and respect, Councilmembers are expected to set the date a commissioner is to be replaced on a commission and communicate that date to the commissioner not less than two weeks from the official date of replacement.	Completed	Council member	Commission		City Clerk	2019-02-05 17:02:37 - Melissa McDonough (Additional comments) Incorporating changes from City Council.
2018-09-13	31	Short-Term Referral to City Manager re: Emergency Standby Officers Qualifications	Referral to the City Manager to consider the following suggestions for requirements and qualifications for Emergency Standby Officers and return to Council within 90 days with recommendations. Possible requirements may include: -Trainings in roles and responsibilities to serve as a standby officer possibly including: ethics and workplace harassment. -City government experience. -Council District residency. - Require standby officers to meet the same qualifications, including restrictions on conflict of interest, as required in the City Charter for City Councilmembers. -In addition, consider requiring Councilmembers to nominate three people in a single action.	Completed	Council member	Susan Wengraf, Jesse Arreguin, Sophie Hahn		City Clerk	2019-02-05 15:21:26 - Melissa McDonough (Additional comments) Ongoing discussion with City Attorney regarding potential criteria
2016-02-09	26	Develop a Provision for the Landmarks Preservation Ordinance to Allow for the De-designation of a Landmark Designation for a Building that has been Legally Demolished (Continued from January 12, 2016)	Refer to the City Manager to develop a provision for the Landmarks Preservation Ordinance (LPO) that would allow a landmark designation to be de-designated for a building that has been previously landmarked but subsequently has been legally demolished.	Completed	Council member			CITY MANAGER'S OFFICE	

Short Term Referrals

2017-01-24	37	Berkeley BABIES Initiative	Request that the City Manager create a provision and enforcement mechanism to ensure that all publically-accessible City buildings install and maintain at least one baby diaper-changing accommodation that is accessible in both men and women's restrooms or a single diaper-changing accommodation that is accessible to all genders. In addition, request that the City Manager provide recommendations to mandate all businesses to provide changing stations in either women's and men's restrooms or gender-neutral restrooms.	Completed	Councilmembers			CITY MANAGER'S OFFICE	
2017-01-24	38	Berkeley Mothers Initiative	Request that the City Manager ensure that all City buildings provide and maintain at least one private place reasonably close to an employee's workspace for <u>breastfeeding mothers to pump.</u>	Completed	Councilmembers	Lori Droste		CITY MANAGER'S OFFICE	
2015-12-15	30	Provide Cost Estimates to Restore the Berkeley Pier	Refer to the City Manager to determine the cost to make the appropriate repairs so that it will be safe for <u>public use.</u>	Completed	Council member			CITY MANAGER'S OFFICE	
2015-11-10	1	Proposed Amendments to the Minimum Wage Ordinance; Amending Berkeley Municipal Code Chapter 13.99 (Continued from September 15, 2015)	Review and consider information regarding the activities and costs associated with implementing and enforcing the Commission on Labor's proposed amendments to the Minimum Wage Ordinance (MWO), including the potential impact of the proposed amendments on the City's minimum wage employees, employers, non-profit organizations and community-based organizations, on-call workers and youth training program workers, and either: 1. Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 13.99, which includes staff-recommended revisions to the Commission's proposed Ordinance; -OR- 2. Refer the MWO back to the City Manager for further analysis and revisions.	Completed				CITY MANAGER'S OFFICE	

Short Term Referrals

2016-01-19	24	Tenant Buyout Agreement Ordinance	Refer to the City Manager and the Rent Stabilization Board to draft an ordinance regulating situations where a tenant agrees to vacate a rent-controlled unit in exchange for a sum of money, known as a buyout.	Completed	Council member	Jesse Arreguin		CITY MANAGER'S OFFICE	
2017-12-05	24	Ordinance Amending the Berkeley Municipal Code to Establish Ability to Pay Provisions Regarding Parking Fines and Fees in Accordance with Guidelines Established in Assembly Bill 503	to refer the item as written in Supplemental Reports Packet #2 to the City Manager to conduct an analysis of the item, including a review of current indigency procedures and coordination with similar efforts in the City of Oakland, and report back to the Council in 90 days.	Completed	Council member		Transportation Commission	Finance	
2018-02-27	22	Wildland Urban Interface Fire Safety and Fire Safety Education	Commission Referral #5 revised to read: 5. Refer to the Planning Commission to consider Accessory Dwelling Units (ADUs) in the Very High Hazard Fire Zone to review public safety issues especially relevant to the risk of WUI fires. Amend Section 23D.10 to incorporate greater public safety considerations to be met before issuing an Administrative Use Permit (AUP);	Completed				FIRE & EMERGENCY SERVICES	
2015-11-17	30	Fourth Ambulance Pilot Project 6-Month Update	No recommendation noted. Action: Moved to Consent Calendar and held over to January 19, 2016. Fire to report back in May 2016 for permanent program.	Completed				FIRE & EMERGENCY SERVICES	
2016-04-05	10	Modify the Proposed Early Mitigation Fee Discount and Preserve Revenue Towards Units At Or Below 50% AMI and Add Sunset Clause (Continued from February 23, 2016)	That the City of Berkeley amend Council Item 10a to remove the option of paying a substantially-reduced mitigation fee at the issuance of a permit, and to preserve revenue from the mitigation fees to maintain or increase the funds designated towards units for incomes at or below 50% AMI, and add a sunset clause.	Completed	Council member	Kriss Worthington		HEALTH, HSG & COMMUNITY SVC	

Short Term Referrals

2016-10-18	41	City Plan for Emergency Shelter During Winter Season	Refer the following actions to the City Manager to consider in developing a plan for emergency shelter/services during the upcoming winter season. These actions will help implement Resolution No. 67,357-N.S. "Declaring a Homeless Shelter Crisis in Berkeley": 1. Allow full use of the Multi-Agency Service Center (MASC) at 1931 Center Street as a Warming Center. Direct the City Manager to study the feasibility of using the West Berkeley Senior Center as a day-time Warming Center or evening shelter. Engage in discussions with Dorothy Day House about a day-time respite center. 2. Direct staff to develop a winter shelter services program for Fall 2016-Spring 2017 with funding to increase warming centers and emergency shelter. 3. Direct staff to work with service providers and faith-based organizations who have capacity, to add shelter beds during the year. 4. Direct that all bathrooms in City-owned buildings be available to homeless people for use at the City Manager's discretion. 5. Prioritize people on the street for Housing First funds who are in frail health, disabled, or with special needs and have a source of income. Direct the City Manager to create a list of city-owned properties that could be used for a Tiny House development for the homeless, a successful and growing model for dense urban regions.	Completed	Council member	Jesse Arreguin		HEALTH, HSG & COMMUNITY SVC	
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Short Term Referrals

2018-05-29	14	Implementation of Secure Storage Program	1. Direct the City Manager to expedite implementation of two publicly available, secure storage facilities to accommodate as many individuals as possible, based on the parameters set in staff's March 2, 2018 RFI: Downtown Homeless Storage Pilot - Staffing and Operations and on additional parameters outlined in Program Details, below. 2. Direct the City Manager to publicize the locations, hours, and rules applicable to new storage facilities through normal outreach channels (website, press release, etc.) and through direct outreach to homeless individuals by the City, community organizations (CBOs) and other partners such as the Downtown Berkeley Association and Telegraph Avenue BID. 3. Refer \$100,000 to the budget process; an added \$25,000 for the downtown storage location and \$75,000 for storage in West Berkeley.	Completed	Council member			HEALTH, HSG & COMMUNITY SVC	
2017-07-25	10	Authorizing City Manager Approval for Community Development Block Grant (CDBG) Community Facility Improvement Contracts Under \$200,000; Amending BMC Chapter 7.18	Adopt first reading of an Ordinance, by two-thirds vote of the Council, amending Chapter 7.18 of the Berkeley Municipal Code to authorize the City Manager to enter into and amend contracts of up to \$200,000 with applicants recommended for funding by staff and the Housing Advisory Commission under the City's Community Development Block Grant (CDBG) program for community facility improvements.	Completed				HEALTH, HSG & COMMUNITY SVC	
2017-07-25	40	Expediting Elements of Previous Council Referral to Study Possible Scenarios of the Loss of Federal Funds	Direct the City Manager to expedite the compilation and delivery of a list of federal funds that the City of Berkeley receives and the programs and facilities supported by such funds.	Completed	Council member	Sophie Hahn, Jesse Arreguin, Cheryl Davila, Kate Harrison		HEALTH, HSG & COMMUNITY SVC	2019-02-05 17:14:03 - Melissa McDonough (Additional comments) HHCS is updating with the latest single audit findings.

Short Term Referrals

2015-09-15	43	Prohibit Sales of Tobacco Products to Persons Under the Age of 21	Direct the City Manager and Community Health Commission to draft an ordinance amending Berkeley Municipal Code Chapter 9.80 "Tobacco Retailers" to prohibit the sales of tobacco products and smoking paraphernalia to persons under the age of 21.	Completed	Council member	Jesse Arreguin		HEALTH, HSG & COMMUNITY SVC	
2015-12-15	54	Referral to City Manager: Establishment of Affordable Housing Small Sites Program Revised Version	Refer to the City Manager to: 1. Look into the feasibility of creating a Small Sites Program to allow non-profits to purchase small multi-family buildings (5-25 units) to create and preserve affordable housing, with an emphasis on properties with a high potential for conversion to cooperative homeownership. 2. Develop an inventory of City-owned land and other land owned by public agencies in the City of Berkeley which could potentially be used to create below-market rate housing.	Completed	Council member	Jesse Arreguin		HEALTH, HSG & COMMUNITY SVC	2019-02-05 16:47:39 - Melissa McDonough (Additional comments) 2 is completed. 1 was later prioritized long term as top priority of Council's housing action plan. Plan outline complete and will bring before HAC in July 2018.
2016-05-31	20	Requesting a Comprehensive Report on the State of Homeless Services within the City of Berkeley	Request the City Manager direct staff to prepare a report outlining the details of City funded homeless services. The purpose of this report is to help Council and the community understand the various factors related to the allocation of resources to address homelessness within the City. Once the report is complete, it is requested that city staff schedule a worksession to go over the findings.	Completed	Council member			HEALTH, HSG & COMMUNITY SVC	
2016-07-19	41	Companion Report: Amend Berkeley Municipal Code Creating Community Health Commission	Refer to staff to write an ordinance based on the Community Health Commission (CHC) recommendation with the changes suggested by staff.	Completed				HEALTH, HSG & COMMUNITY SVC	

Short Term Referrals

2018-05-15	23	Transgender Health Access Training at City of Berkeley Clinics	Adopt a Resolution providing \$2,400 from the General Fund to support a half-day Transgender Health Access Training for City of Berkeley Public Health staff in June 2018.	Completed	Commission			HEALTH, HSG & COMMUNITY SVC	2019-04-15 10:25:13 - Laura Schroeder (Additional comments) On February 4, 2019 staff from public health and mental health attended a training on Transgender Access to Public Health
2016-09-20	21	City Manager Referral: Consider the Four Recommendations Contained in the Alameda County Grand Jury Report (Continued from July 19, 2016)	Refer to the City Manager to consider the four recommendations in response to the Alameda County Grand Jury Report recommendations.	Completed	Council member	Kriss Worthington		Information Technology	
2016-04-26	31	Creation of 311 Mobile Application	Refer to the City Manager to create a mobile application for the 311 system and improve the 311 Online Service Center.	Completed	Council member	Jesse Arreguin		Information Technology	
2016-06-28	47	City Manager Referral: Feasibility of Acquiring a High-Capacity Scanner for Multiple City Departments	Refer to the City Manager to consider investing in a high-capacity scanner to digitize City records for the Council and multiple City departments.	Completed	Council member	Kriss Worthington		Information Technology	

Short Term Referrals

2017-03-28	33	Referral Response: Cigarette Butt Pollution Prevention	REFER to the City Manager to enact a pilot program in downtown Berkeley with the goal of greatly reducing cigarette butt litter that accumulates on sidewalks and curbsides, in a central location. This pilot program would: a) Place a total of four receptacles for cigarette butt disposal in front of three adult schools and a bus stop where smoking behavior continues despite its prohibition. The receptacles are to be placed in front of: i. Berkeley City College, 2050 Center Street; ii. Language Studies International on 2015 Center Street; iii. Kaplan International, Berkeley, 150 Berkeley Square; and iv. a selected major bus stop in the vicinity of an entrance to the Downtown Berkeley BART station; and b) Exhibit graphics on the receptacles to remind and inform the public that tobacco litter is hazardous to the health of the Bay; and c) Enter into a partnering agreement with the Downtown Berkeley Association (DBA) for upkeep of the receptacles for the duration of the one-year pilot program, including sending collected butts to the company for recycling; and d) TerraCycle® will track the weight of butts received, and share the data with the City of Berkeley and CEAC commissioners to help track and assess the success of the pilot program; and e) Identify funding sources to expand the pilot program if successful at the end of the one year trial.	Completed	Commission		Community Environmental Advisory Commission	Office of Economic Development	
2016-10-18	26	Revisions to the Public Art in Private Development Program	Request the City Manager draft a resolution to revise the Public Art in Private Development Program Guide to provide the Civic Arts Commission guidance and more flexibility in the use of the Cultural Trust Fund with the language suggested in the report.	Completed	Council member			Office of Economic Development	

Short Term Referrals

2016-10-18	25	Amendments to BMC 23C.23.050 to Allow a Third Option to Satisfy the Private Percent for Art Requirements	Request the City Manager draft an ordinance for Council adoption to revise BMC 23C.23.050, the One-Percent for Public Art on Private Projects Ordinance, to do the following: 1. Have 5% of the 1% requirement go directly to administration of the Public Art in Private Development program regardless of how the developer decides to satisfy the requirement;	Completed	Council member			Office of Economic Development	
2018-01-23	27	Open the West Campus Pool All Year Round and Start the Shower Program at the West Campus Pool	Short Term Referral to City Manager to assess the feasibility to keep the West Campus Pool open all year round and to start COB Shower Program at the West Campus Pool. Keeping the West Campus Pool open all year round will provide equitable swimming options in both North Berkeley and in South/West Berkeley and provide another location available for our community to shower.	Completed	Council member			Parks, Recreation & Waterfront	2019-02-05 17:38:54 - Melissa McDonough (Additional comments) a) On June 12, 2018, Council received an Off Agenda Memo that identifies the cost to establish a shower program at West Campus Pool. B) In mid-September 2018, Council will receive an Off Agenda Memo that describes the feasibility of keeping West Campus pool open year-round.
2017-10-31	30	Short-Term Referral to the City Manager, a Process for Relocation of a Permitted Cannabis Dispensary	Refer to the City Manager to approve a process for the relocation of Apothecarium, a cannabis dispensary with valid permits.	Completed	Council member			PLANNING & DEVELOPMENT	
2014-04-29	35	35. City Manager Referral: Policy for Companies Such as Airbnb to Pay Transient Occupancy Tax, as Currently Paid by Other Small Local Businesses	Refer to the City Manager creation of a policy for companies such as Airbnb to pay the Transient Occupancy Tax, as currently paid by other small local businesses.	Completed	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	

Short Term Referrals

2014-12-16	25	Reconcile the West Berkeley Plan and the Zoning Code as it Pertains to Medical Uses	Refer to the Planning Commission the task of revising the current zoning ordinance so that it reflects the West Berkeley Plan's goals of encouraging medical uses in West Berkeley.	Completed	Council member			PLANNING & DEVELOPMENT	
2017-10-03	24	Parallel Permitting Process	Request that the City Manager in coordination with the Director of Planning and the Chief Building Official work to establish a voluntary parallel permitting process for applications to construct housing in the City of Berkeley.	Completed	Council member	Susan Wengraf, Linda Maio, Lori Droste, Jesse Arreguin		PLANNING & DEVELOPMENT	2019-02-05 17:23:50 - Melissa McDonough (Additional comments) This voluntary parallel permitting option already exists. Following October 2017 referral we advised Building staff to be sure to make option known to interested applicants.

Short Term Referrals

2018-01-30	14	Direction and Referral to the City Manager Regarding "Premier Cru" Property	3. The Berkeley Way Affordable Housing Project is the City's top affordable housing priority. Premier Cru, as a City property, to be developed for affordable housing falls under the "High Priority" on the list of housing initiatives passed by Council on November 28, 2017. In light of the above, refer to the City Manager to take the following actions to move Premier Cru forward as a High Priority initiative: a. Based on recommendations from Health, Housing and Community Services and other Departments, the Housing Advisory Commission, and on consultation with local affordable housing providers, and taking into consideration requirements and restrictions associated with potential funding sources, create a recommendation or recommendations to Council regarding levels of affordability, unit sizes, on-site services and other features to be included in the proposed project or projects. b. Based on the above analyses and recommendations, and on Council direction, develop and issue an RFQ or RFP to affordable housing developers for proposals to develop affordable housing at the site.	Completed	Council member	Sophie Hahn, Jesse Arreguin, Linda Maio, Kate Harrison		PLANNING & DEVELOPMENT	
2017-06-27	32	Housing Inspection and Community Services Manager	Request the City Manager to create and fill the position of Housing Inspection and Community Services Manager.	Completed	Council member			PLANNING & DEVELOPMENT	2019-02-05 17:13:07 - Melissa McDonough (Additional comments) New position approved by Personnel Board. Will bring to Council for adoption by November which will complete referral.

Short Term Referrals

2015-12-01	33	City Manager and Planning Commission's Referral: Enable Implementation of Council Approved Floor Area Ratio in the Telegraph Commercial District between Dwight and Bancroft by Amending the Zoning Ordinance	Refer to the City Manager and Planning Commission an immediate implementation strategy to bring the City Zoning Ordinance in compliance with the policy adopted by City Council to increase Floor Area Ratio (FAR) in the Telegraph Commercial District between Dwight and Bancroft - COUNCIL DIRECTION ON COMMUNITY BENEFITS NEEDS FOLLOW UP WORK AND REPORT TO COUNCIL	Completed	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	
2017-01-31	10	Medical Cannabis Ordinance Revisions and Cultivation Application Process	Request that the City Manager provide Council with analysis of the questions presented by Councilmember Sophie Hahn.	Completed	Council member			PLANNING & DEVELOPMENT	
2017-07-25	51	Commercial Cannabis Regulations and Licensing	Refer to the City Manager and Cannabis Commission the proposed local ordinances to establish a licensing process for Commercial Cannabis operations, as permitted under Proposition 64, Adult Use of Marijuana Act. The Council requests that the City Manager and Cannabis Commission report to the City Council on its recommendations on regulations and licensing for commercial cannabis businesses before the end of 2017.	Completed	Council member			PLANNING & DEVELOPMENT	2019-02-05 17:15:33 - Melissa McDonough (Additional comments) Lengthy process involving 3 Commissions and many City departments. Some Ordinance changes will be at Council 9/13/18. But more will be needed. Council Worksession scheduled for 10/9/18, then adoption of more Ordinance changes expected by end of year, which will close this referral.

Short Term Referrals

2018-09-13	18	Adopt a Resolution in Support of Appropriate City Enforcement Measures to Mitigate Damages Resulting from the Removal of Trees at 1698 University Avenue	Amended to be a referral to the City Manager regarding enforcement of measures to mitigate damage to the general welfare of the City and neighborhood resulting from the damage and subsequently-required removal of trees at 1698 University Avenue.	Completed	Council member	Kate Harrison		PLANNING & DEVELOPMENT	
2015-09-15	55	Referral to the Community Environmental Advisory Commission to Install 1.8 GPM Showerheads in All New Housing Projects or Any Renovation Over \$50,000	Refer to the Community Environmental Advisory Commission to explore requiring a maximum of 1.8 GPM low flow showerheads in new housing projects and all housing renovations exceeding \$50,000 throughout Berkeley.	Completed	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	
2016-07-12	27	Refer to City Manager to Consider Applying for \$100,000 from the Better Together Resilient Communities Grant Program	That the City Manager consider applying for the \$100,000 grant that PG&E's Better Together Resilient Communities grant program will offer in the beginning of 2017.	Completed	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	
2019-02-19	9	Short-Term Referral: Develop Ordinance permitting Cannabis Events and designate Cesar Chavez Park as an Approved Venue	Short-Term Referral to the City Manager to develop ordinance amendments permitting up to three cannabis events per year in the first year in the City of Berkeley and designating Cesar Chavez Park as the sole approved location for cannabis events, provided such events are organized and licensed as required by the State of California. The ordinance shall: 1. reference Resolution No. 68,326-N.S., declaring that Berkeley is a sanctuary for adult use cannabis, 2. specify procedures for such events that replicate similar alcohol related event protocols. The City Council will revisit the provisions of the ordinance following the first year of implementation.	Completed	Councilmembers	Jesse Arreguin		PLANNING & DEVELOPMENT	2019-04-15 09:54:26 - James Bondi (Additional comments) Council considered and opted not to adopt policy, 4/2/19. 2019-04-12 16:02:31 - Melissa McDonough (Additional comments) Pending Council adoption of Cannabis Ordinance revisions scheduled for April 2 (second reading April 23).

Short Term Referrals

2016-05-31	22	City Manager Referral: Consider Adding Energy Efficient Equity as an Additional Property Assessed Clean Energy Program	Refer to the City Manager to consider adding Energy Efficient Equity as an additional property assessed clean energy program.	Completed	Council member	Kriss Worthington		PLANNING & DEVELOPMENT	
2017-03-28	22	Security Camera Database	Request that the City Manager return to Council with an update on the referral to create a voluntary database of security cameras in Berkeley. With an increase in crime, residents are anxious to help the Berkeley Police Department solve cases and arrest the perpetrators - amended to include direction that guidelines protect privacy and prevent misuse of camera footage.	Completed	Council member			Police	
2018-11-13	24	Budget Referral: Increasing Safety at San Pablo Park	4. Develop, implement and coordinate drills for active shooter and other emergency protocol at San Pablo Park: Create protocol with input from community partners, then orient licensed daycare providers, coaches, trainers and program staff who operate out of the park, and conduct drills with City staff operating the Center and providers in order to prepare for emergencies and how to use the Center as a shelter during or following them.	Completed	Councilmembers	Cheryl Davila		Police	2019-04-24 15:35:06 - Melissa McDonough (Additional comments) Training class conducted March 30
2017-02-14	11	Updated Information Report on Measure M	Request that the City Manager return to the City Council in April with an Information Report on Measure M implementation, expenditures, projected expenses and plans.	Completed	Council member			Public Works	
2017-12-19	41	Companion Report: Public Works Commission Recommendation for the Five-Year Paving Plan	Adopt a Resolution updating the City's Five-Year Street Rehabilitation Plan for FY 2018 to FY 2022. The City Council may consider the information put forth by the Public Works Commission relevant to adoption of the recommended plan.	Completed				Public Works	
2017-12-05	17	City Manager Referral: Consider CPUC Interconnection Applications	Refer to the City Manager consideration of applying for CPUC interconnection applications.	Completed	Council member			Public Works	

Short Term Referrals

2018-03-13	17	Referral to the Arts Commission and the City Manager: Cost Estimate and Plan for Installation of Sculpture Lighting into Adjacent Street Lights for the William Byron Rumford Statue on Sacramento and Julia St	Refer to the City Manager a request to develop a cost estimate and an installation plan for installing sculpture lighting into adjacent street lights for the William Byron Rumford statue on Sacramento and Julia Street. Refer the cost estimate and plan to the Arts Commission.	Completed	Council member			Public Works	
2016-03-15	6	Prioritize Installation of Bicycle Lane on Fulton Street	Direct the City Manager and Transportation staff to prioritize and expedite the installation of a bicycle lane on Fulton Street between Bancroft Way and Channing Way.	Completed	Council member	Jesse Arreguin		Public Works	
2018-02-13	17	Referral to the City Manager to Submit a Filing to the CPUC Recommending Adjusting Electric Rule 20 to Better Serve the City of Berkeley and Other Communities with Very High Fire Hazard Severity Zones	A referral to the City Manager to submit a filing with the California Public Utilities Commission (CPUC) concerning the CPUC's current review of Electric Rule 20. The CPUC is considering, among other things, how the existing program is administered by the various utility companies operating in California and the definition of what projects are to be included in the public interest.	Completed	Council member	Susan Wengraf, Sophie Hahn, Jesse Arreguin, Lori Droste		Public Works	
2016-09-20	32	City Manager Referral: Implementing BigBelly Solar Compactor Bins	Refer to the City Manager to examine the feasibility of procuring BigBelly Solar Compactor Bins to save money, meet zero waste goals, and reduce Berkeley's greenhouse gas emissions.	Completed	Council member	Kriss Worthington, Lori Droste		Public Works	2019-02-05 17:04:44 - Melissa McDonough (Additional comments) 6/2018 RFPs received; 2 solar compactors to be issued contracts.
2015-12-01	22	City Manager Referral: Pilot Program to Implement Solar Trash Compactors on Telegraph Avenue and Downtown Berkeley	Refer to the City Manager to adopt a Pilot Program to implement Solar Trash Compactors on Telegraph Avenue and Downtown Berkeley.	Completed	Council member	Kriss Worthington, Linda Maio, Susan Wengraf, Lori Droste		Public Works	2019-02-05 16:44:20 - Melissa McDonough (Additional comments) 6/2018 RFPs received; 2 solar compactors to be issued contracts.

Short Term Referrals

2016-02-09	15	Budget Referral: Including BigBelly Solar Compactor Bins Allocation in the 2016 Mid-Year Budget Process	Refer to the 2016 Mid-year budget process the purchasing of BigBelly Solar Compactor Bins in order to save money, meet zero waste goals, and reduce Berkeley's greenhouse gas emissions.	Completed	Council member	Kriss Worthington , Lori Droste		Public Works	2019-02-05 16:51:37 - Melissa McDonough (Additional comments) 6/2018 RFPs received; 2 solar compactors to be issued contracts.
2017-05-02	27	Berkeley Bicycle Plan 2018	Adopt a Resolution approving the Berkeley Bicycle Plan 2017, and directing the City Manager to pursue implementation of the Plan as funding and staffing permit.	Completed				Public Works	
2019-03-26	15	Dynamex Decision Impact and Compliance on Minimum Wage Ordinance and Paid Sick Leave Ordinance	That the City Council refers to the City Manager and the Labor Commission to ensure the Berkeley Minimum Wage Ordinance (MWO) and Paid Sick Leave Ordinance are interpreted and enforced in a manner consistent with the holdings in Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal.5th 903.	Not Started	Councilmembers	Ben Bartlett		City Attorney	
2018-10-30	20	Proposed Portland Loo Installations in Telegraph Commercial District	Short-Term Referral to the City Manager to identify costs for the installation of a "Portland Loo" type of bathroom facility in Telegraph Commercial District. Costs should be comprehensive and include, but not be limited to: the facility, infrastructure, design, construction, oversight and any contingencies.	Not Started	Councilmembers	Jesse Arreguin, Sophie Hahn		Public Works	
	24	Budget Referral: Increasing Safety at San Pablo Park	Request the City Manager perform traffic assessments to gather data and refer any needed improvements to the FY 2020 – FY 2021 budget process.	Not Started	Councilmembers	Cheryl Davila		Public Works	

Short Term Referrals

2018-02-27	23	Conceptual Study for Undergrounding Utility Wires in Berkeley From: Public Works Commission, Disaster and Fire Safety Commission, and Transportation Commission	That Council approve the following items: 1. Conceptual Study for undergrounding utility wires in Berkeley (the "Undergrounding Plan"). 2. Proceed with Phase 3 of the Undergrounding Plan. We want to emphasize the importance for Berkeley to actively participate in the current California Public Utilities Commission review of the Rule 20 program.	Not Started	Commission		Public Works Commission	Public Works	<p>2019-04-12 15:51:40 - Melissa McDonough (Additional comments) Due date: report back after Task 5 is completed</p> <p>2019-02-05 15:55:07 - Melissa McDonough (Additional comments) Phase 3 funding not approved, to be reconsidered by City Council November 2018.</p>
2017-07-25		Public Toilet Policy	Refer to the City Manager to develop the following "Neighborhood Public Toilet Policy": Develop a process in which residents can obtain a permit for a neighborhood public toilet via an official petition; Residents should contact the City via 311 to obtain an official petition form to apply for a permit; In order to obtain the permit, the petition should be signed by at least 51% of residential addresses and business owners within the nearest two block radius of the proposed public toilet site; The City shall not fund or contribute to the financing of the public toilets or their maintenance.	Past Due	Council member			CITY MANAGER'S OFFICE	<p>2019-04-24 15:13:54 - Melissa McDonough (Additional comments) Still on hold as staff attention is on RV, TNC.</p> <p>2019-04-12 15:41:24 - Melissa McDonough (Additional comments) Staff transition and priority put on TNC, RV policy, and Safe Clean Streets</p>

Short Term Referrals

2018-04-24	17	Refer the Housing Advisory Commissions Questions on the Smoke-Free Residential Housing Ordinance to Staff and Berkeley Considers	The Housing Advisory Commission respectfully requests that the Council direct the City Manager to assist the HAC in its review of the Smoke-Free Residential Housing Ordinance, a regulation of tobacco use, as follows: 1. By responding to the HAC's questions enumerated in the report with any readily available responsive information. 2. By facilitating the conduct of a "Berkeley Considers" questionnaire about the Smoke-Free Residential Housing Ordinance, questions for which are proposed in the report.	Past Due	Commission			HEALTH, HSG & COMMUNITY SVC	
2017-07-25	37	Reviewing the GIG Car Share Pilot Program	Refer to the City Manager and Transportation Department a review of the concerns, emerging regarding some features of the recently implemented GIG Car Share pilot program, request adjustments before the two-year pilot program from staff.	Past Due	Council member	Linda Maio, Susan Wengraf		Public Works	2019-02-05 15:16:47 - Melissa McDonough (Additional comments) The program evaluation will be conducted in early 2019 and an action report prepared for Council to continue, modify, or discontinue the pilot.
2018-04-03	18	Supplemental Paid Family Leave	2) refer to the City Manager to draft an ordinance regarding retaliation against employees using state family leave, including a private right of action provision.	Pending Not On Schedule	Commission			City Attorney	
2018-12-11	23	Short-term referral to City Attorney and Health Housing and Community Service to amend Berkeley Municipal Code 7,441-N.S. to expand the control of flavored tobacco across the City of Berkeley toward preventing youth and young adult tobacco use	Short-term referral to City Manager to amend Berkeley Municipal Code 7,441-N.S. according to the changes made in the attached amended ordinance to prohibit the sale of flavored tobacco products and require a minimum package size for cigars and little cigars across the City of Berkeley. The primary purpose of the amendment to the ordinance is to do more to prevent youth and young adult tobacco use.	Pending Not On Schedule	Councilmembers	Cheryl Davila		City Attorney	

Short Term Referrals

2018-11-13	18	Short-Term Referral to City Manager to Complete Steps Necessary to Establish Lava Mae Services in Berkeley	Short-term referral to the City Manager to coordinate with Fire, Planning and Public Works Department Heads to provide permits, identify locations and allow access to water and disposal hook-ups necessary to bring Lava Mae shower services to Berkeley's homeless populations within 90 days for a 6-8 week pilot. This includes: -Determining locations to set up portable shower; and -Identifying water source for hook ups designated to dispense water for showers, either fire hydrants (preferred) or garden hose spigots; and - Parking permits for shower trailer; and -Identifying sewage manholes designated to pump out/dump gray and black water (H2O) into the sewer system; and - Calendaring a Fire Department inspection to inspect the propane to heat up the H2O on the first day of operation or through a dry run. Starting January 2019, Lava Mae is prepared to bring shower service two days a week to two consistent locations (one day per a location) at no charge to the City of Berkeley or the users of the services. The proposal is to start with an 8-week pilot in two locations to test sites.	Pending Not On Schedule	Councilmembers	Cheryl Davila, Sophie Hahn		CITY MANAGER'S OFFICE	
2017-12-19	22	Develop Ordinance Prohibiting Companies Participating in the Construction of a Border Wall from Contracting with the City of Berkeley	Direct the City Manager to develop an ordinance prohibiting companies involved in the construction of a border wall from contracting with the City of Berkeley. Return to Council with the proposed ordinance within 90 days.	Pending Not On Schedule	Council member	Ben Bartlett, Sophie Hahn, Cheryl Davila		Finance	

Short Term Referrals

2017-10-03	7	Request for Information Regarding Grant Writing Services from Specialized Grant Writing Firms	Refer to the City Manager to issue a request for information to explore grant writing services from specialized municipal grant-writing firms, and report back to Council.	Pending Not On Schedule	Council member	Sophie Hahn, Kate Harrison, Cheryl Davila, Ben Bartlett		Finance	2019-04-12 15:07:44 - Melissa McDonough (Additional comments) Issued #18-11201 Feb. 5, 2018 as an RFI (Request for information); closed March 1, 2018. Received 13 information responses for review. Next Steps: use responses to inform scope of work, then release as RFP.
2018-07-31	10	Direction to the City Manager Regarding the Community Service In Lieu of Parking Penalties Program	Direct the City Manager to amend the eligibility requirements of the Community Service In Lieu of Parking Penalties Program in order to allow all indigent individuals to be eligible to participate in the program (regardless of the registration status of a potential participant's vehicle).	Pending Not On Schedule	Council member	Ben Bartlett, Cheryl Davila, Kate Harrison, Sophie Hahn		Public Works	2019-02-05 15:38:44 - Melissa McDonough (Additional comments) Because this is a multidepartmental task assigned to Public Works, involving Finance and City Attorney, and administered by the City of Oakland, the completion date is unclear.

Short Term Referrals

2015-11-17	28	Improve Conditions on Our Community Sidewalks; Amending Berkeley Municipal Code Chapters 13.36 and 14.48	Discuss and refer the following services and ordinances to the City Manager for implementation, and adopt first reading of three Ordinances: 1. Adding Section 13.36.085 to the Berkeley Municipal Code prohibiting urination and defecation in public places. 2. Amending Sections 14.48.020 and 14.48.170 of the Berkeley Municipal Code regulating use of sidewalks. 3. Adding Section 13.36.040 to the Berkeley Municipal Code prohibiting obstruction of City-owned planters and trees. Additional Services: 1. Create a secure storage facility for personal belongings; bins must be of adequate size, of reasonable number (estimate of 50 – 100 at the outset) and ensure reasonable access, with posted hours. 2. Provide additional bathrooms in the Downtown and Telegraph areas. 3. Provide mobile showers and bathrooms for public use.	Pending On Schedule	Council member	Linda Maio, Lori Droste		CITY MANAGER'S OFFICE	2019-04-24 15:08:11 - Melissa McDonough (Additional comments) Outreach information disseminated to people on streets; another round of personal notification starts 4/16/19 and 3 person team starts 4/23/19. 2019-04-12 14:20:27 - Melissa McDonough (Additional comments) Ordinances and AR 10.2 have been updated. Homeless storage program created in October 2018. Enforcement of 10.2 has been launched as of 2/28.
2018-10-02	9	Amend BMC Chapters 6.24 and 14.52 to Authorize Paid Parking on Shattuck Avenue between Carleton Street and Ward Street and add the Northside (Euclid/Hearst) Metered Parking Area to the goBerkeley Program; and Authorize Paid Parking at the City-Owned Adeline/Alcatraz Parking Lot	Request staff to perform an analysis of the parking in the Northside area during the academic year to be completed within six months.	Pending On Schedule	Council member			Public Works	2019-02-05 16:25:11 - Melissa McDonough (Additional comments) Per Council direction to conduct a study in 6 months, the due date should be April 2, 2019, which is 6 months from October 2, 2018.

Short Term Referrals

2017-03-14	24	Referral to Consider Caregiver Parking in Residential Shared Parking Pilot	Refer to the City Manager and Transportation Commission to consider a pilot program for caregiver parking permits in RPP zones in the goBerkeley Residential Shared Parking Pilot.	Pending On Schedule	Council member			Public Works	2019-04-12 14:22:07 - Melissa McDonough (Additional comments) Ongoing, part of 3-year pilot project (Spring 2018); staff will work with consultants to collect data to determine the various needs and constraints of all residential parking users, including those with childcare needs; subsequent policy proposals will balance these needs. Contract for outreach consultant has been executed and work is starting in 2019.
2018-11-13	23	Clarifying Jurisdiction of Ohlone Greenway	Refer to the City Manager to review the recommendation to place the Ohlone Greenway under park rules and policies with the intent of revising the BMC to include the Ohlone Greenway as open space and enforce park-like rules.	Work in Progress	Councilmembers	Linda Maio, Sophie Hahn, Kate Harrison		City Attorney	2019-04-24 10:04:24 - Mark Numainville (Additional comments) City Attorney provided legal opinion to PRW. PRW to report to Council.

Short Term Referrals

2019-04-02	18	Companion Report: Effective Enforcement of Safe Lead-Paint Practices - Update on Amendments	Based on the intent of the recommendation from the Community Environmental Advisory Commission (CEAC) for the City to expand enforcement of unsafe lead paint practices, refer to the City Manager to: - Coordinate with the Alameda County Healthy Homes Program to clearly identify roles and responsibilities for expanding enforcement of unsafe lead practices, and to explore options for sharing resources that can support expanded local enforcement; - Identify what resources, staff capacity, and program structure would be required to expand City enforcement of unsafe lead practices; - Continue current work to educate building permit applicants and contractors about safe lead paint practices; train and certify all City of Berkeley Building and Housing Inspectors in lead paint safety; respond to, investigate, and enforce safe lead paint practices as needed; and administer the Public Health Division's Childhood Lead Poisoning Prevention Program; and - Provide an update to City Council within one-year that identifies progress and next steps for expanding enforcement of unsafe lead practices. AMENDMENTS: Request that the City Manager return to Council as soon as possible with recommendations on staffing for robust enforcement and internal restructuring for inspections. Options for noticing and distributing disclosure information. Enforcement by the City or the County, if feasible.	Work in Progress	Councilmembers			CITY MANAGER'S OFFICE	
2019-03-26	15	Ensuring the Sustainability of the Berkeley Flea Market	Short-term referral to the City Manager to provide material and strategic assistance to the Berkeley Flea Market, to sustain and enhance its ability to serve both merchant participants and the community at large.	Work in Progress	Council member	Ben Bartlett, Sophie Hahn, Cheryl Davila		Office of Economic Development	

Short Term Referrals

2019-02-19	21	Refer to the Planning Commission an amendment to BMC Chapter 23C.12.020 (Inclusionary Housing Requirements - Applicability of Regulations) and the Affordable Housing Mitigation Fee Resolution to Close a Loophole for Avoiding the Mitigation Fee through Property Line Manipulation	1) Refer to the Planning Commission an amendment to BMC Section 23C.12.020 (Inclusionary Housing Requirements – Applicability of Regulations) and BMC Section 22.20.065 (Affordable Housing Mitigation Fee) to close a loophole allowing prospective project applicants to avoid inclusionary affordable housing requirements for projects by modifying property lines so that no lot is large enough to construct five or more units; the Commission should return to Council with a report by April 30, 2019. 2) Refer to the Planning Commission to consider modifying the structure of in-lieu fees for owner-occupied developments to a flat per-unit fee, as with rental developments, or a per square foot fee; the Commission should return to Council with a report. 3) Refer to the Housing Advisory Commission to assess the appropriateness of the fee level as suggested in the proposed amendments to BMC 23C.12. 4) The Planning Commission is to consider the following language from the item submitted at the meeting: It is possible that the new fee structure will be adopted prior to the Housing Advisory Commission approving the level of the fee. In this instance, those projects that opt to pay the in-lieu fee and are permitted after the new fee structure is adopted but before the new fee level is adopted shall be given the choice of paying the current fee level, or the one that is adopted.	Work in Progress	Councilmembers	Kate Harrison, Rigel Robinson, Sophie Hahn		PLANNING & DEVELOPMENT	2019-04-15 09:44:51 - James Bondi (Additional comments) Scheduled for Council 4/30/19. 2019-04-12 16:04:35 - Melissa McDonough (Additional comments) May be done at Council 4/30/19, pending recommendation from Planning Commission (special Public Hearing 4/3/19).
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Short Term Referrals

2018-12-11	26	Referral to the City Manager and Planning Commission to Update the Housing Pipeline Report to Address Timeline between Planning Entitlements and Submission of Building Permit Applications and Consider Reasons for Delay	Referral to the City Manager to include in the Housing Pipeline Report an analysis of the time between planning entitlements and building permit requests for all projects of five units or greater over the past five years. On an ongoing basis, refer to the City Manager and Planning Commission to propose changes to current Planning approval process to address the causes of delays between entitlements and building permits for construction or substantial rehabilitation of five or more dwelling units.	Work in Progress	Councilmembers	Kate Harrison		PLANNING & DEVELOPMENT	
2019-02-19	16	Providing Requested Direction to the City Manager and Planning Department on the Number of Cannabis Retail Establishments and the Creation of an Equity Program	That the Council provides requested direction to the Planning Department on how to proceed with the Equity Program recommended by the Cannabis Commission in the October 9, 2018 staff report; with the following specifications: Recommendation of creating 1 new dispensary license for equity applicants. It is envisioned as new licenses are created, such as, delivery, manufacturing, and micro-business, permits will be reserved for equity applicants for each new category.	Work in Progress	Councilmembers	Ben Bartlett, Kriss Worthington, Cheryl Davila		PLANNING & DEVELOPMENT	2019-04-12 16:03:50 - Melissa McDonough (Additional comments) This will be included with the next set of Cannabis Ordinance changes, expected in summer 2019.
2019-03-26	23	Referral to City Manager to Scope Process and Estimate Cost of New General Plan	Referral to the City Manager to return to City Council with an outline of the process for creating a new City of Berkeley General Plan. The cost for the first two years of work will be included in the report for consideration during the upcoming 2020-2021 Budget Process.	Work in Progress	Councilmembers	Jesse Arreguin, Cheryl Davila		PLANNING & DEVELOPMENT	2019-04-15 09:53:31 - James Bondi (Additional comments) Scoping has begun. Off-Agenda Memo will provide answers (date TBD)

Short Term Referrals

2018-10-30	35	City Manager referral: Initiate a franchise agreement with FlixBus	That the Council refer to the City Manager initiation of a franchise agreement with FlixBus, requiring a permit issued by the Director of Public Works, establishing a fee for the issuance of the permit, establishing administrative penalties for failure to obtain a permit or violation of permit requirements, and providing a procedure for the assessment and collection of administrative penalties for permit violations.	Work in Progress	Councilmembers	Kriss Worthington		Public Works	2019-04-23 11:49:56 - Mark Numainville (Additional comments) Resolution of Intent adopted on 3/26/19; Public Hearing set for 4/30/19
2018-10-16	25	Welcome to Berkeley Signage	Refer to the City Manager on a short term basis to replace all the Welcome to Berkeley signs with the Option B design per the Transportation Commission recommendation, including "Ohlone Territory" but not a second motto. Also, leave space on the sign to add a policy message and consult with Ohlone leaders on the use of the word "territory."	Work in Progress	Councilmembers	Cheryl Davila		Public Works	

