



Office of the City Manager

CONSENT CALENDAR
March 30, 2021

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the council meetings of February 2, 2021 (closed), February 9, 2021 (closed and regular), February 16, 2021 (closed and special), February 23, 2021 (special and regular) and February 25, 2021 (closed).

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. February 2, 2021 – Closed City Council Meeting
2. February 9, 2021 – Closed City Council Meeting
3. February 9, 2021 – Regular City Council Meeting
4. February 16, 2021 – Closed City Council Meeting
5. February 16, 2021 – Special City Council Meeting
6. February 23, 2021 – Special City Council Meeting
7. February 23, 2021 – Regular City Council Meeting
8. February 25, 2021 – Closed City Council Meeting

**MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING**

TUESDAY, FEBRUARY 2, 2021

3:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

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

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

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

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/82983080327>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free); enter Meeting ID: 829 8308 0327. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

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Preliminary Matters

Roll Call: 3:03 p.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: Bartlett

Councilmember Bartlett present at 3:04 p.m.

Public Comment - Limited to items on this agenda only – 0 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address:	742 Grayson Street
Agency Negotiators:	Dee Williams-Ridley, City Manager
Negotiating parties:	City of Berkeley and 742 GRAYSON OWNER LLC
Property owner:	City of Berkeley
Under negotiation:	Price and terms

Action: No reportable action taken.

2. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, David White, Deputy City Manager, LaTanya Bellow, Human Resources Director, Dania Torres-Wong, Chief Labor Negotiator, Burke Dunphy.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, Public Employees Union Local 1.

Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

Action: M/S/C (Harrison/Wengraf) to adjourn the meeting

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

Adjourned at 6:10 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on February 2, 2021.

Mark Numainville
City Clerk

**MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING**

TUESDAY, FEBRUARY 9, 2021

4:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
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Preliminary Matters

Roll Call: 4:04 p.m.

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

Absent: None

Public Comment - Limited to items on this agenda only – 6 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address:	125-127 University Avenue, Berkeley, CA 94710
Agency Negotiators:	Dee Williams-Ridley, City Manager; Paul Buddenhagen, Deputy City Manager; Scott Ferris, Director, Parks Recreation and Waterfront; Christina Erickson, Deputy Director, Parks, Recreation, and Waterfront
Negotiating parties:	City of Berkeley and Patpatia & Associates, Inc.
Property owner:	City of Berkeley
Under negotiation:	Price and terms

Action: No reportable action taken.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(d)(2); 54956.9(e)(2):

Significant exposure to litigation arising from the January 19, 2021 referral to City Attorney and City Manager to draft an emergency ordinance to guarantee hazard pay of an additional five dollars an hour for grocery store workers, effective upon adoption and until the City returns to the Yellow-Tier 4 rate of positivity for COVID-19 (as revised in 1/19/21 Supplemental Communications Packet #2) and that the City Manager should take into consideration similar hazard pay programs in Long Beach and Los Angeles as part of this referral.

Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

Action: M/S/C (Arreguin/Wengraf) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 5:18 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on February 9, 2021.

Mark Numainville
City Clerk

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, February 9, 2021
6:00 PM

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
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This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call: 6:05 p.m.

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

Absent: None

Ceremonial Matters:

Adjourn the meeting in memory of all victims of COVID-19 including the 32 Berkeleyans that have died due to COVID-19

City Manager Comments:

The City Manager provided updates on the audit responses for calls for service and the communications center; Development of the Special Care Unit; Reimagining Public Safety efforts with NICJR and appointments to the Task Force; First meeting of the Task Force will be on February 18; Progress on the BerkDOT program.

Action: M/S/C (Arreguin/Hahn) to adopt a temporary rule for the February 9 meeting to set the public speaking time as one minute per speaker.

Vote: All Ayes.

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 22 speakers.

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

Vote: All Ayes.

Consent Calendar

1. **Amendment: FY 2021 Annual Appropriations Ordinance**

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,748-N.S. amending the FY 2021 Annual Appropriations Ordinance No. 7,724-N.S. for fiscal year 2021 based upon recommended re-appropriation of committed FY 2020 funding and other adjustments authorized since July 1, 2020, in the amount of \$197,890,469 (gross) and \$193,471,132 (net).

First Reading Vote: All Ayes.

Financial Implications: See report

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

Action: Adopted second reading of Ordinance No. 7,748-N.S.

Consent Calendar

- 2. Amendments to the Berkeley Lobbyist Registration Act; Amending Berkeley Municipal Code Chapter 2.09**
From: Open Government Commission
Recommendation: Adopt second reading of Ordinance No. 7,749-N.S. amending the Berkeley Lobbyist Registration Act (BMC Chapter 2.09) to incorporate the recommendations of the Open Government Commission (OGC).
First Reading Vote: All Ayes.
Financial Implications: None
Contact: Sam Harvey, Commission Secretary, (510) 981-6950
Action: Adopted second reading of Ordinance No. 7,749–N.S.
- 3. Extending Time for Temporary Parklets and Sidewalk Seating Post-COVID-19; Amending Berkeley Municipal Code Chapter 16.18 and Section 14.48.150**
From: Councilmember Hahn (Author), Councilmember Harrison (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Adopt second reading of Ordinance No. 7,750-N.S. revising BMC Chapter 16.18 Right-of-Way Encroachments and Encroachment Permits and BMC Section 14.48.150 Sidewalk Seating, Benches, and Planters to extend the period of time that Parklets and Sidewalk Seating established under the COVID-19 declared City emergency can remain in place to 365 days after the termination of the declared City emergency rather than the current 90 days.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Adopted second reading of Ordinance No. 7,750–N.S.
- 4. Referral Response: Zoning Ordinance Amendments that Reform Residential Off-Street Parking; Amending Berkeley Municipal Code Title 14 and Title 23**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,751-N.S. amending Berkeley Municipal Code (BMC) Title 14 and Title 23 which would:
1. Modify Minimum Residential Off-street Parking Requirements
2. Impose Residential Parking Maximums in Transit-rich Areas
3. Amend the Residential Preferential Parking (RPP) Permit Program
4. Institute Transportation Demand Management (TDM) Requirements
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted second reading of Ordinance No. 7,751–N.S. amended in Section 23C.18.020 and Section 23C.18.030 to change “transit benefit” to “public transit benefit.”

Consent Calendar

5. Amend BMC Chapter 14.52 Authorizing goBerkeley Parking Program at All Parking Meters

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,752-N.S. amending Berkeley Municipal Code (BMC) Chapter 14.52 to add all parking meter areas to the goBerkeley parking program, thereby authorizing the use of demand-responsive parking management citywide under the existing goBerkeley fee structure and program guidelines.

First Reading Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Harrison.

Financial Implications: See report

Contact: Liam Garland, Public Works, (510) 981-6300

Action: Adopted second reading of Ordinance No. 7,752–N.S.

6. Resolution Reviewing and Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19)

From: City Manager

Recommendation: Adopt a Resolution reviewing the need for continuing the local emergency due to the spread of a severe acute respiratory illness caused by a novel (new) coronavirus (COVID-19) and ratifying the Proclamation of Local Emergency issued by the Director of Emergency Services on March 3, 2020, initially ratified by the City Council on March 10, 2020, and subsequently reviewed and ratified by the Council on April 21, 2020, June 16, 2020, July 28, 2020, September 22, 2020, November 17, 2020 and December 15, 2020.

Financial Implications: To be determined

Contact: Farimah Brown, City Attorney, (510) 981-6950

Action: Adopted Resolution No. 69,713–N.S.

7. Donation to the Animal Shelter from the Stephen and Mary Birch Foundation

From: City Manager

Recommendation: Adopt a Resolution accepting a donation from the estate of Stephen and Mary Birch in the sum of \$10,000.

Financial Implications: Animal Services Donation Fund - \$10,000 (donation)

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

Action: Adopted Resolution No. 69,714–N.S.

Consent Calendar

8. **Contract No. 081263-1 Amendment: Claremont Behavioral Services for Employee Assistance Program Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 081263-1 with Claremont Behavioral Services (Claremont) in order to provide continued services for the Employee Assistance Program (EAP) by increasing expenditure authority in an amount not to exceed \$500,000, for a total contract amount of \$1,635,000, through December 31, 2025.
Financial Implications: Payroll Deduction Trust Fund - \$500,000
Contact: LaTanya Bellow, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 69,715–N.S.

Council Consent Items

9. **Installation of Banners Marking “Kala Bagai Way”: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**
From: Mayor Arreguin (Author), Councilmember Droste (Author), Councilmember Hahn (Co-Sponsor), Councilmember Robinson (Co-Sponsor)
Recommendation: Adopt a resolution approving the expenditure of an amount not to exceed \$500 per council member, including \$500 from Mayor Arreguin, to the Downtown Berkeley Association with funds relinquished to the City’s general fund for this purpose from the discretionary council office budget of Mayor Arreguin and any other council members who would like to contribute.
Financial Implications: Mayor's Discretionary Funds - \$500
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 69,716–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Harrison - \$100; Councilmember Robinson - \$200; Councilmember Hahn - \$200; Councilmember Taplin - \$250; Councilmember Droste - \$250; Councilmember Wengraf - \$250; Councilmember Bartlett - \$100; Councilmember Kesarwani - \$200.
10. **Housing Trust Fund Reservation to rehabilitate low income housing in South Berkeley**
From: Mayor Arreguin (Author), Councilmember Bartlett (Author)
Recommendation: Adopt a resolution reserving \$560,000 from the Housing Trust Fund to the South Berkeley Neighborhood Development Corporation for urgently needed housing rehabilitation at two low income housing complexes: Rosewood Manor and Lorin Station Apartments.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmembers Harrison and Taplin added as co-sponsors. Adopted Resolution No. 69,717–N.S.

Council Consent Items

11. **Proclaiming February Black History Month and Authorizing City Manager to Fly the Black Lives Matter Flag**
From: Mayor Arreguin (Author), Councilmember Taplin (Author), Councilmember Bartlett (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution Proclaiming February as Black History Month and Authorizing the City Manager to fly the Black Lives Matter Flag every year at the Civic Center throughout the month of February.
Financial Implications: Staff time
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 69,718–N.S.
12. **Support Affirming the Right to Boycott as a Tactic for Social and Political Change** *(Reviewed by the Agenda & Rules Committee)*
From: Councilmember Davila (Author)
Recommendation: Adopt a Resolution with the following actions: 1. Support Affirming the Right to Boycott as a Tactic for Social and Political Change, and celebrate the People of Berkeley for their commitment to Peace, Justice and Equity; 2. The City of Berkeley affirms the right of all people to participate in boycotts of any entity when they have conscientious concerns with the entity's policies or actions; 3. The City of Berkeley condemns attempts by governments to infringe upon the right to peaceful boycotts by criminalizing that participation, denying participants state contracts, or otherwise impeding the freedom of advocacy for all; 4. The City Council encourages City Commissions to recommend boycott policies to the City Council when appropriate, so that the City Council may be well informed in its oversight of City resources 5. Send a copy of this resolution to Governor Gavin Newsom, Attorney General Xavier Becerra, State Assemblymember Buffy Wicks, State Senator Nancy Skinner, United States Senators Bernie Sanders, Kamala Harris, Dianne Feinstein, and United States Congressional Representatives Barbara Lee, Ro Khanna, Alexandria Ocasio-Cortez, Ilhan Omar, Ayanna Pressley, Rashida Harbi Tlaib, and Pramila Jayapal.
(On January 11, 2021, the Agenda and Rules Committee moved the item to the full Council with a Negative Recommendation and recommend that the Council take no action on the item.)
Financial Implications: None
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
Action: Approved the recommendation of the Agenda & Rules Committee to take no action.

Council Consent Items

13. Right to Choose Communications Services Provider

From: Councilmember Droste (Author), Mayor Arreguin (Author), Councilmember Taplin (Author), Councilmember Robinson (Author)

Recommendation: Refer to the City Manager and City Attorney to explore, and if deemed feasible, draft ordinance language to clarify that property owners of multi-unit properties cannot interfere with tenants' choice of communications services providers.

The City of San Francisco has implemented such an ordinance, which has since been challenged. This recommendation requests the City Attorney to review the San Francisco law and Federal Communications Commission rulings pertaining to this topic to determine if Berkeley could effectively adopt a similar ordinance.

Financial Implications: See report

Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

Action: Approved recommendation.

Action Calendar – Public Hearings

14. Second Substantial Amendments to 1) the 2020-2025 Consolidated Plan including the PY20 (FY21) Annual Action Plan in Response to the Addition of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds, and 2) the PY19 (FY20) Annual Action Plan

From: City Manager

Recommendation: Conduct a Public Hearing on: 1. The proposed Substantial Amendment to the 2020-2025 Consolidated Plan including the PY20 (FY21) Annual Action Plan in response to the addition of Coronavirus Aid, Relief, and Economic Security (CARES) Act funds; and 2. A proposed substantial amendment to the PY19 (FY20) Annual Action Plan;

And upon conclusion adopt a Resolution authorizing the City Manager, or her designee, to:

A. Accept CARES Act Community Development Block Grant-CV3 funding totaling \$891,121 and allocate the full amount allowable under the HUD waiver to public services (\$712,897), and up to 20% to Planning and Administration (\$178,224);

B. Allocate all CDBG-CV3 public services funding (\$712,897) to support the Berkeley Housing Retention program;

C. Reallocate up to \$1.2M of CDBG-CV1 funds previously allocated to COVID-19 Testing to support the Berkeley Housing Retention Program, leaving up to \$200,000 in CDBG-CV1 funding available for COVID-19 testing or vaccinations if needed;

D. Execute resultant agreements and amendments with the Eviction Defense Center for the COVID-19 Housing Retention Program, using \$1,801,541 in CDBG-CV1 & 3, plus any unused CDBG-CV1 funds allocated to the Targeted Equity Testing program (up to \$200,000) for a total possible not-to-exceed contract amount of \$2,001,541;

E. Allocate up to 25% of the PY20 HOME allocation for program administration, up to 10% of the PY20 HOME funds for Community Housing Development Organization (CHDO) operating funds, and the remaining funds to the Housing Trust Fund;

F. Reallocate \$535,633 in PY20 CDBG Housing Services funds, \$1,049,370 PY19

Action Calendar – Public Hearings

CDBG Community Facility Improvement funds, and \$378,230 in available uncommitted funds to the South Berkeley Neighborhood Development Corporation for housing rehabilitation at Rosewood Manor and Lorin Station Apartments and execute resultant agreements, as contained in Exhibits A and B;
G. Update the PY20 CDBG and HOME entitlement allocations to reflect the revised HUD PY20 entitlement awards; and
H. Submit the approved Second Substantial Amendments to the 2020-2025 Consolidated Plan/PY20 Annual Action Plan and the PY19 Annual Action Plan, including public comments, to the U.S. Department of Housing and Urban Development (HUD), and accept any resulting agreements with HUD.

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 5 speakers. M/S/C (Arreguin/Robinson) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Hahn/Arreguin) to adopt Resolution No. 69,719–N.S.

Vote: All Ayes.

15. **Referral Response: Amendments to the Home Occupations Ordinance; Amending BMC Sub-Titles 23C, 23D, 23E, and 23F** (*Continued from December 15, 2020. Item contains revised material.*)

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt the first reading of an Ordinance amending the Zoning Ordinance to streamline the permitting process for Home Occupations and amending Berkeley Municipal Code Chapter 23C.16 Home Occupations, Chapter 23E.84 MU-R Mixed Use-Residential District Provisions, Chapter 23F.04 Definitions, and Use Tables in Applicable Zoning Districts.

Financial Implications: See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 3 speakers. M/S/C (Arreguin/Wengraf) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Hahn/Wengraf) to adopt the first reading of Ordinance No. 7,753–N.S. as written in Supplemental Communications Packet #2 from Councilmember Hahn with revisions noted below. Second reading scheduled for February 23, 2021.

Revised action in the recommendation:

Refer to the City Manager to return to the City Council within an appropriate amount of time a report on the implementation of the newly streamlined Home Occupations Ordinance and recommendations regarding potential expansion of Class III Home Occupations to Residential zones, and to propose any and all other changes and updates

Action Calendar – Public Hearings

which may be warranted, based on the first few years' of experience under the new Ordinance.

Ordinance Revisions:

- *Revise text in 23C.16.010.B.8 to clarify prohibited materials: "A Home Occupation shall not involve hazardous materials or waste as defined by Section 15.08.060, or any other materials or waste that is deemed by the hazardous materials manager (or their designee or successor) to be inappropriate or unsafe for a residential setting."*
- *Revise text in 23C.16.010.B.10 to clarify sign prohibitions: "No on-site signs identifying or advertising the Home Occupation, are allowed."*
- *Revise text in 23C.16.010.B.3 to clarify prohibitions on customer visits: "Customer visits are not allowed in the ES-R District."*
- *Add text to create a finding for public safety to 23C.16.030.4: "The degree of customer visits and shipping and delivery activities will not cause a detrimental impact to public safety, as determined by the Fire Marshall."*
- *Update Use Tables in applicable residential districts to disallow Class 2 Home Occupations in the Hillside Overlay.*
- *Revise text in 23C.16.030.2 to clarify compatibility of shipping and delivery activities with residential uses: "The degree of shipping and delivery activity to and from the subject residence will be compatible with surrounding residential uses and will not cause a significant detrimental impact on pedestrian and bicyclist safety or the availability of parking spaces in the immediate vicinity of the Home Occupation; and"*

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

Action Calendar – Old Business

- 16. Vote of No Confidence in the Police Chief (Continued from November 10, 2020)**
From: Councilmember Davila (Author)
Recommendation: Adopt a resolution taking a Vote of No Confidence in the Police Chief.
Financial Implications: See report
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
Action: 41 speakers. M/S/C (Wengraf/Droste) to take no action on Item 16.
Vote: Ayes – Taplin, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – Bartlett, Harrison; Absent – Kesarwani.

Councilmember Kesarwani absent 10:43 p.m. – 11:00 p.m.

Information Reports

- 17. LPO NOD: 1 Orchard Lane/#LMIN2020-0006**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 18 speakers.

Adjournment

Adjourned at 11:00 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on February 9, 2021.

Mark Numainville
City Clerk

Communications

Reopening Schools

1. Mati Teiblum
2. Rainbow Rubin

Covid-19 and Vaccinations

3. David Lerman (2)
4. J. Wilkes
5. Donna Mickleson

San Pablo Tennis Courts

6. Brian Mangold

2435 San Pablo

7. Whit Ingram
8. naomipilar@
9. Virginia Warheit

Payson House

10. Bernard Marszalek

Childcare Providers

11. Devvin Purnell

Homelessness

12. Rachel Gorham
13. Thomas Lord (2)

People's Park

14. Ivar Diehl and Siobhan Lettow

Threats of Violence

15. Barbara Fisher

Cannabis

16. Getting It Right From the Start

Civic Center Buildings – Arts and Cultural Uses

17. Jennifer Lovvorn, Chief Cultural Affairs Officer/Civic arts Program

Vision 2025

18. Nilang

Greta Thunberg, Environmentalist

19. Thomas Lord

Police Accountability

20. Racial and Criminal Justice Reform Group

LRDP Update Housing Projects #1 and #2

21. Carrie Olson, on behalf of the Berkeley Architectural Heritage Assoc.

TOPA

22. Jenny Johnston

URL's Only

23. Russbumper (2)

24. Vivian Warkentin (3)

Supplemental Communications and Reports 1

Item #4: Referral Response: Zoning Ordinance Amendments that Reform Residential Off-Street Parking; Amending Berkeley Municipal Code Title 14 and Title 23

25. LJ Cranmer

26. Christina Tuccillo

27. David Kellogg

28. Ly

29. Laura Magnani

Supplemental Communications and Reports 2

Item #4: Referral Response: Zoning Ordinance Amendments that Reform Residential Off-Street Parking; Amending Berkeley Municipal Code Title 14 and Title 23

30. Laloni Dunn

31. Christine Goldin

Item #13: Right to Choose Communications Services Provider

32. Stephen Bradley, on behalf of Sonic.com

Item #15: Referral Response: Amendments to the Home Occupations Ordinance; Amending BMC Sub-Titles 23C, 23D, 23E and 23F

33. Supplemental material, submitted by Councilmember Hahn

Item #16: Vote of No Confidence in the Police Chief

34. Elana Auerbach

35. Avi Simon

36. Eileen Joyce

37. Russell Kelly-Gordon

38. MJ Baumann

39. Eric Friedman

40. 4 similarly-worded form letters (We cannot)

41. 3 similarly-worded form letters (I am writing)

Supplemental Communications and Reports 3

Item #4: Referral Response: Zoning Ordinance Amendments that Reform Residential Off-Street Parking; Amending Berkeley Municipal Code Title 14 and Title 23

42. David Kellogg

43. Marjorie Alvord

44. Kathy Dervin, on behalf of 350 East Bay

45. Igor Tregub

46. Mary Ann Furda

47. Richard Rollins

48. Councilmember Harrison

Item #13: Right to Choose Communications Services Provider

49. Chimey Lee

Item #14: Second Substantial Amendments to 1) the 2020-2025 Consolidated Plan including the PY20 (FY21) Annual Action Plan in Response to the Addition of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds, and 2) the PY19 (FY20) Annual Action Plan

50. Presentation, submitted by Health, Housing, and Community Services

Item #15: Referral Response: Amendments to the Home Occupations Ordinance; Amending BMC Sub-Titles 23C, 23D, 23E and 23F

51. Presentation, submitted by Planning

52. Rebecca Franke

Item #16: Vote of No Confidence in the Police Chief

53. Elisa Mikiten

54. Mary Nash

55. Diana Bohn (2)

56. Chimey Lee (2)

57. Elliot Halpern
58. Uma Channer
59. Alecia Harger
60. Meghan Schwartz
61. Tara Blossom
62. Phoebe Sorgen
63. Gabrielle Sharp
64. Jane Hood
65. Laurel Halvorson
66. James Loza
67. Owen Hart
68. Eugene Turitz
69. Barbara Gilbert
70. 20 similar form letters (Racial)

**MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING**

TUESDAY, FEBRUARY 16, 2021

4:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

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

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

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Preliminary Matters

Roll Call: 4:03 p.m.

Present: Hahn, Kesarwani, Robinson, Taplin, Wengraf, Arreguin

Absent: Bartlett, Droste, Harrison

Public Comment - Limited to items on this agenda only – 0 speakers

CLOSED SESSION:

The City Council convened in closed session to meet concerning the following:

1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1)

a. WCAB Case Number: #ADJ224992.

Action: M/S/C (Hahn/Robinson) to provide direction to outside counsel and approve a stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and release, with a release of future medical care, as to workers' compensation matter WCAB Case Number: #ADJ224992.

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

b. WCAB Case Numbers: #ADJ11556675 and ADJ10831595.

Action: M/S/C (Hahn/Robinson) to provide direction to outside counsel and approve a settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and release, with a release of future medical care, as to workers' compensation matter WCAB Case Numbers: #ADJ11556675 and ADJ10831595.

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

c. WCAB Case Number: #ADJ11121846.

Action: M/S/C (Hahn/Wengraf) to provide direction to outside counsel and approve a settlement of permanent disability with an award of lifetime future medical care, as to workers' compensation matter WCAB Case Number: #ADJ11121846.

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

OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

City Council gave direction as follows:

- a. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a

stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and Release, with a release of future medical care, as to a workers' compensation matter WCAB Case Number: #ADJ224992.

- b. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and Release with a release of future medical care, as to a workers' compensation matter WCAB Case Numbers: #ADJ11556675 and ADJ10831595.
- c. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved settlement of permanent disability with an Award of lifetime future medical care, as to a workers' compensation matter WCAB Case Number: #ADJ11121846.

Adjournment

Action: M/S/C (Wengraf/Robinson) to adjourn the meeting.

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

Adjourned at 4:31 p.m.

This is to certify that the foregoing is a true and correct record of the closed session meeting on February 16, 2021.

April Richardson, Assistant City Clerk

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

Tuesday, February 16, 2021

6:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

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

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Preliminary Matters

Roll Call: 6:02 p.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: Bartlett

Report from Closed Session

- a. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and Release, with a release of future medical care, as to a workers' compensation matter WCAB Case Number: #ADJ224992.
- b. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and Release with a release of future medical care, as to a workers' compensation matter WCAB Case Numbers: #ADJ11556675 and ADJ10831595.
- c. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved settlement of permanent disability with an Award of lifetime future medical care, as to a workers' compensation matter WCAB Case Number: #ADJ11121846.

Worksession

1. **Presentation: Report on Homeless Outreach during Covid 19 Pandemic**
(Continued from November 10, 2020)
From: City Manager
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: 7 speakers. Presentation made and discussion held.
2. **Berkeley Marina Area Specific Plan and Pier/Ferry Work Session**
From: City Manager
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: 19 speakers. Presentation made and discussion held.

Recess: 8:54 p.m. – 9:04 p.m.

Adjournment

Action: M/S/C (Robinson/Wengraf) to adjourn the meeting.

Vote: Ayes – Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin;
Noes – None; Abstain – None; Absent - Bartlett

Adjourned at 10:23 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on February 16, 2021.

April Richardson
Assistant City Clerk

Communications

Item #2: Berkeley Marina Area Specific Plan and Pier/Ferry Work Session

1. Peter Kuhn

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #2: Berkeley Marina Area Specific Plan and Pier/Ferry Work Session

2. Jim McGrath
3. Clifford Fred
4. Gordon Wozniak

Supplemental Communications and Reports 3

Item #1: Presentation: Report on Homeless Outreach during Covid-19 Pandemic

5. Presentation, submitted by Health, Housing and Community Services

Item #2: Berkeley Marina Area Specific Plan and Pier/Ferry Work Session

6. Presentation, submitted by Parks, Recreation and Waterfront
7. Barbara Gilbert
8. Tom Yamaguchi

**MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

Tuesday, February 23, 2021

4:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
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Preliminary Matters

Roll Call: 4:06 p.m.

Present: Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: Kesarwani

Councilmember Kesarwani present at 4:13 p.m.

Action: M/S/C (Arreguin/Wengraf) to adopt a special rule for this meeting to limit public comment to one minute per speaker, with the option to yield time up to a total of four minutes.

Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent - Kesarwani

Action Calendar – New Business

1. Report and Recommendations From Mayor's Fair and Impartial Policing Working Group

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

Recommendation:

1. Accept and acknowledge the report from the Fair and Impartial Working Group (Attachment 1).
2. Direct the City Manager to implement the following recommendations summarized below and detailed in full in Attachment 1, with at minimum, quarterly progress updates to the Police Accountability Board (PAB) and/or the Working Group.
 - Focus traffic stops on safety
 - Use a clear, evidence-based definition for stops of criminal suspects
 - Use race and ethnicity as determining factors in stops only when paired with clear, evidence-based criteria
 - Eliminate stops for low-level offenses
 - Implement an Early Intervention System (EIS) and a risk-management structure
 - Immediately release stop, arrest, calls for service and use of force data from 2012 to present to the Working Group
 - Limit warrantless searches of individuals on supervised release status such as Post Release Community Supervision (PRCS), probation, or parole
 - Require written consent for all consent searches
 - Address Profiling by Proxy (PAB Policy Development, Dispatcher Training)
 - Fire racist police officers identified through social media and other media screens
 - Address Profiling by Proxy (Council develop & pass CAREN policy)
 - Require regular analysis of BPD stop, search, and use of force data
 - Make resources on police-civilian encounters more publicly available such as RAHEEM.org
 - Adopt Compliance and Accountability Mechanisms; -Hire consultant to develop implementation plan
 - For any individual detained, BPD officers shall provide a business card with info on a website similar to RAHEEM and info on complaint process with PAB

Action Calendar – New Business

3. Refer the following recommendations summarized below and detailed in full in Attachment 1 to be included in the process to reimagine public safety:
 - Create a formalized feedback system to gauge community response to ongoing reforms and ensure this constructive input system is institutionalized with the Police Review Commission or its successor and includes a basic report card and quarterly neighborhood check-ins
 - Conduct a baseline community survey
4. Refer the following recommendations summarized below and detailed in full in Attachment 1 to the Police Review Commission, to be taken up by the Police Accountability Board when it is established
 - Include a scenario-based training component in the existing officer training required by California Penal Code 13519.4
 - Require enhanced annual implicit bias training for police
 - Accelerate Crisis Intervention Team (CIT) activity
5. Acknowledge and reaffirm the following recommendations summarized below and detailed in full in Attachment 1 that are already underway:
 - Fund and implement a specialized care unit for mental health crises
 - Conduct a Capacity Study of police calls and responses and use of officer time outside of case work
6. Refer \$50,000 to the FY 2022 budget process for a consultant to develop an implementation plan as described in Attachment 1 and other minor costs the Department may confer

Financial Implications: See report

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

Action: 40 speakers. M/S/C (Arreguin/Harrison) to:

1. Accept and acknowledge the report from the Mayor's Fair and Impartial Policing Working Group;
2. Acknowledge and appreciate the work already completed or underway by the City Manager's Office and Police Department to implement policing reforms including:
 - Adoption and implementation of Policy 401, Fair and Impartial Policing
 - Public reporting of stop data on the BPD Open Data Portal
 - Initiation of the Center for Policing Equity study
 - Implementation of the Body Worn Camera Program
 - Early adoption of Racial and Identity Profiling Act (RIPA) data collection and reporting
 - Updates to the Use of Force Policy, Policy 300
 - Development and passage of Measure II to create a new Police Accountability Board
 - Launching of the Public Safety Reimagining process
3. Refer to the City Manager to implement the following recommendations summarized below, with quarterly progress updates to the City Council and Police Review Commission/Police Accountability Board (when established):

Implement a new evidence-based Traffic Enforcement Model

 - Focusing the basis for traffic stops on safety and not low-level offenses;
 - Reaffirming and clarifying that the Berkeley Police Department will use a clear, evidence-based definition for stops of criminal suspects;
 - Reaffirming and clarifying that the Berkeley Police Department will use race and ethnicity as determining factors in stops only when paired with clear, evidence-based criteria

Action Calendar – New Business

- Minimize or de-emphasize as a lowest priority stops for low-level offenses.

Implement Procedural Justice Reforms

- Refer amendments to existing BPD policy and the creation of an Early Intervention System (EIS) related to traffic, bike and pedestrian stops;
- Adopt a policy to require written consent for all vehicle and residence searches and update the consent search form in alignment with best practice and community feedback;
- Limit warrantless searches of individuals on supervised release status such as Post Release Community Supervision (PRCS), probation, or parole;
- Address Profiling by Proxy (PAB Policy Development, Dispatcher Training);
- Fire racist police officers identified through social media and other media screens;
- Require regular analysis of BPD stop, search, and use of force data;
- Make resources on police-civilian encounters publicly available such as through RAHEEM.org;
- For any individual detained, BPD officers shall provide a business card with info on the commendation and complaint process with PAB and Berkeley Police Department.

Request that the City Manager report back at a Council Work Session in three months with budget estimates for implementation (to be considered along with the FY 22 budget process), information on legal and operational considerations, and a short-term action plan of recommendations which can be implemented without the hiring of a consultant, and those that will require the assistance of a consultant and additional resources.

Compliance and Accountability Mechanisms

- The City Manager will create an implementation plan with the assistance of a consultant that includes a timeline to monitor, assess, and report on the implementation of the items outlined in the Working Group's policy proposal. Long-term monitoring and assessments will be the responsibility of the police oversight body (the PRC or its successor the Police Accountability Board).
 - The implementation plan will be presented to the Berkeley City Council for approval. Once the plan is approved by the City Council, the consultant's work is finished. Long-term monitoring and assessment will be the responsibility of the police oversight body (the PRC or its successor the Police Accountability Board).
4. Refer the following recommendations summarized below to the Reimagine Public Safety process:
 - Create a formalized feedback system to gauge community response to ongoing reforms and ensure this constructive input system is institutionalized with the Police Review Commission or its successor and includes a basic report card and quarterly neighborhood check-ins
 - Conduct a baseline community survey.
 5. Refer the following training recommendations summarized below to the Police Review Commission, to be taken up by the Police Accountability Board when it is established, and consider the resources required to implement this expanded training:
 - Include a scenario-based training component in the existing officer training required by California Penal Code 13519.4

Action Calendar – New Business

- Require enhanced annual implicit bias training for police
 - Accelerate Crisis Intervention Team (CIT) activity
 - Refer to the PRC/PAB to consider a departmental policy on requiring written consent for person searches and report back in 6 months.
6. Acknowledge and reaffirm the following recommendations summarized below and detailed in full in Attachment 1 that are already underway and have been completed:
- BPD released stop, arrest, calls for service and use of force data from 2012 to present to the Working Group;
 - Fund and implement a specialized care unit for mental health crises;
 - Conduct a Capacity Study of police calls and responses and use of officer time outside of case work.
7. Refer \$50,000 to the FY 2022 budget process for a consultant to assist the City Manager/Police Department in the implementation of these recommendations and other minor costs the Department may confer; and also refer to the FY 2022 budget process a line item for police training for the new evidence-based stop program (costs to be determined by BPD).

Vote: All Ayes.

Adjournment

Action: M/S/C (Robinson/Taplin) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 7:07 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on February 23, 2021.

Sarah Bunting
Assistant City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #1: Report and Recommendations From Mayor's Fair and Impartial Policing Working Group

1. Elizabeth Ferguson

Supplemental Communications and Reports 3

Item #1: Report and Recommendations From Mayor's Fair and Impartial Policing Working Group

2. Material, submitted by Mayor Arreguin
3. Presentation, submitted by the Police Department
4. Janice Schroeder
5. Thomas Luce
6. Ben Gerhardstein, on behalf of Walk Bike Berkeley
7. Diana Bohn
8. Sivan Orr
9. Ali Lafferty
10. Allegra Mayer
11. Chimey Lee
12. Moni Law

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, February 23, 2021
6:00 PM

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

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Preliminary Matters

Roll Call: 7:20 p.m.

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

Absent: None

Ceremonial Matters:

1. Recognition of HelpBerkeley
2. Recognition of Alfred Twu, Commissioner and Activist
3. Adjourned the meeting in memory of Tree Fitzpatrick, Local Advocate
4. Adjourned the meeting in memory of Joanne Marie Yeaton, Berkeley Resident
5. Adjourned the meeting in memory of 500,000 people in the United States to die from COVID-19

City Manager Comments:

The City Manager's Office provided an update on the Reimagining Public Safety Process, including the Task Force's first meeting on February 18 and the progress of the BerkDOT program.

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Arreguin/Hahn) to adopt a temporary rule to set the public speaker time limit at one minute per speaker.

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

Action: M/S/C (Taplin/Harrison) to make a determination of an emergency situation, accept an urgency item from Councilmember Taplin pursuant to Government Code Section 54954.2(b)(1) entitled Guaranteeing COVID-19 Hazard Pay for Grocery Store Workers, and add the item to the Action Calendar.

Vote: All Ayes.

Public Comment on Consent Calendar and Information Items Only: 19 speakers.

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

Vote: All Ayes.

Consent Calendar

- 1. Referral Response: Amendments to the Home Occupations Ordinance; Amending BMC Sub-Titles 23C, 23D, 23E, and 23F**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,753-N.S. amending the Zoning Ordinance to streamline the permitting process for Home Occupations and amending Berkeley Municipal Code Chapter 23C.16 Home Occupations, Chapter 23E.84 MU-R Mixed Use-Residential District Provisions, Chapter 23F.04 Definitions, and Use Tables in Applicable Zoning Districts.
First Reading Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – Droste.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted second reading of Ordinance No. 7,753–N.S.
- 2. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the council meetings of January 19, 2021 (closed, special and regular), January 21, 2021 (special), January 25, 2021 (closed), January 26, 2021 (closed, special and regular) and January 28, 2021 (closed).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved the minutes as submitted.
- 3. Contract: Mildred Howard Sculpture Commission**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract for an amount not to exceed \$210,000, and any amendments thereto, with Mildred Howard for a public art commission of a sculpture for the preferred location at the triangular green space on the northern side of the intersection of Adeline Street and Martin Luther King Jr. Way.
Financial Implications: Cultural Trust Fund - \$210,000
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 69,720–N.S.
- 4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on February 23, 2021**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager’s threshold will be returned to Council for final approval.
Financial Implications: Various Funds - \$400,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

- 5. Contract No. 104289-1 Amendment: Jackson & Coker for Locums Tenens Psychiatrists**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 104289-1 with Jackson & Coker Locum Tenens, LLC to provide Locum Tenens Psychiatrists through June 30, 2024 in an amount not to exceed \$964,480. This amendment will add three years to the contract term and \$564,480 in funding.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,721–N.S.
- 6. California Community Housing Agency Middle Income Rental Housing Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City to become an Additional Member of the California Community Housing Agency (CalCHA), a Joint Powers Authority; supporting CalCHA’s issuance of tax-exempt bonds for the production, preservation, and protection of essential middle-income rental housing; and authorizing the City Manager to enter into purchase option agreements with CalCHA for middle-income rental housing created within City limits.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,722–N.S. as revised in Supplemental Communications Packet #2 by the Health, Housing, and Community Services Department.
- 7. Contract No. 084534-1 Amendment: NextGen Health Care Information Systems Inc. for Electronic Health Records**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 084534-1 with NextGen Healthcare Information Systems, Inc., increasing the amount by \$118,610 for a total contract value not to exceed \$820,937 and extending the term from September 30, 2010 through June 30, 2022.
Financial Implications: General Fund - \$118,610
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,723–N.S.

Consent Calendar

- 8. Contract No. 32100060 Amendment: RevolutionCyber, LLC for Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No 32100060 with RevolutionCyber, LLC for additional professional services to develop the policies and procedures for the City's Data Safety program, for an amount not to exceed \$77,050 and a total contract value not to exceed \$102,025 from November 13, 2020 through June 30, 2022.
Financial Implications: General Fund - \$77,050
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,724–N.S.
- 9. Presidio Network Solutions Group, LLC: Using California National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Pricing Agreement for Networking Hardware, Software, and Service Purchase Orders**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to increase spending authority with Presidio Networked Solutions Group, LLC ("Presidio") for the purchase of network equipment hardware, software, and installation services, using NASPO ValuePoint's purchasing agreement number CA#7-14-70-04 for the period beginning March 1, 2021 to June 30, 2022 for an amount not-to-exceed (NTE) \$530,000.
Financial Implications: IT Cost Allocation Fund - \$530,000
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,725–N.S.
- 10. License Agreement: Patpatia & Associates, Inc. for 125-127 University Ave. Office Space**
From: City Manager
Recommendation: Adopt a Resolution to execute a short term license agreement with Patpatia & Associates, Inc. to license 2nd floor office space located at 125-127 University Ave from March 1, 2021 through April 30, 2021.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 69,726–N.S.

Consent Calendar

11. **Lease Agreement: Patpatia & Associates, Inc. for 125-127 University Ave. Office Space**
From: City Manager
Recommendation: Adopt first reading of an Ordinance executing a lease agreement with Patpatia & Associates, Inc. to lease 2nd floor office space located at 125-127 University Ave. The lease term is anticipated to begin May 1, 2021 and end April 30, 2024.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopt first reading of Ordinance No. 7,754–N.S. Second reading scheduled for March 9, 2021.
12. **Contracts: Interface Engineering, Inc. and Salas O’Brien Engineers, Inc. for On-Call Citywide Electrical Engineering Services**
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to execute a contract and any amendments with the following firms for On-Call Electrical Engineering Services for City-owned facilities in support of the City’s annual Facilities Capital Improvement Program, each for the period April 1, 2021 through December 31, 2024:
1. Interface Engineering, Inc., for an amount not to exceed \$150,000.
2. Salas O’Brien Engineers, Inc., for an amount not to exceed \$150,000.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,727–N.S. (Interface); and Resolution No. 69,728–N.S. (Salas O’Brien).
13. **Contract No. 112783-1 Amendment: LAZ Parking LLC for Managing City-Owned Off-Street Parking Facilities**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 112783-1 (Contract No. 10413A in FUND\$) with LAZ Parking, LLC, a parking management company, to provide management services for the Telegraph Channing, Oxford, and Center Street Garages, extending the term to December 31, 2022 and increasing the contract amount by \$3,556,756 for a total not-to-exceed of \$11,089,951.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,729–N.S.

Consent Calendar

- 14. Purchase Order: Pape Machinery, Inc. for One (1) John Deere 644L Hybrid Wheel Loader**
From: City Manager
Recommendation: Adopt a Resolution satisfying the requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcwell Contract No.032119-JDC and authorizing the City Manager to execute a purchase order for one (1) John Deere 644L Hybrid Wheel Loader with Pape Machinery, Inc. in an amount not to exceed \$468,700.
Financial Implications: Equipment Replacement Fund - \$468,700
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,730–N.S.
- 15. Purchase Order: National Auto Fleet Group for Four (4) Tractor Trucks and Trailers**
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcwell (formerly NJPA) bid procedures, and authorizing the City Manager to execute a purchase order for four (4) Tractors Trucks and Trailers with National Auto Fleet Group in an amount not to exceed \$1,200,000.
Financial Implications: Equipment Replacement Fund - \$1,200,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,731–N.S.
- 16. Agreements with Union Pacific for Reimbursement for Construction of Safety Improvements for Pedestrians, Cyclists and Vehicular Traffic**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute reimbursement agreements and any amendments with Union Pacific Railroad Company to cause the Pacific Railroad Company to construct all necessary elements of the Gilman Interchange Improvement Project within the railroad easement subject to reimbursement by the City for actual costs incurred in connection with traffic safety improvement work at Gilman Street and at Camelia Street railroad crossings.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,732–N.S.

Consent Calendar

17. Service Animals Welcome Training *(Reviewed by the Health, Life Enrichment, Equity and Community Committee)*

From: Commission on Disability

Recommendation: That the City Council refer to the City Manager a request to implement education and training provisions of the Service Animals Welcome Policy and Program:

a. Work with Business Improvement Districts and Commercial District Organizations to provide opportunities for businesses to learn about their responsibilities regarding service animals in their places of business.

b. Provide information on Service Animals and Access Rights of Persons with Disabilities accompanied by a Service Animal as required staff training on non-discrimination under applicable federal, state and local statutes, regulations and policies.

c. Provide necessary and adequate support to the Disability Compliance Program. *(On January 25, 2021, the Health, Life Enrichment, Equity and Community Policy Committee made a qualified positive recommendation to send the item to Council with the recommendation to take the following action: Refer to the City Manager to review existing information provided to businesses on the Service Animals Welcome Policy and Program as well as other information related to the rights of people with disabilities (pursuant to the Americans with Disabilities Act) and to continue efforts to create an online training.*

Further, refer to the City Manager to: (a.) Work with Business Improvement Districts, the Chamber of Commerce, and other business organizations to provide opportunities for businesses to learn about their responsibilities regarding service animals in their places of business and the rights of people with disabilities, using, for example, the business license renewal as an opportunity to communicate to businesses; (b) Provide information on Service Animals and Access Rights of Persons with Disabilities accompanied by a Service Animal as required City staff training on nondiscrimination under applicable federal, state, and local statutes, regulations and policies. (c) Provide necessary and adequate support to the Disability Compliance Program.)

Financial Implications: Staff time

Contact: Dominika Bednarska, Commission Secretary, (510) 981-6300

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

Consent Calendar

- 18. Prohibition on the Use of City Streets for Operating, Parking, or Idling Combustion Vehicles by 2045** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Community Environmental Advisory Commission
Recommendation: Review and refer to the City Attorney for finalization the attached ordinance prohibiting the use of City-owned streets for the operation, parking, or idling of combustion vehicles beginning in 2045, and establishing an offset-driven fee-based enforcement mechanism.
(On January 20, 2021, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee made a positive recommendation to send the item to Council with the recommendation that the Council take no action on the item but to provide the item to staff as background for consideration, particularly as the Federal landscape changes under the new administration and to explore whether the City has the legal authority to pursue.)
Financial Implications: See report
Contact: Viviana Garcia, Commission Secretary, (510) 981-7460
Action: Approved the recommendation of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee.
- 19. Prohibition on the Sale of Gasoline, Diesel, and Other Carbon-Based Transportation Fuels by 2045** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Community Environmental Advisory Commission
Recommendation:
Review and refer to the City Attorney for finalization the attached ordinance prohibiting the sale of gasoline, diesel, and other carbon-based transportation fuels effective January 1st, 2045.
(On January 20, 2021, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee made a positive recommendation to send the item to Council with the recommendation that Council take no action on the item but to provide the item to staff as background for consideration, particularly as the Federal landscape changes under the new administration and to explore whether the City has the legal authority to pursue.)
Financial Implications: See report
Contact: Viviana Garcia, Commission Secretary, (510) 981-7460
Action: Approved the recommendation of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee.

Consent Calendar

20. **Amendments to the Berkeley Election Reform Act to prohibit Officeholder Accounts; Amending BMC Chapter 2.12** *(Reviewed by the Agenda & Rules Committee. Item contains supplemental material.)*

From: Fair Campaign Practices Commission

Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of an ordinance amending the Berkeley Election Reform Act, Berkeley Municipal Code Chapter 2.12, to prohibit Officeholder Accounts (See Section 18531.62. Elected State Officeholder Bank Accounts, Regulations of the Fair Political Practices Commission).

(On January 25, 2021, the Agenda and Rules Committee made a qualified positive recommendation to send the item to the City Council with the recommendation that the Council take no action on the item, but to refer the concepts and materials to the Agenda & Rules Committee for discussion with representatives of the commission on the item entitled "Amendments to the Berkeley Election Reform Act (BERA) to Regulate Officeholder Accounts and Proposed Changes to City Council Office Budget Expenditure and Reimbursement Policies (Resolution 67,992-N.S.).")

Financial Implications: None

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

Action: Approved the recommendation of the Agenda & Rules Committee.

21. **Relinquishments and grants from Councilmembers' office budgets** *(Reviewed by the Agenda & Rules Committee)*

From: Open Government Commission

Recommendation: Adopt a Resolution creating a temporary advisory committee consisting of three (3) members each of the City Council and the Open Government Commission ("OGC") to enable discussion between the Council and the OGC to make recommendations governing relinquishments and grants from Councilmembers' office budgets.

(On January 25, 2021, the Agenda and Rules Committee made a qualified positive recommendation to send the item to the City Council with the recommendation that the Council take no action on the item, but to designate the Agenda & Rules Committee as the entity to engage with the commission on the item entitled "Amendments to the Berkeley Election Reform Act (BERA) to Regulate Officeholder Accounts and Proposed Changes to City Council Office Budget Expenditure and Reimbursement Policies (Resolution 67,992-N.S.).")

Financial Implications: None

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

Action: Approved the recommendation of the Agenda & Rules Committee.

Consent Calendar

- 22. Opposition of New U.S. Base Construction in the Henoko-Oura Bay of Okinawa**
From: Peace and Justice Commission
Recommendation: Adopt a Resolution opposing new U.S. base construction in the Hemoko-Oura Bay of Okinawa.
Financial Implications: Minimal
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 69,733–N.S.
Vote: Ayes – Taplin, Bartlett, Harrison, Robinson, Droste; Noes – None; Abstain – Kesarwani, Hahn, Wengraf, Arreguin.
- 23. Initiate a Citywide, Regional and International Just Transition to a Regenerative Economy to Address the Climate Emergency** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee. Item contains revised and supplemental material.)*
From: Councilmember Davila (Author)
Recommendation: Adopt a resolution taking the following actions:
1) The City of Berkeley shall initiate a citywide, regional and international Just Transition to a Regenerative Economy
2) The City of Berkeley will work with cities, counties, and institutions such as the UC system to form a joint powers authority regional and statewide task force to oversee a justice and public safety-oriented - scientifically grounded - transition to a regenerative economy here in the Bay Area to be sustained until 2050; and
3) The City of Berkeley commits to being regenerative, recognizing that attempting to be sustainable is not enough to protect residents from cumulative impacts of centuries of environmental and social degradation and instead will reorient its city planning, policy, governance culture, and resource allocation to improve public and environmental health, be participatory and will invest in a centuries long regenerative whole city culture, infrastructure, policy, development and design process; and
4) The City of Berkeley shall adopt doughnut economics and implement it's associated methodology to assess sustainability which, by definition, recognizes the necessity of meeting the needs of residents within the carrying capacity of our planet Earth and the greater Bay Area bioregion; and
5) The City Council directs the City manager to develop a set of ordinances to ensure zero-waste, cradle to cradle, non-toxic, earth friendly non-essential consumer based products are sold within city limits by 2030 with special exception to non-replaceable items for which a sustainable alternative is either unavailable or too expensive for low income residents to afford, critical infrastructure, medical devices and other such life dependent items;
6) The City of Berkeley shall suspend any and all projects and policies that are incompatible with protecting the earth and people from further environmental degradation, social inequality, public health risks, and global warming; and
7) The City of Berkeley calls for regional agencies, cities, and counties to agree on a shared definition of the Bay Area's bioregion (s), to define the shared limits of our bio-region's carrying capacity and to organize our governance to be bio-regionally regenerative, sustainable, and to define a developmental trajectory that maximizes the health and vitality of the ecosystems, wildlife, and people for generations to

Council Consent Items

come; and

8) The City of Berkeley identifies our current economy with its focus on near-term perpetual growth requiring resource extraction and wealth enclosure as defunct and incompatible with the needs of sustainability, human thriving, and dignity, and calls for a new economic system which in its design meets human needs within planetary and local environmental and social boundaries of wellbeing and furthers human and ecological flourishing, furthers a regenerative human presence on earth, achieves equitable distribution of resources throughout the planet, and achieves sustainability through a just and regenerative transition to restore a safe climate and adapt to further warming in the near and long term; and

9) The City of Berkeley recognizes the importance of Indigenous leadership in designing and implementing a regenerative economy in Berkeley, the greater Bay Area, and the World, and shall invite delegates from Indigenous communities to all stages of the planning and implementation process.

(On January 20, 2021, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee made a positive recommendation to send the item to Council with the recommendation that Council take no action on the item.)

Financial Implications: See report

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

Action: Approved the recommendation of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee.

24. Create and Support an Adopt an Unhoused community program *(Reviewed by the Health, Life Enrichment, Equity and Community Committee)*

From: Councilmember Davila (Author)

Recommendation:

1. Adopt a resolution to create and support neighborhood volunteers and community groups adopting an encampment, street campers, RV / Vehicle community, located along University Avenue/ Shattuck Avenue / Adeline corridor/ San Pablo Avenue and other areas throughout the City.

2. Short term referral to the City Manager and/or designee(s) to present to the City Council in 90 days: how to implement the program modeled after the City of Oakland Adopt a Spot Program, identify a community based organization to oversee the volunteers, know what is needed to adequately implement these efforts, including different organizational structure options.

(On January 25, 2021, the Health, Life Enrichment, Equity and Community Committee made a qualified positive recommendation to send the item to Council to take the following action: Refer to the City Manager to consider inclusion of homeless encampments in the existing "Adopt a Spot" referral to the Public Works Commission and Parks, Recreation, and Waterfront Commission once the "Adopt a Spot" program has been established.)

Financial Implications: See report

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

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

Council Consent Items

25. Amend Berkeley's Property Tax Measures and Restore Tax Equity by Changing the Square Footage Tax Imposition through a Comprehensive Verification Process *(Reviewed by the Budget and Finance Policy Committee)*

From: Councilmember Bartlett (Author)

Recommendation: In order to correct inequitable and inconsistently applied rates of property tax assessments, and to ensure that outstanding revenues due to the City are paid, the Finance Department should conduct a comprehensive verification analysis. This process will update and bring the city's taxable square footage database into alignment with Planning's building area database. Through this verification, the City shall also reconcile with the Alameda County Assessor's Public Roll to ensure that the City's tax database is up-to-date and accurate. This reconciliation will restore tax equity, which has been desired by Berkeley voters, while also unifying standards, protocols and terminology between departments. The City should adopt the following habitability criteria for taxation purposes:

1. Taxable space must have manufactured flooring. If the understory has dirt base, it shall not be taxed (Uniform Building Code R502 – floor material requirement). (Acceptable proof: photo)
2. Taxable basement space must be of required height clearance. If understory has proper flooring and is of limited height, 6' 8" or less, with 6'4" allowance for ducting, then it shall not be taxed (Uniform Building Code R305 – basement height requirement) (Acceptable proof: photo with measuring tape)
3. Taxable attic space must have required height clearance. If finished attic, only areas of 6'4" height or more is taxed for city assessments (Acceptable proof: photo with measuring tape)
4. City of Berkeley shall post the property's taxable square footage in at least 12 point font on the City's Parcel Viewer page. City of Berkeley shall disclose the potential increase to taxable square footage liability for the taxpayer when application for building addition is made.
5. City of Berkeley shall make public the taxable square footage liability of the proposed finished building to the community when a Zoning Adjustments Board application is made.
6. City of Berkeley shall disclose a property's taxable square footage in writing to a property owner or interested buyer, upon request.
7. If the taxpayer requests a correction on the square footage assessments, and the space in question does not align with the above taxability requirements, the taxpayer shall be entitled to a refund on all 9 city and schools assessments for the previous four full years of taxes (Civil Code 5097). Requests for correction shall be allowed at any time.

(On January 28, 2021, the Budget and Finance Committee made a negative recommendation to send the item to Council with the recommendation that Council take no action and for Councilmember Harrison to work with Councilmember Bartlett on another item addressing the broader policy issues surrounding this item.)

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Action: Approved the recommendation of the Budget and Finance Committee.

Council Consent Items

26. **“Step Up Housing” Initiative: Allocation of Measure P Funds to Lease and Operate a New Permanent Supportive Housing Project at 1367 University Avenue** *(Reviewed by the Budget and Finance Committee)*
From: Councilmember Bartlett (Author), Councilmember Kesarwani (Co-Sponsor), Councilmember Wengraf (Co-Sponsor), Mayor Arreguin (Co-Sponsor)

Recommendation: Adopt a resolution allocating approximately \$900,000 per year for 10 years, as well as a one-time allocation of approximately \$32,975 from Measure P transfer tax receipts to support the lease and operation of a new permanent supportive housing project for the homeless at 1367 University Avenue. This resolution is put forward out of consideration that the City Council has already approved in its FY 2020-21 budget—on June 30, 2020—an allocation of \$2.5 million for permanent housing subsidy, a portion of which is available to be spent on the 1367 University Avenue project.

Refer to the next meeting of the Budget and Finance Policy Committee to confirm the availability of requested funding for the 1367 University project and to set priorities for other Measure P-funded programs and services as part of the mid-year budget process.

(On January 28, 2021, the Budget and Finance Policy Committee made a qualified positive recommendation to send the item to Council with the recommendation to confirm the availability of revenues as approved by Council on October 13, 2020, for the 1367 University project and note that the Committee will discuss Measure P allocations in the FY 2022 budget development process.)

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Action: Approved the recommendation of the Budget and Finance Committee.

Council Consent Items

27. **Virtual Holocaust Remembrance Day Event: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**
From: Councilmember Wengraf (Author), Mayor Arreguin (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember, including \$250 from Councilmember Wengraf, to support the City's Annual Holocaust Remembrance Day program with funds relinquished to the City's general fund. The relinquishment of funds from Councilmember Wengraf's discretionary Council Office Budget and all other Councilmembers who would like to contribute allows the City of Berkeley to invite the community to the City's Virtual 19th Annual Holocaust Remembrance Day program, put together by the community with Council support. This year's program will be held on April 8, 2021.
Financial Implications: Councilmember's Discretionary Funds - \$250
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Adopted Resolution No. 69,734–N.S. amended to increase the maximum donation to \$500 and to include contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$500; Councilmember Wengraf - \$250; Councilmember Harrison - \$250; Councilmember Robinson - \$150; Councilmember Droste - \$100; Councilmember Taplin - \$250; Councilmember Hahn - \$500; Councilmember Bartlett - \$200; Councilmember Kesarwani - \$250.

Action Calendar

Urgency Item: Guaranteeing COVID-19 Hazard Pay for Grocery Store Workers
From: Councilmember Taplin (Author), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)

Recommendation: Adopt an emergency ordinance to guarantee hazard pay of an additional five dollars an hour for grocery store workers, effective upon adoption and until such time that the 7-Day Average COVID-19 positivity rate for Alameda County falls below 2.0% or the passage of 120 days without extension.

Financial Implications: None

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Action: M/S/C (Taplin/Harrison) to adopt Urgency Ordinance No. 7,755–N.S. to guarantee hazard pay of an additional five dollars an hour for grocery store workers, effective upon adoption and until such time that the 7-Day Average COVID-19 positivity rate for Alameda County falls below 2.0% or the passage of 120 days without extension with an amendment in Section 13.112.040 written below.

13.112.040 Applicability

A. For purposes of this Chapter, Covered Employers are limited to those who employ three hundred (300) or more Grocery Workers in the state of California.

B. For purposes of this Chapter, the number of Grocery Workers employed by an employer is the total number of Grocery Workers who worked for compensation during the two week period immediately preceding the effective date of this Chapter.

C. Subject to the time limitation in subsection 13.112.040.D., Covered Employers shall provide the Hazard Pay required by this Chapter to any Covered Employee in the City of Berkeley until such time as the 7-Day Average COVID-19 positivity rate for Alameda County falls below 2.0%.

D. Unless extended by the City Council, the Hazard Pay requirement set forth in this Chapter shall only remain in effect for a limited period of 120 days from the effective date of this Chapter, unless terminated earlier as provided in subsection 13.112.040.C.

Vote: All Ayes.

Action Calendar – Public Hearings

28a. Public Hearing: ZAB Appeal: 1850 Arch Street, Use Permit #ZP2019-0212

From: City Manager

Recommendation: Conduct a public hearing on the Zoning Adjustments Board (ZAB) decision to approve Use Permit #ZP2019-0212 to reconfigure the interior of the existing building to add 18 bedrooms to an existing 10-unit, 12-bedroom multi-family residential building at 1850 Arch Street.

Financial Implications: None

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 4 speakers.

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

Vote: All Ayes.

28b. Public Hearing: ZAB Appeal: 1862 Arch Street, Use Permits #ZP2019-0213

From: City Manager

Recommendation: Conduct a public hearing on the Zoning Adjustments Board (ZAB) decision to approve Use Permit #ZP2019-0213 to reconfigure the interior of the existing building to add 15 bedrooms to an existing 10-unit, 10-bedroom multi-family residential building at 1862 Arch Street.

Financial Implications: None

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 4 speakers.

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

Vote: All Ayes.

28c. ZAB Appeals: 1850 and 1862 Arch Street, Use Permits #ZP2019-0212 and ZP2019-0213

From: City Manager

Recommendation: Upon conclusion of the agendized public hearings, adopt two Resolutions affirming the Zoning Adjustments Board (ZAB) decisions to approve Use Permits #ZP2019-0212 and ZP2019-0213 to reconfigure the interiors of the existing buildings to add 18 bedrooms to an existing 10-unit, 12-bedroom multi-family residential building at 1850 Arch Street, to add 15 bedrooms to an existing 10-unit, 10-bedroom multi-family residential building at 1862 Arch Street, and dismissing the

Action Calendar – Public Hearings

appeals.

Financial Implications: None

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Action: M/S/C (Harrison/Robinson) to adopt two Resolutions affirming the Zoning Adjustments Board (ZAB) decisions to approve Use Permits #ZP2019-0212 and ZP2019-0213 to reconfigure the interiors of the existing buildings to add 18 bedrooms to an existing 10-unit, 12-bedroom multi-family residential building at 1850 Arch Street, to add 15 bedrooms to an existing 10-unit, 10-bedroom multi-family residential building at 1862 Arch Street, and dismissing the appeals, with the addition of four new conditions as follows:

- Refuse Capacity. The applicant will increase the capacity of recycling, composting, and garbage disposal to be commensurate with the increase in bedrooms so as to ensure compliance with BMC 12.32.020 requirements disallowing the accumulation of waste.
- Laundry Capacity. The applicant will increase the numbers of washers and dryers available to tenants at the onsite laundry facilities to be commensurate with the increased number of bedrooms in the building, as allowed by space in the laundry facilities.
- Construction Trash Diversion. In addition to the Construction Waste Management Plan, the applicant must ensure that all other garbage generated by workers is disposed of properly off site and not in the onsite refuse bins where tenants dispose of their trash.
- Quarterly Meetings. During active construction, the applicant will hold quarterly meetings open to all tenants to discuss the construction and the rights of tenants, provide ways to contact management with urgent matters, and to field questions and concerns from residents. These meetings should include relevant city staff from the Department of Planning & Development and the Rent Stabilization board to keep new and existing tenants informed of their rights under the Rent Stabilization and Eviction for Good Cause Ordinance (BMC Chapter 13.76) and the Tenant Protection Ordinance (BMC Section 13.79.060). Notification of these meetings should be distributed at least thirty (30) days in advance, both electronically and through physical notices posted at the site.

Adopted Resolution No. 69,735–N.S. (1850 Arch Street, Use Permit #ZP2019-0212).

Adopted Resolution No. 69,736–N.S. (1862 Arch Street, Use Permits #ZP2019-0213)

Vote: All Ayes.

Recess 10:04 p.m. – 10:14 p.m.

Council Action Items

29. Resolution to End Exclusionary Zoning in Berkeley

From: Councilmember Droste (Author), Councilmember Taplin (Author), Councilmember Bartlett (Author), Councilmember Robinson (Author)

Recommendation: Adopt a resolution to state Berkeley City Council's intent to end exclusionary zoning in Berkeley by December of 2022.

Financial Implications: None

Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

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

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

Councilmember Kesarwani absent 10:14 p.m. – 10:16 p.m.

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

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

Action: M/S/C (Arreguin/Wengraf) to suspend the provision in the Rules of Procedure related to reading written comments into the record.

Vote: All Ayes.

Action: M/S/C (Arreguin/Harrison) to accept supplemental material from Mayor Arreguin on Item 29.

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

Councilmember Droste absent 12:01 a.m. – 12:03 a.m.

Action: M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 12:40 a.m.

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

Action: 67 speakers. M/S/C (Robinson/Taplin) to adopt Resolution No. 69,737–N.S. as submitted in Vice-Mayor Droste's item in Supplemental Communication Packet #2 and further revised in the supplemental material submitted by Mayor Arreguin at the meeting with an amendment to include reference to anti-speculation measures, and receiving and accepting the item submitted by Councilmembers Harrison and Hahn for the record.

Vote: All Ayes.

Information Reports

- 30. FY 2022 Budget Development**
From: City Manager
Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000
Action: Received and filed.
- 31. City Council Short Term Referral Process – Quarterly Update**
From: City Manager
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Received and filed.
- 32. Partnership for the Bay’s Future and Current Anti-Displacement Initiatives**
From: City Manager
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Scheduled for the March 23, 2021 Action Calendar.
- 33. FY2021 Public Art Plan and Budgets**
From: Civic Arts Commission
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Received and filed.
- 34. Community Environmental Advisory Commission 2021 Work Plan**
From: Community Environmental Advisory Commission
Contact: Viviana Garcia, Commission Secretary, (510) 981-7460
Action: Received and filed.
- 35. 2021 Housing Advisory Commission Work Plan**
From: Housing Advisory Commission
Contact: Mike Uberti, Commission Secretary, (510) 981-7400
Action: Received and filed.

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

Adjournment

Action: M/S/C (Taplin/Robinson) to adjourn the meeting.

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

Adjourned at 12:39 a.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on February 23, 2021.

Mark Numainville
City Clerk

Communications

Item #22: Opposition of New U.S. Base Construction in the Henoko-Oura Bay of Okinawa

1. Diana Bohn and Igor Tregub
2. Wesley Ueunten
3. Scott Tshchitani
4. Ronald Nakasone
5. Travis Seifman
6. Vanessa Peixoto de Souza
7. Risako Sakai
8. Betty Kano
9. Diana Bohn
10. Hideki Yoshikawa
11. Leanne Isley
12. Marisa Kanemoto
13. Gwendolyn Andrews
14. Cristian Izquierdo
15. Lyn Ishizaki
16. Maya Adachi
17. Blythe Nishi
18. Maxwell Ho
19. Erica Ishijima
20. Joseph Tsuboi
21. Mark Fujiwara
22. Jane Yamashiro
23. Yumi Kobayashi
24. Elena Harumi Nielsen
25. Kelsey Ichikawa

- 26. Hisayo Kinjo
- 27. Gwyn Kirk
- 28. Miya Sommers
- 29. Jean Yonemura Wing
- 30. Sherry Schafer

Quadplex Zoning

- 31. Alfred Twu

Elimination of Racially Restrictive Covenants from Alameda County Property Deeds

- 32. Richard Valle, Board of Supervisors, District 2

COVID-19//Vaccinations//Masks

- 33. Anne McClintock
- 34. Jeannette MacMillan
- 35. Katy Love
- 36. Ben Gerhardstein
- 37. Megha Charalambides
- 38. Sylvia
- 39. Paola Laverde
- 40. Ginger Ogle
- 41. David Lerman (2)
- 42. Councilmember Hahn (2)
- 43. Niki
- 44. City of Berkeley COVID-19 Information Services
- 45. Margot Smith
- 46. Carol Denney
- 47. Julia Lang, on behalf of Street Teams

Reorganization of Commissions

- 48. Janice Schroeder (2)
- 49. David Schroeder
- 50. MJ Baumann
- 51. Ellen Brotsky
- 52. Bernard Marszalek
- 53. Thomas Luce
- 54. Alex Mabanta
- 55. George Lippman
- 56. Lee Bishop
- 57. Michael Goldhaber
- 58. Elisabeth Watson

More Homes at the North Berkeley BART

- 59. Sandy Emerson
- 60. Adam Rogers

- 61. Jenny Johnston
- 62. Franklin Lei
- 63. Mel Weitsman
- 64. Forest Kaser
- 65. Barry Fike
- 66. Reynaldo Santa Cruz
- 67. Oren Cheyette
- 68. Phil Soffer
- 69. Mark Rhoades
- 70. David Mar
- 71. Phyllis Orrick
- 72. Andrea Altschuler
- 73. Mary Nash
- 74. Paul Bickmore
- 75. Laura Magnani
- 76. Mary Behm-Steinberg
- 77. 14 similarly worded form letters (I live in)
- 78. 6 similarly worded form letters (6 points)

Horse Fatality at Golden Gate Fields

- 79. Joe Kaplan

TOPA (Tenants Opportunity to Purchase Act)

- 80. Ilona Clark
- 81. taptango@
- 82. George

School Reopening

- 83. Laura Babitt
- 84. Nick Zahariadis
- 85. Shelene Stine and Rohini Haar

Systemic Racism

- 86. Aimee Baldwin
- 87. WD Flient

Eucalyptus Grove at 1120-1140 Cragmont Avenue

- 88. Vadim Shapiro and 25 neighbors

Vision 2025

- 89. Nilang

Weapon Trucks Blocked in Canada

- 90. Russbumper

1915 Berryman

91. Brenda O'Sullivan

Lung Cancer in Non-Smokers

92. Norm Harrison

Police Accountability Board

93. Friends of Adeline

94. David White, Deputy City Manager

City Budget

95. Blair Beekman

Civic Center Redesign and Measure T-1

96. Christopher Adams, Chair, Landmarks Preservation Commission

Unhoused Pooping on Sidewalk in Front of Restaurant

97. Phatcharin Teerapatanaporn, Manager of Tuk Tuk Thai Café

URL's Only

98. Vivian Warkentin (3)

99. Russbumper (9)

100. Barbara Gilbert

Supplemental Communications and Reports 1

Item #3: Contract: Mildred Howard Sculpture Commission

101. Stephanie Anne Johnson

Item #22: Opposition of New U.S. Base Construction in the Henoko-Oura Bay of Okinawa

102. Kirk Sato

Item #28c: ZAB Appeals: 1850 and 1862 Arch Street, Use Permits #ZP2019-0212 and ZP2019-0213

103. Mark Rhoades, on behalf of Rhoades Planning Group

Item #29: Resolution to End Exclusionary Zoning in Berkeley

104. Adam Rogers

105. Stephen Dalton

106. Lisa Bruce (2)

107. Linda Franklin

108. Judy MacLean

109. Lisa Taner

110. Eric Johnson

111. Laura Foote, on behalf of YIMBY Action

112. Priyanka Wali

113. Kevin Burke

- 114. Bill Bogert
- 115. Janet Byron
- 116. Jonathan Singh
- 117. Hilary Clark
- 118. Lauren Carroll
- 119. Lee Bishop
- 120. Ben Domingue
- 121. Jeannette MacMillan
- 122. Toni Mester
- 123. 10 similarly-worded form letters

Supplemental Communications and Reports 2

Item #3: Contract: Mildred Howard Sculpture Commission

- 124. Carole Kennerly

Item #6: California Community Housing Agency Middle Income Rental Housing Program

- 125. Revised material, submitted by Heath, Housing, and Community Services

Item #18: Prohibition on the Use of City Streets for Operating, Parking or Idling Combustion Vehicles by 2045

- 126. Michael Katz

Item #22: Opposition of New U.S. Base Construction in the Henoko-Oura Bay of Okinawa

- 127. Diana Bohn
- 128. Daniel Iwama
- 129. Gwyn Kirk
- 130. Pete Shimazaki Doktor

Item #26: “Step Up Housing” Initiative: Allocation of Measure P Funds to Lease and Operate a New Permanent Supportive Housing Project at 1367 University Avenue

- 131. Supplemental material, submitted by Councilmember Bartlett

Item #29: Resolution to End Exclusionary Zoning in Berkeley

- 132. Supplemental material, submitted by Councilmember Harrison
- 133. Supplemental material, submitted by Councilmember Droste
- 134. Ariella Granett
- 135. Ariel Carlin
- 136. Hannah Thorner
- 137. Sophia DeWitt
- 138. Nick Shere
- 139. Bhima Sheridan
- 140. Jane Scantlebury
- 141. Lovage S
- 142. Christian Bucknell

143. Laura Stevens
144. Jeffrey Wescott
145. Mary-Louise Hansen
146. Robert Johnson
147. Liz Horowitz
148. Lisa Bruce
149. Teresa Clarke
150. Eva Herzer
151. Aubrey Grove
152. Janice Schroeder
153. Leslie Stone
154. Kit Robinson
155. Andrea Robinson
156. Fred Dodsworth
157. Madeleine Shearer
158. tenise@
159. Lisa Goodman
160. Steven Segal
161. Robert Sonderegger
162. George Porter
163. Henson Jones
164. Joshua Schnoll
165. Malcolm Scruggs
166. Michael Katz
167. Martin Holtz
168. Julia Cato
169. Dave Campbell
170. 17 similarly worded form letters (My name is)

Supplemental Communications and Reports 3

Item #18: Prohibition on the Use of City Streets for Operating, Parking or Idling Combustion Vehicles by 2045

171. Thomas Lord (3)

Item #22: Opposition of New U.S. Base Construction in the Henoko-Oura Bay of Okinawa

172. Alvin Ja
173. Julie Higa
174. Diana Bohn (2)
175. Michael Yoshii
176. Kim Geron, on behalf of the Asian Pacific American Labor Alliance
177. Miya Sommers
178. Nikkei Resisters (2)
179. Miho Kim
180. Sherry Lorin
181. Gerry Condon (2)

- 182. Charles Douglas Lummis
- 183. Chimey Lee
- 184. 29 similarly form letters (U.S. Marine air base)

Item #23: Initiate a Citywide, Regional and International Just Transition to a Regenerative Economy to Address the Climate Emergency

- 185. Chimey Lee

Item #25: Amend Berkeley's Property Tax Measures and Restore Tax Equity by Changing the Square Footage Tax Imposition through a Comprehensive Verification Process

- 186. Jay Tharp (2)

Item #29: Resolution to End Exclusionary Zoning in Berkeley

- 187. Material, submitted by Councilmember Droste
- 188. Erin Morris
- 189. Sophie Beach
- 190. Alfred Twu
- 191. Cynthia McGrane
- 192. Louise Rosenkrantz
- 193. Brad Johnson
- 194. Christopher Smith
- 195. Martin
- 196. Lucy Smallsreed
- 197. Senator Nancy Skinner
- 198. Michelle Pasternack
- 199. Adam Smith
- 200. Jay Caspian Kang
- 201. Rudabeh Pakravan
- 202. James Butler
- 203. Leigh Stewart
- 204. Shawn Drost
- 205. Andrew Bestwick
- 206. Emmerich Anklam
- 207. Dora Zhang
- 208. Berkeley Neighborhood Council
- 209. Dona Bretherick
- 210. Robin Kibby and Family
- 211. Adrien Couton
- 212. Phoebe Sorgen
- 213. Tim Ereneta
- 214. Maxine Piper and Family
- 215. Ben Gerhardstein, on behalf of Walk Bike Berkeley
- 216. Sally Nelson
- 217. Becca Schonberg
- 218. Drew Finke
- 219. Tim Goodman

220. Judy MacLean
221. Dawn Thomas
222. Sean Lai McMahon
223. Micki Turner
224. Jeffrey Heller
225. Amanda Prasuhn
226. Councilmember Harrison
227. Nick Morgan
228. Vikran Sridharan and Family
229. Alison Lingo
230. Shirley Dean (2)
231. Karen Chapple
232. Steve Medbery
233. Michael Ho
234. Jennifer Cole
235. Ellen Perry
236. David Pope
237. Nico Calavita
238. Samuel Taplin, on behalf of Associated Students of the University of California
239. Cathy Fogel (2)
240. Phyllis Orrick
241. Gabriel Wolf
242. Igor Tregub, on behalf of Sierra Club Northern Alameda County
243. Molly Baskette
244. Shirley Kirsten
245. Cynthia Colvin
246. Holly Scheider
247. William Barclay
248. Jenna Fahle
249. Elana Auerbach
250. Michai Freeman
251. Theresa Gensler
252. Tom Yamaguchi
253. George Porter (3)
254. Deborah Kropp
255. Aimee Baldwin
256. Anders Riutta
257. Jordan Burns
258. Martine Kraus
259. Lynda Caesara
260. Grant Thompson
261. Meryl Siegal
262. Kim Marienthal
263. Laura Klein
264. David Brandon
265. Vicki Sommer

- 266. Pamela Michaud
- 267. Eric Johnson
- 268. Manuela T
- 269. Cece Littlepage
- 270. Marjorie Lasky
- 271. Elisabeth Lamoureaux
- 272. Thomas Buckey
- 273. Liat Zavodivker
- 274. Carol Hirth
- 275. Sue Martin
- 276. Stephen Dalton (2)
- 277. Sean Martin-Hamburger
- 278. 7 similarly worded form letters (My name is)
- 279. 6 similarly worded form letters (As a member of Cal's)

Urgent Item

Guaranteeing COVID-19 Hazard Pay for Grocery Store Workers

- 280. Urgent item, submitted by Councilmember Taplin
- 281. Becky Rhodes, on behalf of the Alameda Labor Council
- 282. Julio Contreras

**MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES**

THURSDAY, FEBRUARY 25, 2021

4:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

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

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

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

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

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/82372242662>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free); enter Meeting ID: 823 7224 2662. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

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

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

Preliminary Matters

Roll Call: 4:02 p.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Arreguin

Absent: Bartlett and Droste

Councilmember Bartlett present at 5:16 p.m.

Councilmember Droste present at 5:25 p.m.

Public Comment - Limited to items on this agenda only – 1 speaker

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, David White, Deputy City Manager, LaTanya Bellow, Human Resources Director, Dania Torres-Wong, Chief Labor Negotiator, Burke Dunphy, Labor Negotiator.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, Public Employees Union Local 1.

Action: No reportable action taken.

OPEN SESSION:

No reportable action.

Adjournment

Action: M/S/C (Arreguin/Wengraf) to adjourn the meeting.

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

Adjourned at 6:19 p.m.

This is to certify that the foregoing is a true and correct record of the closed session meeting on February 25, 2021.

Michael MacDonald, Assistant City Clerk