



Office of the City Manager

CONSENT CALENDAR
June 29, 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 May 11, 2021 (regular), May 13, 2021 (closed), May 18, 2021 (closed and special), May 20, 2021 (closed) and May 25, 2021 (closed and regular).

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. May 11, 2021 – Regular City Council Meeting
2. May 13, 2021 – Closed City Council Meeting
3. May 18, 2021 – Closed City Council Meeting
4. May 18, 2021 – Special City Council Meeting
5. May 20, 2021 – Closed City Council Meeting
6. May 25, 2021 – Closed City Council Meeting
7. May 25, 2021 – Regular City Council Meeting

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, May 11, 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
DISTRICT 8 – LORI DROSTE

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

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

Live audio is available on KPFB Radio 89.3. Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx>.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/84138848278>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **841 3884 8278**. 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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To submit a written communication for the City Council's consideration and inclusion in the public record, email council@cityofberkeley.info.

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: 6:02 p.m.

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

Absent: Taplin

Councilmember Taplin present at 6:07 p.m.

Ceremonial Matters:

1. Recognition of Affordable Housing Week
2. Recognition of Former Board of Library Trustees Member Judy Hunt
3. Adjourned in Memory of Elizabeth Valoma, Cheeseboard Collective Founder
4. Adjourned in Memory of Two Victims of a Fatal Vehicle Accident on Marin Avenue

City Manager Comments:

The City Manager gave a presentation on the process for selecting the next Chief of Police.

Public Comment on Non-Agenda Matters: 6 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 9 speakers.

Action: M/S/C (Arreguin/Hahn) to accept revised materials from councilmember Harrison on Item 23.

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

Councilmember Kesarwani absent 6:40 p.m. – 6:43 p.m.

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

Vote: All Ayes.

Consent Calendar

- 1. Adopt an Ordinance Adding Chapter 2.100 to the Berkeley Municipal Code Regulating Police Acquisition and Use of Controlled Equipment** *(Reviewed by the Public Safety Policy Committee)*
From: Councilmember Harrison (Author), Councilmember Bartlett (Author), Councilmember Taplin (Author), Mayor Arreguin (Co-Sponsor)
Recommendation: Adopt second reading of Ordinance No. 7,760-N.S. adding Chapter 2.100 to the Berkeley Municipal Code to Regulate Police Acquisition and Use of Controlled Equipment.
First Reading Vote: All Ayes.
Financial Implications: Staff time
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Adopted second reading of Ordinance No. 7,760-N.S.
- 2. Amendment: FY 2021 Annual Appropriations Ordinance**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending the FY 2021 Annual Appropriations Ordinance No. 7,748-N.S. for fiscal year 2021 based upon recommended re-appropriation of committed FY 2020 funding and other adjustments in the amount of \$76,221,382 (gross) and \$51,227,368 (net).
Financial Implications: See report
Contact: Rama Murty, Budget Office, (510) 981-7000
Action: Adopted first reading of Ordinance No. 7,761-N.S. Second reading scheduled for May 25, 2021.
- 3. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 11, 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 - \$1,800,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.
- 4. Contract: The Wright Institute for Mental Health Counseling for Older Adults**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to enter into an expenditure contract and any amendments or extensions thereto with The Wright Institute for the term July 1, 2021 to June 30, 2022 with two additional one (1)-year renewal options, for an expenditure not to exceed \$300,000 to fund the cost of providing mental health counseling services to older adults in the Berkeley community.
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 69,834-N.S.

Consent Calendar

- 5. Contract No. 110062 Amendment: Pacific Site Management for Landscaping Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 110062 with Pacific Site Management for landscaping services adding \$146,304 for a total not to exceed amount of \$355,822 ending June 30, 2022.
Financial Implications: Various Funds - \$146,304
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,835–N.S.
- 6. Contract No. 32000240 Amendment: Berkeley Unified School District for Mental Health MHSA-Funded Programs**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32000240 with Berkeley Unified School District (BUSD) to provide Mental Health Services Act (MHSA) funded programs in local schools through June 30, 2021 in an amount not to exceed \$637,778. This amendment will add one year to the contract term and \$245,000 in funding.
Financial Implications: Mental Health Services Act Fund - \$245,000
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,836–N.S.
- 7. Contract No. 32000236 Amendment: GoGoGrandparent Technologies for Provision of Transportation Services for Seniors and the Disabled**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32000236 with GoGoGrandparent Technologies to add \$55,000 to the original amount for a total not to exceed amount of \$90,000 for the period of July 1, 2021 through June 30, 2022 for the provision of a 24/7 call center to arrange rides with Uber and Lyft for customers of Aging Services Division’s Berkeley Rides for Seniors & the Disabled program.
Financial Implications: Measure BB Direct Local Distribution Fund - \$55,000
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,837–N.S.

Consent Calendar

8. Revenue Grant Agreements: Funding Support from Alameda County to Conduct Public Health Services

From: City Manager

Recommendation: Adopt four Resolutions authorizing the City Manager or her designee to submit grant agreements to Alameda County, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following four revenue agreements:

1. Foster Care Program in the projected amount of \$93,187 for FY 2022.
2. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of \$178,778 for FY 2022.
3. School Linked Health Services Program (Measure A Funding) in the projected amount of \$193,175 for FY 2022.
4. Tobacco Prevention Program in the projected amount of \$76,290 for FY 2022.

Financial Implications: See report

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

Action: Adopted Resolution No. 69,838–N.S. (Foster); Resolution No. 69,839–N.S. (BHS/BTAHC); Resolution No. 69,840–N.S. (Linked); and Resolution No. 69,841–N.S. (Tobacco).

9. Revenue Grant Agreements: Funding Support from Essential Access Health to Conduct Public Health Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to Essential Access Health, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct public health promotion, protection, and prevention services for the Essential Access Health revenue agreement in the projected amount of \$180,000 for April 1, 2021 to March 30, 2022.

Financial Implications: See report

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

Action: Adopted Resolution No. 69,842–N.S.

10. Salary: Accountant II Internal Alignment

From: City Manager

Recommendation: Adopt a Resolution amending Resolution No. 68,626 N.S. Classification and Salary Resolution for Service Employees International Union Local 1021 Community Services and Part-Time Recreation Leaders Association, to increase the salary range for Accountant II, 6.8%, to an hourly salary range of \$45.6375 - \$54.1916 effective March 30, 2021.

Financial Implications: See report.

Contact: LaTanya Bellow, Human Resources, (510) 981-6800

Action: Adopted Resolution No. 69,843–N.S.

Consent Calendar

- 11. Contract: Digital Hands for Cybersecurity Event Monitoring and Security Information and Event Management (SIEM)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a contract and subsequent amendments with Digital Hands, for Cybersecurity Event Monitoring and Security Information and Event Management (SIEM) services, increasing the previously authorized contract amount by \$209,980 for a revised not to exceed amount of \$614,980, and a term from May 14, 2021 to June 30, 2024.
Financial Implications: Various Funds - \$209,980
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,844–N.S.
- 12. Mills Act Contract – 1 Orchard Lane**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Gregory LeBlanc for the City Landmark property at 1 Orchard Lane.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 69,845–N.S.
- 13. Mills Act Contract – 1581 Le Roy Avenue**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Samuli Seppälä for the City Landmark property at 1581 Le Roy Avenue.
Financial Implications: See report
Contact: Jordan Klein, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 69,846–N.S.
- 14. Amending the 1956 Maintenance Agreement with Caltrans and Transfer of Property for I-80 Gilman Interchange Project**
From: City Manager
Recommendation: Adopt two resolutions authorizing the City Manager to:
1. Negotiate and execute an amendment to the 1956 Freeway Maintenance Agreement between City of Berkeley and Caltrans to include planned new I-80/Gilman Interchange facilities; and
2. Transfer two portions of the City’s right of way on Gilman Street to Caltrans under Section 83 of Streets and Highway Code.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,847–N.S. (Agreement); and Resolution No. 69,848–N.S. (Transfer).

Council Consent Items

- 15. Support of AB 550 – Speed Safety Cameras**
From: Mayor Arreguin (Author), Councilmember Droste (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Councilmember Robinson (Co-Sponsor)
Recommendation: Adopt a Resolution in support of AB 550 (Chiu), which would establish guidelines to pilot speed safety programs on dangerous local streets and active state or local work zones, and requesting that Berkeley be included as one of the pilot cities in the bill. Send a copy of the Resolution to Assemblymembers David Chiu and Buffy Wicks, State Senator Nancy Skinner and Governor Gavin Newsom.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 69,849–N.S.
- 16. Support of AB 43 – Safe Streets and Work Zones Act of 2021**
From: Mayor Arreguin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)
Recommendation: Adopt a Resolution in support of AB 43 (Friedman), which gives local jurisdictions more flexibility in reducing speed limits on streets with a high rate of injuries and fatalities. Send a copy of the Resolution to Assemblymembers Laura Friedman and Buffy Wicks, State Senator Nancy Skinner, and Governor Gavin Newsom.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 69,850–N.S.
- 17. Support of AB 629 - Seamless and Resilient Transit Act**
From: Mayor Arreguin (Author), Councilmember Kesarwani (Co-Sponsor)
Recommendation: Adopt a Resolution in support of AB 629 (Chiu), which would require the Metropolitan Transportation Commission to designate transit priority corridors to support fast and reliable transit service and to create a pilot of a multi-operator transit fare pass. Send a copy of the Resolution to Assemblymembers David Chiu and Buffy Wicks, State Senator Nancy Skinner and Governor Gavin Newsom.
Financial Implications: None.
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmember Harrison added as a co-sponsor. Adopted Resolution No. 69,851–N.S.

Council Consent Items

18. **Amending COVID-19 Emergency Response Ordinance Relating to Commercial Leases**
From: Mayor Arreguin (Author)
Recommendation: Adopt an urgency ordinance amending Berkeley Municipal Code Section 13.110.050 (COVID-19 Emergency Response Ordinance) to exempt from the provisions of the ordinance commercial leases where the lease term has expired and the City has issued a permit for the demolition or substantial alternation of the commercial unit.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Urgency Ordinance No. 7,762–N.S.
19. **Commit to C40 Race to Zero Campaign**
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution committing the City of Berkeley to the C40 Race to Zero Campaign.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmember Bartlett added as a co-sponsor. Adopted Resolution No. 69,852–N.S.
20. **Proclaiming May 2021 as Mental Health Month**
From: Councilmember Taplin (Author), Mental Health Commission
Recommendation: Adopt a Resolution proclaiming May 2021 as Mental Health Month in the City of Berkeley.
Financial Implications: None.
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120; Jamie Works-Wright, Commission Secretary, (510) 981-5400
Action: Adopted Resolution No. 69,853–N.S.
21. **Resolution in Support of Green New Deal for Cities Act of 2021**
From: Councilmember Taplin (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a resolution in support of the Green New Deal for Cities, Counties, States, Tribes, and Territories by Reps. Cori Bush (D-MO) and Alexandria Ocasio-Cortez (D-NY), cosponsored by California’s 13th Congressional District Rep. Barbara Lee (D-CA), representing Berkeley.
Financial Implications: None.
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmember Harrison and Mayor Arreguin added as co-sponsors. Adopted Resolution No. 69,854–N.S.

Council Consent Items

22. Budget Referral: Traffic Calming of West Berkeley Pedestrian and Cyclist Crossings

From: Councilmember Taplin (Author)

Recommendation: That the City Council refers to the budget process the funding of traffic calming improvements as follows: Rectangular Rapid Flashing Beacons: Ashby Way and California Street; Sacramento Street and Channing Way; Cedar Street and Ninth Street; Sixth Street and Channing Way. Pedestrian Hybrid Beacons: Sacramento Street and Russell Street; Channing Way and San Pablo Avenue.

Financial Implications: See report

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

Action: Approved recommendation as revised in Supplemental Communications Packet #2 from Councilmember Taplin.

23. Support for Roadmap Home 2030 Plan

From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)

Recommendation: Adopt a resolution affirming the importance of a multifaceted approach to addressing the housing crisis by endorsing the Roadmap Home 2030 plan and sending a letter to state lawmakers urging them to adopt the recommendations of the plan.

Financial Implications: None

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

Action: Councilmembers Bartlett and Hahn added as co-sponsors. Adopted Resolution No. 69,855–N.S. as revised in the supplemental material submitted at the meeting by Councilmember Harrison.

24. Resolution in support of AB 1289, Smart Climate Agriculture Program and AB 558, California School Plant-based Food and Beverage Program

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

Recommendation: Adopt a resolution in support of Assembly Bill 1289, Smart Climate Agriculture Program and Assembly Bill 558, California Plant-based Food and Beverage Program.

Financial Implications: None

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

Action: Adopted Resolution No. 69,856–N.S.

Council Consent Items

25. Support for SB-15

From: Councilmember Wengraf (Author), Councilmember Kesarwani (Co-Sponsor), Councilmember Harrison (Co-Sponsor)

Recommendation: Send a letter of support for SB 15 (Portantino) Housing development: incentives: rezoning of idle retail sites, to Senators Portantino and Skinner, Assemblymember Wicks and Governor Newsom. SB 15 would incentivize affordable housing creation by providing grants to local governments who rezone idle retail sites to allow for affordable housing development.

Financial Implications: None

Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action: Approved recommendation.

26. Support for Senator Warren’s Student Loan Debt Relief Act (S.2235)

From: Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)

Recommendation: Refer to the Council to adopt a resolution in support of Senator Elizabeth Warren’s Student Loan Debt Relief Act, which would cancel student loan debt to promote economic growth and reduce wealth gaps.

Financial Implications: None

Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

Action: Councilmember Taplin added as a co-sponsor. Adopted Resolution No. 69,857–N.S.

27. Support for AB 1238 and AB 122

From: Councilmember Robinson (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Droste (Co-Sponsor), Mayor Arreguin (Co-Sponsor)

Recommendation: Send letters to Senator Nancy Skinner, Assemblymember Buffy Wicks, and the bills’ authors in support of AB 1238 and AB 122, which would repeal jaywalking laws and allow bicyclists to treat stop signs as yield signs.

Financial Implications: None

Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

Action: Approved Recommendation.

Action Calendar – Public Hearings

28. Published Charges: Mental Health Clinical Services

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution establishing Published Charges for Mental Health Clinical Services for FY 2021. Published Charges are effective July 1, 2020.

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 0 speakers.

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

Vote: All Ayes.

Action: M/S/C (Arreguin/Harrison) to adopt Resolution No. 69,858–N.S.

Vote: All Ayes.

Action Calendar – New Business

29. Audit Report: Data Analysis of the City of Berkeley's Police Response

From: Auditor

Recommendation: We recommend City Council request that the City Manager report back by November 16, 2021, and every six months thereafter, regarding the status of our audit recommendations until reported fully implemented by the Police Department.

Financial Implications: None

Contact: Jenny Wong, Auditor, (510) 981-6750

Action: 19 speakers. Presentation made and discussion held. The Auditor will release an updated version of the Audit Report with revised information.

Information Reports

30. Berkeley Energy Commission Work Plan for 2021-2022

From: Energy Commission

Contact: Billi Romain, Commission Secretary, (510) 981-7400

Action: Received and filed.

31. Streets Audit Report Wins National Recognition

From: Auditor

Contact: Jenny Wong, Auditor, (510) 981-6750

Action: Received and filed.

Public Comment – Items Not Listed on the Agenda – 6 speakers.

Adjournment

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

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

Councilmember Droste absent 9:09 p.m. – 9:12 p.m.

Adjourned at 9:12 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on May 11, 2021.

Mark Numainville
City Clerk

Communications

Referral to the City Manager to Streamline Accessory Dwelling Unit (ADU) Permit Review and Approval

1. Disaster and Fire Safety Commission

Budget and Policy Meeting

2. Maria Yates (2)

Alta Bates Closure

3. Mary Behm-Steinberg

Street Closure Request

4. Teal Major

Police Funding

5. Madeleine Surh

Hopkins Street Parking

6. Councilmember Hahn

Understaffing of the Mobile Crisis Unit

7. Mental Health Commission

Arts Funding Budget

- 8. Lise Quintana
- 9. Carol Lashof

Parking Tickets

- 10. Dawn Howard

Civilians Making Traffic Stops

- 11. Stephen Williams

New Political Party

- 12. Christopher Johnson

Hiring Freeze – Politicians Using My Ideas

- 13. Christopher Johnson

Oppose FAA Route Change

- 14. Verona Fonte
- 15. Ardys D.

Facebook Money is Taking Over Our State

- 16. Margot Smith

Support for Legislative Aides

- 17. Igor Tregub

Linkedin Account Hacked

- 18. Chimey Lee

Black Lives Matter

- 19. Thing4762@

War Weapons

- 20. George Killingsworth

Agenda and Rules Committee

- 21. Chimey Lee
- 22. Thomas Lord

Tenant Opportunity Purchase Act (TOPA)

- 23. Human Welfare and Community Action Commission
- 24. Todd Darling
- 25. Anna Iglitzin
- 26. Gen Fujioka
- 27. Igor Tregub, on behalf of the Sierra Club Northern Alameda County Group
- 28. Alex Bush

- 29. Kathleen Crandall
- 30. Alison Hamaji
- 31. Kira Findling
- 32. Giancarlo Tucci-Berube
- 33. Merrie Sennett
- 34. S. Omowale Fowles
- 35. Adam Krause
- 36. Glen Bell
- 37. 7 similarly-worded form letters

Supplemental Communications and Reports 1

Item #22: Budget Referral: Traffic Calming of West Berkeley Pedestrian and Cyclist Crossings

- 38. West Berkeley Artisans & Industrial Companies

Supplemental Communications and Reports 2

Item #22: Budget Referral: Traffic Calming of West Berkeley Pedestrian and Cyclist Crossings

- 39. Supplemental material, submitted by Councilmember Taplin

Item #23: Support for Roadmap Home 2030 Plan

- 40. Supplemental material, submitted by Councilmember Harrison
- 41. Supplemental material #2, submitted by Councilmember Harrison

Item #29: Audit Report: Data Analysis of the City of Berkeley's Police Response

- 42. Presentation, submitted by the Berkeley City Auditor
- 43. Janice Schroeder

Supplemental Communications and Reports 3

Item #22: Budget Referral: Traffic Calming of West Berkeley Pedestrian and Cyclist Crossings

- 44. Chimey Lee

Item #23: Support for Roadmap Home 2030 Plan

- 45. Tony Corman

**MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING**

THURSDAY, MAY 13, 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

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Preliminary Matters

Roll Call: 3:02 p.m.

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

Absent: Kesarwani, Taplin, Bartlett

Councilmember Taplin present at 3:08 p.m.

Councilmember Bartlett present at 3:15 p.m.

Councilmember Kesarwani present at 3:21 p.m.

Action: M/S/C (Arreguin/Droste) to adopt a temporary rule to allow for one minute per speaker for public comment.

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

Public Comment - Limited to items on this agenda only – 57 speakers

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, Jen Louis, Interim Chief of Police, Abe Roman, Interim Fire Chief.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, Berkeley Fire Fighters Association Local 1227, Berkeley Police Association, Service Employees International Union, Local 1021 Maintenance and Clerical Chapters, Berkeley Fire Fighters Association, Local 1227 I.A.F.F./Berkeley Chief Fire Officers Association, Public Employees Union Local 1.

Action: No reportable action.

OPEN SESSION:

No reportable action.

Adjournment

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

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

Adjourned at 6:16 p.m.

Councilmembers Taplin, Harrison, and Droste absent 6:14 p.m. – 6:16 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 13, 2021.

Mark Numainville
City Clerk

**MINUTES
BERKELEY CITY COUNCIL
SPECIAL CLOSED MEETING**

TUESDAY, MAY 18, 2021

5:00 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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*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free); enter Meeting ID: 837 2379 5637. 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: 5:03 p.m.

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

Absent: Kesarwani, Taplin, Harrison

Councilmember Kesarwani present at 5:06 p.m.

Councilmember Taplin present at 5:10 p.m.

Public Comment - Limited to items on this agenda only – No Speakers

CLOSED SESSION:

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

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

a. WCAB Case Number: #ADJ9183953.

Action: M/S/C (Arreguin/Hahn) to provide direction to outside counsel to offer a settlement by Stipulated Award for 60% permanent disability (\$92,609.91) with an award of future medical care for bilateral shoulders, as to workers' compensation matter WCAB Case Number #ADJ9183953.

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

b. WCAB Case Numbers: # ADJ11329423 and ADJ11329404

Action: M/S/C (Arreguin/Hahn) to provide direction to outside counsel to offer a settlement with a Compromise and Release up to \$165,000.00 to include these two cases, as well as future medical awards on 3 prior WCAB Cases # ADJ9324007, ADJ2132619, and ADJ110339 or to settle stipulations at \$48,140.00 with open future medical to psyche, cervical spine and Lumbar spine for DOI: 11/22/17, as to workers' compensation matters WCAB Case #s: ADJ11329423 & ADJ11329404.

Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – 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 section Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a settlement by Stipulated Award for 60% permanent disability (\$92,609.91) with an award of future medical care for bilateral shoulders, as to workers' compensation matter WCAB Case Number #ADJ9183953.

- b. City Council met in closed section Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a settlement with a Compromise and Release up to \$165,000.00 to include these two cases, as well as future medical awards on 3 prior WCAB Cases # ADJ9324007, ADJ2132619, and ADJ110339 or to settle stipulations at \$48,140.00 with open future medical to psyche, cervical spine and Lumbar spine for DOI: 11/22/17, as to workers' compensation matters WCAB Case #: ADJ11329423 & ADJ11329404

Adjournment

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

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

Adjourned at 5:23 p.m.

This is to certify that the foregoing is a true and correct record of the closed session meeting on May 18, 2021.

Michael MacDonald, Assistant City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

- None

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

**Tuesday, May 18, 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
DISTRICT 8 – LORI DROSTE

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

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To submit a written communication for the City Council's consideration and inclusion in the public record, email council@cityofberkeley.info.

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: 6:03 p.m.

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

Absent: None

Report from Closed Session

Item a) City Council met in closed session on May 18, 2021 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, as to a workers' compensation matter WCAB Case Number: #ADJ9183953.

Item b) City Council met in closed session on May 18, 2021 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: # ADJ11329423 and ADJ11329404.

Action Calendar

1. Systems Alignment Proposal

From: City Manager

Recommendation: Direct the City Manager to bring back a resolution for adoption of the Systems Alignment proposal as described in this document and incorporating direction and input received from City Council during the worksession.

Financial Implications: See report

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

Action: M/S/C (Arreguin/Robinson) to accept supplemental materials from Councilmember Droste on Item 1.

Vote: All Ayes.

Action: 11 speakers. M/S/C (Arreguin/Hahn) to continue the item to the June 15, 2021 regular meeting to allow Councilmembers to submit written comments for the public record.

Vote: All Ayes.

Recess 8:02 p.m. – 8:13 p.m.

Worksession

2. Updating Citywide Affordable Housing Requirements

From: City Manager

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

Action: M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 11:30 p.m.

Vote: All Ayes.

Action: 20 speakers. Presentation made and discussion held.

Adjournment

Adjourned at 11:30 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on May 18, 2021.

Mark Numainville
City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: System Alignment Proposal

1. Supplemental material, submitted by Councilmember Droste
2. Presentation, submitted by the City Manager

**MINUTES
BERKELEY CITY COUNCIL
CLOSED MEETING**

THURSDAY, MAY 20, 2021

1:00 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: 1:37 p.m.

Present: Taplin, Bartlett, Harrison, Wengraf, Arreguin

Absent: Kesarwani, Hahn, Robinson, Droste

Councilmember Hahn present at 1:56 p.m.

Councilmember Robinson present at 1:56 p.m.

Councilmember Droste present at 2:19 p.m.

Public Comment - Limited to items on this agenda only – 5 speakers

CLOSED SESSION:

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

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

a. *Ruegg & Ellsworth v. City of Berkeley (Alameda Superior Court Case No. RG 18930003)*

Action: M/S/C (Arreguin/Hahn) to direct the City Attorney to file a petition for review with the California Supreme Court with respect to the case of Ruegg & Ellsworth v. City of Berkeley, Alameda County Superior Court Case No. RG18930003; First District Court of Appeal Case No. A159218.

Vote: All Ayes.

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

Property address:	199 Seawall Drive, 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 Innovation Properties Group (IPG)
Property owner:	City of Berkeley
Under negotiation:	Price and terms

Action: Item continued to June 3, 2021.

3. 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, Jen Louis, Interim Chief of Police, Abe Roman, Interim Fire Chief.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, Berkeley Fire Fighters Association Local 1227, Berkeley Police Association, Service Employees International Union, Local 1021 Maintenance and Clerical Chapters, Berkeley Fire Fighters

Association, Local 1227 I.A.F.F./Berkeley Chief Fire Officers Association, Public Employees Union Local 1.

Action: No reportable action taken.

OPEN SESSION:

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

The City Council met in closed session with respect to the case of Ruegg & Ellsworth v. City of Berkeley, Alameda County Superior Court Case No. RG18930003; First District Court of Appeal Case No. A159218 and directed the City Attorney to file a petition for review with the California Supreme Court.

Adjournment

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

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

Adjourned at 3:58 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 20, 2021.

Mark Numainville
City Clerk

MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
TUESDAY, MAY 25, 2021
3:30 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: 3:31 p.m.

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

Absent: Droste

Councilmember Droste present at 4:00 p.m.

Public Comment - Limited to items on this agenda only – 23 speakers.

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, Berkeley Fire Fighters Association Local 1227, Berkeley Police Association, Service Employees International Union, Local 1021 Maintenance and Clerical Chapters, Berkeley Fire Fighters Association, Local 1227 I.A.F.F./Berkeley Chief Fire Officers Association, Public Employees Union Local 1.

Action: No reportable action taken.

2. PUBLIC EMPLOYEE APPOINTMENTS PURSUANT TO GOVERNMENT CODE SECTION 54957(b):

a. Title of position to be filled: Interim Director of the Police Accountability Board

Action: No reportable action taken.

OPEN SESSION:

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

No reportable action taken.

Adjournment

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

Vote: All Ayes.

Adjourned at 7:36 p.m.

I hereby certify that the forgoing is a true and correct record of the special closed meeting of May 25, 2021 as approved by the Berkeley City Council.

Rose Thomsen, Deputy City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE

SECTION 54957.6

1. Nathan Dahl
2. Jose Rios
3. JC "Tino" Ratliff
4. Julia Wiswell
5. Sierra Gribble
6. Alberto Flores
7. Kong Chung
8. Gordon Hansen
9. Ammon Reagan
10. Lisa Cronin
11. Jim Frank
12. Veena Channon
13. Merlin Edwards II
14. Hyojung Yoo
15. Franziska Gehrmann
16. Mike Uberti
17. Jef Findley
18. Sharon Gong
19. Rodolfo Tapia, Jr.
20. Rebecca Milliken
21. Marna Schwartz
22. Danielle Linsy
23. Glenn Ingersoll
24. Amanda Montez
25. David Montez
26. Juan Castille
27. Mark Sproat

MINUTES
BERKELEY CITY COUNCIL MEETING
Tuesday, May 25, 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
DISTRICT 8 – LORI DROSTE

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Preliminary Matters

Roll Call: 7:51 p.m.

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

Absent: Hahn

Councilmember Hahn present at 7:52 p.m.

Report from Closed Session

The City Council met in closed session with respect to the case of Ruegg & Ellsworth v. City of Berkeley, Alameda County Superior Court Case No. RG18930003; First District Court of Appeal Case No. A159218 and directed the City Attorney to file a petition for review with the California Supreme Court.

Ceremonial Matters:

1. Recognition of AAPI Youth Rising
2. Recognition of Elder Abuse Awareness Month
3. Adjourned in Memory of Tim Wallace, Local Activist
4. Adjourned in Memory of Anthony Rollins and Ruby Edwards, Berkeley Residents
5. Adjourned in Memory of George Floyd

City Manager Comments:

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

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

Action: M/S/C (Arreguin/Wengraf) to accept an urgency item from Councilmember Wengraf pursuant to Government Code Section 54954.2(b)(2) entitled Budget Referral: Funding for Traffic Control Mitigations to Protect Pedestrian Access to Cragmont Elementary School.

Vote: All Ayes.

Public Comment on Consent Calendar and Information Items Only: 13 speakers.

Action: M/S/C (Arreguin/Robinson) to adopt Item 6 - Assessments: North Shattuck Property Based Business Improvement District.

Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Harrison (Recused – Leaseholder within 500 feet of BID boundary)

Consent Calendar

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

Vote: All Ayes.

Urgency Item: Budget Referral: Funding for Traffic Control Mitigations to Protect Pedestrian Access to Cragmont Elementary School

From: Councilmember Wengraf (Author), Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor) Mayor Arreguin (Co-Sponsor)

Recommendation: Refer to the Fiscal Year 2022/2023 Budget Process an allocation of \$150,000 for traffic control measures on streets surrounding Cragmont Elementary School, with an emphasis on Marin Avenue, and Spruce Ave to provide as much protection as possible to children, parents, teachers, staff and neighbors accessing the school.

Financial Implications: \$150,000

Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action: Approved recommendation.

1. Amendment: FY 2021 Annual Appropriations Ordinance

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,761-N.S. amending the FY 2021 Annual Appropriations Ordinance No. 7,748-N.S. for fiscal year 2021 based upon recommended re-appropriation of committed FY 2020 funding and other adjustments in the amount of \$76,221,382 (gross) and \$51,227,368 (net).

First Reading Vote: All Ayes.

Financial Implications: See report

Contact: Rama Murty, Budget Office, (510) 981-7000

Action: Adopted second reading of Ordinance No. 7,761–N.S.

2. 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, December 15, 2020, February 9, 2021 and March 30, 2021.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,859–N.S.

Consent Calendar

3. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the council meetings of April 13, 2021 (special), April 20, 2021 (special and regular), April 27, 2021 (regular) and April 29, 2021 (closed).

Financial Implications: None

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

Action: Approved the minutes as submitted.

4. Assessments: Berkeley Tourism Business Improvement District

From: City Manager

Recommendation: Adopt a Resolution approving the Annual Report of FY21 and preliminary budget for FY22 for the Berkeley Tourism Business Improvement District (BTBID) as recommended by the BTBID Owners' Association.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,860–N.S.

5. Assessments: Downtown Berkeley Property Based Business Improvement District

From: City Manager

Recommendation: Adopt two Resolutions:

1. Approving the Downtown Berkeley Property Based Business Improvement District (DPBID) Annual Report of Fiscal Year (FY) 2021 and proposed budget for FY 2022, and declaring Council's intention to levy an annual assessment for the DPBID for FY 2022.

2. Authorizing the City Manager to execute a sole source contract and any amendments with the Downtown Berkeley Association (DBA or "the Association") not to exceed \$7,285,257 of DPBID funds to support the Downtown area for the period July 1, 2021 to December 31, 2026, through the expiration of the DPBID.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,861–N.S. (DPBID Annual Report & Budget); Resolution No. 69,862–N.S. (Contract).

6. Assessments: North Shattuck Property Based Business Improvement District

From: City Manager

Recommendation: Adopt a Resolution approving the North Shattuck Property Based Business Improvement District (NSBID) Annual Report of Fiscal Years (FYs) 2021 & 20 and proposed budget for FY 2022, and declaring Council's intention to levy an annual assessment for the NSBID for FY 2022.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,863–N.S.

Consent Calendar

- 7. Assessments: Telegraph Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Telegraph Property Based Business Improvement District (TBID) Annual Report of FY 2021 and proposed budget for FY 2022, and declaring Council's intention to levy an annual assessment for the TBID for FY 2022.
Financial Implications: See report.
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 69,864–N.S.
- 8. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 25, 2020**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: \$250,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.
- 9. Memorandum of Agreement with the City of Oakland for the National Urban Search and Rescue Response System**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a Memorandum of Agreement and any amendments with the City of Oakland, as the "Sponsoring Agency" for the National Urban Search and Rescue Response System, operated by the United States Department of Homeland Security, acting through the Federal Emergency Management Agency (FEMA), along with the State of California and local governments.
Financial Implications: None
Contact: Abe Roman, Fire, (510) 981-3473
Action: Adopted Resolution No. 69,865–N.S.
- 10. Contract: Multicultural Institute for COVID -19 Outreach and Health Education Activities**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an expenditure contract and any amendments or extensions thereto with Multicultural Institute in the amount not to exceed \$100,000 for the period June 1, 2021 through June 30, 2022 for COVID-19 outreach services to the Latinx community; particularly the day laborer and domestic worker community.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,866–N.S.

Consent Calendar

- 11. Revenue Grant Agreement: Funding Support from State of California Board of State and Community Corrections Proposition 64 Public Health and Safety Funding**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to The State of California Board of State and Community Corrections, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to address public health and safety related to the implementation of the Control, Regulate, and Tax Adult Use of Marijuana Act, to conduct public health promotion, protection, and prevention services for the State of California Board of State and Community Corrections revenue agreement in the projected amount of \$1,000,000 for May 1, 2021 to April 30, 2024.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,867–N.S.
- 12. Revenue Grant Agreements: Funding Support from the State of California to Conduct Public Health Services**
From: City Manager
Recommendation: Adopt five Resolutions authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following eleven revenue agreements:
1. Child Health and Disability Prevention (CHDP) Program, which includes Early Periodic Screening, Diagnosis, and Treatment (EPSDT) and Health Care Program for Children in Foster Care (HCPCFC), in the projected amount of \$353,395 for FY 2022.
2. Maternal, Child and Adolescent Health (MCAH) Program, in the projected amount of \$332,000 for FY 2022.
3. Tobacco Trust Fund: There is no match required and this contract is expected to be for \$300,000 in FY 2022.
4. Immunization Program: In the projected amount of \$42,204 for FY 2022.
5. Public Health Emergency Preparedness/Pandemic Flu/Cities Readiness Initiative (CRI) Program in the projected allocation of \$257,000 for FY 2022.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,868–N.S. (CHDP Program); Resolution No. 69,869–N.S. (MCAH Program), Resolution No. 69,870–N.S. (Tobacco Trust Fund); Resolution No. 69,871–N.S. (Immunization Program); Resolution No. 69,872–N.S. (Public Health Program).

Consent Calendar

- 13. Accept a Donation from the California Office of Emergency Services**
From: City Manager
Recommendation: Adopt a Resolution accepting a donation of cash and gift cards totaling approximately \$9,000 from CalOES, the Governor’s Office of Emergency Services.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 69,873–N.S.
- 14. Classification and Salary: Establish Director of Police Accountability**
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 69,538-N.S. Classification and Salary Resolution, to establish the Unrepresented classification of Director of Police Accountability with a monthly salary range of \$11,862.93 - \$17,794.40 effective May 25, 2021.
Financial Implications: See report.
Contact: David White, City Manager, (510) 981-7012
Action: Adopted Resolution No. 69,874–N.S. with an amendment to the job description in #2 under “Knowledge of:” to read, “Best practices in, and principles and practices of civilian oversight of law enforcement, and reducing impacts of implicit bias against marginalized groups;”
- 15. Protiviti Government Services: Using General Services Administration (GSA) Vehicle for Professional Services Purchase Orders**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to issue purchase orders with Protiviti Government Services for the purchase of professional services using the General Services Agency’s (GSA) purchasing vehicle no. GS-35F-0280X for an amount not to exceed \$137,000 through June 30, 2022.
Financial Implications: See report.
Contact: Savita Chaudhary, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 69,875–N.S.
- 16. Grant Application: the Surrendered and Abandoned Vessel Exchange (SAVE) grant program of the California Division of Boating & Waterways**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to 1) submit a grant application to the California Division of Boating and Waterways 2021 SAVE grant program for \$42,000; 2) accept any grants; 3) execute any resulting grant agreements and any amendments; and authorizing the implementation of the projects and appropriation of funding for related expenses, including \$4,200 in local match from the Marina Fund.
Financial Implications: See report.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 69,876–N.S.

Consent Calendar

- 17. Purchase Order: Altec Industries, Inc. for One Aerial Bucket Truck**
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcewell contract bid procedures, and authorizing the City Manager to execute a purchase order for one (1) Aerial Bucket Truck with Altec Industries, Inc. in an amount not to exceed \$206,180.
Financial Implications: See report.
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,877–N.S.
- 18. Purchase Order: Braun Northwest for One (1) 2021 North Star 155-1 Type 1 Ambulance**
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in HGACBuy contract bid procedures, and authorizing the City Manager to execute a purchase order for one (1) 2021 North Star 155-1 Type 1 Ambulance with Braun Northwest, Inc. in an amount not to exceed \$245,000.
Financial Implications: See report.
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,878–N.S.
- 19. Purchase Order: Cal-Line Equipment Inc. for Three (3) Bandit 250XP Brush Chippers**
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcewell (formerly NJPA) bid procedures, and authorizing the City Manager to execute a purchase order for three (3) Brush Chippers with Cal-Line Equipment Inc. in an amount not to exceed \$206,200.
Financial Implications: See report.
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,879–N.S.
- 20. Purchase Order: Golden State Fire Apparatus, Inc. for One Pierce Quantum 1500 GPM Pumper**
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in HGACBuy bid procedures, and authorizing the City Manager to execute a purchase order for one (1) Pierce Quantum 1500 GPM Pumper with Golden State Fire Apparatus, Inc. in an amount not to exceed \$866,000.
Financial Implications: See report.
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 69,880–N.S.

Consent Calendar

21. Contract No. 108563-1 Amendment: Stanley Access Technologies for On-Call and Emergency Repair Services for Automatic Doors

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract 108563-1 with Stanley Access Technologies, to increase spending authority by \$50,000.00 for a total not to exceed amount of \$100,000.00 and to extend contract terms for one year, to June 30, 2023, for continued on-call and emergency repair services to maintain the commercial automatic doors in City-owned facilities.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,881–N.S.

22. Declaration of Intent – Fiscal Year 2022 Street Lighting Assessments

From: City Manager

Recommendation: Adopt two Resolutions granting the City Manager the authority to approve the Engineer’s Reports; set a public hearing to be held before the Council of the City of Berkeley at its June 15, 2021 meeting; and authorize the City Clerk to publish Notice of the Public Hearing for Fiscal Year 2022 Levy of Assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,882–N.S. (District No. 1982-1); Resolution No. 69,883–N.S. (District No. 2018).

Consent Calendar

23. **FY 2021/2022 Transportation Development Act Article 3 Fund Allocation**

From: City Manager

Recommendation: Adopt Resolutions:

1. Authorizing the City Manager to: submit an allocation request to the Metropolitan Transportation Commission (MTC) prior to the May 28, 2021 deadline for \$450,000 of FY 21/22 Transportation Development Act (TDA) Article 3 funds for the Berkeley Bicycle Plan Update and Vision Zero Quick Build Program; accept the funds; execute any resultant agreements and amendments; and authorize the implementation of the project, subject to securing the funds; and
2. Declaring that: the City of Berkeley is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the City of Berkeley to carry out the project; the project has been reviewed by the Bicycle Advisory Committee (BAC) of the City of Berkeley; the City of Berkeley attests to the accuracy of and approves the statements in Attachment A to this resolution; and a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Alameda County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,884–N.S. (Berkeley Bicycle Plan Update); Resolution No. 69,885–N.S. (Vision Zero).

24. **Agreement with AC Transit for Operation and Maintenance of Transit Signal Priority Equipment**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and approve a Cooperative Agreement to enable Alameda-Contra Costa County Transit District and its contractor(s) to perform all operation and maintenance activities to Transit Signal Priority (TSP) equipment deployed by the Rapid Corridors Project within the City.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,886–N.S.

Consent Calendar

25. Surplus Lands Act

From: City Manager

Recommendation: Adopt a Resolution to comply with the terms of the Surplus Lands Act (California Government Code § 54220, Et Seq.), as exists now or may be amended in the future, including, but not limited to, AB 1255 (Rivas, 2019), which requires jurisdictions to compile and report annually an inventory of surplus lands to the California Department of Housing and Community Development.

Financial Implications: See report.

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

Action: Adopted Resolution No. 69,887–N.S.

26. Lease Agreement: 2010 Addison Street at Center Street Garage with Vito Loconte and Alexie LeCount d.b.a Lexie’s Frozen Custard

From: City Manager

Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement for 2010 Addison Street at the Center Street Garage with Vito Loconte and Alexie LeCount d.b.a Lexie’s Frozen Custard, a sole proprietorship, for an initial term of ten (10) years with one optional five-year lease extension AND approve payment of a commission of \$9,331.23 to Colliers International for commercial brokerage fees for locating a tenant for the premises.

Financial Implications: See report.

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

Action: Adopt first reading of Ordinance No. 7,763–N.S. Second reading scheduled for June 15, 2021.

27. Appointment of Monica Renee Jones to Mental Health Commission

From: Mental Health Commission

Recommendation: Adopt a Resolution appointing: Monica Renee Jones as a representative of the General Public Interest Category, to complete her first 3-year term beginning May 26, 2021 and ending May 25, 2024.

Financial Implications: None.

Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

Action: Adopted Resolution No. 69,888–N.S.

28. Police Review Commission online poll

From: Police Review Commission

Recommendation: Authorize the Police Review Commission to conduct an online poll regarding awareness of the Commission and experience with its complaint process.

Financial Implications: None.

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

Action: Approved recommendation.

Council Consent Items

29. **Support of AB 1177 – California Public Banking Options Act**
From: Mayor Arreguin (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution in support of Assembly Bill 1177 and send a copy of the Resolution to Governor Newsom, Senator Skinner and Assemblymember Wicks.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 69,889–N.S.
30. **Budget Referral: Sixth Street Traffic Calming Improvements for the Improvement of Pedestrian and Cyclist Safety**
From: Councilmember Taplin (Author)
Recommendation: That the City Council refers to the budget process the funding of traffic calming improvements as follows: 1. Rapid Rectangular Flashing Beacons (RRFB) and a median refuge island at Sixth and Channing Way; 2. A median refuge island at Sixth and Addison Street.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Approved recommendation.

Council Consent Items

31. COVID Economic Recovery - Expanding Local Purchasing Preferences to Rebuild the City's Local Economy and Tax Base

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

Recommendation:

1. To support urgently needed economic recovery in the wake of the COVID-19 crisis and direct more City of Berkeley dollars to Berkeley businesses, adopt a Resolution to expand Berkeley's existing local vendor preference program, effective September 1, 2021, by increasing the value of eligible contracts as follows: a. Contracts for supplies, equipment, materials, and other goods, raise the eligible contract value to \$100,000. b. Contracts for non-professional services, raise the eligible contract value to \$250,000. Direct the City Manager to develop and implement a local vendor preference program for contracts for professional services of up to \$250,000 in value (or up to a higher amount), to be effective January 1, 2022, to further support economic recovery in the City of Berkeley.
2. Refer to the City Manager to reach-out to Berkeley businesses to publicize, offer training and provide other meaningful access to the City's expanded local preferences programs including outreach to businesses owned by people of color, people with disabilities, women, immigrants, and other traditionally marginalized business communities to ensure equitable access to contracting opportunities with the City of Berkeley.
3. Refer to the City Manager to quickly incorporate, when available, any relevant or actionable results of the Mason Tillman Associates study reviewing and identifying disparities in the awarding of contracts affecting local, small, emerging enterprises and other enterprises with possible barriers to access in City construction, architecture, engineering, professional services, goods, and other services contracts.
4. Refer to the City Manager to track and issue periodic reports to Council (or include in existing reports such as the annual Economic Dashboard), and/or to track on an online dashboard, the City's success expanding contracting for goods, equipment, and services with local vendors.

Financial Implications: See report

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

Action: Mayor Arreguin and Councilmember Taplin added as co-sponsors. Adopted Resolution No. 69,890–N.S. revised to change the effective date to January 1, 2022. Approved recommendation as written in Supplemental Communications Packet #1.

32. Budget Referral: City of Berkeley Annual Holocaust Remembrance Day

From: Councilmember Wengraf (Author), Mayor Arreguin (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Taplin (Co-Sponsor)

Recommendation: Refer to the Fiscal Year 2022/2023 budget process a request for \$6,000 annually to fund the City of Berkeley's Annual Holocaust Remembrance Day Program.

Financial Implications: \$6,000

Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action: Approved recommendation.

Council Consent Items

- 33. Budget Referral: Increased Funding for Neighborhood Traffic Calming**
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Droste (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2022/2023 Budget Process an annual increase in allocation for neighborhood traffic calming from the current 100 thousand dollars to 200 thousand dollars.
Financial Implications: \$100,000
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.
- 34. Amend BMC 14.72.105**
From: Councilmember Wengraf (Author)
Recommendation: Adopt first reading of an Ordinance amending BMC 14.72.105 Neighborhood-Serving Community Facility Permits, to allow a broader range of community facilities to be eligible for parking permits.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Adopt first reading of Ordinance No. 7,764–N.S. Second reading scheduled for June 15, 2021.
- 35. Budget Referral: Willard Park Ambassador**
From: Councilmember Droste (Author), Mayor Arreguin (Co-Sponsor), Councilmember Robinson (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Refer to the Budget and Finance Committee a request for \$100,000 in funding for a Park Ambassador at Willard Park for 1 year.
Financial Implications: \$100,000
Contact: Lori Droste, Councilmember, District 8, (510) 981-7180
Action: Approved recommendation.

Action Calendar – Public Hearings

**36. Rescinding and Adopting the Environmental Health Division Fee Schedule
From: City Manager**

Recommendation: Conduct a Public Hearing and, upon conclusion, adopt a Resolution to rescind Resolution 67,495-N.S. which established the current Environmental Health fee schedule and adopt a new fee schedule. The new fee schedule keeps all existing fees at the same level and adds a new permit fee category for Microenterprise Home Kitchen Operations (MEHKOs) with a proposed fee of \$510 annually to cover permit and inspection fees. The new fees will be effective June 1, 2021 until subsequently modified.

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 0 speakers.
M/S/C (Arreguin/Hahn) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Arreguin/Robinson) to adopt Resolution No. 69,891–N.S.

Vote: All Ayes.

**37. Selected Recreation and Camps Program Fee Increases
From: City Manager**

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving new fees and increasing current fees for select Recreation Division programs and rescinding Resolution No. 68,898-N.S. and all amendatory resolutions.

Financial Implications: See report.

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

Public Testimony: The Mayor opened the public hearing. 0 speakers.
M/S/C (Arreguin/Robinson) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Robinson/Harrison) to adopt Resolution No. 69,892–N.S.

Vote: All Ayes.

Action Calendar – Public Hearings

38. FY 2022 Proposed Budget and Proposed Budget Public Hearing #1

From: City Manager

Recommendation: Accept the FY 2022 Proposed Budget for review and consideration by the City Council and final adoption on June 29, 2021 and conduct Public Hearing #1 on the FY 2022 Proposed Budget.

Financial Implications: See FY 2022 Proposed Biennial Budget

Contact: Rama Murty, Budget Office, (510) 981-7000

Action: M/S/C (Arreguin/Robinson) to accept revised materials from the City Manager on Item 38.

Vote: All Ayes.

Action: M/S/C (Arreguin/Robinson) to suspend the rules and extend the meeting to 11:30 p.m.

Vote: All Ayes.

Public Testimony: The Mayor opened the public hearing. 20 speakers.

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

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

Councilmember Droste absent 11:09 p.m. – 11:45 p.m.

Action: M/S/C (Arreguin/Hahn) to suspend the rules and extend the meeting to 11:40 p.m.

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

Action: M/S/C (Arreguin/Harrison) to suspend the rules and extend the meeting to 11:45 p.m.

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

Councilmember Wengraf absent 11:31 p.m. – 11:45 p.m.

Action Calendar – New Business

39a. Grant Allocation: Approve Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs)

From: Sugar Sweetened Beverage Product Panel of Experts

Recommendation: Approve the SSBPPE Commission's recommendations and adopt thirteen (13) Resolutions authorizing the City Manager or her designee to enter into contracts with the Berkeley Unified School District and the Community Based Organizations (CBOs) listed below to distribute a total of \$2,662,506 for FY 2022 and FY 2023 according to the schedule below and to also provide \$239,626 to the City of Berkeley Public Health Division (BPHD) during the same period to support

Action Calendar – New Business

administering and enhancing this program as approved by the Berkeley City Council as follows:

1. \$951,452 total grant to Berkeley Unified School District to implement the Gardening and Cooking Program for FY 2022 and FY 2023 to be disbursed as follows: \$475,726 for FY 2022 and \$475,726 for FY 2023.
2. \$242,250 total grant to the Ecology Center to implement For Thirst, Water First! program for FY 2022 and FY 2023 to be disbursed as follows: \$121,125 in FY 2022 and \$121,125 in FY 2023.
3. \$445,330 grant to Healthy Black Families to implement Thirsty for Change! (T4C) program for FY 2022 and FY 2023 to be disbursed as follows: \$222,665 in FY 2022 and \$222,665 in FY 2023.
4. \$30,000 grant to the Multicultural Institute to implement the Life Skills/Day Laborer Program: Health Activity program for FY 2022 and FY 2023 to be disbursed as follows: \$15,000 in FY 2022 and \$15,000 in FY 2023.
5. \$80,000 grant to the YMCA of the East Bay to implement the YMCA Diabetes Prevention (YDPP) program for FY 2022 and FY 2023 to be disbursed as follows: \$40,000 in FY 2022 and \$40,000 in FY 2023.
6. \$90,550 grant to the YMCA of the East Bay to implement the YMCA Healthy Me! program for FY 2022 and FY 2023 to be disbursed as follows: \$45,275 in FY 2022 and \$45,275 in FY 2023.
7. \$237,150 grant to Lifelong Medical Care to implement the Chronic Disease and Oral Health Prevention Project for FY 2022 and FY 2023 to be disbursed as follows: \$118,575 in FY 2022, and \$118,575 in FY 2023.
8. \$37,600 grant to Fresh Approach to implement the Veggie Rx Program for Healthy Foods and Beverages program for FY 2022 and FY 2023 to be disbursed as follows: \$18,800 in FY 2022, and \$18,800 in FY 2023.
9. \$116,000 grant to Bay Area Community Resources to implement the Healthy Options at Point of Sale program for FY 2022 and FY 2023 to be disbursed as follows: \$58,000 in FY 2022, and \$58,000 in FY 2023.
10. \$55,448 grant to Community Health Education Institute to implement the Artists Against Soda program for FY 2022 and FY 2023 to be disbursed as follows: \$27,724 in FY 2022, and \$27,724 in FY 2023.
11. \$77,600 grant to Berkeley Youth Alternatives to implement the Urban Agriculture and Team Nutrition Program for FY 2022 and FY 2023 to be disbursed as follows: \$38,800 in FY 2022 and \$38,800 in FY2023.
12. \$59,500 grant to 18 Reasons to implement the Cooking Matters program for FY2022 and FY2023 to be disbursed as follows: \$29,750 in FY2022 and \$29,750 in FY2023.
13. \$239,626 to the City of Berkeley Public Health Division (BPHD) to support the SSBPPE Commission and assist with outside evaluations to be disbursed as follows: \$119,813 in FY 2022 and \$119,813 in FY 2023.
14. The Commission recommends that indirect or administrative expenses not exceed 10% of the program budget for any entity and that the funds awarded not be used to supplant any other source of funding.
15. The Commission recommends that City Council authorize the City Manager to authorize advances for BUSD and the selected community agencies receiving funds in FY 2022 and FY2023. The advances are to be equivalent to 25% of the agency's allocation.

Financial Implications: See report

Contact: Dechen Tsering, Commission Secretary, (510) 981-5300

Action Calendar – New Business

39b. Companion Report: Approve Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs)

From: City Manager

Recommendation: Approve the SSBPE Commission's recommendation for funding for Community Based Organizations (CBOs) and Berkeley Unified School District (BUSD) and adopt thirteen (13) Resolutions authorizing the City Manager or her designee to enter into contracts with the CBOs and BUSD to distribute a total of \$2,662,506 for FY 2022 and FY 2023 according to the schedule recommended by the SSBPE. Uphold the City of Berkeley Public Health Division allocation previously approved through Resolution No. 69,669-N.S. by allocating \$399,374 during the same time period.

Financial Implications: See report.

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

Action: Moved Item 39b to the Consent Calendar. Adopted Resolution No. 69,893–N.S. (BUSD); Resolution No. 69,894–N.S. (Ecology Center); Resolution No. 69,895–N.S. (Healthy Black Families); Resolution No. 69,896–N.S. (Multicultural Institute); Resolution No. 69,897–N.S. (YMCA Diabetes Prevention & YMCA Healthy Me); Resolution No. 69,898–N.S. (Lifelong Medical Care); Resolution No. 69,899–N.S. (Fresh Approach); Resolution No. 69,900–N.S. (Bay Area Community Resources); Resolution No. 69,901–N.S. (Community Health Education Institute); Resolution No. 69,902–N.S. (Berkeley Youth Alternatives); Resolution No. 69,903–N.S. (18 Reasons); Resolution No. 69,904–N.S. (City of Berkeley Public Health Division); Resolution No. 69,905–N.S. (Total Funding Allocation).

40. Amending the Berkeley Election Reform Act (BERA) Relating to Officeholder Accounts *(Reviewed by the Agenda & Rules Committee)*

From: Agenda & Rules Committee: Mayor Arreguin, Councilmembers Hahn and Wengraf

Recommendation: Take one of the following actions:

1. Refer a proposal to the Fair Campaign Practices Commission (FCPC) amending the Berkeley Election Reform Act (BERA), BMC Chapter 2.12, and Lobbyist Registration Act, BMC Chapter 2.09, to enact "a reasonable set of limitations and rules" to regulate the maintenance of officeholder accounts, as developed and referred for consideration by the Agenda and Rules Committee; or
2. Refer a proposal to the FCPC amending BERA, BMC Chapter 2.12, to prohibit Officeholder Accounts, as originally proposed by the Fair Campaign Practices Commission.

Policy Committee Recommendation: Send the item to Council with two proposed alternatives: 1) Councilmember Hahn's proposal to regulate officeholder accounts, and 2) the Fair Campaign Practices Commission proposal to prohibit officeholder accounts; and to include the Commission's analysis of regulating officeholder accounts in the item that goes to the full Council.

Financial Implications: See report.

Contact: Agenda & Rules Committee members: Jesse Arreguin, Committee Chair, (510) 981-7100, Sophie Hahn, Councilmember, District 5, (510) 981-7150, Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action: M/S/C (Arreguin/Harrison) to continue Item 40 to September 14, 2021.

Vote: All Ayes.

Council Action Items

- 41. Commission Reorganization for Post-COVID19 Budget Recovery**
From: Councilmember Droste (Author), Councilmember Robinson (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor) *(Reviewed by the Agenda & Rules Committee)*
Recommendation:
1. Refer to the City Manager and City Attorney to bring back changes to the enabling legislation to reorganize existing commissions as proposed below in a phased approach. Phase 1: Prioritize merging the Homeless Commission/Homeless Services Panel of Experts and Housing Advisory Commission/Measure O Bond Oversight Committee first, and request that the City Manager bring back changes to the enabling legislation to implement these consolidated commissions. Phase 2: All other Commissions as proposed in the report. As staff is able to make recommendations on consolidation, they can bring those recommendations forward one by one.
 2. Refer to staff to develop recommendations on the transition to new consolidated commissions and the effective date of the changes.
 3. Consider establishing 18 members on the new Climate and Environment Commission and establishing specific subcommittees focused on the policy areas of the merged commissions.
 4. The Peace, Justice and Human Welfare Commission will be composed of only Mayor and Council appointees.
 5. Refer to City Manager and Commissions the following additional considerations:
 - Federal, state or other external mandates that might be impacted, and determine how to handle.
 - Whether charters of to-be-merged Commissions were adopted by City Council, through measures or initiatives passed by voters, or are by Charter, and by what means they might be merged/adjusted.
 - What elements of each Commission to keep, update, or retire, as well as relevant topics/issues not currently covered that might be added to a more comprehensive and/or relevant merged Commission's charter.
 - Whether the merged Commission might include 9, or a greater number of members.
 - The possibility of requiring specific qualifications for appointment to the merged Commission.
 - The possibility of recommended or required Standing Committees of the Merged Commission.
 - Volunteer workload and capacity given scope of Commission's charter
- Policy Committee Recommendation: Make a Qualified Positive Recommendation to City Council to: 1. Refer to the City Manager and City Attorney to bring back changes to the enabling legislation to reorganize existing commissions as proposed below in a phased approach. Phase 1: Prioritize merging the Homeless Commission/Homeless Services Panel of Experts and Housing Advisory Commission/Measure O Bond Oversight Committee first, and request that the City Manager bring back changes to the enabling legislation to implement these consolidated commissions. Phase 2: All other Commissions as proposed in the report. As staff is able to make recommendations on consolidation, they can bring those recommendations forward one by one. 2. Refer to the Commissions impacted a process to determine the charge/responsibilities of the newly merged commissions, and bring Commission input to the appropriate Policy Committees (as proposed by*

Council Action Items

Vice-Mayor Droste in 4/5/21 submittal) for further recommendations to the City Manager on revised charge/responsibilities of merged commissions. 3. Refer to staff to develop recommendations on the transition to new consolidated commissions and the effective date of the changes. 4. Consider establishing 18 members on the new Climate and Environment Commission and establishing specific subcommittees focused on the policy areas of the merged commissions. 5. The Peace, Justice and Human Welfare Commission will be comprised of only Mayor and Council appointees. 6. Refer Councilmember Hahn questions to City Manager and Commissions: "Commissions to Combine/Merge - Suggested Considerations" - Federal, state or other external mandates that might be impacted, and determine how to handle. - Whether charters of to-be-merged Commissions were adopted by City Council, through measures or initiatives passed by voters, or are by Charter, and by what means they might be merged/adjusted. - What elements of each Commission to keep, update, or retire, as well as relevant topics/issues not currently covered that might be added to a more comprehensive and/or relevant merged Commission's charter. - Whether the merged Commission might include 9, or a greater number of members. - The possibility of requiring specific qualifications for appointment to the merged Commission. - The possibility of recommended or required Standing Committees of the Merged Commission - Volunteer workload and capacity given scope of Commission's charter.

Financial Implications: See report

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

Action: Item continued to June 15, 2021.

Information Reports

42. Mental Health Commission Work Plan 2021-2022

From: Mental Health Commission

Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

Action: Received and filed.

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

Adjournment

Adjourned at 11:45 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on May 25, 2021.

Mark Numainville
City Clerk

Communications

Tenant Opportunity to Purchase Act

1. 4 similarly-worded form letter (My name is)
2. Mary Behm-Steinberg
3. David Nutt
4. Annie Koruga
5. Kathleen Crandall
6. Berkeley Rental Housing Coalition
7. East Bay Young Democrats
8. California Democratic Renters Council

1921 Walnut Street Demolition

9. Northern Alameda County Sierra Club
10. University of California, Berkeley

COVID-19

11. Ava See (2)

City of Berkeley Crime

12. Erwan Illian

2021 LRDP and Housing Projects #1 and #2 – UC Berkeley

13. City of Berkeley Landmarks Preservation Commission

Affordable Housing Overlay

14. Cal Berkeley Democrats
15. Associated Student University of California

Public Comment at Agenda and Rules Meeting

16. Thomas Lord

Supplemental Communications and Reports 1

Item #31: COVID Economic Recovery - Expanding Local Purchasing Preferences to Rebuild the City's Local Economy and Tax Base

17. Supplemental material, submitted by Councilmember Hahn

Item #38: FY 2022 Proposed Budget and Proposed Budget Public Hearing #1

18. Jamie Greenblatt, on behalf of Play Café
19. Katherine Sanderlin, on behalf of Aurora Theatre Company
20. Wyndy Knox Carr
21. Josh Costello
22. Ellen Levine
23. Susie Medak
24. Edwin Bernbaum

- 25. Gina Moreland
- 26. Joanie McBrien, on behalf of Shotgun Players
- 27. Mary Lins, on behalf of Berkeley Playhouse

Supplemental Communications and Reports 2

Item #38: FY 2022 Proposed Budget and Proposed Budget Public Hearing #1

- 28. Jennifer Cole
- 29. Ann Holsberry
- 30. Gary Grimm
- 31. Summer Brener
- 32. Adam Hochschild
- 33. Laurie Rich, on behalf of the David Brower Center
- 34. Archana Horsting, on behalf of the Kala Art Institute
- 35. Scott Gelfand
- 36. Hadlye Dynak
- 37. Moni Law
- 38. Carole Kennerly
- 39. David White, Deputy City Manager
- 40. Diana Bohn (2)

Supplemental Communications and Reports 3

Item #2: 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)

- 41. Barbara Gilbert

Item #31: COVID Economic Recovery - Expanding Local Purchasing Preferences to Rebuild the City's Local Economy and Tax Base

- 42. Brennan Cox, on behalf of Groundworks
- 43. Kennedy Smith, on behalf of Institute for Local Self-Reliance
- 44. Action Calendar – Public Hearing

Item #36: Rescinding and Adopting the Environmental Health Division Fee Schedule

- 45. Barbara Gilbert

Item #38: FY 2022 Proposed Budget and Proposed Budget Public Hearing #1

- 46. Revised material, submitted by Budget
- 47. Presentation, submitted by Budget
- 48. Diana Bohn
- 49. Cherilyn Parsons
- 50. Laurel Halvorson
- 51. Anna Clark

Item #39: Grant Allocation: Approve Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs)

52. Martin Bourque

53. Vicki Alexander, on behalf of Healthy Black Families

54. Nefer Kelley

Item #40: Amending the Berkeley Election Reform Act (BERA) Relating to Officeholder Accounts

55. Eric Friedman

56. Geoff Lomax

Urgent Item: Budget Referral: Funding for Traffic Control Mitigations to Protect Pedestrian Access to Cragmont Elementary School

57. Urgent item, submitted by Councilmember Wengraf

Miscellaneous

58. Laurel Halvorson

