

AGENDA



BERKELEY CITY COUNCIL MEETING

**Tuesday, November 30, 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 Government Code Section 54953(e) and the state declared emergency, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be 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/82259683632>. 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: **822 5968 3632**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

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.

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:

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

Consent Calendar

The Council will first determine whether to move items on the agenda for "Action" or "Information" to the "Consent Calendar", or move "Consent Calendar" items to "Action." Three members of the City Council must agree to pull an item from the Consent Calendar for it to move to Action. Items that remain on the "Consent Calendar" are voted on in one motion as a group. "Information" items are not discussed or acted upon at the Council meeting unless they are moved to "Action" or "Consent".

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to "Action." Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

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

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

- 1. Opt-In to Countywide Organics Reduction and Recycling Ordinance**
From: City Manager
Recommendation: Adopt the second reading of Ordinance No. 7,790-N.S. adding Chapter 12.35 to the Berkeley Municipal Code opting in to the Alameda County Waste Management Authority's Organics Reduction and Recycling Ordinance with an effective date of January 1, 2022. This Ordinance will bring the City into compliance with the regulations of Senate Bill 1383: Short-lived Climate Pollutants Act of 2016.
First Reading Vote: All Ayes
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
- 2. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the council meetings of October 5, 2021 (closed and special), October 12, 2021 (closed and regular), October 19, 2021 (special) and October 26, 2021 (closed and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 3. Grant Approval: San Francisco Foundation support for 100% affordable housing at BART stations**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to apply for and if awarded, accept a \$50,000 grant from the San Francisco Foundation to support efforts to make the BART housing projects 100% affordable.
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000
- 4. MOU to implement Ronald V. Dellums Fair Chance Access to Housing Ordinance**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to effectuate a Memorandum of Understanding (MOU) between the City of Berkeley and the City of Berkeley Rent Stabilization Board (Rent Board) to implement the Ronald V. Dellums Fair Chance Ordinance previously adopted by the Berkeley City Council.
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000

Consent Calendar

5. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on November 30, 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 - \$340,000

Contact: Henry Oyekanmi, Finance, (510) 981-7300

6. Proposed Ordinance Rescinding Ordinance 7,788-N.S. and Amending Paragraph 'NN' of Berkeley Municipal Code Section 19.48.020 ("Amendments to the California Fire Code") to Restore Language Which Existed Prior to October 26, 2021

From: City Manager

Recommendation: 1. Adopt the first reading of an Ordinance rescinding Ordinance 7,788-N.S. which modified the language of Paragraph 'NN.' of Berkeley Municipal Code Section 19.48.020 ("Amendments to the California Fire Code") and which requires the installation of fire sprinklers in certain new structures and the retrofit of fire sprinklers in certain existing structures in Fire Zones 2 and 3 due to additional information presented to City staff, and restore the language of Paragraph 'NN' which existed prior to the October 26, 2021 adoption of Ordinance 7,788-N.S.; 2. Adopt a Resolution (Attachment 2) setting forth findings of local conditions that require more stringent building standards than those provided by the 2019 California Fire Code; 3. In compliance with state law on adopting such more restrictive building standards, hold a public hearing following the first reading and before the second reading, and schedule the public hearing for December 14, 2021.

Financial Implications: None

Contact: Abe Roman, Fire, (510) 981-3473

7. Contract: Blaisdell's Business Products for HHCS Furniture

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract, and any amendments or extensions, with Blaisdell's Business Products for new office and classroom furniture for the North Berkeley Senior Center (NBSC). The contract will be in an amount not to exceed \$99,000 for the period January 1, 2022 through June 30, 2022.

Financial Implications: See report

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

Consent Calendar

- 8. Contract No. 32000094 Amendment: Youth Spirit Artworks Mental Health Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to amend contract No. 32000094 with vendor Youth Spirit Artworks (YSA) to provide a variety of mental health and case management supports for Transition Age Youth (TAY) through June 30, 2022 in an amount not to exceed \$527,046. This will extend the existing contract by one year and add \$210,046 in funding.
Financial Implications: Measure P - \$210,046
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 9. Contract No. 32100178 Amendment: California Mental Health Services Authority Help@Hand Participation Agreement**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an Amendment to Contract No. 32100178 for the Help@Hand Participation Agreement with the California Mental Health Services Authority (CalMHSA) to increase the amount of local project funds by \$47,999 for a total amount not to exceed \$400,915 through June 30, 2024, and any amendments.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 10. Contract: Community Crisis Response Services**
From: City Manager
Recommendation: Adopt three Resolutions authorizing the City Manager or her designee to execute contracts and any amendments or extensions with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center for Community Crisis Response Services, in an amount not to exceed \$1,200,000.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 11. Contract: Needle Exchange Emergency Distribution (NEED)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an expenditure contract and any amendments or extensions with the Needle Exchange Emergency Distribution (NEED) in an amount not to exceed \$150,000 for the period July 1, 2021 through June 30, 2024.
Financial Implications: General Fund - \$150,000
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

- 12. Grant Application: Cal Fire Urban and Community Forestry Grant Program (Trees Make Berkeley Better)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a CAL FIRE Urban and Community Forestry tree planting grant application in the amount up to \$1,104,320; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 13. Berkeley Existing Buildings Electrification Strategy**
From: City Manager
Recommendation: Adopt a Resolution approving the Berkeley Existing Buildings Electrification Strategy, as described in Exhibit A.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 14. Cities Race to Zero Campaign: 2030 emission reduction target**
From: City Manager
Recommendation: Adopt a Resolution for the Cities Race to Zero Campaign to establish a 2030 emission reduction target that reflects Berkeley's fair share of the 50% global reduction in CO₂e, committing to reduce emissions 60.5% from 2018 levels by 2030.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 15. Contract No. 112219-1 Amendment: Siemens Industry, Inc. for Fire and Life Safety Systems Maintenance**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 112219-1 with Siemens Industry, Inc. for Fire and Life Safety Systems Maintenance increasing the current contract amount of \$300,000 by \$300,000 for a total not to exceed amount of \$600,000 and extending the term through December 31, 2024.
Financial Implications: Various Funds - \$300,000
Contact: Liam Garland, Public Works, (510) 981-6300

Consent Calendar

16. **Contract No. 32100081 Amendment: FirstCarbon Solutions, Inc. for California Environmental Quality Act Compliance for the Solid Waste & Recycling Transfer Station Replacement Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32100081 with FirstCarbon Solutions, Inc. for the Solid Waste & Recycling Transfer Station Replacement Project to ensure compliance with the California Environmental Quality Act, increasing the current contract amount of \$500,000 by \$150,000 for a total not to exceed amount of \$650,000 and extending the contract term to June 30, 2022.
Financial Implications: Zero Waste Fund - \$150,000
Contact: Liam Garland, Public Works, (510) 981-6300
17. **Purchase Order: PB Loader Corporation for Two Chipper Trucks**
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) Contract No. 052417-PBL bid procedures and authorizing the City Manager to execute a purchase order for two Chipper Trucks with PB Loader Corporation in an amount not to exceed \$305,900.
Financial Implications: Equipment Replacement Fund - \$305,900
Contact: Liam Garland, Public Works, (510) 981-6300

Council Consent Items

18. **Budget Referral: Berkeley Age-Friendly Continuum**
From: Mayor Arreguin (Author) and Councilmember Wengraf (Co-Sponsor)
Recommendation: Refer \$20,000 to the November 2021 Annual Appropriations Ordinance #1 process for the Berkeley Age-Friendly Continuum.
Financial Implications: General Fund - \$20,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
19. **Reappointment of Dr. P. Robert Beatty to the Alameda County Mosquito Abatement District Board of Trustees**
From: Mayor Arreguin (Author)
Recommendation: Adopt a Resolution reappointing Dr. P. Robert Beatty to the Board of Trustees of the Alameda County Abatement District for a two-year term ending on January 1, 2024.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100

Council Consent Items

20. Budget Referral: Commitment to Habitot Recovery

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

Recommendation: Refer to the AAO#1 Budget Process \$100,000 to support the recovery of Habitot and its many agency partners so it can ramp up to pre-pandemic levels and continue to provide its broad services to young children, their parents, and caregivers, and our communities most vulnerable families.

Financial Implications: \$100,000

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

Council Consent Items

21. **Budget Referral and Resolution Establishing a Pilot Existing Building Electrification Installation Incentives and Just Transition Program with Pre-Qualified Contractors Meeting Minimum Labor Standards to Assist New Property Owners, Renters and Existing Property Owners with Transition to Zero-Carbon Buildings** *(Reviewed by the Budget & Finance Policy Committee)*
From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)

Recommendation: 1. Adopt a Resolution establishing:

- a. a referral to Office of Energy and Sustainable Development (OESD) staff to design and launch a two-year Pilot Existing Building Electrification Installation Incentives and “Just Transition” Program, using pre-qualified contractors meeting minimum labor standards to assist new property owners, renters and existing property owners with transition to zero-carbon plumbing, HVAC, cooking, and related electrical systems, with a preference first for assisting existing affordable housing buildings and assisting households at or below 120% of the Area Median Income; and
 - b. an annual process for the Energy (or successor) Commission and the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee (FITES), in consultation with community and labor groups, to provide input to staff and Council about eligible categories of fund expenditures to maximize equitable emissions reductions and impacts for eligible households while leaving the mechanisms for doing so to staff discretion.
2. Send copies of the Resolution and letters to members of the California Public Utilities and Energy Commissions, Governor Newsom, State Senator Skinner, and Assemblymember Wicks conveying urgent support for a statewide approach to rapidly contract the natural gas distribution system in a way that is safe, economical for remaining customers, and that provides a just transition for affected workers, including gas utility and extraction workers.
3. Refer to the November, 2021 AAO budget process:
- a. \$1,500,000 of general fund monies from the American Rescue Plan Act allocation and other sources as appropriate as seed funding for the two-year pilot, inclusive of staff costs, for FY 2022.

Policy Committee Recommendation: On November 3, 2021 the Budget & Finance Policy Committee took the following action: M/S/C (Arreguin/Harrison) to send the item to Council with a qualified positive recommendation including the following amendments: Recommendation 2. That part of the recommended funding source is American Rescue Plan dollars and; Recommendation 1a. Modifying the end of the last sentence to “with a preference first for affordable housing projects and assisting households at or below 120% the area median income.”

Financial Implications: See report

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

Council Consent Items

**22. Prioritizing Berkeley Unified School District Public Works Service Requests
From: Councilmember Hahn (Author) and Councilmember Harrison (Co-Sponsor)**

Recommendation: Refer to the City Manager to: 1. Work with the Berkeley Unified School District (BUSD) to create a system to better document, communicate, and prioritize Public Works service requests from BUSD schools and facilities; and 2. Establish protocols with BUSD for school principals to coordinate directly with Public Works staff to address school site-related concerns that fall under the City's jurisdiction.

Financial Implications: None

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

23. Budget Referral to City Manager to Improve Pedestrian Safety where Sidewalks are Not Provided

From: Councilmember Wengraf (Author)

Recommendation: Refer to the Mid-Year Annual Appropriations Ordinance Budget Process \$100,000 to implement steps to promote increased safety for pedestrians of all ages, including seniors and children, on streets lacking sidewalks. This item is requesting the installation of signage to minimize pedestrian-vehicular conflict points at uncontrolled intersections, and to increase driver awareness of pedestrian activity by posting speed limit signs and other signage as a means to improving safe pedestrian access to schools, neighborhood parks, USPS mailboxes, and school and AC Transit bus stops in areas without the benefit of sidewalks. In addition, this item requests that the City Manager explore the implementation of AB 43 that allows cities to take the safety of vulnerable users into consideration when setting local speed limits. This item requests that the City Manager exercise her authority under the California Vehicle Code to allow for lowering the speed limit to 15 or 20 mph in residential districts where the roadway is less than 25 feet wide.

Financial Implications: \$100,000

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

Action Calendar

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

The Presiding Officer will request that persons wishing to speak use the "raise hand" function to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

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

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak use the "raise hand" function to be recognized and to determine the number of persons interested in speaking at that time.

Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

Each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.

24. **Bayer Healthcare LLC – Amended and Restated Development Agreement**

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, certify the Final Subsequent Environmental Impact Report, adopt Findings and a Mitigation Monitoring and Reporting Program, and adopt the first reading of an Ordinance to approve the Amended and Restated Development Agreement between the City of Berkeley and Bayer Healthcare LLC.

Financial Implications: See report

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

25. **Amendments to the Berkeley Election Reform Act**

From: Fair Campaign Practices Commission

Recommendation: Conduct a public hearing and, upon conclusion, adopt the first reading of an Ordinance amending the Berkeley Election Reform Act (BMC Chapter 2.12) to (1) make public financing available to candidates for the offices of Auditor, School Board Director, and Rent Stabilization Board Commissioner, (2) further clarify the use of Fair Elections funds, (3) clarify the requirements for returning unspent Fair Elections funds, (4) add a new process for requesting return of previously repaid Fair Elections funds, and (5) require the FCPC to make a cost of living adjustment to the contribution limit to candidates in January of each odd-numbered year.

Financial Implications: None

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

Action Calendar – Old Business

26. **Commission Reorganization: Creating the Parks, Recreation, and Waterfront Commission** *(Continued from November 16, 2021)*
From: City Manager
Recommendation: Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.26 to create the Parks, Recreation, and Waterfront Commission, and repealing Berkeley Municipal Code Chapters 3.27 (Children, Youth, and Recreation Commission) and 3.08 (Berkeley Animal Care Commission).
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Action Calendar – New Business

27. **Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code**
From: City Manager
Recommendation: Adopt a Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code.
Financial Implications: None
Contact: LaTanya Bellow, City Manager's Office, (510) 981-7000, Jennifer Louis, Police, (510) 981-5900

Council Action Items

- 28. Budget Referral: Automated license plate readers for community safety improvement** *(Reviewed by the Public Safety Policy Committee)*
From: Councilmember Taplin (Author), Councilmember Droste (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: That the Berkeley City Council take the following actions to enable and deploy tactical technologies in strategic public spaces and the public ROW for the improvement of community safety and determent, intervention, prevention of illegal dumping and/or investigation of violent crime and traffic violations: Authorize the City Manager to install Automatic License Plate Readers (ALPRs) at strategic locations including public facilities, entrances to the city and the public right-of-way in areas impacted by violent crime, traffic violations including infractions pertaining to bicycle and pedestrian safety, illegal dumping, Schedule II drug offenses, and other criminal activity; and refer to the FY 23-24 budget process cost of ALPRs. Refer to the City Manager the development of a policy pursuant and subject to City of Berkeley Surveillance Ordinance and Sanctuary City Contracting Ordinance enabling the use of ALPRs in fixed locations, mobile trailers, and vehicles by the Berkeley Police Department; consider a data retention period of no greater than one year, no less than sixty days to account for reporting lag, and study the feasibility of shorter data retention periods for non-hit scans with final discretion resting with the City Manager; consider comparable and applicable standards in the ALPRs policies of local governments including: the City of Alameda, The city of Emeryville, The City of Hayward, The City of Oakland, The City of Piedmont, The City of Richmond, The City of San Leandro, and The City of Vallejo; and consider provisions to safeguard efficacy against plate counterfitting, plate switching, and other methods of detection evasions.
Policy Committee Recommendation: On November 1, 2021, the Public Safety Policy Committee took the following action: M/S/C (Kesarwani/Bartlett) to refer the item to Council with a qualified positive recommendation of the item to reflect the Policy Committee's desire for consideration of the costs and benefits of this proposed expenditure against other public safety investments in the two-year FY 2022-23 & 2023-24 budget and the need to first develop a policy related to addressing data retention and other issues in accordance with the City of Berkeley Surveillance Ordinance and Sanctuary City Contracting Ordinance.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Information Reports

- 29. City Council Short Term Referral Process – Quarterly Update**
From: City Manager
Contact: Mark Numainville, City Clerk, (510) 981-6900

Information Reports

30. **FY 2021 Fourth Quarter Investment Report: Ended June 30, 2021**
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
31. **Condominium Conversion Program – Annual Report**
From: City Manager
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
32. **Berkeley’s 2019 Community-Wide Greenhouse Gas Emissions Inventory**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Comment – Items Not Listed on the Agenda

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

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

Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be posted on the City’s website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil>

COMMUNICATION ACCESS INFORMATION:

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.



Captioning services are provided at the meeting, on B-TV, and on the Internet.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on November 18, 2021.*

Mark Numainville, City Clerk

## **Communications – November 30**

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record.*

### **Item #13: Berkeley Existing Buildings Electrification Strategy**

1. Daniel Tahara

### **Item #24: Bayer Healthcare LLC – Amended and Restated Development Agreement**

2. Beth Roessner, on behalf of the Berkeley Chamber of Commerce
3. Minda Berbeco
4. Kathleen Crandall
5. Sheroza Haniff, on behalf of the Alameda County Workforce Development Board
6. Katelyn Burns
7. Sara Webber, on behalf of the Berkeley Food Network
8. Nico Nagle, on behalf of the Housing Action Coalition
9. Andrea Ali, owner Guerilla Café
10. Ajit Smith-Iyer
11. Jim Wunderman, on behalf of the Bay Area Council
12. Lindsay Kempf
13. Alejandra Tapia
14. Anabel Fredman
15. Sophia Padron Vos
16. Miguel Piedra Montano
17. Ahmed Akbar
18. Teresa Barnett, on behalf of Community Resources for Science
19. Lauren Rawlins
20. Stephen Baiter, on behalf of East Bay Economic Development Alliance
21. Sherry Smith, on behalf of Berkeley Community Scholars
22. Anshdeep Chhabra
23. Chamroen Eng
24. Willis Hon

- 25. Lynda Gayden, on behalf of the Board of Directors of Biotech Partners (2)
- 26. Rob Stoker, on behalf of the Alameda County Building and Construction Trades Council

**Item #27: Resolution Accepting the Surveillance Technology Report for Automatic License Plate Readers, GPS Trackers, Body Worn Cameras, and the Street Level Imagery Project Pursuant to Chapter 2.99 of the Berkeley Municipal Code**

- 27. Oren Cheyette

**BART Housing**

- 28. Louise Rosenkrantz
- 29. Mathew Lewis
- 30. Linda Franklin
- 31. David Brandon
- 32. Carla Woodworth
- 33. Charlene Woodcock
- 34. Margot Smith (2)
- 35. Serena Lim
- 36. Rhonda Grossman
- 37. Suzanne McMillan
- 38. Lindsay Dixon
- 39. Carolyn McMillan
- 40. Deborah Mathews
- 41. Barbara Fisher

**Plastic Bag Ordinance**

- 42. 3 similarly-worded from letters

**People's Park**

- 43. Russbumper

**Homeless People Treatment**

- 44. Diana Bohn

**Berkeley Police Department Budget**

- 45. Diana Bohn

**Voluntary Dismissal of Dominquez et al Lawsuit**

- 46. Melisa Cheatwood

**Climate Change**

- 47. Thomas Lord (4)

**Electric Vehicle Charging Station Solicitation**

- 48. Sage Feiler



**COVID-19 Related Issues**

49. Todd Andrew

**Berkeley City Council Meeting Statement**

50. Katy Scott-Smith

**Hopkins Corridor**

51. Bill Hickman

**Rent Relief Program**

52. Human Welfare and Community Action Commission

**Vision Zero**

53. Arvind Ramesh

54. Kristina Monakhova

55. Leo Vacher

**Fighting Crime in Berkeley**

56. Robyn Chen

57. Melanie Beasley, on behalf of the City Manager's Office

**No Development at Aquatic Park**

58. Charlene Woodcock

**Street Paving**

59. David Fisher

60. Jenifer Steele

61. Arthur Ogus

62. Judy Grether

**Genetically Modified Mosquitoes**

63. Erick Zavala

64. Robert Swanson

65. Mary Jill Seibel

66. Jaydee Hanson

**Encrypted Police Radios**

67. Sylvia

**Solar Access**

68. Pamela Drake

**Social Housing**

69. gvalentine@

**Public Security Cameras**

70. Oren Cheyette

**Single-Family Homes Floor Area Ratio**

71. Drake Zinns

**Berkeley is Least Affordable Mid-Sized City**

72. Margot Smith

**Timeline to Enforce City Ordinance – Homelessness**

73. Sam Kang

74. Michael Dillingham (2)

75. Laura Menard (2)

76. Lila Sklar

77. Adena Ishii

78. Olivia Wright

**Porta Potty Owned by United Company**

79. Debora Greene