



PROCLAMATION CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

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

**Thursday, June 2, 2022
6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

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 IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION

Proof of up-to-date COVID-19 vaccination or verified negative COVID-19 test is required for in-person attendance. In-person attendees are required to wear a mask that covers their nose and mouth for the duration of the meeting. If you are feeling sick, please do not attend in-person.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/86518584336>. 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: **865 1858 4336**. 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 meeting will be recorded and all rules of procedure and decorum apply for in-person attendees and those participating 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:

Action Calendar – Public Hearing

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 line up at the podium, or use the "raise hand" function in Zoom, 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.

Action Calendar – Public Hearing

1. **Ashby and North Berkeley BART Station Areas: Proposed Zoning and General Plan Amendments, City and BART Joint Vision and Priorities, Associated Environmental Review Documents and City and BART Memorandum of Agreement**

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion:

1. Adopt a Resolution (a) certifying the Final Environmental Impact Report (EIR), adopting the California Environmental Quality Act (CEQA) Findings and Statement of Overriding Considerations, adopting mitigation measures, and adopting a Mitigation Monitoring and Reporting Program (MMRP) for the proposed zoning and General Plan, Municipal Code, and Map amendments; (b) amending the General Plan to include the Ashby and North Berkeley BART Mixed Use Transit Oriented Development General Plan Land Use Classification text and map amendments; and (c) adopting the City and BART Joint Vision and Priorities (JVP) for Transit Oriented Development at the Ashby and North Berkeley BART Stations (Attachment 1 to the report, Exhibits A - F); and
2. Adopt first reading of an Ordinance to amend the Berkeley Municipal Code to create the Residential-BART Mixed-Use District Residential Zone District (Chapter 23.202.150) and additional conforming amendments to other sections of the Municipal Code in order to ensure that the provisions are comprehensively and consistently incorporated into the Berkeley Zoning Ordinance (Attachment 2 to the report); and
3. Adopt a Resolution adopting the Memorandum of Agreement (MOA) regarding North Berkeley and Ashby Transit-Oriented Developments (Attachment 3 to the report).

Financial Implications: See report

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

Adjournment

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 23rd day of May 2022.



Jesse Arreguin, Mayor

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

ATTEST:



Date: May 23, 2022

Mark Numainville, City Clerk

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.*

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

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 made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <https://berkeleyca.gov/>.

Agendas and agenda reports may be accessed via the Internet at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>

and may be read at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor

Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901

Email: clerk@cityofberkeley.info

Libraries: Main – 2090 Kittredge Street,
Claremont Branch – 2940 Benvenue, West Branch – 1125 University,
North Branch – 1170 The Alameda, South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

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

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

Communications

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. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).

Ashby and North Berkeley BART Development

1. Ethan Byxbe
2. Tom Reilly
3. Linda Rosen
4. Larry Orman
5. Sue Martin
6. Rose Ann Cochran
7. Adam Davis and Oana Cogan
8. Nina Torcoletti
9. North Berkeley Neighborhood Alliance
10. Ian Petrich
11. Cece Littlepage
12. Becki and Peretz Wolf-Prusan
13. Anne Boersma (2)
14. Laura Garcia Moreno
15. Carolyn McNiven
16. Stephanie Manning
17. Rachel Bradley
18. Sabina McMurtry
19. Cherie Hearne
20. Diana Bohn
21. Sue Martin
22. Ernie Mansfield
23. Phil Allen
24. David Brandon
25. Michelle Pasternack
26. Aimee Baldwin
27. Emily Klion
28. Steve Sperber
29. Richard Links
30. Doris Nassiry

Communications

31. Vicki Sommer
32. Roberta Silverstein
33. Barbara Rydlander
34. Valerie Dow
35. Laura Magnani
36. Kathleen Davis
37. Zelda Bronstein
38. Julieta Pisani McCarthy (2)
39. Toni Casal
40. Todd Jailer
41. Verna Uchida
42. Herbert Dang
43. Mary Louise Zernicke
44. Margaret Tormey
45. Councilmember Harrison
46. Sean Martin-Hamburger
47. Kerna Trottier
48. Leni Siegel
49. Dan Sibley
50. Ivan and Sarah Diamond
51. Josh Gutwill
52. Sue Jones
53. Inette Dishler
54. Elisa Mikiten
55. James Babcock
56. Susan DeMersseman
57. Scott Selmanoff
58. Barbara Shayesteh
59. Kris Muller
60. Leslie Dickersin
61. Eleni Sotos
62. David Ushijima
63. Emily McAfee
64. Karen Jacobs
65. Milo Trauss
66. Berkeley Neighborhood Council
67. Donna Mickleson
68. Jack Sawyer
69. Walter Wood
70. Ida Kuluk
71. Jackson Lester
72. Meryl Siegal
73. Larry Orman
74. Campbell B
75. Stephen Most
76. Rick Marcus
77. Kathleen Carroll
78. Jenifer Steele

Communications

79. Robert Dering and Gay Gale
80. Mark Ally
81. Maris Arnold
82. Justin Baldwin
83. Margot Smith
84. Stephen Wood
85. Leni Siegel
86. Judith Brown and Shannon Brown
87. Louise Rosenkrantz
88. Tobey Wiebe
89. Jonathan Lipschutz
90. Linda Wood
91. Phyllis Oyama
92. Leslie Stone
93. Sally Hughes
94. Seth Kimball
95. Rob Wren
96. Michele Arreola-Burl
97. Todd Darling
98. Roberta Silverstein
99. Stephen Sperber
100. Janel Coleman and Berne Reuben
101. Nancy Graham
102. Priscilla Hine
103. Chris McKee
104. Kenneth Gross
105. Ednah Beth Friedman
106. Janice Schroeder
107. Cecile Leneman
108. Jeannette MacMillan
109. Joan Hamilton
110. Catherine Ronneberg
111. Linda Rosen
112. Cressida Simpson
113. Jordan Harrison
114. Charlene Harrington
115. Margaret Pritt
116. Ben Domingue
117. Toni Mester
118. Summer Brenner
119. Lynn Cooper
120. Tobey Wiebe
121. Phyllis Rothman
122. John Carroll
123. Lee Bishop
124. Louise Specht
125. Phyllis Orrick
126. Megan Wachpress

Communications

- 127. Jeannette MacMillan
- 128. Stephen Woodrow
- 129. Alfred Twu
- 130. Michael Barglow
- 131. Chris and Libby Lee-Egan
- 132. James Mattson
- 133. 44 similarly-worded form letters (JVP 1-4)
- 134. 17 similarly-worded form letters (7 stories max)

