



**BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE
SPECIAL MEETING**

**TUESDAY, JANUARY 4, 2022
2:30 P.M.**

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf
Alternate: Councilmember 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 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 the attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL <https://us02web.zoom.us/j/81018124489> 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 on the screen.

To join by phone: Dial **1-669-900-9128 or 1-877-853-5257 (Toll Free)** and Enter Meeting ID: **810 1812 4489**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair.

Written communications submitted by mail or e-mail to the Agenda & Rules Committee by 5:00 p.m. the Friday before the Committee meeting will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record. City offices are currently closed and cannot accept written communications in person.

AGENDA

Roll Call

Public Comment

Review of Agendas

1. **Approval of Minutes: November 29, 2021**
2. **Review and Approve Draft Agenda:**
 - a. 1/18/22 – 6:00 p.m. Regular City Council Meeting
3. **Selection of Item for the Berkeley Considers Online Engagement Portal**
4. **Adjournments In Memory**

Scheduling

5. **Council Worksessions Schedule**
6. **Council Referrals to Agenda Committee for Scheduling**
7. **Land Use Calendar**

Referred Items for Review

8. **Discussion Regarding Impact of COVID-19 (novel coronavirus) on Meetings of Legislative Bodies**
9. **Preliminary Analysis of Return to In-Person Meetings of City Legislative Bodies**

Unscheduled Items

10. **Discussion Regarding Design and Strengthening of Policy Committee Process and Structure (Including Budget Referrals)**
11. **Strengthening and Supporting City Commissions: Guidance on the Development of Legislative Proposals**

Items for Future Agendas

- **Discussion of items to be added to future agendas**

Adjournment – Next Meeting Monday, January 10, 2022

~~~~~

### Additional items may be added to the draft agenda per Council Rules of Procedure.

*Rules of Procedure as adopted by Council resolution, Article III, C3c - Agenda - Submission of Time Critical Items*

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

*If the Agenda Committee finds the matter to meet the definition of Time Critical, the Agenda Committee may place the matter on the Agenda on either the Consent or Action Calendar.*

*The City Clerk shall not accept any item past the adjournment of the Agenda Committee meeting for which the agenda that the item is requested to appear on has been approved.*

*Written communications addressed to the Agenda Committee and submitted to the City Clerk Department by 5:00 p.m. the Friday before the Committee meeting, will be distributed to the Committee prior to the meeting.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Members of the City Council who are not members of the standing committee may attend a standing committee meeting even if it results in a quorum being present, provided that the non-members only act as observers and do not participate in the meeting. If only one member of the Council who is not a member of the committee is present for the meeting, the member may participate in the meeting because less than a quorum of the full Council is present. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900.*

#### 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.

\* \* \*

I hereby certify that the agenda for this special 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 December 30, 2021.

A handwritten signature in black ink that reads "Mark Numainville".

Mark Numainville, City Clerk

### Communications

*Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or [policycommittee@cityofberkeley.info](mailto:policycommittee@cityofberkeley.info).*



**BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE  
SPECIAL MEETING MINUTES**

**MONDAY, NOVEMBER 29, 2021**

**2:30 P.M.**

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf

Alternate: Councilmember 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 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 the attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL <https://us02web.zoom.us/j/85877795250>. 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 on the screen.

To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and Enter Meeting ID: **858 7779 5250**. If you wish to comment during the public comment portion of the agenda, press \*9 and wait to be recognized by the Chair.

Written communications submitted by mail or e-mail to the Agenda & Rules Committee by 5:00 p.m. the Friday before the Committee meeting will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record. City offices are currently closed and cannot accept written communications in person.

**Roll Call:** 2:33 p.m. All present (Droste serving for Wengraf)

**Public Comment** – 3 speakers

## Review of Agendas

**1. Approval of Minutes: November 15, 2021**

**Action:** M/S/C (Arreguin/Droste) to approve the minutes of 11/15/21.

**Vote:** All Ayes.

**2. Review and Approve Draft Agenda:**

a. 12/14/21 – 6:00 p.m. Regular City Council Meeting

**Action:** M/S/C (Arreguin/Hahn) to approve the agenda of 12/14/21 with the changes noted below.

- *Item Added: Vital Statistics Fees Public Hearing (City Manager)*
- *Item Added: Deputy Director of Finance Classification (City Manager)*
- *Item 24 PAB Standing Rules (Commission) – Moved to Action Calendar*
- *Item 26 Berkeley Relief Fund (Arreguin) – Councilmembers Bartlett and Robinson added as co-sponsors*
- *Item 27 Martin Luther King, Jr. Celebration (Arreguin) – Councilmembers Taplin, Bartlett, and Hahn added as co-sponsors*
- *Item 28 Bay Adapt (Arreguin) – Councilmember Hahn added as a co-sponsor*
- *Item 33 Letter to UC (Robinson) – Councilmember Hahn added as a co-sponsor*
- *Item 34 HR 4194 (Robinson) – Councilmember Hahn added as a co-sponsor; correction to author listed on agenda*
- *Item 41 Legislative Platform (City Manager) – Moved to Consent Calendar*
- *Item 42a/b Paving Plan (City Manager/Commission) – Scheduled for 1/18/22*
- *Item 43a/b Adopt-a-Spot (Commission/City Manager) – Scheduled for 1/18/22*
- *Item 44 Streamline ADUs (Kesarwani) – Moved to Consent Calendar*
- *Item 45 Health Care Facility Oversight (Bartlett) – Moved to Consent Calendar*
- *Item 46 Expansion of Paid Parking (Hahn) – Moved to Consent Calendar; Councilmembers Harrison, Taplin, and Robinson added as co-sponsors*

Order of Action Items

37 Fire Code

38 RPP

Vital Statistics Fees

39 Budget Update

40 AAO

35 ADU Ordinance

36 ADU Ordinance (Public Safety)

24 PAB Standing Rules

**Vote:** All Ayes.

**3. Selection of Item for the Berkeley Considers Online Engagement Portal**

- None Selected

**4. Adjournments In Memory**

- Bob Meola, Peace & Justice Commissioner

## Scheduling

5. **Council Worksessions Schedule** – received and filed

6. **Council Referrals to Agenda Committee for Scheduling**

**Action:** M/S/C (Arreguin/Hahn) to schedule #2 regarding Streets to the January 18, 2022 meeting.

**Vote:** All Ayes.

7. **Land Use Calendar** – received and filed

## Referred Items for Review

8. **Discussion Regarding Impact of COVID-19 (novel coronavirus) on Meetings of Legislative Bodies**

**Action:** 4 speakers. No action taken.

9. **Preliminary Analysis of Return to In-Person Meetings of City Legislative Bodies**

**Action:** 3 speakers. Brief discussion of preparations for hybrid meetings. No action taken.

## Unscheduled Items

10. **Discussion Regarding Design and Strengthening of Policy Committee Process and Structure (Including Budget Referrals)**

11. **Strengthening and Supporting City Commissions: Guidance on the Development of Legislative Proposals**

## Items for Future Agendas

- None

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 3:47 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules

Committee meeting held on November 29, 2021.

---

Mark Numainville  
City Clerk

## **Communications**

*Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or [policycommittee@cityofberkeley.info](mailto:policycommittee@cityofberkeley.info).*



# DRAFT AGENDA



## BERKELEY CITY COUNCIL MEETING

Tuesday, January 18, 2022  
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 <<INSERT URL HERE>>. 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: <<INSERT MEETING ID HERE>>. 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](mailto: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. Amendment: FY 2022 Annual Appropriations Ordinance**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,795-N.S. amending the FY 2022 Annual Appropriations Ordinance No. 7,779–N.S. for fiscal year 2022 based upon recommended re-appropriation of committed FY 2021 funding and other adjustments authorized since July 1, 2021, in the amount of \$177,309,914 (gross) and \$163,076,585 (net).  
**First Reading Vote:** Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Arreguin; Noes – None; Abstain – None; Absent – Harrison, Droste.  
**Financial Implications:** See report.  
Contact: Rama Murty, Budget Office, (510) 981-7000
- 2. Modifying the 2022 City Council Meeting Schedule**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution modifying the City Council regular meeting schedule for 2022, with starting times of 6:00 p.m., to account for religious and cultural holidays as determined by Resolution No. 70,066-N.S.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 3. Donation to the Animal Shelter from the Stephen and Mary Birch Foundation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a donation from the estate of Stephen and Mary Birch in the sum of \$10,000.00.  
**Financial Implications:** See report.  
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000
- 4. Extension of Declaration of Homeless Shelter Crisis**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution extending Resolution No. 69,189-N.S., Declaring a Homeless Shelter Crisis until January 19, 2024  
**Financial Implications:** See report.  
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 5. Contract No. 32000117 Amendment: Berkeley Food & Housing Project for Administrative Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32000117 with Berkeley Food & Housing Project (BFHP) to administer Flexible Spending Programs for Mental Health Division (BMH) programs and to provide rental subsidies for the Russell Street Residence through June 30, 2022 in an amount not to exceed \$2,824,024. This will extend the existing contract by one year and add \$916,731 in funding.  
**Financial Implications:** See report.  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

## Consent Calendar

- 6. Contract No. 32100026 Amendment: Resource Development Associates for Results Based Accountability Evaluation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32100026 with Resource Development Associates (RDA) to provide additional funding in the amount of \$220,800, and extend the time period for an evaluation of mental health programs across the division utilizing the Results Based Accountability (RBA) framework, for a total not to exceed amount of \$320,700 through June 30, 2024.  
**Financial Implications:** See report.  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 7. Contract with Options Recovery for Substance Use Disorder Services Co-location**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Options Recovery Services (Options) for Substance Use Disorder services for a total contract limit of \$250,000 for the period beginning January 1, 2022 and ending June 30, 2023.  
**Financial Implications:** See report.  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 8. Revenue Grant Agreement: Funding Support from the California Department of Public Health to Expand the Disease Intervention Specialist Workforce**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to accept grant funds from California Department of Public Health in the projected amount of \$465,736. This funding is to be utilized from July 1, 2021 through December 31, 2025 to expand the Disease Intervention Specialist (DIS) workforce to strengthen the public health capacity to mitigate the spread of sexually transmitted disease (STD), HIV, COVID-19 and other infections; and to execute the resultant revenue agreement, contract, and any amendments and extensions.  
**Financial Implications:** See report.  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

## Consent Calendar

- 9. Revenue Grant Agreement: Funding Support from State of California Department of Justice to Design and Conduct a Program Evaluation of Programs Funded by the Sugar-Sweetened Beverage Tax**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to State of California, Department of Justice, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct program evaluation activities for the State of California, Department of Justice in the projected amount of \$19,000 for July 1, 2021 to June 30, 2023.  
**Financial Implications:** See report.  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 10. Referral Response: Commission Reorganization for Post-COVID-19 Budget Recovery – Sugar Sweetened Beverage Product Panel of Experts Commission and Community Health Commission**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance:  
1. Adding Section 7.72.095 to the Berkeley Municipal Code (BMC), incorporating additional membership criteria and health equity advisory responsibilities for the Sugar Sweetened Beverage Product Panel of Experts Commission (SSBPPE), and;  
2. Repealing B.M.C. Sections 3.76.010-3.76.040 which established the Community Health Commission.  
**Financial Implications:** See report.  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 11. Classification and Salary: Establish Limited Term Emergency Medical Technician**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to establish the represented classification of Limited Term EMT with a monthly salary range of \$3,466.67 to \$5,026.67.  
**Financial Implications:** See report.  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 12. Classification and Salary: Establish Single Function Paramedic**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to establish the represented classification of Single Function Paramedic with a monthly salary range of \$5,200 to \$7,800.  
**Financial Implications:** See report.  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800

## Consent Calendar

- 13. Revise Classification and Salary: Emergency Medical Services Quality Improvement & Education Coordinator**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to revise the represented classification of Emergency Medical Services Quality Improvement & Education Coordinator with a monthly salary range of \$12,273.73 to \$14,000.13  
**Financial Implications:** See report.  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 14. Revise the Classification and Increase the Salary Schedule for Deputy Finance Director**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution amending Resolution No. 69,967-N.S. (Classification and Salary Resolution for classifications in Executive and Confidential Management, Confidential Professional, Confidential Clerical) to increase the salary of the Deputy Finance Director from a maximum monthly salary of \$14,677.47 to \$16,120.00 per month effective January 1, 2022, to align it with other City of Berkeley Deputy Director classifications.  
**Financial Implications:** See report.  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800
- 15. Recommendation to Increase the Salary Schedule for Director of Health, Housing & Community Services and Director of Parks, Recreation, & Waterfront**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution amending Resolution No. 69,967-N.S., Classification and Salary Resolution for classifications in Executive and Confidential Management, Confidential Professional, Confidential Clerical, to increase the salary of the Director of Health, Housing & Community Services from a maximum monthly salary of \$20,151.73. to \$21,432.00, per month and amending Resolution No. 70,107-N.S., Salary Adjustment for the Department Heads of Finance, Human Resources, Information Technology, Parks, Recreation and Waterfront, Planning, Public Works and Fire Chief, to increase the salary of Director of Parks, Recreation and Waterfront from a maximum monthly salary of \$20,987.00 to \$21,432.00 to align it with other City of Berkeley Department Heads.  
**Financial Implications:** See report.  
Contact: Donald E. Ellison, Human Resources, (510) 981-6800

## Consent Calendar

### 16. **Commission Reorganization: Creating the Environment and Climate Commission**

**From: City Manager**

**Recommendation:**

1. Adopt an Ordinance repealing and re-enacting Berkeley Municipal Code Chapter 3.40 (formerly Zero Waste Commission) to create the Environment and Climate Commission (ECC).
2. Adopt a Resolution rescinding Resolution No. 48,457-N.S., establishing the Berkeley Energy Commission, and Resolution 58,997-N.S., establishing the Community Environmental Advisory Commission.

**Financial Implications:** See report.

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

## Council Consent Items

### 17. **Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects**

**From: Councilmember Harrison (Author)**

**Recommendation:**

1. Refer to the June FY 23-24 budget process: a. Approximately \$1.4 to \$1.8 million in projected Transportation Network Company (TNC) User Tax General Fund revenue for FY 23 and FY 24 toward the construction and maintenance of: (i). Tier 1 protected bicycle lanes and crossings identified in the 2017 Bicycle Plan, including but not limited to quick-build projects; and (ii). Priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and (iii). Priority quick-build public transit projects under the Street Repair Program.
2. Refer to the FY 2022 May Annual Appropriations Ordinance #2: (a). The actual FY 2022 TNC Tax revenues (projected at \$576,786) for the same purposes described in Recommendation 1. a.
3. Refer to the Public Works and Transportation Commissions (or Successor Commission) in consultation with City staff to provide recommendations to the Facilities, Infrastructure, Transportation, Environment, and Sustainability and Budget and Finance Policy Committees by the end of March 2022 as to the specific allocation among the priorities in Recommendation 1. a. to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

**Financial Implications:** See report.

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

## Council Consent Items

**18. Resolution Reaffirming the City of Berkeley's Commitment to Roe v. Wade  
From: Councilmember Wengraf (Author)**

**Recommendation:** Adopt a Resolution reaffirming the City of Berkeley's commitment to Roe v. Wade, honoring the 49th anniversary of its passage and reiterating Berkeley's resolve to be a safe harbor for women asserting their constitutional right to access reproductive health and safe abortion services. It is essential that the City of Berkeley be a model and re-stating support for women to exercise their constitutional rights and continue to have access to critical health care services, including abortion.

**Financial Implications:** None

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. 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 Hearings

19. **Response to City Council Action on October 26, 2021 regarding Short Term Referral for Amendments to Accessory Dwelling Unit (ADU) Ordinance**  
*(Continued from December 14, 2021. Item contains supplemental material)*  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt first reading of a local Accessory Dwelling Unit (ADU) Ordinance [Berkeley Municipal Code (BMC) Chapter 23.306] and amendments to relevant Defined Terms [BMC Chapter 23.502.020] in the Zoning Ordinance  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
20. **Response to City Council Action on October 26, 2021 regarding Short Term Referral for Amendments to Accessory Dwelling Unit (ADU) Ordinance to Address Public Safety Concerns**  
*(Continued from December 14, 2021. Item contains supplemental material)*  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt first reading of a local ordinance enacting Chapter 12.99 (Accessory Dwelling Units in Wildfire Hazard Areas) and amending Chapter 23.306.  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
21. **Selected Recreation and Camps Program Fee Increases**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion:  
1. Adopt a Resolution approving new fees and increasing current fees for select Recreation Division programs and rescinding Resolution No. 69,892-N.S. and all amendatory resolutions.  
2. Adopt a Resolution approving revised Policies and Procedures for Parks & Recreation Programs and Facilities, and rescinding Resolution No. 67,581-N.S. and all amendatory resolutions.  
**Financial Implications:** See report.  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Action Calendar – New Business

- 22a. **Street Maintenance and Rehabilitation Policy and Five-Year Paving Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution updating the Street Maintenance and Rehabilitation Policy and Five-Year Paving Plan.  
**Financial Implications:** See report.  
Contact: Liam Garland, Public Works, (510) 981-6300

## Action Calendar – New Business

### 22b. Public Works Commission Recommendation for the Five-Year Paving Plan

**From: Public Works Commission**

**Recommendation:** Adopt a Resolution that recommends approval of the Five-Year Paving Plan version 12A (“Arterial Alternative”) for FY2023 to FY2027.

**Financial Implications:** See report.

Contact: Joe Enke, Commission Secretary, (510) 981-6300

### 22c. Adopt a Resolution Updating City of Berkeley Street Maintenance and

**Rehabilitation Policy** (*Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee. Continued from the July 13, 2021 meeting. Item contains supplemental material*)

**From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**

**Recommendation:**

1. Adopt a Resolution updating the City’s Street Maintenance and Rehabilitation Policy dated June 1, 2021.
2. Refer the exploration of potential bonding and funding opportunities for improving the Paving Condition Index (PCI) of streets and creating a Paving Master Plan back to the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Committee for further review.

*Policy Committee Recommendation: To move the Public Works supplemental item “City of Berkeley Street Maintenance and Rehabilitation Policy to Council” with a positive recommendation including amendments made during the meeting today, and ask Council to refer the exploration of potential bonding and funding opportunities for improving the PCI of streets and creating a Paving Master Plan back to the FITES Committee for further review.*

**Financial Implications:** Staff time

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

## Action Calendar – New Business

### 23a. **Adopt-a-Spot Program Development Recommendations**

**From: Public Works Commission and Parks and Waterfront Commission**

**Recommendation:** That Council adopt a Resolution to support and fund two new full-time dedicated Volunteer Coordinators to run an expanded Adopt-a-Spot program and coordinate new programs for youth volunteers, and funding for operational expenses should be included.

The programs shall promote participation and civic pride by providing a unified portal for all programs across all departments, and incorporate many of the Program Elements outlined below. The Coordinators shall build on recent efforts by Public Works staff to fortify the existing programs for storm drains and traffic circles and incorporate existing programs from the Parks & Rec department. In addition, the Adopt-a-Spot program shall be expanded and improved upon to support additional community engagement opportunities that can include, but are not limited to, restoring native habitat to promote biodiversity (including a Bee City USA liaison), litter removal, vegetation maintenance, graffiti removal, tree planting/watering/monitoring, monitoring sidewalk conditions, adoption of homeless encampments, coordinating volunteers for emergency situations, beautification efforts, and other ideas that the Berkeley community may wish to support and organize around.

Some features of the program are beyond the scope of our Commissions' visibility and will need to be finalized by Council and Staff. However, the following recommendations are offered:

**Budget Commitment** - to ensure success, the two new positions must be dedicated to volunteer coordination. Sharing of responsibilities across staff or financing only a single or half-time position should be avoided as it likely wouldn't meet the needs of the community. If at least one dedicated position cannot be supported the role of Volunteer Coordinator should be given to a third-party or community non-profit group.

**Program Design** - the Volunteer Coordinators may work with interns and the community to define program features and details of implementation, which could include a phased approach (alternatively, the City could hire a consultant to outline the program),

**Reporting Structure** - options include Parks Rec & Waterfront, Public Works, Office of Sustainability, or the City Manager's office (alternatively, the position could be shared across departments)

**Supporting Tools** - begin with the fewest but most necessary initial features. For example, policies and waivers, outreach tools such as a robust city webpage presence including dynamic maps and signage to recruit, volunteer reporting mechanisms to ensure compliance and track activity, volunteer appreciation events to build community, etc.

**Financial Implications:** See report.

Contact: Roger Miller, Commission Secretary, (510) 981-6700, Joe Enke, Commission Secretary, (510) 981-6300

## Action Calendar – New Business

**23b. Companion Report: Adopt A Spot Program Development Recommendations  
From: City Manager**

**Recommendation:** Staff appreciates the thoughtful and important Parks and Waterfront and Public Works Commissions (Joint Commission Report) Adopt-a-Spot recommendation and recommends referring it to the FY2023-FY2024 budget process for consideration with other worthy requests.

**Financial Implications:** See report.

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700, Liam Garland, Public Works, (510) 981-6300

## Action Calendar – Policy Committee Track Items

**24. Referral to the City Manager to Establish a Marina Master Plan for Parking with a Consideration for Establishing a Waterfront Parking Benefits District  
From: Councilmember Kesarwani (Author)**

**Recommendation:** Refer to the City Manager to create a Berkeley Marina Master Plan for Parking with a goal of introducing demand-based paid parking in certain areas of the waterfront as appropriate. Further, refer consideration of a Parking Benefits District (PBD) at the waterfront as a means of reinvesting net parking revenues within this area to provide a dedicated funding source for the troubled Marina Fund.

Considerations for a Marina Master Plan for Parking should include: Conducting robust outreach to marina stakeholders in order to: gather feedback about parking needs, communicating benefits of establishing a Parking Benefits District to maintaining and upgrading marina infrastructure, and other issues as appropriate; Preparing a preliminary fiscal analysis for possible implementation, including projected revenues and expenditures; and Determining types of pay stations most appropriate for this area in addition to payment schedules, such as hourly, day passes, and/or frequent user/employee permits.

**Financial Implications:** See report.

Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

## Action Calendar – Policy Committee Track Items

### 25. Refer to the City Manager to Establish a Framework for Parking Benefits Districts in the Gilman and Lorin Commercial Districts

**From:** Councilmember Kesarwani (Author), Councilmember Bartlett (Author)

**Recommendation:** Refer to the City Manager to create a basic framework for establishing a Parking Benefits District (PBD) in the Gilman and Lorin Commercial Districts. This framework should include:

(a) A map establishing the boundaries of the Gilman District PBD. Suggested borders of the district should include: (1) on the west, the east side of Eastshore Highway from Page Street to the Albany border; (2) on the north, the Albany border from Eastshore Highway to the east side of San Pablo Avenue; (3) on the east, the east side of San Pablo Avenue from the Albany border to Gilman Street, both sides of Gilman Street from San Pablo Avenue to Kains, and the east side of San Pablo Avenue to the north side of Page Street; and (4) on the south, the west side of San Pablo Avenue from Page Street to Camelia Street, the north side of Camelia Street from San Pablo Avenue to Sixth Street; the west side of Sixth Street from Camelia to Page; the north side of Page Street from Sixth Street to Eastshore Highway. See map in Attachment 1. (b) A map establishing the boundaries of the Lorin District PBD. Suggested borders of the district should include: (1) on the east, both sides of Shattuck Avenue from Carleton southward to Alcatraz Avenue; (2) on the south, the north side of Alcatraz Avenue from Shattuck Avenue to Martin Luther King Jr. Way; Martin Luther King Jr. Way southward to 62nd Street; 62nd Street to King Street; (3) on the west, King street to Russell Street; (4) on the north, Russell Street to Grant Street; Grant Street north to Carleton Street; and Carleton Street to Shattuck Avenue. See map in Attachment 1. (c) Consideration of expanding the goBerkeley parking program to include installation of paid parking within a subsection of the defined Gilman and Lorin Parking Benefit Districts only where warranted based on parking demand using a demand-based pricing model. (d) Consideration of amending the goBerkeley program to allow net parking revenues to be reinvested within the Gilman and Lorin Parking Benefits Districts where the revenue is generated for the purpose of funding improvements, such as trash removal, sidewalk cleaning, enhanced lighting, signage, beautification like landscaping or other improvements based on input from an advisory board of stakeholders—in alignment with policy requirements of PBDs. (e) Consideration of transportation-related amenities targeted to employees that may include: annual transportation passes to incentivize public transit use, annual memberships in shared electric micro-mobility programs, special employee parking permits, etc. (f) A strategy for conducting outreach to Gilman and Lorin Commercial District stakeholders prior to implementation, including outreach to property and business owners and employees.

**Financial Implications:** See report

Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

## 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.

~~~~~



Kate Harrison
Councilmember District 4

02a.17

CONSENT CALENDAR
January 18, 2022

To: Honorable Mayor and Members of the City Council
From: Councilmember Harrison
Subject: Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

RECOMMENDATION

1. Refer to the June FY 23-24 budget process:
 - a. Approximately \$1.4 to \$1.8 million in projected Transportation Network Company (TNC) User Tax General Fund revenue for FY 23 and FY 24 toward the construction and maintenance of
 - i. Tier 1 protected bicycle lanes and crossings identified in the 2017 Bicycle Plan, including but not limited to quick-build projects; and
 - ii. Priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and
 - iii. Priority quick-build public transit projects under the Street Repair Program.
2. Refer to the FY 2022 May Annual Appropriations Ordinance #2:
 - a. The actual FY 2022 TNC Tax revenues (projected at \$576,786) for the same purposes described in Recommendation 1. a.
3. Refer to the Public Works and Transportation Commissions (or Successor Commission) in consultation with City staff to provide recommendations to the Facilities, Infrastructure, Transportation, Environment, and Sustainability and Budget and Finance Policy Committees by the end of March 2022 as to the specific allocation among the priorities in Recommendation 1. a. to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

CURRENT SITUATION AND RATIONALE FOR RECOMMENDATION

A Metropolitan Transportation Commission report warns that Berkeley’s overall paving condition is “At Risk,” meaning on the cusp of falling into “Failing” category.¹ The current five-year paving plan is the result of historic deferred maintenance and an underfunded, imperfect and complex balance between arterial, collector and residential streets distributed across Council districts. Residential streets across the entire city are largely categorized as failing and bicycle, pedestrian, and Vision Zero projects are severely underfunded. Meanwhile, neighboring cities in the Bay Area, such as Richmond, El Cerrito, San Francisco have “Excellent/Very Good” to “Fair/Good” street conditions.

To date, mobility infrastructure upgrades have generally competed for the same funding sources as automobiles. The Public Works Department has advised that ongoing funding under the rolling 5-Year Street Plan will not be enough to stabilize Berkeley’s streets let alone provide for the desperately needed bicycle, pedestrian and transit upgrades contemplated under the city’s various strategic plans. In fact, if street investment is not increased, Public Works warns that the City could face \$1 billion in future repair costs as the cost of deferred paving maintenance increases exponentially each year.



Since January 2020, the Facilities, Infrastructure, Transportation, Environment, & Sustainability Committee has been working with the Public Works Department and Public Works Commission to explore funding opportunities to enhance the Paving

¹ “The Pothole Report: Bay Area Roads At Risk,” Bay Area Metropolitan Transportation Commission, September 2018, https://mtc.ca.gov/sites/default/files/Pothole%20Report%20III_September%202018.pdf

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

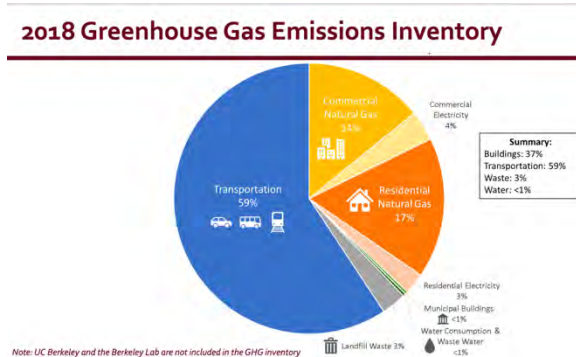
CONSENT CALENDAR
January 18, 2022

Condition Index (PCI) of Berkeley’s streets. In addition, it has been reviewing the City’s Paving Policy, which was last updated in 2009, and which is expected to be updated with a more equitable framework in early 2022.

However, to stabilize and improve street conditions, reduce greenhouse gas emissions, enhance public safety, and improve mobility, the City will likely need to pursue a combination of investment strategies ranging from increasing General Fund allocations, initiating transfers from waste and sewer accounts, and initiating fees in response to heavy vehicle use, and potentially issuing bonds. Before going to voters for new bonds, it is critical that the Council leverage the proceeds of existing tax revenues with a nexus to mobility such as the TNC Tax.

BACKGROUND

A recent University of Oxford study concluded that even partial substitution of vehicle travel with walking, cycling or e-biking are critical strategies for addressing climate change and lower mobility-related lifecycle CO₂, and that cyclers have 84% lower CO₂ emissions impact as compared to non-cyclers.² According to the study, urban residents substituting one vehicle trip per day with cycling reduced their carbon footprint by 0.5 tons per year, and “[i]f just 10% of the population were to change travel behaviour, the emissions savings would be around 4% of lifecycle CO₂ emissions from all car travel.”



Berkeley voters overwhelmingly passed the TNC User Tax (Measure GG) in 2020 with a 50-cent fee per rideshare trip specifically in order to generate “at least \$900,000 annually to support general municipal services like paving streets and improving

² “Study Shows Walking, Cycling, & e-Biking Make Significant Impact On Carbon Emissions,” CleanTechnica, February 3, 2021, <https://cleantechnica.com/2021/02/03/study-shows-walking-cycling-e-biking-make-significant-impact-on-carbon-emissions/>.

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

pedestrian and bicycle infrastructure.”³ Before the global pandemic, City staff estimated the tax would bring in approximately \$910,000 per year.⁴

This item proposes to allocate FY 2022 and FY 2023-2024 TNC tax revenues directly to projects aimed at building out mobility infrastructure that offsets vehicle miles travelled and paving impacts, enhances public safety, and lowers greenhouse gas emissions, to include the following priority projects:

- Tier 1 priority protected bicycle lanes and crossings, including but not limited to quick-build projects, which will enhance bicycle and micro mobility safety; and
- Priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and
- Priority quick-build public transit projects under the Street Repair Program.

This item also proposes to refer to the Public Works and Transportation Commissions (or Successor Commission) in consultation with City staff to provide recommendations to the FITES and Budget and Finance Policy Committees by the end of March 2022 as to the specific allocation among the three priorities to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

The TNC tax first went into effect during the second half of FY 2021 (January 1, 2021), during which the City received approximately \$178,138. Unfortunately, Council did not specifically allocate these revenues for mobility purposes and they were folded into the General Fund.

Finance Department staff report that the City collected approximately \$144,196.50 for the first quarter of FY 2022. Projected forward, the latest collection indicates growth as compared to FY 21—likely the result of the deployment of vaccines, relative economic recovery, and an easing in pandemic restrictions. If the TNC performs at the same rate for FY 2022 quarters 2-4, the City could see approximately \$576,786 in total TNC Tax revenue for FY 2022. Therefore, the item refers the actual FY 2022 revenues to the FY 2022 May AAO #2 budget process to help fund the three priority projects.

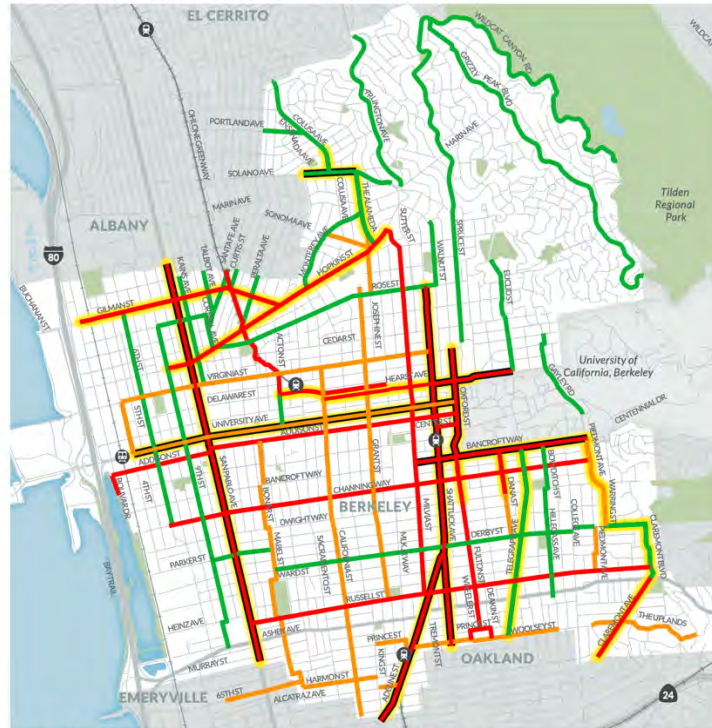
³ “Argument in Favor of Measure GG,” Berkeley City Clerk, August 2020, <https://www.cityofberkeley.info/uploadedFiles/Clerk/Elections/GG%20-%20Primary%20in%20Favor%20-%20FINAL.pdf>

⁴ “Placing a Tax Measure on the November 3, 2020 Ballot to Adopt a Tax on Transportation Network Companies,” Berkeley City Clerk, July 21, 2020, [https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/Documents/2020-07-21_\(4pm\)_Special_Item_04_Placing_a_Tax_Measure_on_the_November_pdf.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/Documents/2020-07-21_(4pm)_Special_Item_04_Placing_a_Tax_Measure_on_the_November_pdf.aspx)

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

In addition, this item assumes that TNC Tax revenues will continue to recover throughout FY 23 to 24, conservatively bringing revenues closer to City staff's yearly revenue estimate provided before the pandemic (approximately \$910,000 per year) and refers those amounts to the FY 23 and 24 biannual budget process.



FIGURES-6: PROJECT PRIORITIZATION CORRIDORS

- TIER 1 PRIORITY PROJECTS
- TIER 2 PRIORITY PROJECTS
- TIER 3 PRIORITY PROJECTS
- COMPLETE STREET CORRIDOR STUDIES - LOW STRESS BIKEWAY RECOMMENDATION*
- COMPLETE STREET CORRIDOR STUDIES - PRIMARY TRANSIT CORRIDOR*
- PARK/REC
- RAILROAD
- BART STATION
- AMTRAK STATION

*Complete Street Corridor Studies are proposed multimodal transportation studies, not planned projects. Class IV Cycle Tracks and other bikeway types that might impact transit operations, parking, or roadway capacity will not be implemented without Complete Street Corridor Studies that will include a traffic study, environmental analysis, public process, and coordination with all affected State, County, and local transit agencies. Potential bikeways to be considered as part of future Complete Street Corridor Studies will be evaluated in the context of the modal priorities established by the Berkeley General Plan Transportation Element and the Alameda County Transportation Commission Countywide Multimodal Arterial Plan, as well as recommendations from AC Transit's Major Corridors Study. For further information, see Section 5.7 of the Berkeley Bicycle Plan.

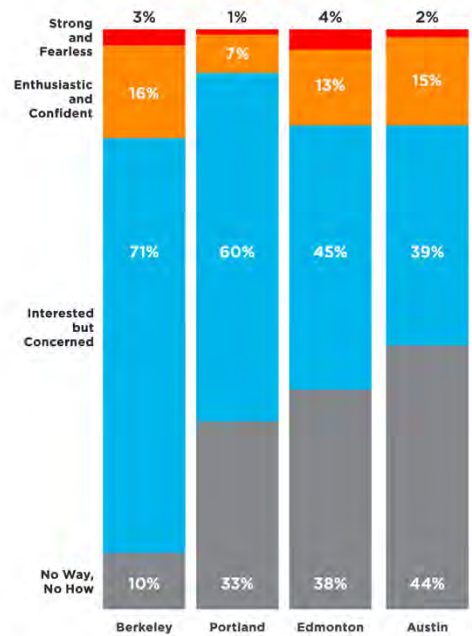
Tier 1 Priority Projects Highlighted in Red

Surveys conducted as part of the 2017 Berkeley Bicycle Plan provided key data about the eagerness of Berkeley residents to bicycle or use other forms of mobility, assuming the City provides safe infrastructure and routes. An astonishing 70% of Berkeley residents expressed interest in bicycling but were concerned about safety. The 2017 Plan concluded: “90 percent of Berkeley residents already bicycle or would consider bicycling if the right bikeway facility or roadway conditions were available. That is a

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

larger percentage than any other city that has conducted a similar study, including Portland, as shown at right.”⁵



Roger Geller's "Four Types of Transportation Cyclists" distribution for Berkeley, Portland, OR, Edmonton, AB, and Austin, TX.

Berkeley has struggled to address its transportation GHG emissions, but the data suggest that biking and mobility options could dramatically offset vehicle miles travelled. It is in the public interest to invest General Fund revenue, namely TNC Tax revenue, in street enhancements that can encourage mode shifts from vehicles to carbon-free transportation.

For example, if Council were to allocate the TNC Tax accordingly over next ten years, the period scientists consider critical to meet global emissions reductions targets, the City could fund 50% of the total "Class 4: Cycletrack" costs provided in the Bike Plan, and thus maximize the number of Berkeleyans who deem the streets safe enough to ride. Certainly, the expenditures proposed herein will not be enough to adequately fund Berkeley's entire bike network, but they represent an important down payment.

⁵ "City of Berkeley Bicycle Plan," May 2, 2017, https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Berkeley-Bicycle-Plan-2017-Executive%20Summary.pdf

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

Table ES-3: Summary of Project Recommendations and Cost Estimates

| TYPE | MILEAGE | COST ESTIMATE |
|---|-------------------|---------------------|
| Class 1A: Paved Path | 1.5 miles | \$5,285,700 |
| Class 2A: Standard Bike Lane | 0.1 miles | \$10,700 |
| Class 2B: Upgraded Bike Lane | 3.0 miles | \$541,500 |
| Class 3C: Sharrows | 13.9 miles | \$71,600 |
| Class 3E: Bicycle Boulevard | 12.4 miles | \$621,900 |
| Class 4: Cycletrack | 18.4 miles | \$9,903,300 |
| Complete Street Corridor Interim Treatments | 17.0 miles | \$1,181,400 |
| Intersection and Traffic Calming Improvements | - | \$16,855,000 |
| Total | 66.3 miles | \$34,471,100 |

In addition, expanding reliability and access to public transit is also key to lowering GHG emissions and improving quality of life. Revenue generated from the TNC user tax should benefit bus transit performance and the transit rider experience since transit has been particularly impacted by the influx in TNC volume and use. To demonstrate the immediate benefits of these funds to transit, projects should be implemented with AC Transit's Quick-build framework structure as pilot and demonstration projects that could be implemented in under 18 months.

The City, AC Transit and local Business Improvement Districts are developing a list of City infrastructure improvements to support transit use with a focus on prioritizing transit, including dedicated bus lanes, bulb outs and paving treatments, and improving transit rider access and experience. For example, the City could add transit shelter canopies at the stops near senior centers and enhancing benefits for nearby businesses through building parklets and other customer amenities that serve both business patrons and bus riders, with the goal of encouraging patrons to visit businesses via public transit. In addition, funding could be dedicated to a quick-build transit lane along Durant Street, as this project has been evaluated by AC Transit and City of Berkeley Transportation staff. Since preliminary coordination has been done, using these funds to augment this project would realize an immediate impact.

Any allocation will be overseen by a joint working group of AC Transit and City of Berkeley staff to quickly realize the benefits to transit. Out-years projects will be determined by the City of Berkeley Transportation Commission, or another process deemed appropriate by the City Council.

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

The item also includes consideration of priority pedestrian projects identified by the 2020 Pedestrian Plan consistent with Vision Zero, climate, and equity goals.⁶

FIGURE 14: MAP OF PRIORITY STREETS



TABLE 7: PRIORITY STREET SEGMENTS

| SEGMENT | EXTENTS |
|-----------------------------------|---------------------------------|
| Adeline Street | Ashby to Southern City Limits |
| Alcatraz Avenue | Sacramento to Adeline |
| Ashby Avenue | San Pablo to Shattuck |
| Cedar Street | Sixth to Stannage |
| Martin Luther King Jr Way (North) | Hearst to Dwight |
| Martin Luther King Jr Way (South) | Dwight to Adeline |
| Sacramento Street | Dwight to Southern City Limits |
| San Pablo Avenue | University To Dwight |
| Shattuck Avenue | Adeline to Southern City Limits |
| University Avenue | San Pablo to Oxford |

⁶ 2020 City of Berkeley Pedestrian Plan, Transportation Division, https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/2020%20Pedestrian%20Plan%20FULL%20adopted.pdf

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

Prioritization criteria for the 2020 Plan included citywide “[project] improvements and countermeasures identified for the top ten high-injury street segments.” The prioritization also includes important equity criteria, including consideration of underserved neighborhoods and redlining maps. Most priority streets are located in West, South, and Central Berkeley, while simultaneously serving citywide purposes.

TABLE 6: PRIORITIZATION FACTORS AND CRITERIA

| FACTOR | CRITERIA | WEIGHT | NOTES |
|----------------------|--|--------|---|
| Safety | Concentration of fatal and severe collisions | 30% | Captures locations with a high concentration of pedestrian fatalities, injuries, and collisions, as noted City priority. |
| Equity | Locations in historically underserved neighborhoods (shown in Figure 13) | 30% | Uses historic redlining maps with adjustments based on most recent (2010) Census data, current property values, and locations of community centers serving historically redlined neighborhoods. |
| Connectivity | Pedestrian Demand: Land uses attracting most pedestrian trips including BART and Amtrak stations (High Demand Intersections) | 13.5% | Uses pedestrian demand estimates to identify where pedestrians are walking. Top 30% of intersections are used, with each top 10% intersection group by demand receiving a different weight. |
| | Transit Access: Proximity to major bus lines | 6.5% | Uses distance of 0.25-mile from major AC Transit routes as defined in the AC Transit Major Corridors Study completed in 2016. |
| Existing Plan | Unbuilt projects from 2010 Pedestrian Plan | 20% | Recognizes existing work from the 2010 Berkeley Pedestrian Plan. |

Given that voters in 2020 overwhelmingly supported the tax on the condition that it would improve mobility infrastructure in Berkeley and help offset externalities caused by TNC companies, it is in the public interest to allocate the TNC Tax revenues in FY22-24 for priority mobility projects. In addition, it is in the public interest to ask the City’s Public Works and Transportation Commission to consult the Council Committees as to the specific allocation among the priorities listed in Recommendation 1. a. in order to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

FINANCIAL IMPLICATIONS

The item would have a net zero impact on the General Fund after considering the estimated \$576,786 revenue credited from the TNC Tax in FY 2002 and \$1.4 to 1.8 million in FY 23-24.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Reducing carbon emissions at an emergency and equitable pace is a necessary step to meet the goals of the Climate Action Plan and Climate Emergency Declaration.

JUST TRANSITION

Substituting automobile vehicle miles travelled with low-carbon mobility can help reduce

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

greenhouse gas emissions and air pollution, which disproportionately impact frontline communities.

The item considers priority pedestrian projects identified by the 2020 Pedestrian plan using various equity criteria, including historically redlined, underserved and senior neighborhoods. The item also refers to the Public Works and Transportation Commissions (or Successor Commission) to equitably consider how to best allocate TNC revenues across each of the priority categories.

Consistent with City values and equity initiatives, project investments should benefit unionized and minority-owned contractors.

CONTACT PERSON

Councilmember Kate Harrison, Council District 4, 510-981-7140



Susan Wengraf
Councilmember District 6

02a.18

CONSENT CALENDAR
January 18, 2022

To: Honorable Mayor and Members of the City Council
From: Councilmember Susan Wengraf
Subject: Resolution Reaffirming the City of Berkeley's Commitment to Roe v. Wade

RECOMMENDATION

Adopt a Resolution reaffirming the City of Berkeley's commitment to Roe v. Wade, honoring the 49th anniversary of its passage and reiterating Berkeley's resolve to be a safe harbor for women asserting their constitutional right to access reproductive health and safe abortion services. It is essential that the City of Berkeley be a model and re-stating support for women to exercise their constitutional rights and continue to have access to critical health care services, including abortion.

FINANCIAL IMPLICATIONS

None

BACKGROUND

Forty nine years ago, on January 22, 1973, the U.S. Supreme Court announced its decision in Roe v. Wade, a challenge to a Texas statute that made it a crime to perform an abortion unless a woman's life was at stake. The case had been filed by "Jane Roe," an unmarried woman who wanted to safely and legally end her pregnancy. Siding with Roe, the court struck down the Texas law. In a ruling, the court recognized that the constitutional right to privacy "is broad enough to encompass a woman's decision whether or not to terminate her pregnancy" (Roe v. Wade, 1973).

Roe has come to be known as the case that legalized abortion nationwide. At the time the decision was handed down, nearly all states outlawed abortion. Roe rendered these laws unconstitutional, making abortion services safer and more accessible to all women throughout the country.

However, in recent years, reproductive health, including the right to choose, has been under relentless attack. The Trump administration shut down reproductive health services for women in every way possible — in presidential budgets, health care reform bills, tax reform legislation, and federal resolutions and regulations, as well as by nominating anti-abortion judges to the Supreme Court. Access to care at health centers, including many who have nowhere else to go for basic health services, has been restricted.

This year, the U.S. Supreme Court is reviewing a direct challenge to the long-standing legal protections of abortion services under Roe v. Wade. Should the Court overturn Roe or allow a pre-viability ban to remain in place, people in over half of the states in the country – over 36 million women and other people who may become pregnant - will lose access to abortion care. It is already happening. People in Texas have lost the protections under Roe when Senate Bill (S.B) 8 went into effect on September 1, 2021. If Roe v. Wade is overturned or gutted, 26 states are likely to ban abortion, increasing the number of out-of-state patients who would find their nearest clinic in California from 46,000 to 1.4 million – a nearly 3,000 percent increase.

In 2019, Governor Newsom signed a [Proclamation on Reproductive Freedom](#) reaffirming California's commitment to protecting women's reproductive choices. The Governor has advanced investments to expand access to reproductive and sexual health care and signed multiple bills protecting reproductive freedom, including [SB 374](#) earlier this year and [SB 24 and AB 1264](#) in 2019.

January 22, 2022 will mark the 49th anniversary of the decision that effectively legalized abortion in the United States. The City of Berkeley has consistently passed resolutions in continued support of access to all reproductive healthcare services and all reproductive healthcare providers. The City also adopted a Resolution against proposed funding cuts to the Title X Family Planning program, the only federal program dedicated solely to providing low income women and men with comprehensive family planning and related preventive health services. On October 12, 2021, the Berkeley City Council adopted a Resolution "Denouncing Texas Anti-Abortion Law (SB8) and Re-affirming the City's Commitment to Reproductive Health."

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

N/A

CONTACT PERSON

Councilmember Susan Wengraf, Council District 6, 510-981-7160

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

REAFFIRMING THE CITY OF BERKELEY'S COMMITMENT TO ROE V. WADE AND
ACCESS TO SAFE REPRODUCTIVE HEALTH SERVICES

WHEREAS, Prior to 1973, the year when Roe v. Wade was enacted, women faced significant obstacles to safe reproductive health services, resulting in widespread loss of life and serious illness; and

WHEREAS, The right to safe, legal and accessible abortion continues to be undermined by legal challenges, threatening the health and safety of women's lives, including the most marginalized women: low-income women, women of color, refugee and immigrant women; and

WHEREAS, The City of Berkeley is in full support of the State of California's resolve to uphold women's equality and liberty by protecting their reproductive freedom, educating Californians about their rights to reproductive freedom, welcoming women to California to fully exercise their reproductive rights and acting as a model for other states that want to ensure full reproductive freedom for women.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF BERKELEY that we RECOGNIZE AND CELEBRATE THE 49th ANNIVERSARY OF ROE V. WADE and praise the perilous and self-sacrificing work of the healthcare providers who face threats and violence for providing safe and legal health services to women throughout the Bay Area.

NOW FURTHER BE IT RESOLVED that the City of Berkeley re-affirms its commitment to the human rights afforded to all women under Roe v. Wade, regardless of socioeconomic, ethnic, racial, cultural or religious background, age or sexual orientation and to opposing any laws or regulations that pose a threat to abortion, reproductive rights, sexual freedom and/or self-determination.



02a.22b

Public Works Commission

ACTION CALENDAR

January 18, 2022

To: Honorable Mayor and Members of the City Council

From: Public Works Commission

Submitted by: Margo Schueler, Chair, Public Works Commission

Subject: Public Works Commission Recommendation for the Five-Year Paving Plan

RECOMMENDATION

Adopt a resolution that recommends approval of the Five-Year Paving Plan version 12A (“Arterial Alternative”) for FY2023 to FY2027.

SUMMARY

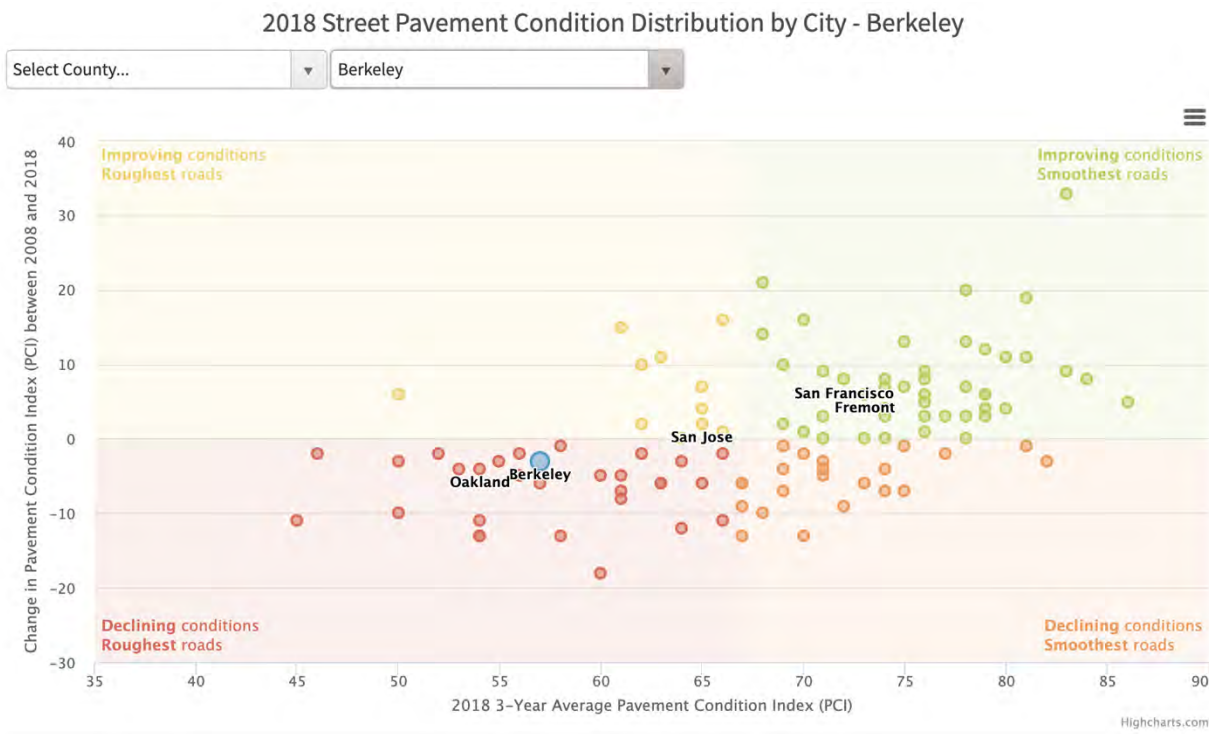
The Public Works Commission (PWC) reviewed multiple 5-year paving plan options from staff and evaluated them based on their conformance with the existing Street Rehabilitation and Repair Policy. The commission specifically looked for the greatest value to the city by focusing on long contiguous stretches of paving on the primary transportation network - arterials, collectors, bus routes and bikeways. Of the plans reviewed, Plan 12A was the most in conformance and generally consistent with the current policy.

Plan 12A funds are distributed relatively equivalently across council districts, but equity is not addressed. The 5-year plan was not evaluated with an equity lens because there is no policy or direction on what areas or model should be used. Historically, it has been the practice of the City to evaluate equity in roadway investment in terms of equivalent allocation of financial resources and miles of roadway surfaced among the Council Districts. However, this does not result in equitable outcomes across the City.

The Public Works Commission has submitted a recommendation to the FITES Committee and City Council with a proposed update to the definition of equity. The leading definition would move the Public Works Department towards a results-oriented performance evaluation, where investments of resources are allocated in a way that seeks to provide equivalent PCI outcomes across all planning areas, rather than focusing purely on the monetary inputs.

As staff has reported, our streets will be in poor condition and failing at the end of the 5-year paving plan. In 2021 the citywide average PCI was 55.8. By 2027, at the current

level of investment, the citywide PCI will be 49.1. Metropolitan Transportation Commission (MTC) defines a PCI below 50 as the lowest rating of “Poor” condition. We have among the worst road conditions in the Bay Area.



Our streets are in crisis and additional funding, innovation and clear prioritization in the management of our public right of way is critical to reversing the ever-worsening road conditions. Every year of delay or inaction the deferred maintenance is rapidly increasing the cost of roadway improvement.

The Commission continues to have significant concerns about the need to revise the policy so there is clear guidance to staff on how to prioritize the allocation of resources. The policy was last updated in 2009. It should be reviewed and updated to incorporate current thinking about using life cycle cost analysis, Vision Zero, equity, sustainable multi-benefit technologies, and other factors. With these considerations in mind, the updated policy should include new performance metrics that capture the diversity of objectives the City holds for our road network. In March 2021, PWC put forward a draft policy recommendation to FITES which we urge Council to act on in the immediate future.

The recommendation to approve the 5-year paving plan, and to forward it to Council was discussed by the Public Works Commission at its November 4, 2021 meeting.

Action: M/S/C (Erbe/Freiberg) to submit report to Council recommending approval of the Five-Year Paving Plan version 12A, for FY2023 to FY2027, as proposed by staff.

Vote: Ayes: Erbe, Freiberg, Constantine, Barnett, Hitchen, Schueler; Noes - None; Absent - None; Abstain - Nesbitt)

ALTERNATIVE ACTIONS CONSIDERED

None

CITY MANAGER REPORT

See companion report

CONTACT PERSON

Margo Schueler, Chair, Public Works Commission
Joe Enke, Commission Secretary, (510) 981-6300

Attachments:

1. Resolution

Attachment 1

RESOLUTION NO. ##,###-N.S.

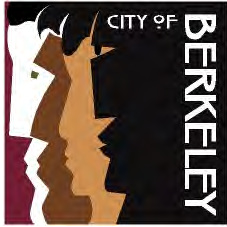
APPROVAL OF THE FIVE-YEAR PAVING PLAN FOR FY 2023 TO FY2027

WHEREAS, the Street Rehabilitation and Repair Policy, Resolution No. 55,384-N.S. approved on May 22, 1990, requires there be a Five-Year Street Paving Plan for the entire City to be adopted by the City Council, and

WHEREAS, the City Council requests advice from the Public Works Commission on the Five-Year Paving Plan; and

WHEREAS, on November 4, 2021, the Public Works Commission voted to approve the Five-Year Paving Plan, submitting the FY 2023 to FY 2027 Five-year Paving Plan to City Council;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the FY 2023 to FY2027 Five-Year Paving Plan, is hereby adopted.



Office of the City Manager

02a.22c

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 1

Meeting Date: June 1, 2021

Item Number: 19

Item Description: Adopt a Resolution Updating City of Berkeley Street Maintenance and Rehabilitation Policy

Submitted by: Joe Enke, Secretary, Public Works Commission

Supplemental material contains the Public Works Commission's council report entitled, Recommendation for Updates to the City of Berkeley Street Rehabilitation and Repair Policy.



Public Works Commission

May 25, 2021

To: Berkeley City Council

From: Public Works Commission (PWC)

Submitted By: Margo Schueler, Chair

Subject: Recommendation for Updates to the City of Berkeley Street Rehabilitation and Repair Policy

RECOMMENDATION

Review and adopt updates to the Street Rehabilitation and Repair Policy (Policy).

SUMMARY

The City's Street Rehabilitation and Repair Policy Section 5.2 provides that the Policy shall be reviewed annually and updated formally by the City Council, with advice of the Public Works Commission.

The Short-Term Paving Policy Subcommittee of the PWC developed these updates to the Policy which focus on enhancements to equity, and roadway condition performance targets achievable over time that may be tracked during staff's development of the Annual 5 Year Paving Plan.

The Subcommittee worked with City staff and applied their own extensive individual expertise to this work. The PWC reviewed and unanimously accepted these recommended updates to the Policy and forwarded them for discussion to the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Council Subcommittee on two occasions. PWC Director Liam Garland provided separate input and recommendations to the FITES and his staff attended both meetings, with the Council Members engaging in detailed discussion and providing input that was incorporated by PWC staff and returned to the PWC for review.

The updated policy includes changes designed to simplify planning, enhance equity of road condition across the City, identify new funding sources, enhance alignment with the City's broader infrastructure plans and environmental goals, establish roadway condition performance targets, establish a "Dig Once" policy, and leverage demonstration projects and use of new technologies.

The updates initiated by the PWC Short Term Paving Policy Subcommittee demonstrate responsiveness to issues which continue to rise in our nation and community and will

increase Berkeley's competitiveness for upcoming federal infrastructure aid. The work is responsive to analysis and recommendations made by the Auditor's Reports on Paving, are reflective of the City's Climate Change and Complete Streets Policies and reflect the values adopted by Council included in the Mayor's Vision 2050 Initiative.

FISCAL IMPACTS OF RECOMMENDATION

The update of this policy will not result in any new costs to the City's Paving Program. The updated Policy provides new guidance on how to prioritize the allocation of resources that are available to City Staff to invest in roadway surfacing. The Policy focuses roadway improvements on roads that are shared by the largest number of the City's residents as well as neighborhoods that have historically received lower levels of investment. To achieve a "good" level of service across the City, additional funding will be needed.

CURRENT SITUATION AND ITS EFFECTS

The current Street Repair and Maintenance Policy directs the City of Berkeley to maintain our streets in safe, good condition that protects our environment and to properly maintain the existing investment in City assets.

By clarifying and stating outright in Section 2, Assumptions, underlying assumptions will allow staff to develop priorities and metrics that will enable our Council leaders and the community to assess the success of our Paving Plans. will help inform the goals, objectives, and outcomes of the 5-year plan.

In recognition of the challenges of providing annual Policy update recommendations to the Council, the recommendation is to aim for updates every two years.

The PWC would like to acknowledge the depth and breadth of this policy update bringing input from the community through the service of expert community members appointed by Council to the PWC, the collaboration with City Public Works staff and leadership and the review and discussion during two FITES Subcommittee cycles is bringing forth a well thought out, elegant policy update achieving the balanced approach of our community through the commission process, staff input, consideration, review and augmentation followed by Council Subcommittee discussion and amendment is a remarkable achievement by our community, particularly as it has occurred during one of the longest, deepest crisis the City has managed through.

RECOMMENDATION

The attached Update to the Policy reflects the collective efforts of the PWC, Public Works Department, and the members of the FITES to lead the City towards broader improvements in citywide roadway condition. The approach aims to achieve this goal by shifting toward maintaining the roads that serve the greatest number of residents, enhancing coordination of roadway improvements with other plans and infrastructure work, and focusing on enhancing safety and equity of outcomes for the City's residents.

The PWC recommends that Council accept the recommendation to update the 2009 Street Rehabilitation and Repair Policy.



Kate Harrison
Councilmember District 4

ACTION CALENDAR

January 18, 2022

(Continued from July 13, 2021)

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison, Councilmember Bartlett, and Councilmember Taplin

Subject: Adopt a Resolution Updating City of Berkeley Street Maintenance and Rehabilitation Policy

RECOMMENDATION

1. Adopt a Resolution updating the City's Street Maintenance and Rehabilitation Policy dated June 1, 2021.
2. Refer the exploration of potential bonding and funding opportunities for improving the PCI of streets and creating a Paving Master Plan back to the FITES Committee for further review.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

Resolution No. 55,384-N.S. (1990) as subsequently updated by Resolution No. 64,733-N.S. (2009) authorized the Public Works Commission to work with staff to submit an annual update to the Street Repair Policy. However, the Street Paving Plan has been updated every year but the Street Repair Policy has not been updated for many years. The Public Works Department maintains 214 miles of streets in the City of Berkeley, with a replacement value of over \$793 million and Berkeley's current Pavement Condition Index is at 57, which means that the condition of our streets is very much "At-Risk." The new policy included in this item seeks to achieve improvements to PCI while ensuring equity.

It is in the public interest to adopt a new paving policy, which includes best practices and new strategies, as developed by the Public Works Commission, Public Works Department and the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee.

It is also important for the Committee to continue its work on opportunities for improving the PCI of streets and creating a Paving Master Plan back to the FITES Committee for further review.

POLICY COMMITTEE RECOMMENDATION

Action: 1 speaker. M/S/C (Robinson/Harrison) move the Public Works supplemental item “City of Berkeley Street Maintenance and Rehabilitation Policy to Council” with a positive recommendation including amendments made during the meeting today, and ask Council to refer the exploration of potential bonding and funding opportunities for improving the PCI of streets and creating a Paving Master Plan back to the FITES Committee for further review.

Vote: All Ayes

BACKGROUND

A sub quorum of the Public Works Commission and the Public Works Department have been working intensively over the past year to revise the City of Berkeley Street Maintenance and Rehabilitation Policy to conform to best practices in other cities and to enhance equity and outcomes. The initial policy was adopted by the Council in 1990 and was subsequently updated in 2006 (see attached). For example, the current policy includes an outdated conception of equity based on Council districts, lacks PCI targets for major street types and Performance Metrics, and a “Dig Once” policy.

Amidst the backdrop of significantly deteriorating street conditions and the climate emergency, Councilmember Harrison concurrently submitted a referral to the FITES Committee to explore potential bonding and funding opportunities for improving the Paving Condition Index (PCI) of streets during the 2020 5-year paving plan adoption process. FITES spent a number of meetings discussing with Public Works staff and members of strategies to improve PCI and funding options. The Council subsequently agreed to extend the mandate of the Committee and also to expand their role to consider:

- the Public Works Commission Paving Policy, which sets criteria for determining *how* to pave streets;
- a paving master plan, which will set out *long-range financing plan* for doing so; and
- continue working with the Public Works Department and the Commission to explore potential bonding and funding opportunities to make the paving master plan a reality.

These efforts are in addition to a rolling five-year *short term paving plan* adopted by the Council to allow staff to bid out specific street segments for the next year’s work. Therefore, the Council designated the FITES committee with the task of reviewing the final version of the new Paving Policy.

The prior Paving Policy:

- is the basis of the rolling a 5-year Street Rehabilitation Plan;
- aims to maintain a safe surface conveyance system in the public right-of-way for vehicles, bicycles, transit and pedestrians;
- breaks streets into three categories: Arterials; Collectors and Residentials
- provides that federal, state, regional and local transportation funds are to be invested as follows:
 - 10% for Arterials
 - 50% for Collectors
 - 25% for Residentials
 - 15% for Discretionary and Demonstration Projects;
- provides for direction regarding water conveyance systems, other public utilities and trenching practices.

The Public Works Commission and FITES Committee framed their work around the following key principles, including but not limited to:

- The City's climate goals, especially its transportation goals (60% of City emissions are from transport); the importance of shifting away from traditional asphalt approaches to paving in order to reduce emissions and ensure longevity;
- Issues of equity, distribution of paving and addressing that certain commercial uses have a disproportionate impact on road conditions;
- The imperative of maintaining baseline lifecycle street conditions amidst a severe lack of funding for paving maintenance.
- A more comprehensive approach to paving with regard to utility upgrades as we begin to phase out natural gas and build advanced internet communication networks;
- Rapid deployment of pedestrian, bicycle and mobility improvements, i.e., the evolving street;
- Water management best practices (permeable pavers) or landscaping that is visually pleasing, human health supportive, and plant, insect, and animal sustaining.

The updated paving policy included in this item incorporates the following assumptions:

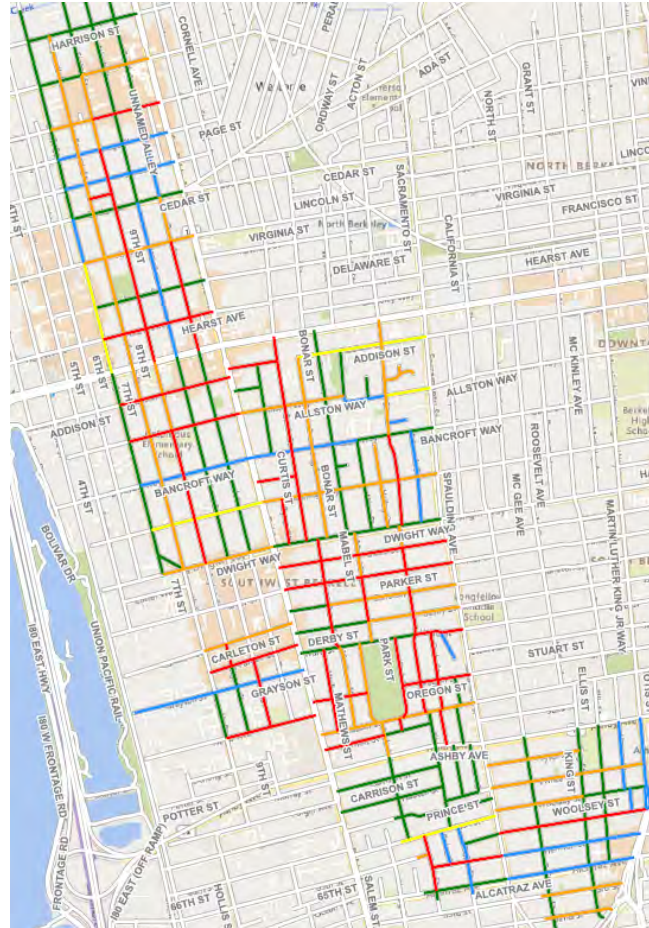
- That there is currently not enough paving funding to stabilize PCI across all neighborhoods, especially with regard to residential streets. Rather, the policy attempts to achieve short-term stabilization of citywide arterials, collectors, bus routes, existing and proposed low-stress bikeway network. Concurrently, the Commission, staff and FITES are working on a paving master plan and funding opportunities that will adequately fund residential streets. Therefore, it is expected that the paving policy will be updated again in conjunction with the availability of new funding.
- Adopts an expanded emphasis on climate and sustainability and expanded conformance to the City's Climate Action Plan, Green Infrastructure Plan, Resilience Strategy, Vision Zero Policy and Action Plan, Phase 3 Undergrounding Study, Complete Streets Policy, Vision 2050 framework, Pedestrian Plan, Transit First Policy, Strategic Transportation Plan, public realm and/or other localized transportation plans, and Bicycle Plan;
- Recognizes that poorly maintained streets have a disproportionate impact on certain members of the community, including low-income residents; those with mobility or visual impairments who face greater access and safety challenges; bicyclists and pedestrians, who face greater danger than those driving; and dense, more populous neighborhoods with thoroughfares;
- Emphasizes using life cycle cost analysis to evaluate different road surfacing options;
- Promotes the rehabilitation of contiguous sections of roadway, rather than one block at a time, shall be preferred, when feasible;
- States that bond funds shall strive to be used for long-lasting capital improvements (projects with a useful life that meets or exceeds the duration of the bond repayment schedule) or to accelerate road work that will result in long-term cost savings for ratepayers;
- Asserts that street trees are valuable part of the landscape, as they sequester carbon, soak up stormwater, improve land values, and add greenery;
- Asserts that tree removals shall only be permitted as a last resort consistent with BMC 12.44.020, with the approval of both the Director of Parks and Waterfront and Director of Public Works. If tree removal is necessary, replacement trees shall be planted where and when feasible in accordance with BMC 12.44.010.

In addition, the new policy incorporates the following new policies:

- **Planning**
 - The *5-year Street Rehabilitation Plan* shall be supported by a 30-year road surfacing projection, where roadway improvement projects are forecast over a long-term planning period. The first five years of the projection will become the first draft of the *5-year Plan*.

- **Equity**
 - The benefits of good infrastructure shall be distributed equitably throughout the entire community regardless of the income, or demographic characteristics of the residents in each area. Equity means equity of outcomes as opposed to equity of inputs, and that disadvantaged residents with more pressing needs experience benefits sooner than others, as defined by the City within the adopted *5-Year Plan*.

 - A new *Equity Zone* shall be established according to Attachment 1. This Zone shall be prioritized to meet an average PCI of 70 sooner than the remainder of the City. This Zone contains historically underserved neighborhoods that have experienced decades of underinvestment, and the residents in this zone experience more pressing needs.



- Over the longer term, road surfacing activities shall be planned within Pavement Analysis Zones. A Pavement Analysis Zone shall consist of a logical set of street segments, excluding the arterials, collectors, bus routes, bicycle boulevards and non-representative demonstration projects.
 - The department may revise the pavement analysis zone boundaries from time to time, consistent with the other goals of this policy. Any changes to pavement analysis units shall be proposed within the biannually updated 5-year *Street Rehabilitation Plan* submitted to City Council.
 - It shall be the goal of the City to seek parity of street condition between pavement analysis zones, except in regards to the *Equity Zone*.

- **Performance Metrics**

- The City will strive to maintain all roads within the primary transportation network at a standard no less than the following PCI targets for any stretch of roadway¹:
 - i. Arterial - 70,
 - ii. Collector - 70,
 - iii. Bus Routes - 70,
 - iv. Existing and proposed low-stress bikeway network - 70.
 - 1. Bikeways shall be surfaced with a treatment that emphasizes smoothness of the road surface.
 - v. Equity Zone- 70.
 - The biannually updated *5-year plan* shall report on these performance metrics, PCI measurements for each street segment in the City, and percent of overall funding dedicated to each of the following: arterials, collectors, bus routes, existing and proposed low-stress bikeway network, equity zone, and residential streets.
- **Dig Once**
 - Street rehabilitation shall conform with a dig once approach. This includes coordinating with sewer, water, electrical, telecom, undergrounding and other activities to minimize the cost and maintain the quality of the street surface.
 - In order to protect the City's investment on street improvements, the City shall place a moratorium on recently paved streets that prohibits digging through them for up to five years, excluding emergency work.
 - **Demonstration Projects and Use of New Technologies**
 - To the extent practical, the City shall evaluate the use of permeable pavement, concrete pavement, and other street surface technologies using life cycle cost analysis.
 - The use of new technologies that provide enhanced durability, lower cost, and more environmentally beneficial impacts shall be evaluated and reviewed in the biannually adopted *5 Year Street Rehabilitation Plan*.

¹ PCI of 70 is the lower threshold of what is considered "Good." Streets that fall below a "good" condition require much more expensive repair process.

- **Plan and Policy Development and Update**

- Every two years, in line with the City’s budgeting process, the *5-year Street Rehabilitation Plan* adopted by City Council shall include a funding sufficiency analysis based on the existing deferred maintenance at that point to determine what level of funding is required to maintain our streets in safe, good condition that protects our environment and properly maintains the existing investment in City assets.
- Identify new funding sources such as:
 - Heavy vehicles, which have a disproportionate impact on the degradation of paved assets, and
 - Transportation Network Company (TNC) vehicles.
- At a minimum, this *Street Maintenance and Rehabilitation Policy* shall be reviewed and adopted by the City Council every five years, with advice of the Public Works Commission.

It is the public interest to adopt these updates through the attached Resolution to improve the lives of Berkeleyans, protect the environment and promote equitable outcomes.

FINANCIAL IMPLICATIONS

Staff time will be necessary to implement the new paving policy.

ENVIRONMENTAL SUSTAINABILITY

Supporting low-carbon paving policies will complement and accelerate Berkeley’s ongoing efforts to reduce carbon emissions at an emergency and equitable pace in line with the Climate Action Plan and Climate Emergency Declaration.

CONTACT PERSON

Councilmember Kate Harrison, Council District 4, 510-981-7140

ATTACHMENTS

1. Resolution
2. 2006 Street Maintenance and Rehabilitation Policy

RESOLUTION NO. -N.S.

ADOPTING THE 2021 STREET MAINTENANCE AND REHABILITATION POLICY UPDATE

WHEREAS, Resolution No. 55,384-N.S. (1990) as subsequently updated by Resolution No. 64,733-N.S. (2009) authorized the Public Works Commission to work with staff to submit an annual update to the Street Repair Policy and the annual Street Paving Plan; and

WHEREAS, the Street Paving Plan has been updated every year but the Street Repair Policy has not been updated for many years; and

WHEREAS, the Public Works Department maintains 214 miles of streets in the City of Berkeley, with a replacement value of over \$793 million; and

WHEREAS, Berkeley's current Pavement Condition of Index is 57, which means that the condition of our streets is very much "At-Risk"; and

WHEREAS, the Public Workers Commission and Public Works Department established a working group to consider updates to the paving policy to improve planning outcomes, ensure equity, identify new funding sources, better align with environmental goals, implement performance metrics, establish a "Dig Once" policy, and leverage demonstration projects and use of new technologies; and

WHEREAS, on April 21, 2021 Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee moved the updated policy including amendments to the Council; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following Street Repair Policy update dated June 2021 is hereby adopted:

City of Berkeley Street Maintenance and Rehabilitation Policy

Section 1. General Policy

It is the policy of the City of Berkeley to maintain our streets in safe, good condition that protects our environment and to properly maintain the existing investment in City assets. Staff will implement a Citywide road resurfacing plan that will ensure street maintenance and repair in a timely manner, reduce long term-replacement costs, and provide for the safe and efficient use of our streets. The users of the street surface in the public right-of-way include powered vehicles, bicycles, transit, and pedestrians. The right-of-way also provides for storm water conveyance and is the location of many public utilities.

The policy requires that a *5-year Street Rehabilitation Plan* for the entire City be prepared and adopted biannually in line with the City's budget process. Any changes to the *5-year Plan* made in the interim shall be reported to City Council. Streets and their surfacing treatment shall be prioritized using a multi-criteria adaptive planning framework to achieve sustainable, resilient, and integrated solutions for the City's right-of-way and the downstream environments. The criteria shall consider equity, quality of life, safety, opportunities for leadership, resource allocation, environmental impacts, and climate and resilience.

This section of the policy defines basic assumptions that inform the goals, objectives, and outcomes of the *5-year plan*.

1. This policy defines the priorities for managing the road surface infrastructure from curb to curb. This policy does not provide guidance on how to prioritize sidewalks or other infrastructure associated with complete streets planning.
2. Streets include arterial, collector, residential, and commercial/industrial streets as defined in Berkeley's General Plan.
3. Consistency with the City's General Plan policy of encouraging use of forms of transportation other than automobiles.
4. Conformance with the Regional Water Quality Control Board's stormwater permit requirements.
5. Support of the City's plans and updates thereto, including the City's Climate Action Plan, Green Infrastructure Plan, Resilience Strategy, Vision Zero Policy and Action Plan, Phase 3 Undergrounding Study, Complete Streets Policy, Vision 2050 framework, Pedestrian Plan, Transit First Policy, Strategic Transportation Plan, public realm and/or other localized transportation plans, and Bicycle Plan.
6. Poorly maintained streets have a disproportionate impact on certain members of the community:
 - a) Low-income residents are more seriously impacted by higher vehicle repair costs than higher income residents;
 - b) Those with mobility or visual impairments face greater challenges of unequal access and safety compared to those without such challenges;
 - c) Bicyclists and pedestrians face greater danger than those driving; and
 - d) Poorly maintained streets in dense, more populous neighborhoods are detrimental to more users than poorly maintained streets in less dense neighborhoods.
7. Utility trench and pothole repair work shall be done in accordance with permit conditions, standard details, and/or standard operating procedures adopted by the Public Works Department.
8. To the extent practical, the City shall use life cycle cost analysis to evaluate different road surfacing options.
9. Runoff from roadways carry pollutants that negatively impact public health, creeks and streams, and the Bay.
10. Street trees are valuable part of the landscape, as they sequester carbon, soak up stormwater, improve land values, and add greenery.
11. The Metropolitan Transportation Commission requires the use of a Pavement Management Tool (such as StreetSaver). Pavement Management Tools are used to optimize road surface conditions through the use of a Pavement Condition Index (PCI) performance metric.

Section 3. Funding

The *Five-year Street Rehabilitation Plan* shall identify all available funding and the sources used to deliver the proposed road improvement projects. This shall include Federal, State, County and City funding sources. In the event that the planned projects are not able to achieve the City's desired roadway condition level of service, the *Five-year Plan* should identify the level of funding and activities needed to expand roadway improvements to achieve the stated goals of this policy. Bond funds shall strive to be used for long-lasting capital improvements (projects with a useful life that meets or exceeds the duration of the bond repayment schedule) or to accelerate road work that will result in long-term cost savings for ratepayers.

Section 4. Specific Policy

1. Planning

- a) The *5-year Street Rehabilitation Plan* shall be supported by a 30-year road surfacing projection, where roadway improvement projects are forecast over a long-term planning period. The first five years of the projection will become the first draft of the *5-year Plan*.
- b) To the extent financially practical, implementation of the paving plan shall advance plans identified in section 2.5.
- c) Rehabilitation of contiguous sections of roadway, rather than one block at a time, shall be preferred, when feasible.
- d) Tree removals shall only be permitted as a last resort consistent with BMC 12.44.020, with the approval of both the Director of Parks and Waterfront and Director of Public Works. If tree removal is necessary, replacement trees shall be planted where and when feasible in accordance with BMC 12.44.010.

2. Equity

- a) The benefits of good infrastructure shall be distributed equitably throughout the entire community regardless of the income, or demographic characteristics of the residents in each area. Equity means equity of outcomes as opposed to equity of inputs, and that disadvantaged residents with more pressing needs experience benefits sooner than others, as defined by the City within the adopted *5-Year Plan*
- b) A new *Equity Zone* shall be established according to Attachment 1. This Zone shall be prioritized to meet an average PCI of 70 sooner than the remainder of the City. This Zone contains historically underserved neighborhoods that have experienced decades of underinvestment, and the residents in this zone experience more pressing needs and receive benefits sooner.
- c) Over the longer term, road surfacing activities shall be planned within Pavement Analysis Zones. A Pavement Analysis Zone shall consist of a logical set of street segments, excluding the arterials, collectors, bus routes, bicycle boulevards and non-representative demonstration projects.
 - a. The department may revise the pavement analysis zone boundaries from time to time, consistent with the other goals of this policy. Any changes to pavement analysis units shall be proposed within the biannually updated *5-year Street Rehabilitation Plan* submitted to City Council.
 - b. It shall be the goal of the City to seek parity of street condition between pavement analysis zones, except in regards to the *Equity Zone*.

3. Performance Metrics

- a) The City will strive to maintain all roads within the primary transportation network at a standard no less than the following PCI targets for any stretch of roadway¹:
 - a. Arterial - 70,
 - b. Collector - 70,
 - c. Bus Routes - 70,
 - d. Existing and proposed low-stress bikeway network - 70.
 - i. Bikeways shall be surfaced with a treatment that emphasizes smoothness of the road surface.
 - e. Equity Zone- 70.
- b) Funding should be prioritized towards maintenance activities to achieve the goals of item 4.2a.
- c) The biannually updated *5-year plan* shall report on these performance metrics, PCI measurements for each street segment in the City, and percent of overall funding dedicated to each of the following: arterials, collectors, bus routes, existing and proposed low-stress bikeway network, equity zone, and residential streets.

4. Dig Once

- a. Street rehabilitation shall conform with a dig once approach. This includes coordinating with sewer, water, electrical, telecom, undergrounding and other activities to minimize the cost and maintain the quality of the street surface.

¹ PCI of 70 is the lower threshold of what is considered “Good.” Streets that fall below a “good” condition require much more expensive repair process. 54

- b. In order to protect the City's ~~in~~ ~~Page 15 of 29~~ street improvements, the City shall place a moratorium on recently paved streets that prohibits digging through them for up to five years, excluding emergency work².

5. Demonstration Projects and Use of New Technologies

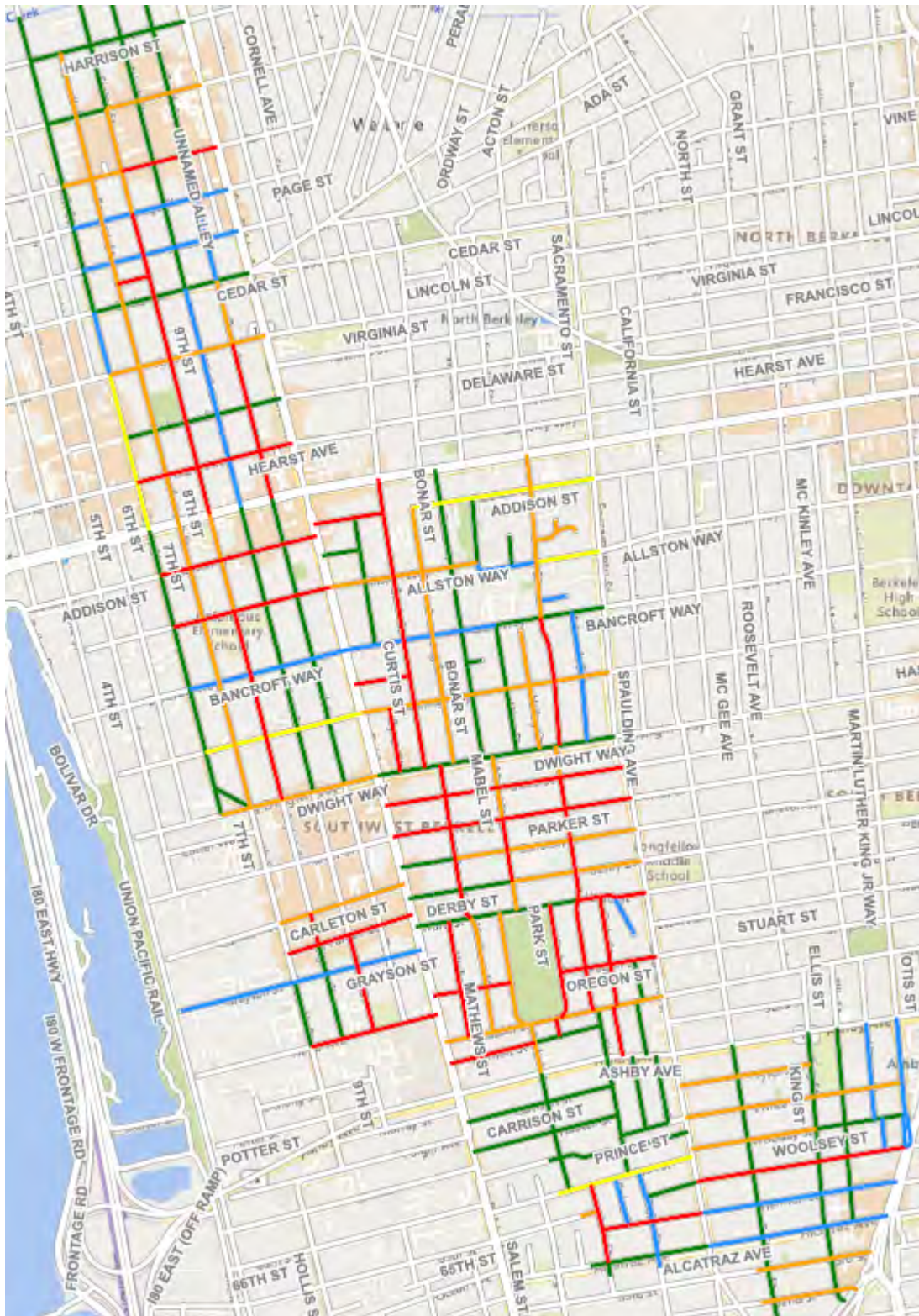
- a. To the extent practical, the City shall evaluate the use of permeable pavement, concrete pavement, and other street surface technologies using life cycle cost analysis.
- b. The use of new technologies that provide enhanced durability, lower cost, and more environmentally beneficial impacts shall be evaluated and reviewed in the biannually adopted *5 Year Street Rehabilitation Plan*.


Section 5. Plan and Policy Development and Update

The plan and policy development shall be as follows:

1. Every two years, in line with the City's budgeting process, the *5-year Street Rehabilitation Plan* adopted by City Council shall include a funding sufficiency analysis based on the existing deferred maintenance at that point to determine what level of funding is required to maintain our streets in safe, good condition that protects our environment and properly maintains the existing investment in City assets.
2. Identify new funding sources such as:
 - a. Heavy vehicles, which have a disproportionate impact on the degradation of paved assets, and
 - b. Transportation Network Company (TNC) vehicles.
3. At a minimum, this *Street Maintenance and Rehabilitation Policy* shall be reviewed and adopted by the City Council every five years, with advice of the Public Works Commission.

² As cited in Berkeley Municipal Code 16.12.030 and documented on the City [website](#)




Home
Residents
Businesses
COVID-19
Services
Elected Officials

search:
GO

WELCOME

[Public Works Home](#)
[About Us](#)
[Contact Us](#)
[FAQ](#)

POPULAR TOPICS

[Bicycle Boulevard Information](#)
[Bulky Waste Pickup](#)
[Parking Information](#)
[Plant Debris & Food Waste](#)
[Private Sewer Lateral Compliance Policy](#)
[Recycling Services](#)
[Street Sweeping](#)

QUICK LINKS

[Berkeley Transfer Station](#)
[Bicycle Resources](#)
[City Property Available for Lease or Sale](#)
[Construction Updates](#)
[Public Works Services & Contact Information](#)
[Utility Service Information](#)
[Watershed Resources](#)

Translation Disclaimer

PUBLIC WORKS

Department of Public Works

CITY OF BERKELEY STREET REHABILITATION AND REPAIR POLICY

Updated March 2009

A. STREET REHABILITATION POLICY

Section 1. General Policy

It is the policy of the City of Berkeley that there shall be a 5-year Street Rehabilitation Plan for the entire City to be adopted by the City Council.

The primary purpose of the street rehabilitation program is to maintain a safe surface conveyance system in the public right-of-way for vehicles, bicycles, transit and pedestrians. The right-of-way also provides ancillary functions of a water conveyance system and location of public utilities.

The City shall strive to identify and implement integrated solutions that address the multiple demands on the street infrastructure that are designed for safety, environmentally sustainable and economically efficient over the long run.

The Plan shall make use of all available funding and set priorities for rehabilitation of streets in accordance with their use, as follows:

- Arterials
- Collectors
- Residentials

(Within the collectors and residential street categories, bus and bicycle routes shall be given first consideration.)

To the extent practicable, these priorities shall be consistent with:


- 1) the City's General Plan policy of encouraging use of forms of transportation other than automobiles,
- 2) the Regional Water Quality Control Board (RWQCB) goals regarding water quality, flooding potential and runoff control, and
- 3) the City's Measure G goal of an 80% reduction of greenhouse gas emissions by 2050.

Section 2. Assumptions

- 1) Emergency and interim work for trench and pothole repair will be done and funded outside this program.
- 2) Available funds for street rehabilitation include Gas Tax, Measure B Sales Tax, and other federal, state, and local funds appropriated by the City Council for this purpose during the annual budget process.
- 3) Additional sources of funding other than those above will be needed to ensure acceptable levels of effort in street rehabilitation.

Section 3. Funding

Federal and State transportation and other similar funds shall be used for repair of arterials. When all



eligible work on arterials has been completed in a certain year, these fund sources may be applied to collectors.

All Berkeley's Measure B Sales Tax funds allocated for local streets and roads, all new gas tax subventions, as much of the current gas tax subventions as available and other similar funds shall be used for street rehabilitation as follows:

- 10% for Arterials
- 50% for Collectors
- 25% for Residentials
- 15% for Discretionary and Demonstration Projects

The fees assessed to mitigate for excessive deterioration on and wear and tear of streets resulting from construction activities, public or private, shall be used for street rehabilitation.

To provide for maximizing the use of the limited funds available, the Program may provide for paving publicly owned unimproved streets in areas other than those zoned S1 (industrial and manufacturing) if at least 75% of the cost is borne by the adjacent property owners.

Section 4. Specific Policy

The Street Rehabilitation Program shall be based on the following criteria, listed in order of priority:

- 1) Street rehabilitation shall be coordinated with utility, sewer, water contamination runoff issues, and other underground activities to minimize the cost and maximize the effectiveness of rehabilitation and improve the environment.
- 2) Long term cost effectiveness, long term street pavement durability and aesthetics are important for priority setting and repair methodology selection.
- 3) In order to benefit the greatest number of residents, heavy street use (as indicated by traffic counts and bus routes designated in AC Transit's Comprehensive Service Plan) shall be given great consideration.
- 4) Demonstration and test projects for new technologies should be located in high visibility and heavily used areas. See attached document on background and recommendations for the trial permeable paver sites.
- 5) Rehabilitation of an entire street, rather than one block at a time, shall be scheduled as much as possible.
- 6) First hand assessment of streets, as well as computer based analysis, shall be a basis for street rehabilitation program development.

Section 5. Program and Policy Development and Update

The 5-year Street Rehabilitation Program shall be adopted by the City Council and the 5-year planning process shall be adopted as a City policy as follows:

- 1) Each year, the 5-year program shall be reviewed and updated formally by the City Council, with the advice of the Public Works Commission.
- 2) On an annual basis coinciding with budget preparation, the Street Rehabilitation Policy shall be reviewed and updated formally by the City Council, with advice of the Public Works Commission.
- 3) Both the 5-Year Program and the Street Rehabilitation Policy shall be reviewed and updated annually to ensure that the revolving 5-Year Street Plan is consistent with the policy stated herein and for consistency with General Plan and Area Plan policies.

B. UTILITY TRENCH AND POTHOLE REPAIR POLICY

Section 1. General Policy

It is the policy of the City of Berkeley that there shall be an annual Utility Trench and Pothole Repair Program for the most heavily used streets and in the priority order, as follows:

1. Arterials
2. Collectors
3. Residentials with bus routes

Additionally, the other residential streets shall be repaired on an area by area basis at least every five (5) years. The program shall be reviewed and updated annually to ensure adherence to the City policy.

Section 2. Assumptions

- a. Emergency work for trench and pothole repair will be done as a part of this program.
- b. Utility company created trenches will be repaired by the respective utility company, and no City resources will be used for these purposes.

Section 3. Funding

- a. Gas Tax subventions and General Funds of the City shall be used for pothole repair.
- b. Sanitary sewer funds shall be used for City created sewer trench repair.

Section 4. Specific Policy

In addition to applicable policy under Street Rehabilitation Policy, the Utility Trench and Pothole Repair Program shall be based on the following criteria:

- a. A trench or a pothole is defined as any pavement surface irregularities with a change of elevation (plus or minus) of more than one (1) inch in twelve (12).
- b. All on-going trench and pothole repair shall use the permanent repair technique, i.e., prepare the trench or pot hole into a rectangular shape, fill with hot asphalt mix, and roll to match the grade adjacent to it.

[Home](#) | [Web Policy](#) | [Text-Only Site Map](#) | [Contact Us](#)

[Department of Public Works](#), 2180 Milvia Street, Berkeley, CA 94704

Questions or comments? Email: publicworks@cityofberkeley.info Phone: (510) 981-6300

(510) 981-CITY/2489 or 311 from any landline in Berkeley

TTY: (510) 981-6903





02a.23a

Public Works Commission
Parks and Waterfront Commission

ACTION CALENDER
January 18, 2022

To: Honorable Mayor and Members of the City Council
From: Public Works Commission
Parks and Waterfront Commission
Submitted by: Margo Schueler, Chairperson
Gordon Wozniak, Chairperson
Subject: Adopt-a-Spot program development recommendations

RECOMMENDATION

That Council adopt a Resolution to support and fund two new full-time dedicated Volunteer Coordinators to run an expanded Adopt-a-Spot program and coordinate new programs for youth volunteers, and funding for operational expenses should be included.

The programs shall promote participation and civic pride by providing a unified portal for all programs across all departments, and incorporate many of the **Program Elements** outlined below. The Coordinators shall build on recent efforts by Public Works staff to fortify the existing programs for storm drains and traffic circles and incorporate existing programs from the Parks & Rec department. In addition, the Adopt-a-Spot program shall be expanded and improved upon to support additional community engagement opportunities that can include, but are not limited to, restoring native habitat to promote biodiversity (including a Bee City USA liaison), litter removal, vegetation maintenance, graffiti removal, tree planting/watering/monitoring, monitoring sidewalk conditions, adoption of homeless encampments, coordinating volunteers for emergency situations, beautification efforts, and other ideas that the Berkeley community may wish to support and organize around.

Some features of the program are beyond the scope of our Commissions' visibility and will need to be finalized by Council and Staff. However, the following recommendations are offered:

- **Budget Commitment** - to ensure success, the two new positions must be dedicated to volunteer coordination. Sharing of responsibilities across staff or financing only a single or half-time position should be avoided as it likely wouldn't meet the needs of the community. If at least one dedicated position cannot be

supported the role of Volunteer Coordinator should be given to a third-party or community non-profit group.

- **Program Design** - the Volunteer Coordinators may work with interns and the community to define program features and details of implementation, which could include a phased approach (alternatively, the City could hire a consultant to outline the program),
- **Reporting Structure** - options include Parks Rec & Waterfront, Public Works, Office of Sustainability, or the City Manager's office (alternatively, the position could be shared across departments)
- **Supporting Tools** - begin with the fewest but most necessary initial features. For example, policies and waivers, outreach tools such as a robust city webpage presence including dynamic maps and signage to recruit, volunteer reporting mechanisms to ensure compliance and track activity, volunteer appreciation events to build community, etc.

BACKGROUND

Council Referrals

City Council has expressed strong support for a robust Adopt-a-Spot program. Beginning in fall 2019 Council introduced the first of four separate Referrals to both the Public Works and Parks & Waterfront Commissions with the following dates: (1) April 23, 2019¹, (2) September 24, 2019², (3) November 12, 2019³, and (4) February 23, 2021⁴. The Referrals mentioned a range of goals for the Adopt-a-Spot program, including, supporting city cleanup and maintenance efforts, addressing Vision 2050 storm water and watershed goals, promoting a thriving volunteer force to adopt and maintain traffic circles, creating and maintaining pollinator habitat and funding a City Liaison as part of a Bee City USA program, adopting encampments and street campers/RVs, and more.

History of Adopt-a-Park and Grant program

Berkeley has a history of supporting programs like Adopt-a-Spot and has even provided grants to incentivize participation. For at least ten years, beginning in FY93-94 with Resolution No. 57-557⁵, and in response to a \$1.5M refund from PERS, a popular mini-grant program was created and later supported by funds from the Park Tax⁶. Small grants were allocated to volunteer groups to assist in the development of small programs, not to exceed \$3,500. The program was implemented through a Joint Committee with representatives from the Parks and Recreation Commission, Berkeley Partners for Parks and staff from the Parks and Recreation department. This mini-grant program provided a method for involving citizens and stimulating their interests in the care of parks and open space. The funds were to be used for materials, supplies and

¹ City Council Agenda, Regular Mtg, [April 23, 2019](#), Item 33.

² City Council Agenda, Regular Mtg, [September 24, 2019](#), Item 24.

³ City Council Agenda, Special Mtg [November 12, 2019](#), Item 1a.

⁴ City Council Agenda, Regular Mtg, [February 23, 2021](#), Item 24.

⁵ [Resolution No. 57,557-N.S.](#), June 28, 1994

⁶ City of Berkeley webpage, "[Parks Mini-Grant Program](#)"

general assistance. It was a very popular program that generated enthusiasm and nourished the community spirit through wide-ranging activities such as the installation of chess tables at San Pablo park, the creation of Halcyon Commons, dog waste dispensers and trail improvements in Cesar Chavez Park, a cultural exhibit on the Ohlone Greenway, and many more.

At a regular meeting of the Public Works Commission on July 1, 2021, it was M/S/C to send this item to Council for consideration: (Schuler/Erbe/U): Ayes: Barnett; Constantine; Erbe; Freiberg; Hitchen; Napoli; Nesbitt; Schuler; Noes: None; Absent: None.

At a regular meeting of the Parks and Waterfront Commission on August 11, 2021, it was M/S/C to send this item to Council for consideration: (McGrath/Wozniak/U): Ayes: Cox; Diehm; Kamen; Kawczynska; Landoni; McGrath; Srioudom; Wozniak; Noes: None; Absent: None.

CURRENT SITUATION AND ITS EFFECTS



Updates in Progress

As of June 2021 the City is working with UC Berkeley interns and currently interviewing for a CivicSpark⁷ fellow to begin enhancing the Adopt-a-Spot program and unifying all volunteer opportunities within the City in one place. The table below outlines the current situation. However, several changes are in progress including website updates, creation of a GIS map showing all opportunities within the city (including Parks), updated volunteer agreement forms and procurement of safety vests and tools for volunteer use.

Current Volunteer Offerings

Berkeley currently has a set of volunteer opportunities available to the community through Public Works and Parks & Rec. The information about available programs is located on the City's website, on three separate webpages, and through programs housed in three different divisions. Two programs have their own logo. The table below illustrates the current organization of the programs.

⁷ See the CivicSpark webpage for 2021-2022 Projects, "[Adopt-A-Spot: Enhancing Public Works' Community Outreach, Volunteerism And Stormwater Quality](https://civicspark.lgc.org/2021-22-projects/)" (https://civicspark.lgc.org/2021-22-projects/)

| Public Works | | Parks, Rec & Waterfront |
|--|---|---|
| Adopt-a-Spot | | |
| <p>GENERAL INFORMATION</p> <p>General Information</p> <hr/> <p>Adopt-a-Spot Volunteer Program</p> <p>Adopt-a-Traffic Circle</p> <p>Adopt-a-Drain</p> | | |
| Traffic Circles | Storm Drains | PRW Volunteer |
| <p>TRANSPORTATION</p> <p>Transportation Division</p> <hr/>  | <p>PUBLIC WORKS</p> <p>Department of Public Works</p> <hr/> <p><u>Adopt-a-Spot - Storm Drains</u></p> | <p>RECREATION</p> <p>Recreation Division</p> <hr/> <p>Become A PRW Volunteer!</p>  |

As illustrated in the table above, the Adopt-a-Spot program lives within the Public Works Department at this time. The top-level webpage is found on a page marked “General Information”. From there the user can click on either of two links to navigate to a webpage for Traffic Circles (which lives on a webpage of the Transportation Division) or Adopt-a-Drain (which lives on a webpage of the Public Works Department). The many programs associated with our Parks, Rec and Waterfront Department can be found on a separate webpage within the Recreation Division. Links to these webpages are listed here:

- (General Adopt-a-Spot) <https://www.cityofberkeley.info/adoptaspot.aspx>
- (Storm Drains) <https://www.cityofberkeley.info/adoptadrain.aspx>
- (Traffic Circles) <https://www.cityofberkeley.info/adoptattrafficcircle.aspx>
- (Parks, Rec & Waterfront) https://www.cityofberkeley.info/Parks_Rec_Waterfront/Recreation/Volunteer_Opportunities.aspx

Looking at the two Adopt-a-Spot programs within Public Works, forms such as Volunteer Agreement and Waivers must be printed, scanned (or photographed), and then emailed to the address (adoptaspot@cityofberkeley.info⁸). In addition, and in collaboration with the associated Task Force, helpful supporting materials are now

⁸ This centralized email address, which includes a new logo, is a recent development after collaboration with the Traffic Circles Task Force.

available for Traffic Circles, including (1) a list of suggested plants (the [Planting Guide](#)), (2) the approval form for plants ([Planting List](#); waived if plants chosen from the approved Planting Guide), and (3) a map of traffic circles location and availability ([Map of Traffic Circles](#)).

The 16 volunteer opportunities [within Parks, Rec & Waterfront](#) are organized by frequency (on-going vs. annual) and also include 2 links to suggest a project, as either an All Crew Day or Create Your Own, specified for weekdays only. Printable Application and Waiver forms and a phone number is listed. An online "[Volunteer Application Form](#)" is also available, with the general parks email listed at the top for possible follow-up contact.

Updating and merging all of these programs into a unified Adopt-a-Spot program, with a single City webpage that links to all volunteer opportunities, would facilitate the user experience by creating a kind of "one stop shopping". For example, all volunteer opportunities, those under Public Works and Parks & Rec, can be listed on a single webpage. In addition, the print-and-submit forms can be replaced by online forms. The static map of traffic circle locations & availability can be replaced with a dynamic one. Once the volunteer coordinator positions are created and the City's overall website is redesigned⁹, additional programs and functionality can be added, as outlined in the section **Suggested Program Elements**, below.

RATIONALE FOR RECOMMENDATION

Goals of Program

The primary goal of a successful volunteer program is to positively engage the community. This can be done by creating a structure in which individuals are given the best possible opportunities to perform useful environmental maintenance work safely and efficiently, with a focus on equity. An easily accessible volunteer website which includes all participating departments, an interactive signup and data entry functions, and appropriate forms and information for the various types of tasks.

Volunteers can perform many basic maintenance tasks in our parks, on traffic circles, on landscaped areas, on drains, litter and trash pickup, and report on observed problem areas such as overgrown vegetation, and sidewalk hazards and obstructions. They can support the growing effort to provide native habitat to promote biodiversity. Youth volunteers can participate in summer job programs to gain experience and address needs identified by staff. Volunteers are not a substitute for the work of dedicated city staff, but there are often areas where additional hands can make a positive difference.

City Staff are responsible for city infrastructure and environmental features, and Volunteers clearly work under their ultimate direction. City workers already know what needs to be done, and how to do it, and they can establish clear policies and procedures for volunteers. A Volunteer program is successful when it builds upon existing staff efforts and priorities, so that the program is a clear benefit to employees.

⁹ City Council Agenda, Regular Meeting, [July 28, 2020](#), Item 15, [Rolling Orange Redesigning Website](#)

Risk management by the use of liability waivers, mandating best safety practices, and in some cases by direct Supervision is essential to ensure no one is injured while volunteering, and that the city has a strong legal defense if an accident were to occur.

The most successful programs actively highlight Volunteer activities, have a formal recognition component, and collect accurate data on the number of volunteer hours and projects completed to be included in official city documents and for public information. An annual event possibly including awards and prizes is a sure way to boost volunteer spirit and incentivize additional participants.

Finally, continually reaching out to the community with excellent communications, soliciting suggestions for new projects, and sincere feedback for Volunteers assures the future success of the program.

Precedent and Research

Our working group researched more than 30 Adopt-a-Spot programs nationwide. For each location we documented a wide variety of features. See Appendix M for the data spreadsheet. The cities we reviewed are listed below:

| Adopt-a-Spot Programs Reviewed | | |
|--|---|--|
| <p>California Burlingame, CA Los Angeles, CA Marin County, CA Riverside, CA Santa Clara, CA San Francisco, CA San Mateo, CA Truckee, CA</p> | <p>Other U.S. Cities Boulder, CO Muncie, DE Fort Lauderdale, FL Carbondale, IL Indianapolis, IN Columbia, MO Minneapolis, MN Anne Arundel County, MD Prince George's, MD Minneapolis, MN Missoula, MT</p> | <p>Albuquerque, NM Santa Fe, NM Ferguson, PA Austin, TX Fort Worth, TX San Antonio, TX Hampton, VA Seattle, WA Madison, WI</p> <p>Canada Vancouver, BC</p> |

We found that many cities and local government agencies in the Bay Area and throughout the U.S. have created Adopt-a-Spot programs. San Francisco, Oakland, Marin County, City of Santa Clara, Pittsburg, and others maintain successful programs based on the basic principle of enlisting residents to volunteer and sign up for ongoing cleanup, maintenance and beautification of specific areas.

These city-led volunteer programs have many things in common, both structurally and in the type and scope of citizen participation. Logistically, the programs include a list (or clickable online map) of suggested spots, a liability waiver, a registration system, and staff support in providing tools, supplies, and waste disposal. The staff positions may be located in a variety of departments but the most common are Public Works and Parks & Rec.

Some of the most common adoptable "spots" in our peer research are listed here:

- Storm drains maintenance
- Litter & graffiti action, both patrolling and mitigating
- Greening, planting and maintenance, e.g. medians, traffic circles and street gardens
- Tree planting and watering
- Various civic art projects including decorating assets such as trash cans or utility boxes
- Trail maintenance and/or construction

When thinking about our community, programs could specifically target Berkeley's needs and values, such as:

- Installing and maintaining pollinator & native habitat gardens
- Monitoring, reporting and prioritizing found sidewalk defects
- Supporting encampments, campers and RVs
- Maintenance of off-leash dog areas
- Creation of city art, including murals

The Volunteer Coordinator can also serve as:

- Liaison for a Bee City USA program
- Liaison with the Ecology Center (e.g. Community Gardens, Recycling Efforts)
- Outreach and coordination of Cal Project Day
- Liaison with East Bay Regional Parks
- Liaison with other local non-profits

Suggested Program Elements

Flexibility & adaptability is critical for ongoing success of the program. The following elements are commonly found in programs in other cities. (See the Appendices for sample images.)

A. Administrative Elements

1. **Promotion:** Promotion is an important part of any citywide volunteer program and most cities have some means of accomplishing this through their websites, community bulletin boards, social media, monthly newsletters, or signs in other public spaces like parks.
2. **Recruiting & Onboarding:** A simple streamlined application process where each volunteer receives acknowledgement and information about the citywide volunteer program is necessary for success of the program. Setting expectations for the approval process, including a checklist and typical timeline of approval, can enhance usability.

3. **Liability & Waivers:** A means of addressing legal liability for the City is required. Most jurisdictions have legal waivers for volunteers that are completed when the volunteer is onboarded.
4. **Safety Rules & Training:** Related to liability, basic rules and safety training is an element of onboarding for volunteers in many cities. (e.g. Oakland's [training](#) project coordinators for Earth Month). Provide clear and up-to-date guidelines, sometimes in the form of a Volunteer Manual, so volunteers understand the scope of their involvement and the responsibilities of their participation.
5. **Recognition:** Volunteer recognition is important for retention and builds a sense of community. Other cities use items including signage in public areas, volunteer appreciation events or annual parties, volunteer of the month or top volunteer of the year, or certificates or cards recognizing volunteer contributions. More locally, East Bay Regional Parks has given out badges for events attended.

B. Operational Elements

1. **Mapping & Identification of Opportunities:** Dynamic and clickable citywide maps show “adopted” areas and those available for adoption. Layering within the maps allows volunteers to focus on different kinds of opportunities (e.g. drains vs. gardens)
2. **Single Point of Contact & Website:** Successful programs have some sort of “coordinator” position that provides a single point of contact for volunteers and this contact information is prominently listed on the website.
3. **Calendar of Events:** A centralized calendar listing volunteer events promotes participation and transparency. Calendar entries can hyperlink to event descriptions and digital sign-up. Color-coded sub-calendars by 'type' (e.g. litter, gardening, drains) can allow for easy sorting. Individual user accounts support customization.
4. **Tools, Supplies, & Support:** Tools for common programs - litter pickers, garbage bags, shovels, gloves, etc. - are often provided upon request, either for pickup or drop-off. Post-event garbage pick-up is often available, too.
5. **Tracking & Reporting:** Documenting volunteer time spent or accomplishments (e.g. # of trash bags filled) is a common feature of successful programs. These data can serve as quality control, to help ensure work is done, and quantify the total number of volunteer hours spent, which can be included in grant applications. Photos documenting regular maintenance of certain locations, like traffic circles or medians, can be submitted via a new digital portal.
6. **Problem Resolution:** With a volunteer program, problems and issues will arise and the volunteers need a means of relaying issues back to city staff. Utilization of the existing 311 or SeeClickFix could be used or another means of communication can help identify locations in need. Problem resolution between

persons, volunteers and/or the community, should be handled by a Volunteer Coordinator.

7. **Coordinating with external organizations:** Some volunteer groups and non-profits will remain independent of any City programs. The City's Volunteer Coordinators can serve as a liaison between residents with external groups, to promote volunteerism city-wide.
8. **Plant Lists and Seedlings:** A list of suggested plants can introduce volunteers to habitat plants that are native to the region, ones that meet potential requirements (e.g., height or water needs), and can facilitate approval of plant palettes. Some cities provide free plants to volunteers (and in some cases these plants are grown by other volunteers. See Appendix L, Madison WI)

Suggested Implementation Options

The preferred option is for one of the two new volunteer coordinators, the senior Coordinator, to design the program, engaging the interns and CivicSpark fellows to build out desired new tools. As a second option, or in the event that additional input or resources are needed, an outside consulting firm could be engaged to more clearly define and develop the program using best practices in existing public programs.

The expansion of the programs can be done in a phased manner, starting with existing ones, for example, adding online tools and materials, and then over time adding new kinds of "spots", depending on community input and city goals.

The following departments, commissions and stakeholders should be engaged during the development of the program:

- Public Works Department
- Parks, Recreation and Waterfront Department
- Public Works Commission
- Parks and Waterfront Commission
- Traffic Circle Task Force
- Community Organizations that have historically worked with the City

Location of Program in the City

The Commissions did not reach a final recommendation about the location of the new Volunteer Coordinators. Their work will span a broad range of activities, functioning as a kind of "umbrella" position, supporting the work associated with many departments. For this reason, the best place to start the Adopt-a-Spot program may be in the City Manager's Office, where the Customer Service Center and Online Service Center already exist. There is also a Fighting Graffiti program, which already solicits volunteers. On the other hand, since many of the volunteer efforts will require input from Parks or Public Works it may be best for the position to live in one of these departments or be split between them.

Not hiring dedicated coordinators and sharing the responsibilities of the program across multiple employees is greatly discouraged as some departments are short-staffed and team members already have full work loads. For comparison, the City of Oakland has four full time employees and two part-time trainees affiliated with their Adopt-a-Spot program. They are deployed by subject area, 1) parks; 2) creeks/storm drains; and 3) streets.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE CHANGE

A well-run Adopt-a-Spot program will help residents support many of the City's climate, safety and greening goals, including improving stormwater flows, reducing runoff that reaches the Bay, promoting safe and beautiful intersections, mitigating urban heat island effect, monitoring sidewalks for safety, and widespread planting of California-natives to increase urban ecology that supports pollinators and promotes public health.

ALTERNATIVE ACTIONS CONSIDERED

The Commissions discussed taking no action to expand the Adopt-a-Spot program but concluded that the benefits from funding a more robust program, with dedicated staff positions, far outweigh the program costs.

CITY MANAGER

Refer to the budget process.

FINANCIAL IMPLICATIONS

Funding

To ensure a successful Adopt-a-Spot program it is essential that two dedicated FTE positions be fully funded, a Volunteer Coordinator, who will function as the manager, and an entry-level position Coordinator who can coordinate year-round youth programs, or the equivalent. In addition, funds should be allocated for supporting materials, such as tools, vests, signs, litter pick-up materials, T-shirts, and an annual recognition and awards party.

At writing, it is estimated that \$500,000 is needed to cover both fully-loaded FTEs and operational costs. There are two possible sources of funding: the General Fund and Special Revenue Funds.

At the end of FY21 the total revenue of the Discretionary General Fund was \$196M. A fee of approximately 0.25% from this fund would cover all proposed program costs. However, the General Fund is susceptible to fluctuations, which could introduce uncertainty into the long-term health of the program and is not the Commissions' first choice.

The preferred alternative is to allocate a percentage of total revenue from four Special Revenue Funds in the Public Works and Parks departments, as these funds tend to be more stable and citizen engagement will directly benefit both these departments. At the end of FY21 the total revenue of these four funds was almost \$100M. A fee of just half a percent - or 0.5% - from the four funds can cover all costs.

Revenue Adopted Update FY21 (\$M)

| | |
|---------|-------------|
| \$ 48.7 | Zero Waste |
| 27.7 | Sewer |
| 14.4 | Parks Tax |
| 5.0 | Storm Water |

\$ 96M TOTAL

0.5% of \$96M = ~\$500,000

Funding from the Special Funds is ideal because it's a more stable long-term source. But funding from the General Fund could also be a good strategy, if necessary.

CONTACT PERSON

Margo Schuler, Public Works Commission, (510) 528-1975
Erin Diehm, Parks and Waterfront Commission, (510) 666-0662

Attachments:

- 1: Resolution
- 2: Appendices

RESOLUTION NO. ##,###-N.S.

APPROVAL OF AN EXPANDED AND FULLY FUNDED ADOPT-A-SPOT PROGRAM
TO POSITIVELY ENGAGE THE COMMUNITY, PROMOTE CIVIC PRIDE, and
SUPPORT CLIMATE ACTION GOALS

WHEREAS, beginning in fall 2019 Council introduced the first of four separate Referrals to the Public Works and Parks and Waterfront Commissions with the following dates: (1) April 23, 2019, (2) September 24, 2019, (3) November 12, 2019, and (4) February 23, 2021; and

WHEREAS, the Referrals mentioned a range of goals for the Adopt-a-Spot program, including, supporting city cleanup and maintenance efforts, addressing Vision 2050 storm water and watershed goals, promoting a thriving volunteer force to adopt and maintain traffic circles, creating and maintaining pollinator habitat and funding a City Liaison as part of a Bee City USA program, adopting encampments and street campers/RVs, and more; and

WHEREAS, Berkeley has a long history of volunteerism and community participation, it is critically important to provide a robust program to manage and facilitate citizen efforts; and

WHEREAS, the two commissions conducted research and compiled succinct data in order to determine what was necessary for the successful implementation of this program; and

WHEREAS, we found that many cities and local government agencies in the Bay Area and throughout the U.S. have created robust and comprehensive Adopt-a-Spot programs; and

WHEREAS, a well-run Adopt-a-Spot program will help residents support many of the City's climate, safety and greening goals, including improving stormwater flows, reducing refuse that reaches the Bay, promoting safe and beautiful intersections, mitigating urban heat island effect, monitoring sidewalks for safety, and widespread planting of California-natives to increase urban ecology that supports pollinators and promotes public health; and

WHEREAS, on July 1, 2021 the Public Works Commission and on August 11, 2021, the Parks and Waterfront Commission voted to approve the implementation of an expanded Adopt-A-Spot program, as described above.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Berkeley hereby adopts an expanded Adopt-a-Spot program, including two full-time Volunteer Coordinators (2 FTEs) and associated operational costs.

BE IT FURTHER RESOLVED, that the expanded Adopt-a-Spot program shall be paid for by a 0.5% fee on four Special Revenue Funds (Zero Waste, Sewer, Parks, and Storm Water) or, as an alternative, by an approximate 0.25% fee from the General Fund.

APPENDICES

Berkeley

A: Selected Materials from Berkeley's current Adopt-a-Spot program

Other Cities

B: Signage

C: Clickable Maps

D: Videos

E: Calendars

F: Brochures

G: Online Grant Application

H: Online Program Application

I: Online Reporting

J: Volunteer Handbook

K: Volunteer Appreciation

L: Native Plants

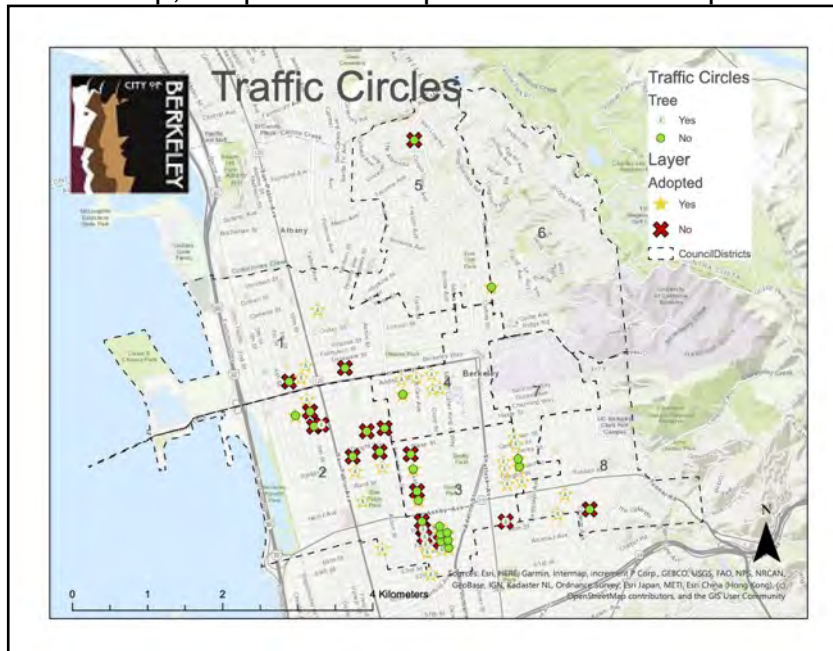
Research

M: Screenshot of Google sheet with details for locations researched

Appendix A: Selected Materials from Berkeley's Adopt-a-Spot program for Traffic Circles

<https://www.cityofberkeley.info/adoptattrafficcircle.aspx>

Public Works staff shared some exciting news at the June 2021 meeting of the Public Works Commission. They're working with interns and fellows to create a dynamic ArcGIS map, to update and replace the static one pictured below (due Summer 2021).



[Berkeley's Map of Traffic Circles](#) - Identifies circles, adopted and available

Suggested Plants for Traffic Circles – Tier One (#1-5 of 10)











| Bloom | Plant | Scientific Name | Height | Width | Notes | Wildlife Supported |
|---|---|---|---------|-------|---|---|
|  | Buckwheat, Coast | Eriogonum arifolium | 12-20in | 2ft | Compact mound of softly felted blue grey spoon shaped leaves topped by pale pink 1" clusters of flowers blooming summer into fall. Used for erosion control, drought tolerant. Ground nesting native bees scrape fuzz off leaves to use in nest. Loved by bees, butterflies and many pollinators. |  Acmon Blue |
|  | Buckwheat, Naked | Eriogonum nudum | 12-20in | 2-3ft | Another keystone Buckwheat. Late blooming, short growing. Drought tolerant, attractive to butterflies and bees. |  Mormon Metamorph |
|  | Buckwheat, Red | Eriogonum grande var. rubescens | 12-20in | 2-3ft | Another keystone Buckwheat. Late blooming, short growing. Drought tolerant, attractive to butterflies and bees. |  Silvery Blue |
|  | California Aster, Point Saint George | Symphoricarpos chinensis, "Point Saint George" | 6in | 2ft | A low growing vigorous native perennial, reaching up to 6 inches in height and spreading widely. Covered with soft lavender daisies over a long period, summer through fall, often into winter. |  Field Crescent |
|  | California Lilac (low growing selections) | ex. Ceanothus heisterium - San Simeon Ceanothus | 3-12in | 6ft | Many species and varieties, choose low growing selections. Ceanothus heisterium is fast growing, with dark green crinkled leaves and 1" deep blue flower clusters in the spring. |  Pale Swallowtail |

Photo Credits (from Calphotos.org unless otherwise noted): (1) Coast Buckwheat (2013 John Doyen)/Acmon Blue (2008 Ron Wolf); (2) Naked Buckwheat (2016 Steve Matten)/Mormon Metamorph (Bill Bouton); (3) Red Buckwheat (2008 Steve Matten)/Silvery Blue (2014 Ron Wolf); (4) Aster (2007 Neal Kramer)/Field Crescent (Wilmert); (5) Ceanothus (2007 Stan Shabo)/Pale Swallowtail (2013 Ron Wolf)

Suggested Plants for Traffic Circles – Tier One

[Berkeley's Suggested plantings for traffic circles](#) (1 of 4 pages, 20 plants total)
Focus is on CA natives that support butterflies, bees and birds.

Appendix B: Examples of Signage

Signage identifies spots that are either available or already adopted, sometimes including the name of the adopting party. The signs are placed directly in the public space or marked on GIS maps, and help recruit new volunteers and acknowledge existing ones.

| Examples of Adopt-a-Spot Signage | | |
|--|--|---|
| Adopted | | |
|  <p>Indianapolis, IN</p> |  <p>Vancouver, Canada</p> |  <p>Muncie, DE</p> |
| Available | | |
|  <p>Vancouver, Canada</p> |  <p>Truckee, CA</p> |  <p>Greene Co., OH</p> |
|  <p>Atlanta, GA</p> |  <p>Saginaw, TX</p> |  <p>Marin, CA</p> |

Appendix C: Examples of Clickable Maps Usually color-coded to identify availability.

Storm Drains

WANT SOME GREAT EXPOSURE FOR YOUR ORGANIZATION?
Pledge to adopt a storm drain and to keep the Trinity litter free.
A plaque with your group's name or personal message / motto is installed at all the drains you adopt.

IT'S EASY AS 1-2-3

- Select a drain to adopt.**
Click a drain on the map to the left.
- Give us your custom message during the checkout process.**
- Pay the adoption fee and you're all done.**
Drains are \$35 each to adopt which includes installation.

Explore our FAQs section for more information.

ADOPT-A-DRAIN FORT WORTH

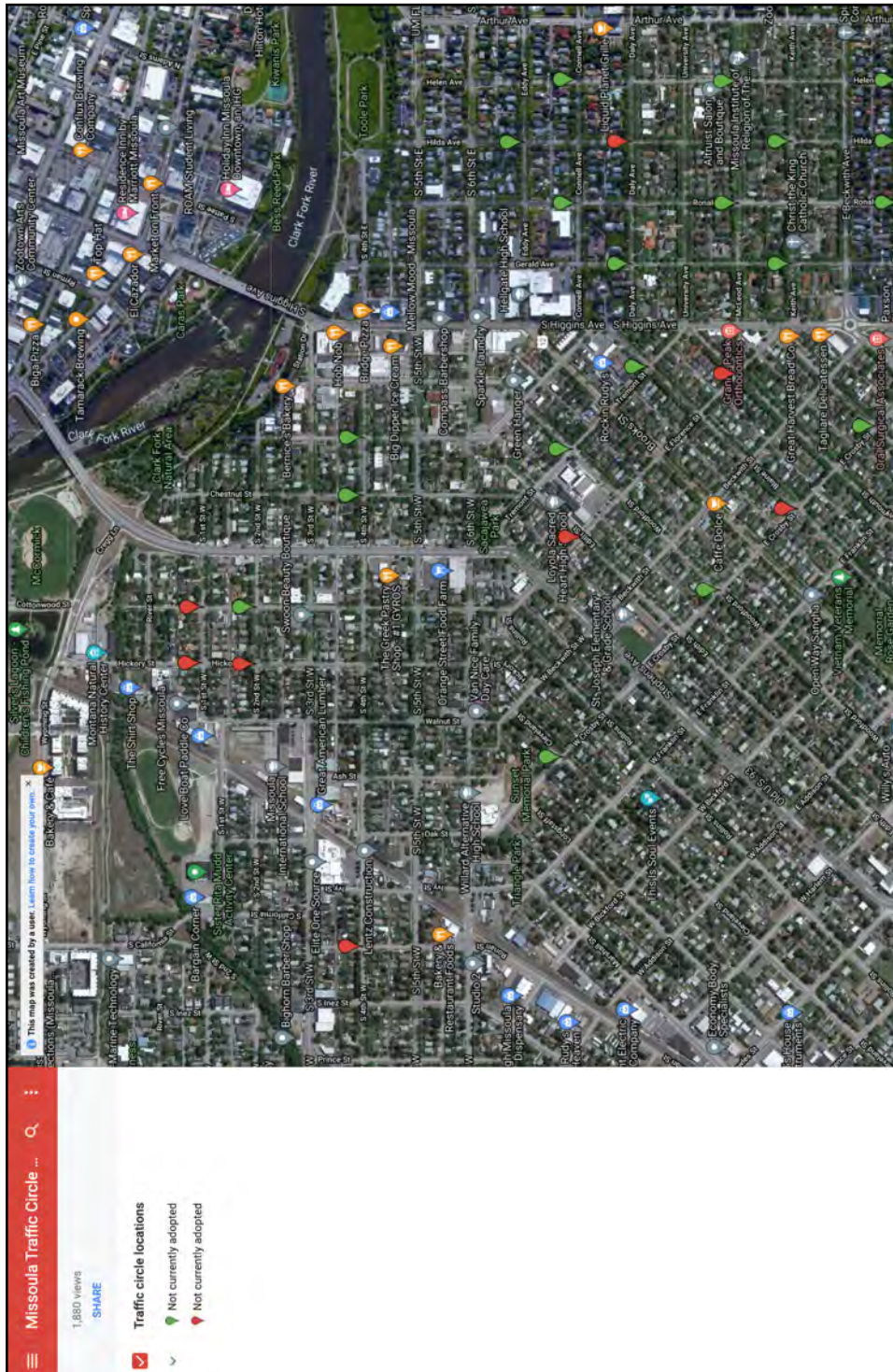
HOME ADOPTION PLEDGE FAQS PHOTO GALLERY CONTACT US

TRASH YOUR TRINITY
KEEP THE TRINITY LITTER FREE
YOUR CUSTOM MESSAGE WILL BE PRINTED HERE

Map showing storm drain locations in Fort Worth, TX. Drains are color-coded: Green ("unlocked") = available, Red ("locked") = adopted (name of adopting party - not published).

Fort Worth, TX - [Adopt a Drain](#)
Green ("unlocked") = available
Red ("locked") = adopted (name of adopting party - not published)

Traffic Circles

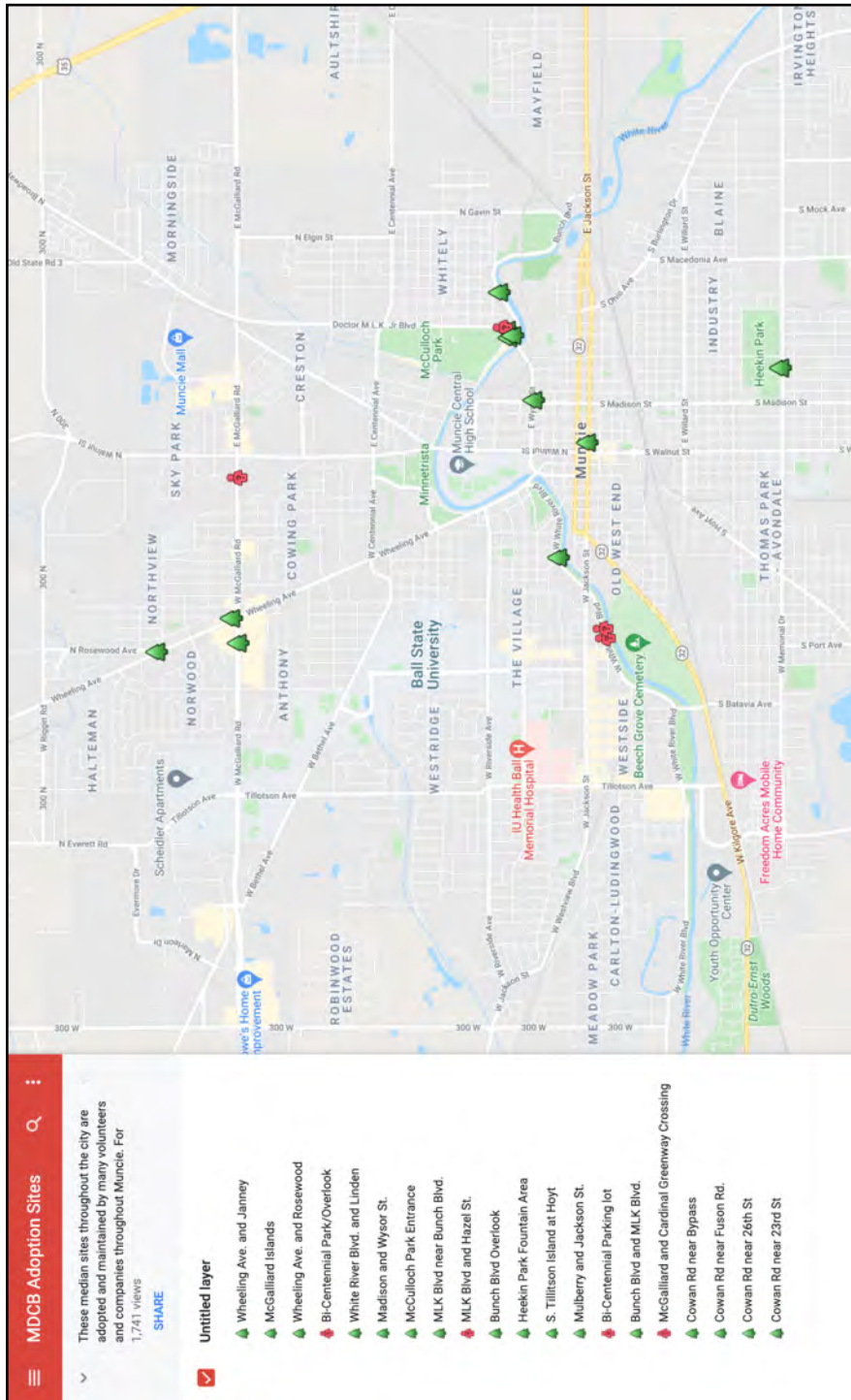


Missoula, MT - [Adopt a Traffic Circle](#)

Green = adopted (name of adopting party - published)

Red = available

Medians



Muncie, Delaware - [Adopt a Median](#)

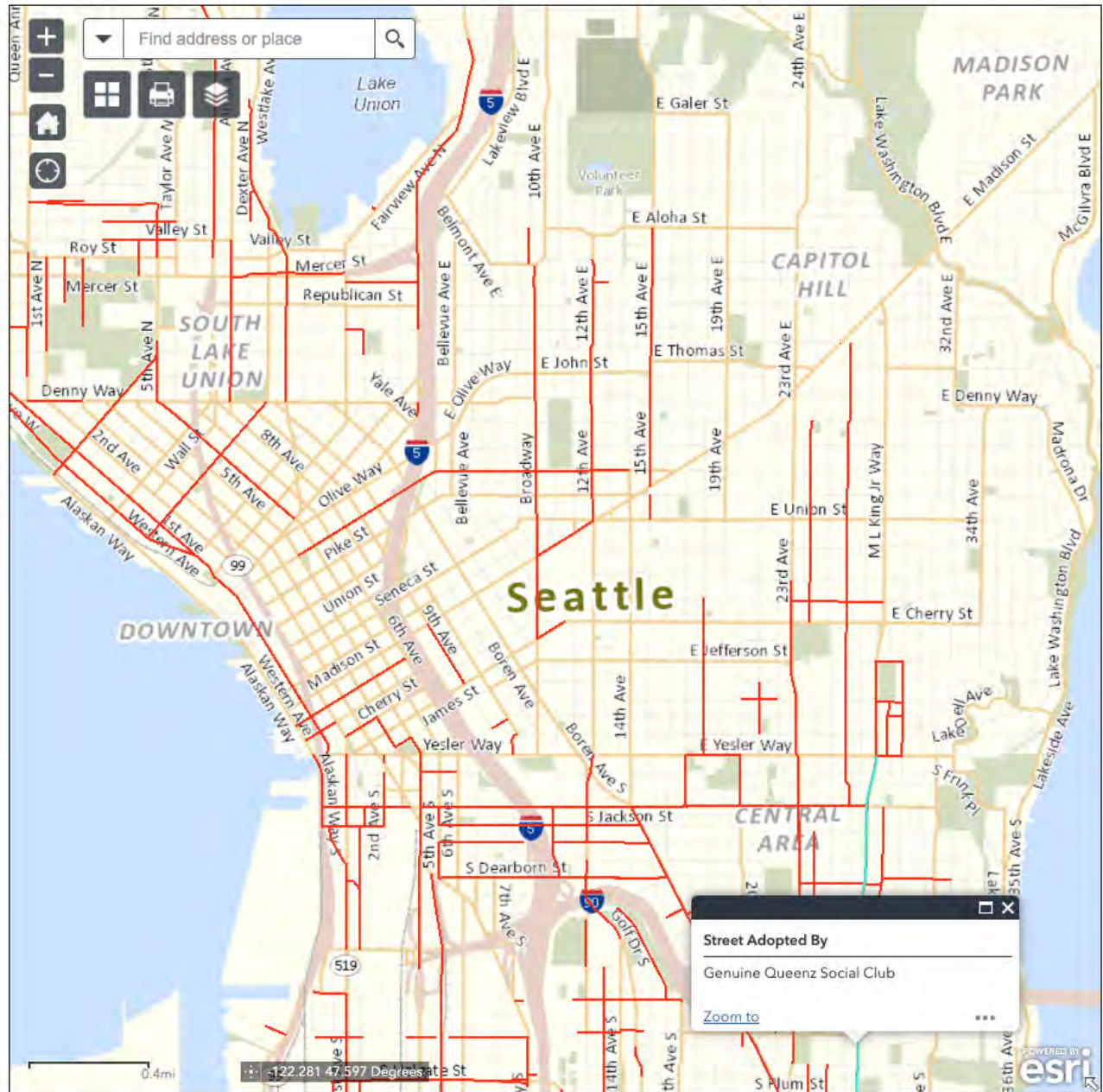
Green = adopted (name of adopting party - published)

Red = available

Streets

Adopted Streets

Select a section below to find out which streets have been adopted by other volunteers.



Seattle, WA - [Adopt a Street](#)

Red (turns **green** when clicked) = adopted (name of adopting party - published)

Litter

Keep Carbondale Beautiful

Over 60 groups have adopted spots in Carbondale. Find the spots and the groups. See also our gardens and special 3,789 views

SHARE

Untitled layer

- citizen hero
- citizen hero

Adopt A Spot Locations

- Sigma Pi
- Lambda Theta Alpha
- Phi Mu Alpha Sinfonia
- Keith
- Pi Sigma Epsilon
- Available
- Available
- Nat'l Student Speech Language Hearing ...
- Aur Beck
- Gamma Phi Omega
- Available
- Alpha Gamma Rho
- Sigma Kappa
- Epiphany Lutheran Church of All Saints
- Phi Kappa Tau
- Available
- Phi Iota Alpha
- Hispanic Student Council
- Nat'l Society of Collegiate Scholars (and ...
- Delta Chi
- Phi Sigma Kappa
- First United Methodist Church
- Rotary Club of Carbondale
- Student Alumni Council
- Alpha Gamma Delta
- Farmhouse
- IDOT says Creekside Vet Clinic
- Beta Alpha Psi
- Sigma Alpha Iota

Carbondale, IL - [Adopt-a-Spot](#) (Keep Carbondale Beautiful)
Color-coded by adoptee, "Citizen Hero". Many are fraternities and sororities.

Appendix D: Examples of Videos from Programs in Other Cities

General (1 min.)



San Angelo, TX - [Adopt a Spot](#)
Includes contact information for signing up

Drains (1 min. 21 sec.)



Riverside, CA - [Adopt a Drain](#)
Encourages volunteers to post photos to Facebook and Instagram

Litter (1 min 5 sec)



Hampton, VA - [We Put Litter In Its Place #4](#)
End of video gives contact information for signing up



Medians - News Segment (2 min. 26 sec.)



Albuquerque, NM - [Adopt-a-Median](#)
Includes city staff describing plans to expand program

Appendix E: Examples of Calendars

Calendar - Simple

[Home](#) [Donate](#) [Litter Control](#) [Reduce, Re-...](#) [Beautification](#) [Education](#) [Calendar of Events](#) [Contact Us](#)

Spring 2020 Calendar

Most of these events are ... cleanups (surprise!) KCB provides bags and gloves, plus a cooler of water on hot days. Dress appropriately for weather. Always wear closed-toe shoes. Bring a friend. There are no "rain dates" ... if you don't like the weather, stay home. If you think it's not that bad, show up. Someone will be there. We'll do what we can. Call or text (618) 525-5525 for more info.

— A littered site attracts more litter, so removing litter promotes beautification.

March 2020

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|-----|-----|-----|-----|-----|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 Cleanup @ Pyles Fork Creek and Preserve w/Green Earth 9am—12pm Meet at Attucks Park 800 N. Wall St. |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 Tree and Shrub Sale 9am-2pm Town Square Pavilion 121 N. Illinois Ave. |
| 29 | 30 | 31 | | | | |

Carbondale, IL - [Keep Carbondale Beautiful](#)

Calendar - Comprehensive

The screenshot displays the 'Calendar - Comprehensive' interface for the Boulder, CO Volunteer Cooperative. The main calendar view is for June 2021, showing a grid of dates from Sunday to Saturday. Events are represented by colored boxes with text labels. For example, on June 18th, there are events for 'Used Bookstore' at 12:30p and 7p. On June 20th, there are events for 'Father's Day Fun' at 10a and 'Your Place in the Sun' at 1p. Other events include 'Outdoors for All Real' on June 27th, 'Kids' Fishing is Fun' on June 29th, and 'Rollin into the Sun' on June 30th. A legend at the bottom of the page provides a key for the colors used in the calendar, organized by department: City Managers Office, EXPAND Program for People with Disabilities, Housing and Human Services, Parks and Recreation, Open Space Mountain Parks, Planning, and Public Works. Each department has several color-coded boxes corresponding to specific activities or event types.

Boulder, CO - ["Count Me In" Volunteer Cooperative](#)
 Calendar for all city-sponsored events. Filters by event type, department and activity.

Appendix F: Examples of Brochures

Brochure - Medians/Rain Gardens

Adopt a Rain Garden

Rain gardens on publicly owned land capture storm run-off water, allowing plants to filter out pollutants before the water infiltrates the ground. They are located across Madison in parks and city land.

Volunteers perform seasonal clean-up by removing dead plant material and replenishing mulch. Maintenance tasks include weeding, litter removal and planting supplemental plants provided by the City as needed.



Benefits of Adopting a Median/Rain Garden

- Beautify your neighborhood.
- Help the environment.
- Meet your neighbors and grow your neighborhood or homeowners' association.
- Safety vests are fashionable! Get yours for free.
- Free mulch and monetary reimbursement for qualifying plant purchases.
- Play outside!
- Makes for a great service project.

Adopt a Median Program

www.cityofmadison.com/transportation/roadworks/adoptamedian



Johanna Johnson
Adopt a Median Program Coordinator
Phone: (608) 264-9274
Fax: (608) 264-9275
Email: jjohnson@cityofmadison.com



City of Madison Engineering Division
City-County Building, Room 115
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

Cover photo credit: Chuck Kime



Adopt a Median / Rain Garden Volunteer Opportunity



City of Madison Engineering Division

Adopt a Median / Rain Garden

The Adopt a Median / Rain Garden program is an opportunity for community members to make Madison beautiful and promote the environment by maintaining and modifying medians around the City. Rain gardens located on publicly owned land are also available for adoption.

Interested parties, affiliated with neighborhood associations, groups or businesses, or volunteers working on an individual basis, may apply to Adopt a Median / Rain Garden.

With approved application and waiver forms, volunteers may receive free mulch (coordinated delivery in the volunteers' neighborhood) and supplies such as safety vests and traffic cones. Some monetary reimbursement for approved plantings may also be available from the City Engineering Division.

Safety First! Get traffic cones and safety vests from City Engineering.

Application Process

1. Complete the Request for Application form. Return completed form to the City Engineering Division.
2. The Engineering Division provides the adopting group or individual with the Application and Waiver and Release form. **A waiver is required for each person working on the median/rain garden.** Return completed forms to the Engineering Division.
3. With an approved application and waivers on file, adopting groups/individuals are ready to show their medians or rain gardens a little T-L-C.

For More Information

Dig in! Start by filling out the Request for Application included in this brochure and return it to the City Engineering Division. Or, fill out the form online: www.cityofmadison.com/transportation/roadworks/adoptamedian

Get involved today!

Questions? Contact Johanna Johnson, Adopt a Median Program, at (608) 264-9274.

Adopt a Median/Rain Garden Request for Application

| |
|--|
| Name of adopting group/organization/individual: |
| Name of volunteer contact who will sign the application: |
| Email: |
| Address: |
| Phone: |
| Median section(s)/lot/land location/rain garden to be adopted: |
| |
| |
| |

Return to: Johanna Johnson, City Engineering Division, City-County Building, Room 115, 210 Martin Luther King, Jr. Blvd., Madison, WI 53703. Email: jjohnson@cityofmadison.com



Madison, WI - [Adopt-a-Median or Rain Garden](#)
Tri-fold, includes application

Brochure - Litter

https://hampton.gov/DocumentCenter/View/311/Adopt-a-spot-brochure?bidId=

Send For Adopt-A-Spot Information NOW!

Name: _____

Group: _____

Address: _____

Zip Code: _____

E-Mail Address: _____

Do you have a spot you want to adopt? If so, what is it? (Optional)

MAIL TO:
Hampton Clean City Commission
22 Lincoln Street
Hampton VA 23669

OR

FAX TO:
727-8313

OR

E-MAIL INFORMATION ABOVE TO:
hccc@hampton.gov

Adopt-A-Spot Program Highlights

Adopt-A-Spot sites are public areas within Hampton.

Groups or individuals adopt "spots". Participants younger than 15 must be supervised by adults. Adopters commit to cleaning their "spot" five times each year for two years.

HCCC provides equipment (litter sticks, safety vests, work gloves, & trash bags) for each cleanup. Supplies are picked up by participants at a central location. HCCC provides trash bag collection. Groups report the results of their cleanups when they return equipment. HCCC places a sign at the site after the first cleanup and publicizes the group's participation through various avenues. Participants also are invited to an annual Volunteer Recognition event.


Litter! Such a Waste!



Hampton Clean City Commission
22 Lincoln Street
Hampton VA 23669

Phone: 727-6394
Fax: 727-8313
E-Mail: hccc@hampton.gov
Web Site: hampton.gov/hccc

Litter! Such a Waste!



Adopt-A-Spot Program

HAMPTON
CLEAN CITY COMMISSION

Litter Awareness Committee

Working to Keep Hampton Clean & Beautiful

727-6394
hccc@hampton.gov

It's a Dirty Job, But Someone Has To Do It!

The Adopt-A-Spot program was established in the middle 1980s to address the litter problem in Hampton. Keep America Beautiful, Inc., a national community improvement organization, researched why people litter, and came up with three main answers:

- People litter because they feel no connection with or ownership of the areas in which they litter.
- People litter because litter has already accumulated.
- People litter because they think someone else will be paid to pick it up.

The Adopt-A-Spot program is based on combating these reasons for littering. The logic is that people may feel inhibited from littering if someone else has established "ownership" of the area, that keeping litter removed will remove the littering "trigger", and that showing that volunteers are cleaning up will elicit good will from litterers and prevent them from littering. Time has proven these ideas to be correct in many locations.



Litter HURTS

Litter is a blight on our landscape for many reasons:

- It is ugly and depressing to those who live around it.
- It turns people away from littered areas of the community, whether residential or commercial, and can bring down property values and deter business.
- It can injure people, animals, and property.
- It costs hundreds of thousands of public & private dollars to clean up each year, just in the City of Hampton alone.
- It clogs storm drains, causing flooding, and washes through storm drains straight into the Chesapeake Bay. Who wants to swim, fish, or boat with trash?!



YOU Can Do Something About Litter

You really CAN do something about litter!

First & foremost, **never litter**, not even a tiny little gum wrapper or a cigarette butt. It all messes up our local environment and has to be cleaned up by someone before it gets into our waterways.

Second, make sure your garbage is "under wraps" on collection day, so small pieces don't escape to become litter.

Third, join the Adopt-A-Spot Program in Hampton to help keep litter from piling up!

YOU CAN MAKE A DIFFERENCE!



Litter! Such a Waste!

Litter costs Hampton Roads community \$2 million dollars each year to clean up - not counting volunteer effort!

People litter cigarette butts because they think they will disintegrate into the environment—NOT TRUE! It can take seven years for cigarette butts to "go away" because they're made from synthetic materials.



Appendix G: Example of Online Grant Application

LITTLE BIG AWARDS (ADOPT-A-BLOCK GRANTS)

Our Little BIG (Block Improvement Grant) Awards are grants of up to \$500 for Adopt-A-Block Captains to coordinate with each other to make their neighborhoods better. Each applicant group must include at least three Adopt-A-Block Captains. This way we can span multiple blocks and help neighbors work together.

To read the grant details and apply, please click the link below.

[LITTLE BIG GRANT APPLICATION](#)



The Little BIG (Block Improvement Grant) program is a way for you and your fellow captains to get together and make your neighborhood better!

Your grant proposal can be anything that you and at least two other Adopt-A-Block Captains in your neighborhood believe will make your community better and can accomplish on your own, you just need seed money. Maybe it's adding signage, fixing up a community greenspace, or throwing a neighborhood party. We want to hear from you, what's important to you and your neighbors.

Guidelines:

1. Grant applications will be reviewed between March and October.
2. Applications will be accepted until the funding pool has been depleted.
3. Your committee must consist of at least three current Adopt-A-Block Captains within your neighborhood.
4. Awards will be *reimbursed* in the form of a check from KIB when the budgeted work has been completed.
5. Award grantees will have 120 days from the date of award notification to complete their project and submit for reimbursement.

Unused awards or awards that have not been reimbursed after 120 days, will be reassigned to the general award pool for other applicants.

Award reimbursement will be dependent upon proper documentation of purchases outlined in this application **and** submission of a short write-up to Gerardo Ruiz Tovar (gruiztovar@kibi.org) with photo documentation before and after completion of the project.

I am applying as:

- Adopt-A-Block Captain
- Adopt-A-Block School

Name of 1st Committee Member *

1st Committee Member Email *

This should be the main contact person

Name of 2nd Committee Member *

2nd Committee Member Email *

Name of 3rd Committee Member *

Neighborhood *

General description of your project: overview, goals, and how you will accomplish this project. (500 words or less) *

Why is this project important to the community and what does it mean for the neighborhood? *

Are there any other stakeholders involved and what is their involvement? (Neighbors, Local Officials, Institutions, etc...)*

Does this require city permitting? *

Yes

No

If so, what is the current status of your permitting application?

Are you leveraging any money or services? *

Yes

No

Indianapolis, IN - [Adopt-a-Block](#) - [apply for grant online](#) (up to \$500)

Appendix H: Example of Online Adoption Application

The screenshot shows the City of Missoula website's 'Form Center' for a 'Traffic Circle Adoption Agreement'. The page features a navigation menu on the left with categories like 'Agendas & Minutes', 'Bids & Proposals', and 'City Budgets'. The main content area includes a search bar, a 'Sign In to Save Progress' button, and a form with the following sections:

- Form Center**: City of Missoula
- Search Forms**: Input field for 'Word or Phrase' and a 'Select Category' dropdown.
- By signing in or creating an account**: A yellow banner explaining that user information will auto-populate forms.
- Traffic Circle Adoption Agreement**: A section with a 'Sign In to Save Progress' button.
- Introduction**: A paragraph thanking the user for their contribution to the city's beautification.
- Contact**: An email address: contact@missoula-neighborhoods.org.
- Form Fields**:
 - First Name** and **Last Name**: Text input fields.
 - Address**: Text input field.
 - City**, **State**, and **Zip**: Text input fields.
 - Email Address**: Text input field.
 - Phone Number**: Text input field.
 - Location of Traffic Circle Request***: Text input field with a note '(Please be specific)'. The asterisk indicates a required field.
 - Sponsoring Organization/Individual***: Text input field with a note 'Can we use your name on the website as an adopter of a circle?' and a dropdown menu.
- Agreement**: A section with a red background and white text stating: 'By signing here you are agreeing to adopt a Traffic Circle for at least two year term.*'.
- Adopt-A-Traffic-Circle Volunteer Release and Waiver**: A section with a red background and white text explaining the volunteer's liability and the city's responsibility.
- Comments***: A large text area for additional remarks.
- Footer**: A section with a red background and white text providing more information on adopting a Traffic Calming Circle in Missoula, including a link to 'Missoula Traffic Calming Circles'.

Missoula, MT -Traffic Circles - [Application Form](#)

Appendix I: Example of Online Reporting

Create an Account - Increase your productivity, customize your experience, and engage in information you care about.

HAMPTON VIRGINIA LIVING PLAYING DOING BUSINESS GOVERNMENT HOW DO IT?

Form Center

Search Forms:
 Word or Phrase Select a Category ▾

By [signing in or creating an account](#), some fields will auto-populate with your information and your submitted forms will be saved and accessible to you.

Clean City Project Report Form Sign In to Save Progress

Clean City Projects Cleanup & Beautification Report Form
 Clean City Project volunteers help keep our city clean and beautiful. Project volunteers clean up, beautify, and improve sites throughout the city.

*All fields are required.

First & Last Name*

Email Address* **Phone Number***

Organization Name*

 If no organization, enter NA

Name of Spot Cleaned/Beautified/Improved*

Type of Project *

| | | |
|--|--|--|
| <input type="checkbox"/> Adopt-A-Spot | <input type="checkbox"/> Clean the Bay Day | <input type="checkbox"/> Community Garden |
| <input type="checkbox"/> One-Time Cleanup | <input type="checkbox"/> International Coastal Cleanup | <input type="checkbox"/> Weeding/Mulching |
| <input type="checkbox"/> Boat Cleanup | <input type="checkbox"/> Walk Hampton Clean | <input type="checkbox"/> Recycling |
| <input type="checkbox"/> Shoreline Cleanup | <input type="checkbox"/> Tree/Flower Planting | <input type="checkbox"/> Painting/Graffiti Removal |

Date of Project* **Number of Participants*** **How Long the Project Lasted***
 In hours

How Many Bags of Trash Were Collected (Including Weeds) **How Many Cigarette Butts Were Collected** **Bulk Debris (Large pieces of trash, tires, construction materials, etc.)** **How Many Trees/Tree Seedlings Were Planted?**

Enter approximate amount (how much, volume, pickup truck load, etc.)

Plastic Bags Recycled (in pounds) **Other Recycling Projects**

Please describe.

How Many Flowers Were Planted? **How Much Mulch Was Spread?** **Community Garden Project** **Approximately How Many Square Feet Were Impacted By This Project?**

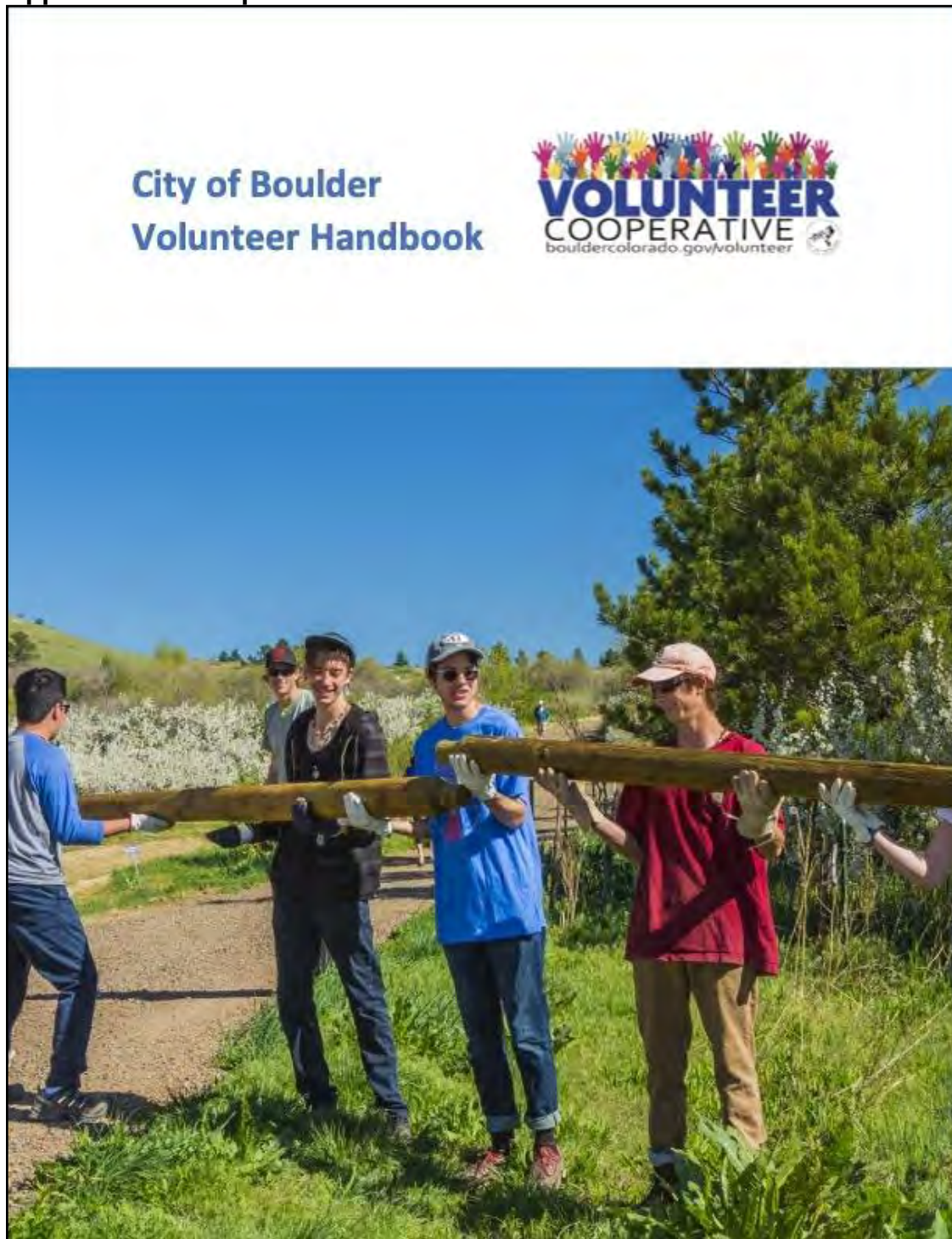
Indicate yes.

Additional Comments

Photos, Maps, Other Documents You Want to Share
 Choose File no file selected

Hampton, VA - Adopt-a-Spot - [Reporting Form](#)
 For 16 available programs

Appendix J: Example Volunteer Handbook



Boulder, CO - [Volunteer Cooperative](#) - [Volunteer Handbook](#)

Appendix K: Examples of Volunteer Appreciation

Appreciation - Annual Party and Awards

Volunteers make a difference

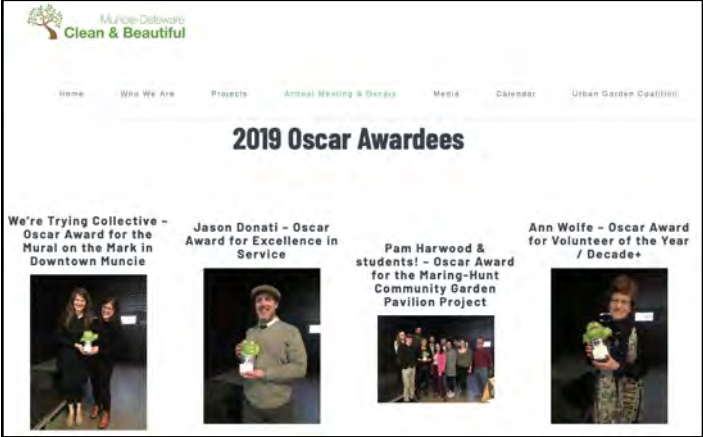


In 2019, 7,000 total volunteers contributed 80,057 hours to volunteer efforts, with an estimated financial impact worth \$2.2 million.

Left: Volunteer award winners at the 2019 citywide volunteer appreciation event for the Alber Lifetime Achievement Award and Outstanding Departmental Volunteer Award.

Boulder, CO - [Volunteer Appreciation](#)

Appreciation - Annual Oscar Awards



Muncie, DE - [Clean & Beautiful](#)

2019 Oscar Awardees

- We're Trying Collective - Oscar Award for the Mural on the Mark in Downtown Muncie
- Jason Donati - Oscar Award for Excellence in Service
- Pam Harwood & students! - Oscar Award for the Maring-Hunt Community Garden Pavilion Project
- Ann Wolfe - Oscar Award for Volunteer of the Year / Decade+

Muncie, DE - [Annual "Oscar" Awards and Party](#)

Annual Beautification Party and Award



DPW&T's Beautification Award Ceremony at the Newton White Mansion on September 25, 2019 was attended by 200 participants and guests.

Prince George's County, MD - [Annual Beautification Award Ceremony \(pg. 20\)](#)

Appreciation - Annual Award Recipients

Volunteer Recognition Award Recipients

The Annual Volunteer Recognition Luncheon celebrates the contributions of the County's Retired and Senior Volunteer Program (RSVP) and Foster Grandparent Program participants. Each year, the event is held in May to commemorate Older Americans Month and celebrate the achievements made by older adults.

2019 Award Recipients

Grandpa Brenon Washington
Outstanding New Volunteer Award

Mr. Brenon Washington is a Foster Grandparent at Francis T. Evans Elementary School in Clinton, MD. He volunteers five days a week and is dedicated to making a difference in the lives of his 2nd graders, whom he works with daily, assisting them with their reading skills. The children mirror his enthusiasm for learning and are attentive when he speaks. Grandpa Washington is truly making a difference and is trying to recruit more male volunteers.

Diane Williams
Outstanding Service Award

Ms. Diane Williams has been a Foster Grandparent volunteer at H. Winship Wheatley Special Center in Capitol Heights for 12 years. Grandma Williams' Pre-K class looks forward to her cheery "Good Morning" every day. She encourages the children to use their words and helps them with their social and emotional development. Ms. Williams has left a legacy that will live on in the lives of the children she has helped nurture.

Carolyn Hammie
Volunteer Leadership Award

Grandma Carol volunteers at Avalon Elementary School in Fort Washington, MD, where she has helped a non-verbal student, in particular, through patience and love. Having had a daughter with developmental challenges, Grandma Carol has poured that same special grace and dedication with her student at Avalon Elementary. As a result, the student is now able to speak and form full sentences because of Ms. Hammie's efforts. Grandma Carol is truly a leader and always gives 100% to her students.

Ms. Ernestine Vaughn
Ruby Peyton Award

Ms. Ernestine Vaughn volunteers at H. Wheatley Early Childhood Center in Capitol Heights and has been an active volunteer for 15 years, working mainly with children on the autism spectrum. Described by school teachers as thoughtful, compassionate, dependable, strong and hands on - Grandma Vaughn has worked in some of the most challenging classrooms. She offers words of encouragement and is known to gently redirect behavioral situations into positive outcomes. Grandma Vaughn is a team player that brings a mature structure into the classroom.

Prince George's County, MD - [Annual Volunteer Awards](#)

Appreciation - Monthly Recognition

COLUMBIA, MISSOURI

Search to Find It Fast!

Home Living in Columbia Doing Business in Columbia City Government Visitors CoMobile Apps

Volunteer of the Month for May – John Mier

Follow Us:
f t+ s

VOLUNTEER COLUMBIA

P.O. Box 6015
701 E. Broadway – 5th floor
Columbia, MO 65205
(573) 874-7499
Volunteer@CoMo.gov

On the many trails that wind through Columbia, Adopt-A-Trail is not your usual litter control or cleanup volunteer program, and John Mier is not your typical volunteer. He is a heavyweight champion in the battle to take down the invasive, non-native, bush honeysuckle that has overgrown our forests and trails.

Initially Adopt-A-Trail volunteers participate in training to learn proper tree care, trail maintenance, and the identification of invasive species in Missouri, and how to remove them. They are then assigned a quarter-mile section of trail in the city to care for. Since 2017 John has logged over 91 hours of hard work and sweat, but he doesn't mind because he says it's a great way to relieve stress. He jokingly calls the honeysuckle removal "bushwhacking," but the results are obvious. The trail opens up and looks much nicer, and clearing the honeysuckle allows for native plants to begin to grow back.

"It's all about helping," John says. He's been volunteering in some capacity for decades. "You meet new people, learn new things, and in most roles, you know you are helping." John also spends time volunteering at the St. Louis Zoo.

Thanks John for your energy, fortitude, and desire to help. If you also like helping and want to learn more about volunteering for the City's Adopt-A-Trail program, please contact volunteer@comogov or call 573-874-7499.

Written by volunteer Bob Murphy.

Columbia, MO - [Volunteer of the Month](#)

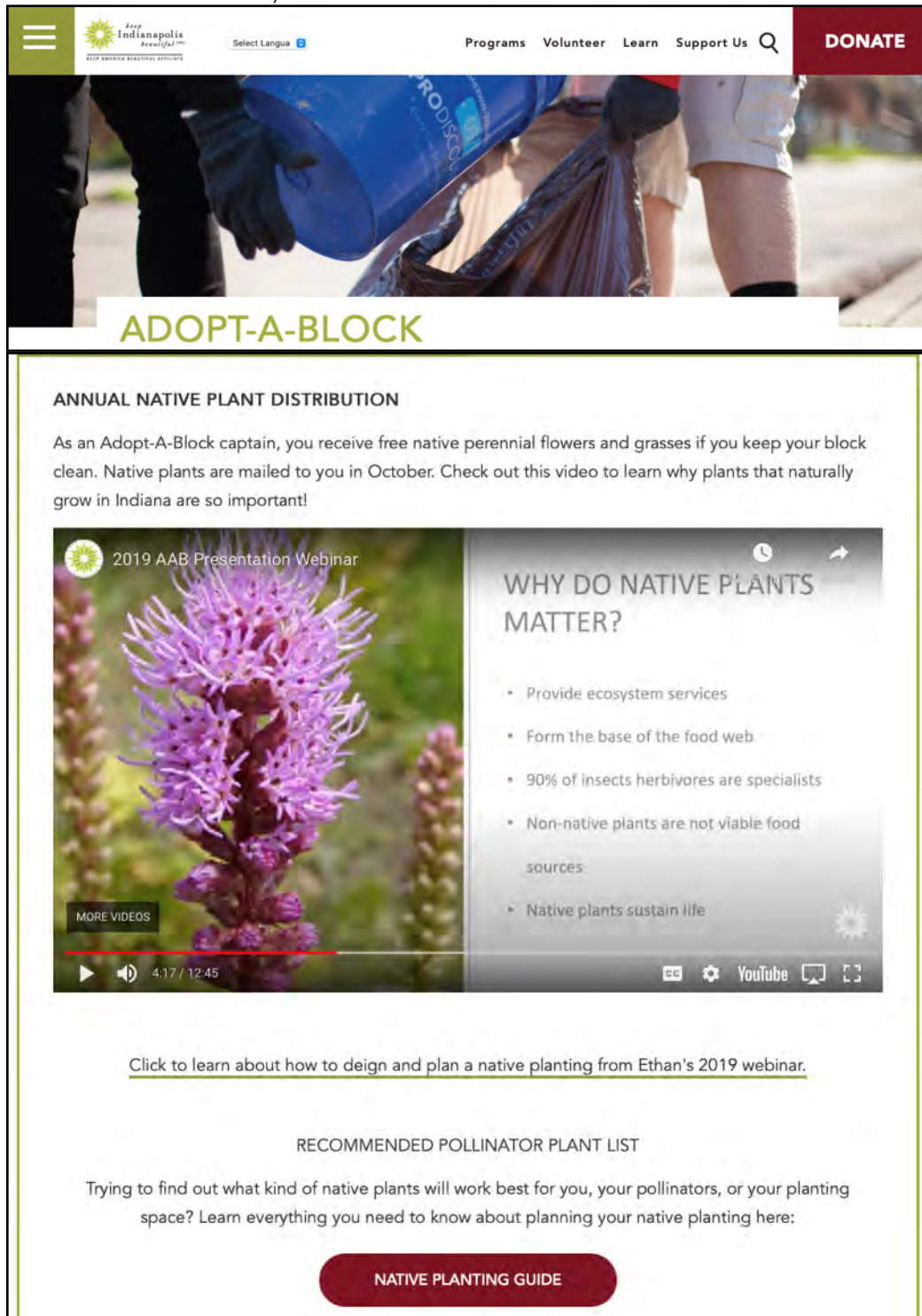
Appreciation - Quarterly Recognition

The screenshot shows a website page with a dark blue header. The header contains the logo 'NSFB' and navigation links: 'Programs', 'Events', 'Volunteer', 'Donate', and 'About'. On the right side of the header are icons for home, Facebook, and email. Below the header is a large banner image of a street scene with trees and a yellow arrow sign. The text 'Median of the Quarter Summer 2021' is overlaid on the banner. Below the banner is a white content area. On the left, there is a logo that reads 'KEEP Santa Fe BEAUTIFUL' with a small plant icon, and next to it, 'Adopted MEDIAN OF THE QUARTER'. Below the logo are two photographs of landscaped medians. The first photo shows a tree and a yellow arrow sign. The second photo shows a landscaped median with yellow flowers and a stone wall. Below the photos is a paragraph of text: 'Our summer 2021 Median-of-the-Quarter award goes to Clemens & Associates Landscape Maintenance for their beautiful medians downtown on Grant Ave/Johnson St. Congratulations and thank you for being a part of our adopters program!' followed by 'Categorised in: Uncategorized'. At the bottom of the white content area is a dark blue footer with links: 'Median Adoptees', 'Blog', 'Privacy Policy', 'Contact', and 'Subscribe'. Below the footer is a grey bar with the text 'HAND CRAFTED BY: mindshare labs.' on the left and '© 2021 Copyright Keep Santa Fe Beautiful. All rights reserved.' on the right.

Santa Fe, NM - Keep Santa Fe Beautiful - [Median of the Quarter](#)

Appendix L: Examples of Native Plants


Native Plants - Video, Guide and Free Plants



The screenshot shows the website for the Adopt-A-Block program. At the top, there is a navigation bar with a menu icon, the logo for Keep Indianapolis Beautiful (KEEP INDIANAPOLIS BEAUTIFUL AFFILIATE), a language selector, and links for Programs, Volunteer, Learn, Support Us, and a search icon. A prominent red 'DONATE' button is on the right. Below the navigation is a hero image of a person pouring water from a blue bucket into a black trash bag. A white banner with the text 'ADOPT-A-BLOCK' is overlaid on the image.

ANNUAL NATIVE PLANT DISTRIBUTION

As an Adopt-A-Block captain, you receive free native perennial flowers and grasses if you keep your block clean. Native plants are mailed to you in October. Check out this video to learn why plants that naturally grow in Indiana are so important!



2019 AAB Presentation Webinar

WHY DO NATIVE PLANTS MATTER?

- Provide ecosystem services
- Form the base of the food web
- 90% of insects herbivores are specialists
- Non-native plants are not viable food sources
- Native plants sustain life

MORE VIDEOS

4:17 / 12:45

YouTube

[Click to learn about how to design and plan a native planting from Ethan's 2019 webinar.](#)

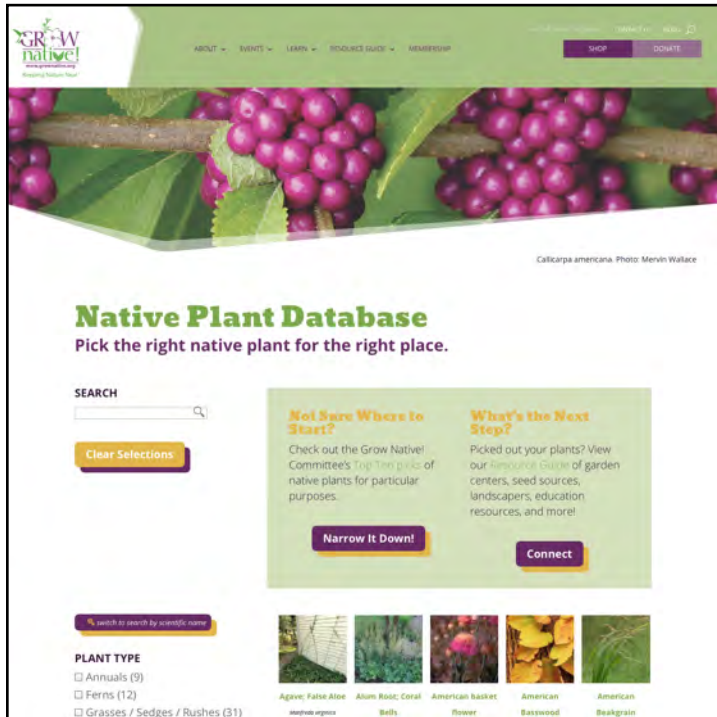
RECOMMENDED POLLINATOR PLANT LIST

Trying to find out what kind of native plants will work best for you, your pollinators, or your planting space? Learn everything you need to know about planning your native planting here:

[NATIVE PLANTING GUIDE](#)

Indianapolis, IN - Adopt a Block - [Designing a Native Plant Garden](#)

Native Plants - Database



Columbia, MO - Adopt-a-Spot - [Resources for Native Plantings](#) - [Missouri Prairie Foundation](#)

Native Plants - Guide



Columbia, MO - Adopt-a-Spot - [Resources for Native Plantings](#) - [Info from the Missouri Dept of Conservation](#)

Native Plants - Example of Free Plants

Ripple Effects

Search

Home Get Involved Rain Gardens Home & Yard For Teachers Resources About Us

Plant Dane


Native Plantings and Rain Gardens have Ripple Effects on our Waters

Convert some of your turf grass or pavement into a native garden this spring. Not only are native plants beautiful, but they provide important ecosystem services such as habitat for local wildlife and improved water quality. Native plants act as sponges helping rainwater to soak into the ground preventing stormwater runoff from draining into our lakes, rivers and streams.

[ORDER PLANTS](#) [DONATE PLANTS](#) [GROW PLANTS](#) [VIRTUAL RAIN GARDEN WORKSHOP](#) [APPLY FOR FREE PLANTS](#)

We are now accepting applications for the summer/fall cycle of the Free Native Plants Program.

The Dane County Land and Water Resources Dept. has a limited supply of free native plants that are available for use in school or community projects within Dane County that benefit water quality and education. Plants for the fall cycle are grown by volunteers. Plants will be available for pick up in late summer. To find out more about the program please visit the [program website](#). The program can also help provide seeds and supplies to teachers that would like to grow plants with their students. **Deadline to apply for summer/fall plants is July 20th, 2021.**



Ripple Effects [f](#) [✉](#)

Madison Area Municipal Stormwater Partnership (MAMSWaP) / Dane County Land & Water Resources Department [Contact Us](#)

TRANSLATE

[English](#) [Español](#) [Hmoob](#)

Select Language

[Madison, WI - Plants for Rain Gardens \(Dane County\)](#)

Opportunities to order, grow, donate, and request free plants (above)

Appendix M: Screenshot of spreadsheet used to capture details of Research Link available upon request

| | City | State | Name of Program | URL | Description (optional) | Who runs program? | Length of program | Other (optional) | Dates | Status | Appointments | Grant/Measurement | Next List | Maintenance | Safety Data & Incident | Other (optional) |
|----|------|-------|-----------------------|---|---|-------------------------|-------------------|------------------|-------|--------|--------------|-------------------|-----------|-------------|------------------------|------------------|
| 1 | CA | CA | Volunteer Programs | https://www.ci.sanfrancisco.ca.us/... | Many volunteer programs including FIRE, RFP, etc. | Public Works Department | 1 to 2 hours | | | active | no | no | no | no | | no |
| 2 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 3 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 4 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 5 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 6 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 7 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 8 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 9 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 10 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 11 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 12 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 13 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 14 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 15 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 16 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 17 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 18 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 19 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 20 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 21 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 22 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 23 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 24 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 25 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 26 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 27 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 28 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 29 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |
| 30 | CA | CA | Street Strike Program | https://www.ci.sanfrancisco.ca.us/... | Street Strike Program | Public Works | 1 hour | | | active | no | no | no | no | | no |



Rashi Kesarwani
Councilmember District 1

CONSENT CALENDAR
January 18, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author)

SUBJECT: Referral to the City Manager to Establish a Marina Master Plan for Parking with a Consideration for Establishing a Waterfront Parking Benefits District

RECOMMENDATION

Refer to the City Manager to create a Berkeley Marina Master Plan for Parking with a goal of introducing demand-based paid parking in certain areas of the waterfront as appropriate. Further, refer consideration of a Parking Benefits District (PBD) at the waterfront as a means of reinvesting net parking revenues within this area to provide a dedicated funding source for the troubled Marina Fund.

Considerations for a Marina Master Plan for Parking should include:

- Conducting robust outreach to marina stakeholders in order to: gather feedback about parking needs, communicating benefits of establishing a Parking Benefits District to maintaining and upgrading marina infrastructure, and other issues as appropriate;
- Preparing a preliminary fiscal analysis for possible implementation, including projected revenues and expenditures;
- Determining types of pay stations most appropriate for this area in addition to payment schedules, such as hourly, day passes, and/or frequent user/employee permits.

CURRENT SITUATION AND ITS EFFECTS

While the Berkeley Marina is a beloved amenity with a high volume of users ranging from water sports enthusiasts to birders, dog-walkers and Adventure Playground goers, its infrastructure is failing with capital waterfront expenditure needs exceeding \$100 million.¹ Years of deferred maintenance has resulted in current outsized needs.

¹ See the January 28, 2021 [Berkeley Marina Area Specific Plan Community Workshop #1](#) slide presentation, p. 5

The Berkeley Pier is dilapidated and closed to users due to unsafe conditions. Pilings need replacing, finger docks and larger docks are in disrepair, parking lots need complete replacement and both the northern and southern entrances to the main Berkeley Marina area are in need of dredging.² While the City has been addressing some of the most significant needs over time by using various funding sources including grants, loans, and Measure T1 funds, there is currently no available dedicated funding source equipped to address the array of needs. The Marina Fund, the City's mechanism for managing all waterfront revenues and expenditures, was already struggling with a structural deficit before the pandemic. Since the start of Covid, all reserves have been drawn down exacerbating the dire fiscal circumstances.³ Improvements are needed to retain the businesses and berth renters whose payments help support the Marina Fund.

Efforts to improve the Marina for all users and address the precarious condition of the Marina Fund have been several years in the making. As early as spring 2018, City staff reported to Council on the fiscal concerns at the Marina and with the supporting Marina Fund.⁴ At that time and to this day, these concerns focus on both infrastructure and security needs. As Marina parking lots saw an increase in car break-ins and vandalism on top of the docks' disrepair, berth renters began leaving the Marina resulting in less rental fees supporting the Marina Fund. The Berkeley Marina Area Specific Plan (BMASP) Project was initiated with the goal of providing "a path for achieving a financially self-sustainable publicly owned marina that preserves and enhances infrastructure to support current and future community needs, while adapting to climate change and promoting environmental stewardship."⁵ This process is well underway with consultants having been hired to assist with conceptual studies, designs and community outreach efforts that will extend into 2022. Concurrent to the BMASP process, the Berkeley Municipal Pier-Ferry Project has been investigating the feasibility of adding a dedicated high-capacity all-electric ferry service between Berkeley and San Francisco as an alternate form of public transit. Such a move would result in upgrades and improvements to the Berkeley Pier while making the Marina accessible for a wide range of users, both of which could potentially increase revenues into the Marina Fund.

During the September 23, 2021 Budget and Finance Committee meeting, members discussed a policy proposal to allocate revenues generated by the transient occupancy tax from the Marina hotels to the Marina Fund to help rebuild its fund balance, an idea put forward by the Parks and Waterfront Commission. While the policy committee members voted to send the item to Council with a negative

² See Councilmember Taplin's item #37 on the October 26, 2021 council agenda: Letter to Senate Budget Committee Chair Sen. Skinner Regarding Berkeley Pier, Supplemental 2 Materials, attached

³ See the [Fiscal year 2022 Budget for Parks, Recreation and Waterfront Department](#) slide presentation to the Budget and Finance Committee.

⁴ See the [April 12, 2018 Marina Fund Update](#)

⁵ See M BMASP Community Workshop #1, *op. cit.*

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111

E-Mail: rkesarwani@cityofberkeley.info

recommendation, they also requested a referral to dedicate policy committee time to discuss alternate revenue streams for the Marina Fund to address the lack of reserves.⁶ There is a widely acknowledged urgent need to establish revenue streams to build back reserves for the Marina Fund. The Marina, a hidden gem in Berkeley with a high volume of users, needs additional help.

BACKGROUND

During the March 23, 2021 City Council meeting, Councilmembers Bartlett and Kesarwani's item number 9: Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral, Supplemental Packet 1 (attached) was unanimously passed on consent as amended and later funded through the FY 2022 budget process. The requested funds are to support hiring a consultant to assist in the formation of a Parking Benefits District. Parking Benefits Districts⁷ spend meter revenue for public services and improvements within the metered areas. They are defined geographical areas typically located in commercial districts in which revenue generated from on-street and off-street parking facilities within the area is kept within the district to finance local improvements.⁸ Reinvesting the meter revenue back into the district helps build support among community members and businesses as the economic benefits of parking can fund specific improvements within the area.

A primary goal of PBDs is to effectively manage an area's parking supply and demand, often using demand-based pricing, making parking convenient for drivers.⁹ In early fall of 2018, transportation consultants Nelson Nygaard submitted a summary of short-term recommendations for parking management at the marina waterfront.¹⁰ The consultants were hired to help manage parking demands created by the volume of users, some of whom parked all-day, all vying for parking spots in close proximity to key water sports locations, ferry services, slip holders' berths, and restaurants. One of the key proposed policy recommendations of this memorandum was to consider charging a \$10 fee for users in need of all-day parking at the South Cove Lot, a centrally-located, high demand facility. With the potential of a ferry system for transport across the bay, and the revisioning of the marina to both achieve financial sustainability and support community usage and needs, the need for enhanced parking management in this area will certainly grow. Establishing a PBD at the marina could be a way to help manage parking supply and demand while creating a dedicated source of revenue for the Marina Fund.

PBDs also require a community advisory board made up of local stakeholders. In the context of the Marina, that could be representatives from various constituencies,

⁶ See the September 23, 2021 [annotate agenda](#) for the Budget and Finance Policy Committee

⁷ See Donald Shoup's Fall 2016 Access Magazine article: [Parking Benefit Districts](#)

⁸ See Newport Beach's [Commercial Parking Benefit District](#) flyer

⁹ Op cit. Newport Beach's [Commercial Parking Benefit District](#) flyer

¹⁰ See the September 7, 2018 Nelson Nygaard [Memorandum: Revised Short-Term Recommendations for Waterfront Parking Management](#)

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111

E-Mail: rkesarwani@cityofberkeley.info

such as sailing and yacht clubs, the Doubletree Hotel, restaurants and other business owners, live-aboards, water sports enthusiasts, merchants and employees, and non-profits. Local stakeholders convene on a regular basis to make recommendations to the City Council for funding local improvements. This advisory structure is another way to help build support for a shift to metered parking as local stakeholders have direct input into the types of improvements to be adopted. Establishing a PBD in the Marina is a long-term strategy that could at once help ease difficult parking situations while providing much needed resources to help fill funding gaps in the Marina Fund that would address ongoing infrastructure needs.¹¹

While a PBD in Berkeley has yet to be established, funds have already been allocated to hire consultants to assist with this effort in both the Gilman and Lorin Commercial Districts. Once the ordinance language has been drafted and a PBD structure established and piloted in both these areas, extending this concept to the Marina would be within reach.

FISCAL IMPLICATIONS

Staff time to investigate the creation of a Berkeley Marina Master Plan on Parking. Depending on the findings and at a later point in time, a follow-up budget referral for pay-station installation and maintenance, parking enforcement staff, and potential consultant services may be necessary.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Paid parking for use of our public right of ways at the Marina could incentivize some to use alternate transportation, such as public transit, biking or micro-mobility devices to gain access to that area, thereby decreasing greenhouse gas emissions from passenger vehicles—the largest source of greenhouse gas emissions in the City, according to Berkeley’s December 6, 2018 Climate Action Plan update. Were a PBD to be established in the Marina, some of the revenues could help fund a bicycle infrastructure plan to further increase access for non-passenger vehicle transport. This aligns with the City’s Climate Action Plan goals.

CONTACT PERSON

Councilmember Rashi Kesarwani, District 1

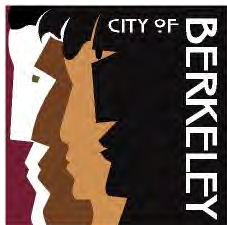
(510) 981-7110

Attachments:

1. Item #37, October 26, 2021 council agenda: Letter to Senate Budget Committee Chair Sen. Skinner Regarding Berkeley Pier, Supplemental 2 materials, Councilmember Taplin, author

¹¹ See JDSupra January 2021 blog post: [Can Parking Benefit Districts Step in as Revenue Sources Dry Up?](#)

2. Item #9, Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral, Supplemental Packet 1, March 23, 2021 City Council Agenda



Terry Taplin
Councilmember District 2

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2

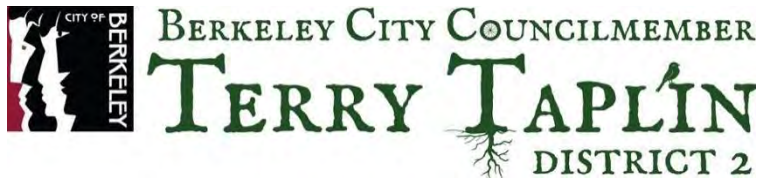
Meeting Date: **October 26, 2021**

Item Number: **37**

Item Description: **Letter to Senate Budget Committee Chair Sen. Skinner
Regarding Berkeley Pier**

Submitted by: **Councilmember Taplin**

- Letter has been updated with more detail on scope of fiscal needs at Pier.
- Assembly Budget Chair Ting added as addressee.



CONSENT CALENDAR
Oct. 12, 2021

To: Honorable Mayor and Members of the City Council
From: Councilmember Taplin, Mayor Arreguín (co-sponsor), Councilmember
Robinson (co-sponsor), Councilmember Kesarwani (co-sponsor)
Subject: Letter to Senate Budget Committee Chair Sen. Skinner Regarding Berkeley Pier

RECOMMENDATION

Send a letter to Budget Chairs State Senator Nancy Skinner (D-Berkeley) and
Assemblymember Phil Ting (D-San Francisco), ~~Chair of the Senate Budget Committee~~,
requesting state budget allocations for urgent infrastructure needs at the Berkeley
Municipal Pier.

FINANCIAL IMPLICATIONS

None.

CURRENT SITUATION AND ITS EFFECTS

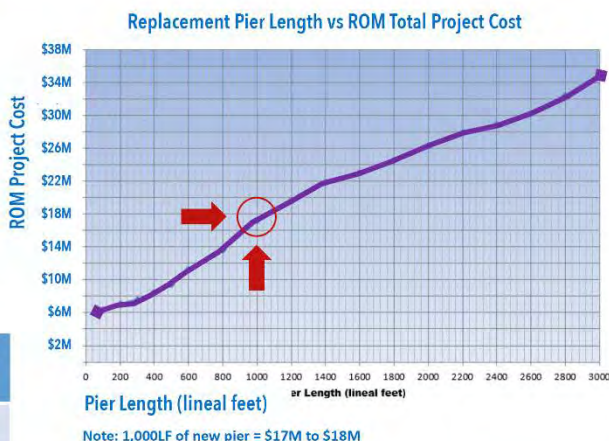
The Marina Fund is projected to exhaust all reserves in FY2022, and its operating deficit will increase to an annual \$800,000. The Berkeley Marina contains over \$200 million in infrastructure assets, with an estimated \$113 million needed in repairs, including a severely dilapidated pier. The Marina Fund has never had a permanent revenue source for capital improvements, and significant deficits have been documented as early as 1999.¹ Funding for infrastructure replacement has been provided in piecemeal fashion through an assortment of grants, loans, the Marina Fund when possible, and more recently, Measure T1 funds. The Berkeley Marina Area Specific Plan (BMASP) project is now underway to plan a revitalization of the area.

The City of Berkeley and Water Emergency Transportation Authority (WETA)'s Pier & Ferry Feasibility Study² estimates a \$32-44 million replacement cost of the pier for a full 70-year lifespan. Currently, proposed concepts in the Berkeley Municipal Pier-Ferry Project include a replacement pier of only one-third to one-half of the full 3000 lineal foot length of the existing pier. The currently recommended \$17.5 million covers the cost of 1,000 feet, but \$35 million would cover the cost of the full 3000 lineal feet.

¹ https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_General/Marina%20Fund%20Update%20041218.pdf

² https://www.cityofberkeley.info/uploadedFiles/Parks_Rec_Waterfront/Level_3_-_General/Public%202021-08-010-Pier-Ferry_W2.pdf

Pier Structural Assessment – Project History



| Renovation Options | Estimated Project Costs* (3,000 LF Pier) | Repair Interval Longevity | Life Cycle Costs |
|--------------------------|--|-----------------------------|------------------|
| 1. Rehabilitation | \$22–\$48M | 10 yrs 10–15 yrs | \$2M/yr |
| 2. Seismic Strengthening | \$41–\$65M | 10–15 yrs 30–50 yrs | \$1M/yr |
| 3. Replacement | \$32–\$44M | 20+ yrs 70 yrs | \$0.5M/yr |

* Escalated to Year 2023

← Recommended Option



Source: Berkeley/WETA Pier & Ferry Feasibility Study – Community Workshop #2 slides

According to Parks and Waterfront Commission Chairperson Gordon Wozniak, there is a desperate need for \$8 million to dredge the entrance to the main harbor, where boats often run aground at low tide; and the South Sailing Basin, which turns into a mud flat at low tide. With a total funding of \$35 million, the City would have two options: (1) replace the entire 3,000 ft pier, or (2) replace 2,000 ft of the existing pier and dredge both the entrance to the main harbor and the South Sailing Basin.

Funding capital improvements at the Marina Pier is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

In May 2021, Governor Gavin Newsom announced a historic \$76 billion state budget surplus, and paired it with federal aid in the SB 129 budget revision, dubbed the “California Comeback Plan.”³ The budget bill, brought by Senate Budget Committee Chair Sen. Nancy Skinner, received only one line-item veto.⁴ It contained major capital expenditures, such as \$6 billion to expand hotel acquisition through Project Homekey.

California’s large budget surplus was the result of its progressive tax structure and strong economic conditions in the face of the COVID-19 pandemic. As vaccination increases and local businesses begin reopening, it is not unreasonable to presume that

³ <https://www.gov.ca.gov/2021/07/12/california-roars-back-governor-newsom-signs-100-billion-california-comeback-plan-to-accelerate-states-recovery-and-tackle-persistent-challenges/>

⁴ <https://www.gov.ca.gov/wp-content/uploads/2021/07/SB-129-Line-Item-Veto.pdf>

this pattern may repeat itself next year. Given the Berkeley Marina’s central location in the Bay Area metropolitan area, near-future plans for ferry service, and the City’s many critical infrastructure needs—including an estimated \$1 billion in unfunded liabilities—the State of California must commit to allocating surplus revenues to meet one-time infrastructure replacement costs while the City develops long-term plans for operating revenues.

Replacing the full 3,000-foot pier will also ensure that the Marina can be a major source of revenue from recreational activities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

CONTACT PERSON

Councilmember Terry Taplin Council District 2 510-981-7120

Attachments:

1: Letter

October 26, 2021

The Honorable Nancy Skinner
Chair, Senate Budget Committee
California State Capitol, Room 5094
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget Committee
California State Capitol, Room 6026
Sacramento, CA 95814

Re: 2022 Budget Request from the City of Berkeley Related to Infrastructure
Improvements at the Berkeley Marina and Pier

Dear Senate Budget Chair Skinner and Assembly Budget Chair Ting:

On behalf of the City of Berkeley, we want to thank you both, as leaders of the Bay Area
Caucus, for your long-standing support for open space and the environment throughout
the region and for investing in our communities' job base and capital improvement
projects.

As you know, the Berkeley Marina is a beloved recreational area with more than 100
acres of open space and seven miles of trails that delight dog owners, birdwatchers,
sailors, windsurfers, bicyclists, kite flyers, and anyone seeking to enjoy fresh air and
expansive views of the bay. Nearly 100 years ago, the Berkeley Marina served as a
municipal wharf and the pier offered auto ferry service to San Francisco. More recently,
in 1991, a landfill was completely sealed and transformed into what is now known as
Cesar Chavez Park.

The City of Berkeley now seeks to build on the historic role that the marina has played as
both a beloved recreational area as well as a transportation hub by bringing a high-
capacity commercial ferry to the Berkeley Marina. A high-capacity commercial ferry would
offer our region an alternative form of transportation during peak commute times, but is
also a matter of public safety in the event of a major earthquake that damages our
roadways and/or Bay Area Rapid Transit tunnels and railways. Over the next decade, we
plan to continue our ongoing partnership with the San Francisco Bay Area Water
Emergency Transportation Authority to bring a ferry to the Berkeley Marina and restore
our damaged pier to serve as a ferry terminal and a place for recreational fishing and
taking in the bay view.

To realize our long-term vision for the Berkeley waterfront, we have invested over \$26
million in local funds, grants, and a \$5.5 million state loan in recent years. With these
resources, we are making critical capital investments, including repaving of failing streets,

replacing two full docks and a number of finger docks and pilings, making emergency electrical upgrades, and upgrading six restrooms, among other vital infrastructure improvements. We are also using a portion of these funds to plan for the future by investing in a Marina Area Specific Planning Study, a Pier-Ferry Feasibility Study, and a Marina Sea Level Rise Assessment Study.

Despite our significant investment, however, we still face more than \$100 million in unfunded infrastructure needs at the Berkeley Marina and Pier. We are committed to serving as a responsible steward of the land granted to us in trust, and believe there is tremendous potential for the Berkeley Marina to become a regional recreation and transportation hub.

We therefore respectfully request the state's support in the FY 2022-23 state budget for the following highest-priority unfunded capital improvement projects that will help to ensure the vitality and longevity of the Berkeley Marina for years to come.

1. Dredging Main Channel - \$6,000,000

Both the northern and southern entrances to the main Berkeley Marina need to be dredged. They were last partially dredged in 1989 by the Federal Emergency Management Agency after the Loma Prieta earthquake in order to allow for large ferry use. There are several spots where large boats cannot enter or exit during low tide.

2. Dock Piling Replacement - \$1,300,000

The Berkeley Marina has approximately 500 pilings. Approximately 50 percent are the original wood pilings, many of which have failed or are near failure. The City has identified \$1.2 million in City funding to replace the worst pilings, but is in need of additional funding to replace the remaining wood pilings.

3. Finger Dock Replacement - \$850,000

Various small docks next to each slip that are adjacent to each boat need to be replaced in docks K, L, M, N and O. While the main docks are in decent shape, many of the finger docks are failing.

4. J Dock Replacement - \$4,500,000

These docks are the oldest remaining unimproved docks since the initial construction in the 1960s. These docks will be converted from small boat slips to slips for medium and larger boats.

5. J and K Parking Lot - \$1,150,000

This parking lot is adjacent to the marina office, commercial fishing dock (K), a marina restaurant and the bait shop and has totally failed and needs complete replacement. This parking lot is the busiest marina parking lot and serves multiple public uses in the Berkeley waterfront.

6. Cesar Chavez Perimeter Path - \$1,000,000

This failing one-mile pathway needs to be widened to meet Bay Trail standards and there are several locations that do not meet current ADA standards.

7. Marina Office Piling Replacement - \$200,000

The twenty wood pilings which hold up the marina office/public restroom and related platform are near failure and need immediate replacement.

Thank you for your consideration and we look forward to working in partnership on these critical improvements.

The Honorable Nancy Skinner, Chair
Standing Committee on Budget and Fiscal Review
State Capitol, Room 5019
Sacramento, CA 95814

October 12, 2021

Dear Senator Skinner:

As you may know, the City of Berkeley's Municipal Pier urgently needs replacement. However, the City and the Water Emergency Transportation Authority (WETA) lack sufficient funds for a full replacement to accommodate all recreational activities as well as plans for a new ferry. Therefore, we humbly request that the California State Senate consider an appropriation of at least \$17.5 million in the next budget to match the City's recommendation and fund a full replacement of the Marina Pier.

The City of Berkeley and WETA's Pier & Ferry Feasibility Study estimates a \$32-44 million replacement cost of the pier for a full 70-year lifespan. Currently, proposed concepts in the Berkeley Municipal Pier Ferry Project include a replacement pier of only one-third to one-half of the full 3000 lineal foot length of the existing pier. \$17.5 million covers the cost of 1,000 feet, but \$35 million would cover the cost of the full 3,000 lineal feet.

Additionally, there is a desperate need for \$8 million to dredge the entrance to the main harbor, where boats often run aground at low tide, and the South Sailing Basin, which turns into a mud flat at low tide. Even a State contribution of \$8 million would allow a 2,000 ft long replacement pier to be built, which would accommodate substantially more recreation and pedestrian usage. A longer pier that enables more recreational uses also increases potential revenue for the City.

In your capacity as Chair of the State Senate's Standing Committee on Budget and Fiscal Review, we ask you to consider allocating state funds for infrastructure

~~replacement at the Berkeley Pier. This would go a long way toward restoring a vital public resource in our community, while also guaranteeing future revenue potential and stability for the City's Marina Fund. Thank you very much for your tireless service for the people of Senate District 9.~~

Respectfully yours,

City Council, City of Berkeley
2180 Milvia St
Berkeley, CA 94704



October 26, 2021

The Honorable Nancy Skinner
Chair, Senate Budget Committee
California State Capitol, Room 5094
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget Committee
California State Capitol, Room 6026
Sacramento, CA 95814

Re: 2022 Budget Request from the City of Berkeley Related to Infrastructure Improvements at the Berkeley Marina and Pier

Dear Senate Budget Chair Skinner and Assembly Budget Chair Ting:

On behalf of the City of Berkeley, we want to thank you both, as leaders of the Bay Area Caucus, for your long-standing support for open space and the environment throughout the region and for investing in our communities' job base and capital improvement projects.

As you know, the Berkeley Marina is a beloved recreational area with more than 100 acres of open space and seven miles of trails that delight dog owners, birdwatchers, sailors, windsurfers, bicyclists, kite flyers, and anyone seeking to enjoy fresh air and expansive views of the bay. Nearly 100 years ago, the Berkeley Marina served as a municipal wharf and the pier offered auto ferry service to San Francisco. More recently, in 1991, a landfill was completely sealed and transformed into what is now known as Cesar Chavez Park.

The City of Berkeley now seeks to build on the historic role that the marina has played as both a beloved recreational area as well as a transportation hub by bringing a high-capacity commercial ferry to the Berkeley Marina. A high-capacity commercial ferry would offer our region an alternative form of transportation during peak commute times, but is also a matter of public safety in the event of a major earthquake that damages our roadways and/or Bay Area Rapid Transit tunnels and railways. Over the next decade, we plan to continue our ongoing partnership with the San Francisco Bay Area Water Emergency Transportation Authority to bring a ferry to the Berkeley Marina and restore our damaged pier to serve as a ferry terminal and a place for recreational fishing and taking in the bay view.

To realize our long-term vision for the Berkeley waterfront, we have invested over \$26 million in local funds, grants, and a \$5.5 million state loan in recent years. With these resources, we are making critical capital investments, including repaving of failing streets, replacing two full docks and a number of finger docks and pilings, making emergency electrical upgrades, and upgrading six restrooms, among other vital infrastructure improvements. We are also using a portion of these funds to plan for the future by investing in a Marina Area Specific Planning Study, a Pier-Ferry Feasibility Study, and a Marina Sea Level Rise Assessment Study.

Despite our significant investment, however, we still face more than \$100 million in unfunded infrastructure needs at the Berkeley Marina and Pier. We are committed to serving as a responsible steward of the land granted to us in trust, and believe there is tremendous potential for the Berkeley Marina to become a regional recreation and transportation hub.

We therefore respectfully request the state's support in the FY 2022-23 state budget for the following highest-priority unfunded capital improvement projects that will help to ensure the vitality and longevity of the Berkeley Marina for years to come.

1. Dredging Main Channel - \$6,000,000

Both the northern and southern entrances to the main Berkeley Marina need to be dredged. They were last partially dredged in 1989 by the Federal Emergency Management Agency after the Loma Prieta earthquake in order to allow for large ferry use. There are several spots where large boats cannot enter or exit during low tide.

2. Dock Piling Replacement - \$1,300,000

The Berkeley Marina has approximately 500 pilings. Approximately 50 percent are the original wood pilings, many of which have failed or are near failure. The City has identified \$1.2 million in City funding to replace the worst pilings, but is in need of additional funding to replace the remaining wood pilings.

3. Finger Dock Replacement - \$850,000

Various small docks next to each slip that are adjacent to each boat need to be replaced in docks K, L, M, N and O. While the main docks are in decent shape, many of the finger docks are failing.

4. J Dock Replacement - \$4,500,000

These docks are the oldest remaining unimproved docks since the initial construction in the 1960s. These docks will be converted from small boat slips to slips for medium and larger boats.

5. J and K Parking Lot - \$1,150,000

This parking lot is adjacent to the marina office, commercial fishing dock (K), a marina restaurant and the bait shop and has totally failed and needs complete replacement. This parking lot is the busiest marina parking lot and serves multiple public uses in the Berkeley waterfront.

6. Cesar Chavez Perimeter Path - \$1,000,000

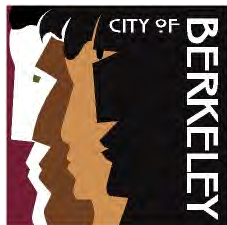
This failing one-mile pathway needs to be widened to meet Bay Trail standards and there are several locations that do not meet current ADA standards.

7. Marina Office Piling Replacement - \$200,000

The twenty wood pilings which hold up the marina office/public restroom and related platform are near failure and need immediate replacement.

Thank you for your consideration and we look forward to working in partnership on these critical improvements.

Respectfully,
Berkeley City Council



Rashi Kesarwani
Councilmember District 1

REVISED AGENDA MATERIAL for Supplemental Packet 1

Meeting Date: March 23, 2021

Item Number: 9

Item Description: Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral

Submitted by: Councilmember Rashi Kesarwani

The item has been amended to include the Gilman District and update the Fiscal Impact to reflect the cost of consulting services for two business districts. Additional edits are included to provide more detail about the concept of a Parking Benefit District, and Councilmember Rashi Kesarwani is added as a co-author.



CONSENT CALENDAR
March 23, 2021

To: Honorable Mayor and Members of the City Council
From: Councilmember Ben Bartlett (Author), Councilmember Rashi Kesarwani (Co-Author), & Mayor Jesse Arreguin and Councilmember Terry Taplin (co-sponsors)
Subject: Budget Referral: Establish a Parking Benefits Districts (PBD) in the Adeline Corridor and Gilman District and Refer Funding to the Fiscal Year 2022 Budget Referral Process

Formatted: Indent: Left: 1"

RECOMMENDATION

Refer to the City Manager to establish a Parking Benefits Districts (PBDs) in the (1) Adeline Corridor and (2) Gilman District in order to finance and support neighborhood improvements--such as landscaping; enhanced lighting; security ambassadors; enhanced street sweeping and sidewalk cleaning; bike, pedestrian, micromobility, and public transit infrastructure; marketing and promotion of the commercial areas, and other potential enhancements to be determined and more--in South and West Berkeley, and

Further, refer to the Fiscal Year 2022 budget process \$50,000 \$75,000 for city staff to hire and manage a seek consulting services to assist in the formation and establishment of the PBDs.

CURRENT SITUATION

Outlined in the Lorin Business Association's vision for South Berkeley and the Adeline Corridor draft plan is a business improvement district (BID).¹ A BID uses fees from businesses and/or property owners to support physical improvements, special events, public safety, street cleanliness/maintenance, and programming. The Lorin Business Association has already spent five years advocating for a BID in South Berkeley but such a district has yet to be established in this community. Thus, the City can take a critical step in supporting innovative revitalization activities in South Berkeley by establishing a Parking Benefits District (PBD) to help the City improve the Adeline Corridor. In addition, the parking revenue generated within the PBD should fund designated neighborhood improvements.

The Gilman District has a similar need for a mechanism to fund necessary streetscape improvements. Establishing a PBD is a financing tool in which revenue is reinvested within the business district in order to fund necessary investments that encourage placemaking and a safe, clean, and pleasant experience for workers and visitors. The Gilman District is home to an eclectic mix of businesses and non-profits, such as art galleries, wineries, breweries, biotech, office space, and an educational farm and community center, among other varied enterprises.

¹ <https://www.cityofberkeley.info/council3/adeline/>

BACKGROUND

The Covid-19 pandemic and resulting Shelter-In-Place orders have had a devastating impact on the vitality of our business districts. The development of a Parking Benefit District (PBD) within a business district is a long-term strategy for establishing a dedicated source of revenue to can enhance and reinvest in a commercial area as it seeks to recover from the economic recession resulting from the pandemic.

Parking benefits districts (PBDs) are defined geographic areas, typically along commercial corridors, in which revenue generated from on-street and off-street parking facilities within the district is returned to the district to finance neighborhood improvements. A PBD ties the economic benefits of parking directly to improving the quality of life in the immediate area.²

PBDs specifically require local parking revenue to stay local, while financing neighborhood improvements. PBDs allow local merchants, organizations, property owners, residents and visitors to clearly see that the monies collected are being spent for the benefit of their district, on projects that they have chosen. In turn, they become willing to support, and often advocate on behalf of the needs of the residents and patrons who utilize the parking.

To improve our commercial districts and expand investments in our neighborhoods, the Council should adopt this item creating a South and West Berkeley PBD with the specific requirement that parking revenues generated in the district is be used for neighborhood improvements. Funds from a PBD could be used in critically important ways, such as hiring full-time staff to manage the following activities: landscaping and streetscape improvementscreening, street cleaning, transit and pedestrian infrastructure, street furniture, marketing of local businesses, management activities, and visitor and security ambassadors.

Determination of how to allocate and use the funds could be managed by a Parking Advisory Committee, a group of representatives from the commercial district, that would make recommendations to City staff on how the revenues would best support the vibrancy of the business district.

In establishing the PBDs, the City should consider a separate permitting system for the benefit of employees of local businesses in order to enable access to parking within reasonable proximity to their place of employment at a fair price. In such a system, local businesses could purchase a certain number of annual permits for employees at a rate that is different from the rate charged to hourly visitors. Fee structures for employee permits versus hourly visitors could initially be determined with the help of the hired consultant.

The request for a PBD is an innovative approach to a real problem in South and West Berkeley. Constituents in both areas have faced many generations of neglect in this

² See Donald Shoup's Fall 2016 Access Magazine's article: Parking Benefit Districts: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/11/access49-web-almanac.pdf>

Office of Councilmember Ben Bartlett

2180 Milvia Street, Berkeley, Floor 5, Berkeley, CA 94704 • Tel: (510) 981-7130 • E-Mail: bbartlett@cityofberkeley.info

Formatted: Font: Italic

Formatted: English (United States)

~~neighborhood~~. A PBD brings equity, a leg up for ~~our~~ commercial districts to develop in a cohesive, community-oriented way. It also gives ~~our~~ neighborhoods an opportunity to work ~~together communally~~ on issues of mutual interest ~~to South Berkeley in each locale~~, while receiving the resources necessary to improve the quality of life ~~of its for~~ constituents. ~~The establishment of these PBDs could potentially lead to the establishment of PBDs in other areas of the City, adding to the value of this effort.~~

A successful PBD ~~in South Berkeley~~ would also incorporate a number of other key elements that the ~~City Manager Council~~ should ~~also~~ consider:

- Creation of a governing ~~and oversight body~~ Parking Advisory Committee to ~~recommend appropriate uses~~ develop an approved program of revenue ~~generated by the PBD. expenditures, subject to final approval by City Council.~~ This body could take one of several potential forms, such as: ~~A~~an appointed or volunteer advisory board, which could include residents, property owners, ~~businesses~~ owners and other community organizations operating within South ~~and West Berkeley~~, ~~residents~~ and ~~eCity~~ staff;
- Implementation of parking meters and pricing structures that facilitate demand-based pricing, ~~with employees of local businesses potentially receiving access to permits that are provided at a different rate from the parking rate charged to hourly visitors;~~
- Adoption of a defined list of PBD revenue expenditures;
- Development of a coordinated public relations plan, which ~~w~~could use wayfinding, signage, and public outreach to explain the role of demand-based pricing and articulate how parking revenue is being utilized to benefit the two districts;
- ~~signage, and public outreach to explain the role of demand-based pricing and articulate how parking revenue is being utilized to benefit South Berkeley;~~
- Ongoing evaluation and management of PBD policies and expenditures; and
- City reporting on the funds generated.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

A PBD is a well established concept used in municipalities around the United States. In California, Pasadena³ and Newport Beach⁴ have used their PBDs to support revitalization needs. Parking management is an issue often overlooked in a neighborhood's development plan. While it may seem like a secondary concern in the quest for economic development, parking management directly impacts accessibility to businesses, customer willingness to travel to certain areas, and the quality of life experienced by residents. Studies have shown that a smart, proactive parking policy can revitalize a neighborhood. South ~~and West Berkeley is-a~~ are prime neighborhoods for this type of engagement.

³ See Donald Shoup's Fall 2003 Access Magazine article focusing on Old Pasadena: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/02/Access-23-02-Small-Change-into-Big-Change.pdf>

⁴ See this promotional flyer from Newport Beach: <https://www.newportbeachca.gov/Home/ShowDocument?id=11814>

Office of Councilmember Ben Bartlett

2180 Milvia Street, Berkeley, Floor 5, Berkeley, CA 94704 • Tel: (510) 981-7130 • E-Mail: bbartlett@cityofberkeley.info

3

Formatted: English (United States)

Formatted: English (United States)

CONSULTATION OVERVIEW

The District 3 Office consulted with leaders of the Lorin Business Association. Their advocacy has informed this recommendation. The District 1 office has conducted outreach to the Gilman District.

RATIONALE FOR RECOMMENDATION

The Council should promote equity by establishing a Parking Benefits Districts (PBDs) in the Adeline Corridor and Gilman District to finance and support neighborhood improvements in South and West Berkeley. In comparison to the ways the City has invested in other districts, South and West Berkeley ~~has~~ have often been neglected. The Lorin Business Association has long advocated for the establishment of a traditional business improvement district, but such a district has yet to be established in this community. The Gilman District also is in need of additional investment. The Council now has the opportunity to support the ~~se South Berkeley~~ commercial districts and improve the quality of life for ~~its~~ their constituents by establishing a PBD in each business district and dedicating parking revenue funding in the PBD to local neighborhood improvements, such as landscaping, lighting, cleaning, security ambassadors, publicity and promotion, pedestrian and transit infrastructure, and other things that City residents benefit from.

FISCAL IMPACTS

~~Rather than accruing to the City, if the PBD is established, all or a portion of revenue generated from on street and off parking facilities will be utilized to finance neighborhood improvements, thereby improving the quality of life in the business district and surrounding area.~~ In order to form the PBDs, a one-time allocation of ~~resources, estimated at approximately \$50,000 \$75,000~~ is ~~required and being~~ referred to the FY 2022 budget process for consulting services for the following activities:

- Working with key stakeholders to help define the general parameters of the PBDs;
- Developing each respective PBD's boundaries, which revenues would be utilized, a draft budget for expenditures, a description of any new meters or other facilities that need be installed, and a timeline;
- Assigning of responsibilities to various organizations and creation of a new non-profit corporation, if needed;
- Development of a timeline with specific tasks and deadlines; and
- Writing of an Ordinance for Council consideration and presentation to the City Council.

~~Likely A~~ Additional costs to establish new meters or other facilities would be identified by the consultant and could potentially be covered by the resulting revenues from the PBD. ~~fiscal impacts, if any, to the City will be analyzed in depth should City Council approve the referral along with the requested budget allocation when the FY 2022 budget is adopted.~~

ENVIRONMENTAL SUSTAINABILITY

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"
Formatted: Font: 12 pt

Formatted: Underline

Providing parking for free or below the price that customers are willing to pay unnecessarily subsidizes a carbon-intensive mode of transportation. The City of Berkeley has declared a climate emergency, and it reflects the principles of environmental sustainability to impose a parking fee for the negative externality of greater greenhouse gas emissions emitted by non-electric cars compared to other modes of transportation, such as micromobility devices, public transit, biking or walking.

CONTACT PERSON

Councilmember Ben Bartlett: 510-981-7130
James Chang jchang@cityofberkeley.info

Councilmember Rashi Kesarwani 510-981-7111
Beth Gerstein bgerstein@cityofberkeley.info

- Formatted: French (France)
- Field Code Changed
- Formatted: French (France)
- Formatted: French (France)



BEN BARTLETT

CITY COUNCILMEMBER, DISTRICT 3

CONSENT CALENDAR

March 23, 2021

To: Honorable Mayor and Members of the City Council
From: Councilmember Ben Bartlett (Author), Councilmember Rashi Kesarwani (Co-Author), Mayor Jesse Arreguin and Councilmember Terry Taplin (co-sponsors)
Subject: Budget Referral: Establish Parking Benefit Districts in the Adeline Corridor and Gilman District and Refer Funding to the Fiscal Year 2022 Budget Process

RECOMMENDATION

Refer to the City Manager to establish Parking Benefit Districts (PBDs) in the (1) Adeline Corridor and (2) Gilman District in order to finance and support neighborhood improvements--such as landscaping; enhanced lighting; security ambassadors; enhanced street sweeping and sidewalk cleaning; bike, pedestrian, micromobility, and public transit infrastructure; marketing and promotion of the commercial areas, and other potential enhancements to be determined -- in South and West Berkeley.

Further, refer to the Fiscal Year 2022 budget process \$75,000 for city staff to seek consulting services to assist in the formation and establishment of the PBDs.

CURRENT SITUATION

Outlined in the Lorin Business Association's vision for South Berkeley and the Adeline Corridor draft plan is a business improvement district (BID).¹ A BID uses fees from businesses and/or property owners to support physical improvements, special events, public safety, street cleanliness/maintenance, and programming. The Lorin Business Association has already spent five years advocating for a BID in South Berkeley but such a district has yet to be established in this community. Thus, the City can take a critical step in supporting innovative revitalization activities in South Berkeley by establishing a Parking Benefits District (PBD) to help the City improve the Adeline Corridor. In addition, the parking revenue generated within the PBD should fund designated neighborhood improvements.

The Gilman District has a similar need for a mechanism to fund necessary streetscape improvements. Establishing a PBD is a financing tool in which revenue is reinvested within the business district in order to fund necessary investments that encourage placemaking and a safe, clean, and pleasant experience for workers and visitors. The Gilman District is home to an eclectic mix of businesses and non-profits, such as art

¹ <https://www.cityofberkeley.info/council3/adeline/>

galleries, wineries, breweries, biotech, office space, and an educational farm and community center, among other varied enterprises.

BACKGROUND

The Covid-19 pandemic and resulting Shelter-In-Place orders have had a devastating impact on the vitality of our business districts. The development of a Parking Benefit District (PBD) within a business district is a long-term strategy for establishing a dedicated source of revenue to can enhance and reinvest in a commercial area as it seeks to recover from the economic recession resulting from the pandemic.

Parking benefit districts (PBDs) are defined geographic areas, typically along commercial corridors, in which revenue generated from on-street and off-street parking facilities within the district is returned to the district to finance neighborhood improvements. A PBD ties the economic benefits of parking directly to improving the quality of life in the immediate area.² PBDs specifically require local parking revenue to stay local, while financing neighborhood improvements. PBDs allow local merchants, organizations, property owners, residents and visitors to clearly see that the monies collected are being spent for the benefit of their district, on projects that they have chosen. In turn, they become willing to support, and often advocate on behalf of the needs of the residents and patrons who utilize the parking.

To improve our commercial districts and expand investments in our neighborhoods, the Council should adopt this item creating a South and West Berkeley PBD with the specific requirement that parking revenues generated in the district be used for neighborhood improvements. Funds from a PBD could be used in critically important ways, such as hiring full-time staff to manage the following activities: landscaping and streetscape improvements, street cleaning, transit and pedestrian infrastructure, street furniture, marketing of local businesses, management activities, and visitor and security ambassadors.

Determination of how to allocate and use the funds could be managed by a Parking Advisory Committee, a group of representatives from the commercial district, that would make recommendations to City staff on how the revenues would best support the vibrancy of the business district.

In establishing the PBDs, the City should consider a separate permitting system for the benefit of employees of local businesses in order to enable access to parking within reasonable proximity to their place of employment at a fair price. In such a system, local businesses could purchase a certain number of annual permits for employees at a rate that is different from the rate charged to hourly visitors. Fee structures for employee permits versus hourly visitors could initially be determined with the help of the hired consultant.

² See Donald Shoup's Fall 2016 Access Magazine's article: *Parking Benefit Districts*: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/11/access49-web-almanac.pdf>

The request for a PBD is an innovative approach to a real problem in South and West Berkeley. Constituents in both areas have faced many generations of neglect. A PBD brings equity, a leg up for commercial districts to develop in a cohesive, community-oriented way. It also gives neighborhoods an opportunity to work communally on issues of mutual interest in each locale, while receiving the resources necessary to improve the quality of life for constituents. The establishment of these PBDs could potentially lead to the establishment of PBDs in other areas of the City, adding to the value of this effort.

A successful PBD would also incorporate a number of other key elements that the City Manager should consider:

- Creation of a governing Parking Advisory Committee to recommend appropriate uses of revenue generated by the PBD. This body could take one of several potential forms, such as: an appointed or volunteer advisory board, which could include residents, property owners, business owners and other community organizations operating within South and West Berkeley, and City staff;
- Implementation of parking meters and pricing structures that facilitate demand-based pricing, with employees of local businesses potentially receiving access to permits that are provided at a different rate from the parking rate charged to hourly visitors;
- Adoption of a defined list of PBD revenue expenditures;
- Development of a coordinated public relations plan, which could use wayfinding, signage, and public outreach to explain the role of demand-based pricing and articulate how parking revenue is being utilized to benefit the two districts;
- Ongoing evaluation and management of PBD policies and expenditures; and
- City reporting on the funds generated.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

A PBD is a well established concept used in municipalities around the United States. In California, Pasadena³ and Newport Beach⁴ have used their PBDs to support revitalization needs. Parking management is an issue often overlooked in a neighborhood's development plan. While it may seem like a secondary concern in the quest for economic development, parking management directly impacts accessibility to businesses, customer willingness to travel to certain areas, and the quality of life experienced by residents. Studies have shown that a smart, proactive parking policy can revitalize a neighborhood. South and West Berkeley are prime neighborhoods for this type of engagement.

³ See Donald Shoup's Fall 2003 Access Magazine article focusing on Old Pasadena: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/02/Access-23-02-Small-Change-into-Big-Change.pdf>

⁴ See this promotional flyer from Newport Beach: <https://www.newportbeachca.gov/Home/ShowDocument?id=11814>

CONSULTATION OVERVIEW

The District 3 Office consulted with leaders of the Lorin Business Association. Their advocacy has informed this recommendation. The District 1 office has conducted outreach to the Gilman District.

RATIONALE FOR RECOMMENDATION

The Council should promote equity by establishing Parking Benefit Districts (PBDs) in the Adeline Corridor and Gilman District to finance and support neighborhood improvements in South and West Berkeley. In comparison to the ways the City has invested in other districts, South and West Berkeley have often been neglected. The Lorin Business Association has long advocated for the establishment of a traditional business improvement district, but such a district has yet to be established in this community. The Gilman District also is in need of additional investment. The Council now has the opportunity to support these commercial districts and improve the quality of life for their constituents by establishing a PBD in each business district and dedicating parking revenue funding in the PBD to local neighborhood improvements, such as landscaping, lighting, cleaning, security ambassadors, publicity and promotion, pedestrian and transit infrastructure, and other things that City residents benefit from.

FISCAL IMPACTS

In order to form the PBDs, a one-time allocation of approximately \$75,000 is referred to the FY 2022 budget process for consulting services for the following activities:

- Working with key stakeholders to help define the general parameters of the PBDs;
- Developing each respective PBD's boundaries, which revenues would be utilized, a draft budget for expenditures, a description of any new meters or other facilities that need be installed, and a timeline;
- Assigning of responsibilities to various organizations and creation of a new non-profit corporation, if needed;
- Development of a timeline with specific tasks and deadlines; and
- Writing of an Ordinance for Council consideration and presentation to the City Council.

Likely additional costs to establish new meters or other facilities would be identified by the consultant and could potentially be covered by the resulting revenues from the PBD.

ENVIRONMENTAL SUSTAINABILITY

Providing parking for free or below the price that customers are willing to pay unnecessarily subsidizes a carbon-intensive mode of transportation. The City of Berkeley has declared a climate emergency, and it reflects the principles of environmental sustainability to impose a parking fee for the negative externality of

greater greenhouse gas emissions emitted by non-electric cars compared to other modes of transportation, such as micromobility devices, public transit, biking or walking.

CONTACT PERSON

Councilmember Ben Bartlett:
James Chang

510-981-7130
jchang@cityofberkeley.info

Councilmember Rashi Kesarwani
Beth Gerstein

510-981-7111
bgerstein@cityofberkeley.info

02a.25



Rashi Kesarwani
Councilmember District 1

CONSENT CALENDAR
January 18, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Co-Author) and Councilmember Ben Bartlett (Co-Author)

SUBJECT: Refer to the City Manager to Establish a Framework for Parking Benefits Districts in the Gilman and Lorin Commercial Districts

RECOMMENDATION

Refer to the City Manager to create a basic framework for establishing a Parking Benefits District (PBD) in the Gilman and Lorin Commercial Districts. This framework should include:

- A map establishing the boundaries of the Gilman District PBD. Suggested borders of the district should include: (1) on the west, the east side of Eastshore Highway from Page Street to the Albany border; (2) on the north, the Albany border from Eastshore Highway to the east side of San Pablo Avenue; (3) on the east, the east side of San Pablo Avenue from the Albany border to Gilman Street, both sides of Gilman Street from San Pablo Avenue to Kains, and the east side of San Pablo Avenue to the north side of Page Street; and (4) on the south, the west side of San Pablo Avenue from Page Street to Camelia Street, the north side of Camelia Street from San Pablo Avenue to Sixth Street; the west side of Sixth Street from Camelia to Page; the north side of Page Street from Sixth Street to Eastshore Highway. See map in Attachment 1.
- A map establishing the boundaries of the Lorin District PBD. Suggested borders of the district should include: (1) on the east, both sides of Shattuck Avenue from Carleton southward to Alcatraz Avenue; (2) on the south, the north side of Alcatraz Avenue from Shattuck Avenue to Martin Luther King Jr. Way; Martin Luther King Jr. Way southward to 62nd Street; 62nd Street to King Street; (3) on the west, King street to Russell Street; (4) on the north, Russell Street to Grant Street; Grant Street north to Carleton Street; and Carleton Street to Shattuck Avenue. See map in Attachment 1.

- Consideration of expanding the goBerkeley parking program¹ to include installation of paid parking *within a subsection* of the defined Gilman and Lorin Parking Benefit Districts *only where warranted based on parking demand using a demand-based pricing model*.
- Consideration of amending the goBerkeley program to allow net parking revenues to be reinvested within the Gilman and Lorin Parking Benefits Districts where the revenue is generated for the purpose of funding improvements, such as trash removal, sidewalk cleaning, enhanced lighting, signage, beautification like landscaping or other improvements based on input from an advisory board of stakeholders—in alignment with policy requirements of PBDs.
- Consideration of transportation-related amenities targeted to employees that may include: annual transportation passes to incentivize public transit use, annual memberships in shared electric micro-mobility programs, special employee parking permits, etc.
- A strategy for conducting outreach to Gilman and Lorin Commercial District stakeholders prior to implementation, including outreach to property and business owners and employees.

CURRENT SITUATION AND ITS EFFECTS

The Gilman District is home to an eclectic range of businesses, services and amenities that attract visitors from across the Bay Area. The Gilman District, situated in the northwest section of Berkeley, is a dynamic mix of manufacturing, light industry, office and studio space, retail and food establishments, in addition to other services and amenities. It is home to recreational sports fields, for instance, and a flourishing urban farm, Urban Adamah, that hosts various family and community programs. Over the last couple of decades new and exciting businesses have settled into this district that are highly attractive to consumers throughout the Bay Area and have helped make this area a vibrant commercial district. These include food-related production and services such as Whole Foods, Philz Coffee, Fra'Mani handcrafted foods, Boichik Bagels (opening a warehouse in 2022); wineries such as Donkey and Goat and Broc Cellars as well as breweries such as Fieldwork and Gilman Brewing Company. The Tesla Service Center and other automotive services and industries are located in the same vicinity as community non-profit collaborative art spaces such as The Potters' Studio.

Availability of parking is an issue in the Gilman District. Between the many employees and visitors, there is a large volume of stakeholders who frequent this area on a daily basis. Despite the popularity of this area, this district is hard to access via public transit. Currently only the 72 AC Transit lines (72, 72R, 72M) travel back

¹ This program uses demand-based parking management practices in which staff periodically analyze parking activity to adjust meter pricing in order to improve parking availability and turnover.

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111

E-Mail: rkesarwani@cityofberkeley.info

and forth along San Pablo Avenue and the closest bike share stop is eight blocks away, at Tenth and University Ave. The closest BART stations are close to a mile and a half away. Unless people access the Gilman District by foot, bike or micro-mobility device, they are likely driving into the area. The resulting high volume of single-occupancy vehicles impacts parking and exacerbates greenhouse gas emissions. The few metered blocks in the Gilman District are clustered around the large high-volume retail establishments REI and Whole Foods, leaving the vast majority of the district without an effective means to regulate parking and ensure adequate availability. Gilman District stakeholders can park their vehicles all day for free, and many of them do. Finding a place to park in the Gilman District can be challenging because the city does not currently have a mechanism to consider expansion of the goBerkeley parking program to this area.

The Lorin District is one of the most diverse, artistic and transit accessible commercial districts in the City of Berkeley. The Lorin District is home to the South Berkeley Farmers' Market, boasts a thriving arts and antiques cluster, and is home to Shotgun Players and Berkeley Black Repertory Theater. It is also fast becoming an emerging food scene with an impressive assortment of new eating and drinking establishments. The Lorin is the southernmost gateway into the City. With direct access to Highway 24 from Adeline Street and Interstate 80 from Ashby Avenue, the district boasts an intermodal array of options for visitors including the Ashby BART and AC Transit bus lines, including Transbay bus stops with direct access to San Francisco. The Lorin Business Association includes businesses, nonprofits, artists, and property owners located along Adeline Street from Ashby Avenue to the Oakland border. The Association seeks to promote economic vitality by promotion of positive business and commercial activity, streetscape improvements and the arts. The consideration of additional paid parking in this area could encourage employees and customers to utilize alternative transportation options.

The Gilman & Lorin Business Districts have a significant number of unhoused individuals. In addition to parking challenges, both Districts struggle with a high number of unhoused individuals living on the sidewalk. Many of these encampments have also become sites of illegally dumped materials, and excessive trash and debris have attracted vermin. Hazardous materials such as human waste and used needles are frequently found at these sites. Unlike many other business districts in Berkeley, both Districts lack the structure and resources of a Business Improvement District (BID)—an entity that could provide services to benefit the commercial area and promote and maintain a cleaner environment. In short, these areas need additional resources to acquire street and landscape improvements, cleaning services, and amenities such as bike and pedestrian infrastructure to make the districts easy for everyone to access. These types of services are beyond what the City can currently provide.

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111
E-Mail: rkesarwani@cityofberkeley.info

Parking Benefit Districts (PBDs) are a way to boost economic vitality while addressing parking challenges. Parking Benefit Districts² spend meter revenue for public services in the metered areas. They are defined geographical areas typically located in commercial districts in which revenue generated from on-street and off-street parking facilities within the area is kept within the district to finance neighborhood improvements.³ A primary goal of PBDs is to effectively manage an area's parking supply and demand, often using demand-based pricing, making parking convenient for drivers.⁴ Reinvesting the meter revenue back into the district helps build support among community members and businesses as the economic benefits of parking can fund local improvements within the area.

A PBD is led by a Community Advisory Board. PBDs also require a community advisory board made up of local merchants, employees, organizations, property owners and other stakeholders to convene on a regular basis to make recommendations to the City Council for funding improvements. This advisory structure is another way to help build support for a shift to metered parking as local stakeholders have direct input into the types of improvements to be adopted. Establishing a PBD in the Gilman and Lorin Commercial Districts is a long-term strategy that could at once help ease the difficult parking situation district stakeholders experience daily while providing much needed resources to help fill in funding gaps that could address cleanliness, safety, and quality of life improvements, such as additional trash removal, sidewalk cleaning, enhanced lighting, beautification such as landscaping, or other improvements.⁵

Other cities have established PBDs with great success. A PBD is a well-established concept used in cities within California and throughout the United States. Pasadena was an early adopter of a PBD in 1993.⁶ According to one legal publishing service, "In its first year, the PBD saw a 100 percent increase in sales tax revenue and in two decades, Old Pasadena became a popular shopping attraction, where just 21 square blocks raised \$6.4 million for local investments in a five-year period."⁷ San Diego was soon to follow in 1997 with now six distinct PBDs,⁸ and nearby Redwood City established one in 2017.⁹ All districts have successfully used revenues for street and sidewalk cleaning as well as improvements such as:

² See Donald Shoup's Fall 2016 Access Magazine article: [Parking Benefit Districts](#)

³ See Newport Beach's [Commercial Parking Benefit District](#) flyer

⁴ Op cit. Newport Beach's [Commercial Parking Benefit District](#) flyer

⁵ See JDSupra January 2021 blog post: [Can Parking Benefit Districts Step in as Revenue Sources Dry Up?](#)

⁶ See Douglas Kolozsvari and Donald Shoup's Fall 2003 Access Magazine article: [Turning Small Change into Big Changes](#)

⁷ JDSupra January 2021 blog post, *Op. Cit.*

⁸ See Main Street America's blog post: [Parking Benefit Districts Case Study: San Diego California](#)

⁹ See Redwood City's webpage [Community Benefit Improvement District](#)

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111

E-Mail: rkesarwani@cityofberkeley.info

- Infrastructure enhancements to its historic district, including vehicular and pedestrian wayfinding signs and neighborhood banners (San Diego)¹⁰
- Sidewalk operations and beautification projects including murals, shadow art stencils, umbrellas and table and seating areas (Redwood City)¹¹
- Installation of historic light fixtures and street furniture, and tree planting (Old Pasadena)¹²

Other cities outside of California have successfully adopted PBDs as well. In Austin, Texas, for instance, a PBD was established in 2005 using Environmental Protection Agency funding that was so successful that it later established several more, raising \$1.87 million for local improvement projects.¹³ Other geographically dispersed cities such as Houston, Texas¹⁴; Portland, Oregon¹⁵; and Washington, D.C.¹⁶ have similarly established PBDs as a way to revitalize a neighborhood, address parking management issues, and combat greenhouse gas emissions. It is a concept gaining traction throughout the country.

Examples of employee parking accommodations. Cities have used a variety of approaches to specifically address workers' needs. Some cities, such as Boulder, Colorado have established PBDs that use some of the revenues to assist workers while disincentivizing single-occupancy vehicle transportation into the district. Boulder's Central Area General Improvement District (CAGID) dedicates funds for the Denver-Boulder transit agency Eco-Pass Program¹⁷ providing thousands of workers free unlimited-ride transit passes annually. Boulder additionally invested \$50,000 in the BCycle Bikeshare program as another way to incentivize alternate methods of transportation for workers.¹⁸ In Houston, Texas, the Washington Avenue Parking Benefit District has created a permitting system allowing each commercial property to purchase an annual permit for parking in a designated area.¹⁹ The City of Berkeley, too, has a precedent of addressing merchant and employee parking needs as made evident in our Berkeley Municipal Code 14.72.100 - Local Business Parking Permits, which allows issuing a permit to business owners or lessees of commercial establishments located in designated commercial zoning districts within the City for use during the business activity of the establishment. Such a permitting program

¹⁰ See Main Street America's blog post, *op. cit.*

¹¹ See Redwood City's [Annual Report from the Redwood City Improvement Association, December 1, 2016 - November 30, 2017](#)

¹² Kolozsvari and Shoup, *Op. Cit.*

¹³ JDSupra blog post, *Op. Cit.*

¹⁴ See City of Houston Webpage: [Park Houston](#)

¹⁵ See City of Portland's [Meter District](#) webpage

¹⁶ See Washington, D.C. press release regarding the [Launch of New Parking Program Downtown](#)

¹⁷ See [RTD EcoPass](#)

¹⁸ See SmartcitiesDlve blog post: [Parking as an Economic Development Tool in Boulder](#)

¹⁹ See the parking website [ParkHouston](#) for details on this PBD

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111

E-Mail: rkesarwani@cityofberkeley.info

could easily be incorporated within the structure of a PBD, should the stakeholder advisory group opt to do so.

Existing meters in Gilman and Lorin Districts provide revenue to our Parking Meter Fund. Pre-pandemic, normal parking operations throughout the City yielded healthy revenues in excess of expenditures and contributed to the City's Parking Enterprise Fund. These funds were intended to help cover the Center Street Garage bond debt service payment and for upgrades to the City's parking meters.²⁰ While the City paused fee collection at all meters and off-street parking facilities during the shelter-in-place order, revenue collection resumed later in 2020 and on and off-street parking revenues are again slowly beginning to climb. Currently, a limited number of blocks in the Gilman District have parking meters, with the Lorin District containing slightly more metered streets (see Attachment 1 maps). In both districts, meters are clustered around the high-volume retail and food establishments: REI and Whole Foods in the Gilman District and Berkeley Bowl in the Lorin District. Exhibit 1 shows the revenues for the meters in these two districts over the past few years.

Exhibit 1: Limited Number of Gilman and Lorin District Parking Meters Generated a Total of \$162,323 in FY 2019-20

| | Total Revenue | | | Hourly Rate | | |
|--------------|------------------|-----------------|----------------------------------|---------------------|---------------------|---------------------|
| | FY 2019-20 | FY 2020-21 | FY 2021-22 (Jul-Sept 2021) | FY 2019-20 | FY 2020-21 | FY 2021-22 |
| Lorin | \$94,410 | \$23,025 | \$7,695 | \$86 (\$1.50/hr) | \$17 (\$0.50/hr) | \$24 (\$0.50/hr) |
| Gilman | \$67,913 | \$23,771 | \$10,689 | \$65 (\$1.50/hr) | \$17 (\$0.50/hr) | \$31 (\$0.50/hr) |
| Total | \$162,323 | \$46,796 | \$18,384 | | | |

Source: Transportation Division, City of Berkeley

Note: During the period of March 20, 2020 through May 31, 2020 fees were not collected at any meters due to the shelter-in-place order.

The goBerkeley parking program uses demand-based management. In 2013, Berkeley began piloting the goBerkeley parking program in three commercial areas: Downtown Berkeley, the Elmwood, and Southside/Telegraph, as a way to support their economic vitality and reduce congestion and emissions. In short, this program uses demand-based parking management practices in which staff periodically analyze parking activity to adjust meter pricing in order to improve parking availability and turnover. The program targets the availability of 1-2 open parking spaces (65-85 percent occupancy) on most block faces in a given area. If this target is reached, no adjustments are made. If blocks are too full, prices are increased; if they are too empty, prices are decreased accordingly. The meter time limits reinforce parking turnover in select areas or incentivize drivers to park in areas with longer time limits.

²⁰ See Public Works Director Liam Garland's report to the Budget and Finance Policy committee: [Parking Funds-Public Works Balancing Proposal](#)

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111
E-Mail: rkesarwani@cityofberkeley.info

This parking program strategy reduces vehicle emissions as the need to circle an area in pursuit of parking is reduced, and improves pedestrian and bicyclist safety by reducing driver distractedness while looking for parking. The January 14, 2020 program update to the Berkeley City Council (attached) noted the success of this program and the City's intent to eventually transition all of our metered parking to this program, pursuant to robust community outreach and engagement with merchants and residents alike. This Council item recommends consideration of expanding this program to the Gilman and Lorin Districts once PBDs are established in order to help manage parking issues and fill in funding gaps for neighborhood improvements in these distinct areas.

BACKGROUND

Every year, funds from net parking revenues are set aside to fund meter replacement, help pay down the Center Street Garage general obligation bond and contribute to the General Fund for other ongoing City programs. Pre-pandemic, the Parking Meter Fund paid \$1.9M annually towards the Center Street Garage bond obligation. Also pre-pandemic, the City's FY 2019-20 projections for on-street parking fund revenues were roughly \$9.3 million, with a monthly average of \$779,285.²¹ When Covid hit, parking revenue was severely impacted. The Parking Meter Fund received a loan from the General Fund, but is still not solvent. Revenues from on-street parking are steadily climbing, although they have still not returned to their pre-pandemic level.²² Operational costs of parking meter maintenance, enforcement, and staffing are considerable, as shown in Exhibit 2, and it will take additional time before our Parking Fund is once again yielding revenues in excess of expenditures.

Exhibit 2: Parking Infrastructure Costs

| Equipment | One-Time Cost | Ongoing Cost |
|--------------------------------|---|-----------------------------|
| Parking Pay Station (unit) | \$5,700 purchase, \$300 install | \$660/year connectivity fee |
| Single Space Meter (unit) | \$575 purchase | \$69/year connectivity |
| Single Space Meter post (unit) | \$300; variable installation cost by Streets Division | N/A |

Source: Transportation Division, City of Berkeley

Additional costs include maintenance and staffing.

- Staff time for collections and maintenance citywide is roughly \$714,300 annually.
- Expansion to the Lorin and Gilman Districts would require 0.5 full-time equivalent (FTE) Meter Mechanic and 0.5 FTE Meter Collector.

During the March 23, 2021 City Council meeting, Councilmembers Bartlett and Kesarwani's Item Number 9: Establish a Parking Benefits District (PBD) in the

²¹ See Director Garland's November 12, 2020 report to the Budget and Finance committee, *Op. Cit.*

²² Communications with City of Berkeley Parking Services Manager, Danette Perry, Dec. 8, 2021.
2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7110 • Fax: (510) 981-7111
E-Mail: rkesarwani@cityofberkeley.info

Adeline Corridor and Fiscal Year 2022 Budget Referral, Supplemental Packet 1 (see Attachment 3) was unanimously passed on consent as amended and later funded through the FY 2022 budget process. The requested funds were to support hiring a consultant to assist in the formation of a Parking Benefits District. In preparation for bringing a consultant on board, the City's Office of Economic Development staff began working with a UC Berkeley graduate student intern studying City Planning at the College of Environmental Design to develop an existing conditions report for both districts, and to research and evaluate regional Parking Benefit District policies to recommend cities' best practices that would be compatible with Berkeley's local context. This council item is another step towards establishing PBDs in Berkeley as it provides additional direction to staff specifically for the Gilman and Lorin Districts pertaining to drawing defined district boundaries, expanding the City's already established parking program, directing staff to determine the block faces for meter installation, seeking ways to minimize impacts on employees, and requesting outreach efforts with Gilman and Lorin District stakeholders. Once the PBDs' structure has been established and a consultant hired to assist creating an ordinance and begin its formation, staff can work on calculations to determine the percentage of net revenue from these districts' meters to be reinvested back into the district. One of the likely final steps in this process will be a budget referral for meter purchasing and installation and hiring additional parking enforcement staff.

FISCAL IMPACTS

Staff Time to determine block faces to be metered and recommend pricing levels specific to each district. Staff time will also be required to administratively address an expansion of the goBerkeley parking program. Lastly, staff time will be necessary to devise and conduct community stakeholder outreach within both the Gilman and Lorin Commercial Districts.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

According to Berkeley's December 6, 2018 Climate Action Plan update, transportation is the largest source of greenhouse gas emissions in the City, mostly generated from passenger vehicles. Installing meters and a demand pricing parking management system will reduce greenhouse gas emissions as it reduces the likelihood of drivers circling blocks in pursuit of parking and lessen traffic congestion. Additionally, charging drivers for use of our public right of ways can be an effective way to disincentivize driving, providing another way to reduce greenhouse gas emissions. This aligns with the City's Climate Action Plan goals.

CONTACT PERSON

Councilmember Rashi Kesarwani, District 1

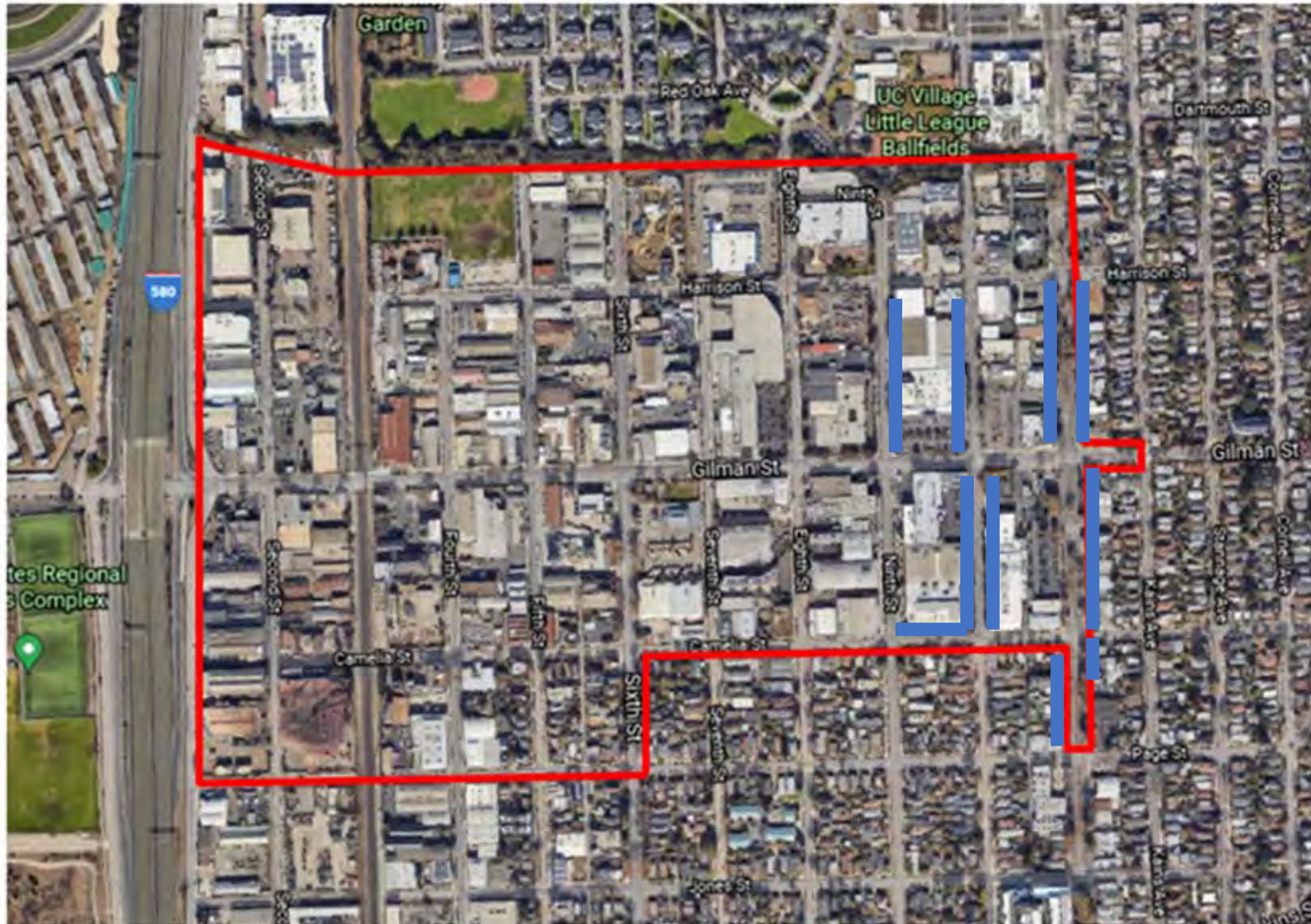
(510) 981-7110

Attachments:

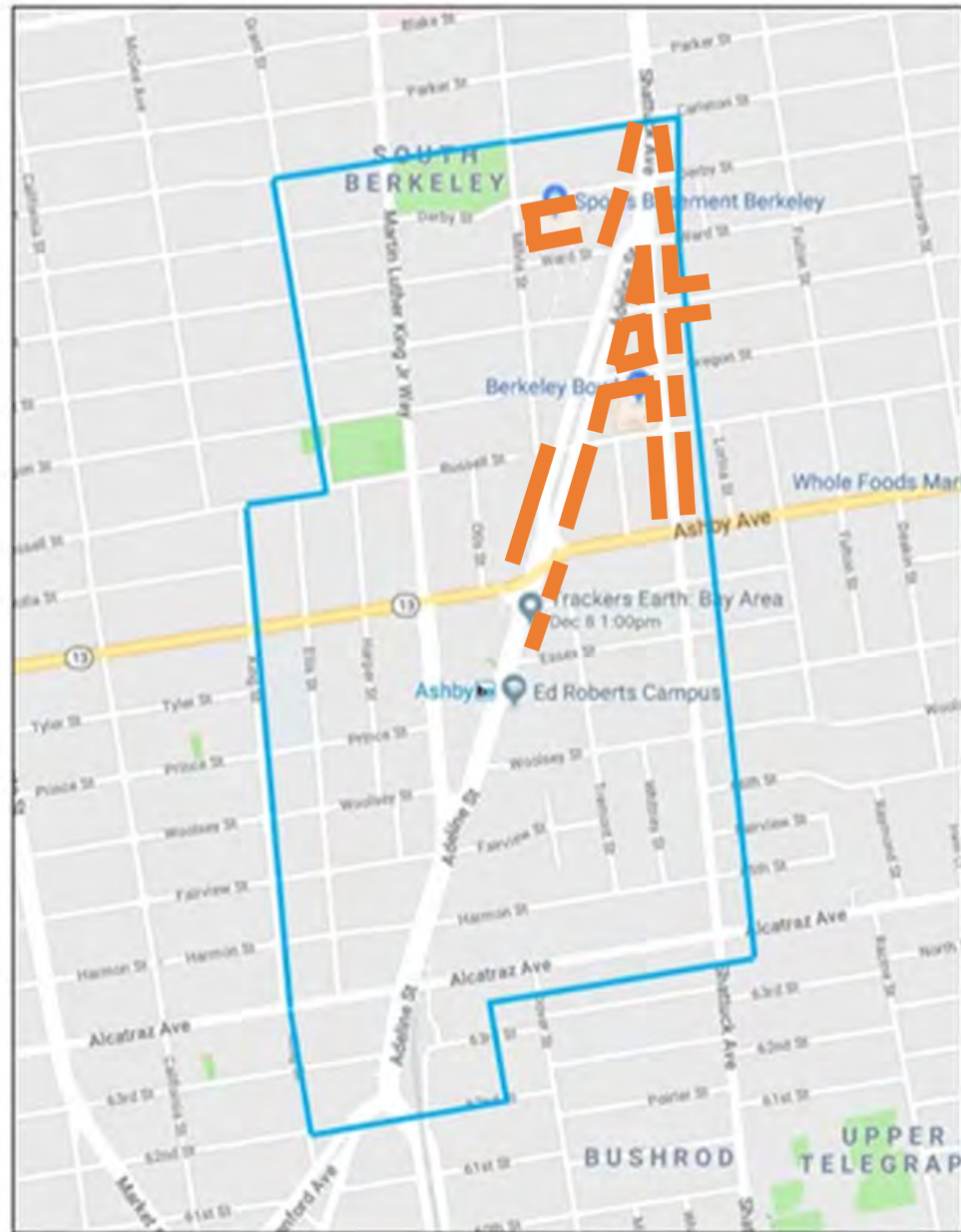
1. Proposed maps of Gilman and Lorin Parking Benefit Districts
2. goBerkeley Program Update - January 14, 2020 Council Worksession
3. Item #9: Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral, Supplemental Packet 1, March 23, 2021 City Council Agenda

Proposed Gilman Parking Improvement District Boundary

Existing
metered
parking



Existing
metered
parking





Office of the City Manager

WORKSESSION
January 14, 2020

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Phillip L. Harrington, Director, Public Works
 Subject: goBerkeley Program Update – January 2020

INTRODUCTION

goBerkeley is a baseline program comprising parking management strategies and projects that support economic vitality and reduce greenhouse gas emissions in the City of Berkeley. This report provides an update on current and future goBerkeley activities and initiatives, including the grant-funded Residential Shared Parking Pilot project.

CURRENT SITUATION AND ITS EFFECTS

Operationally, goBerkeley's primary tool is demand-responsive parking pricing. Staff periodically analyze parking activity to verify that there are at least 1-2 open spaces (or 65-85% occupied) on most block faces¹ in an area. If this target is reached, then no price adjustments are needed. If blocks are too full, then prices need to be increased; if blocks are too empty, then prices need to be lowered. As a secondary tool, time limits are used to reinforce turnover in some areas or entice a shift of demand to areas with longer time limits.

As of January 2020, goBerkeley activities include initiating the grant-funded Residential Shared Parking Pilot project, expanding the existing demand-responsive parking program to other commercial districts, and evaluating evening and special event pricing to address high parking demand after 6 p.m.

goBerkeley Residential Shared Parking Pilot

The goBerkeley Residential Shared Parking Pilot (RSPP) is a grant-funded pilot project with goals of increasing parking availability, reducing greenhouse gas emissions, and improving travel and mobility in the Elmwood and Southside/Telegraph neighborhoods.² Inspired by feedback received during the initial goBerkeley pilot, the project is designed to support several groups of people currently sharing residential parking during the day, including residents, local employees, business owners, and visitors. While existing Residential Preferential Parking (RPP) restrictions may work well for residents, the two-

¹ Block face - one side of one block, e.g., the north side of Center Street between Milvia Street and Shattuck Avenue.

² February 23, 2016 Council Meeting: <http://bit.ly/2me6EHN>

hour time limits are challenging for people who need to stay longer, and some non-permitted users move their car every two hours to avoid a citation. This practice causes traffic congestion in neighborhoods, frustration and lost productivity for employees and their employers, and increased pollution from circling for parking, even in areas that have adequate parking availability.

The RSPB project is currently in its information gathering stage, with a consultant team supporting data collection, public outreach, and communication efforts.³ In fall 2019, staff held the first meeting of a Technical Advisory Committee (TAC), which provides feedback on the operational feasibility of the project. The City has also created a brand identity for the project, *goBerkeley SmartSpace*, and a project website is now available at <http://smartspace.goberkeley.info>. In January 2020, staff will convene a Community Advisory Group (CAG), providing opportunities for local neighborhood groups and other representatives to help shape and evaluate the pilot project. Staff will also use a range of public outreach tools to ensure that all voices are heard so the pilot best responds to community needs.

Broader community outreach will occur this spring. With assistance from the CAG, staff will develop a set of pilot recommendations for Council approval this summer and implementation in fall 2020.

Managing goBerkeley in Existing Areas

goBerkeley currently manages public parking resources in the Downtown Berkeley, Southside/Telegraph, Northside (Euclid/Hearst), North Shattuck, and Elmwood commercial districts, including three City-owned parking garages and two off-street parking lots. The expansion to Northside in fall 2018 was the first since the pilot program was made permanent in 2015. On January 1, 2020, the North Shattuck parking meter district joined the goBerkeley program.

The next set of price and time limit adjustments, resulting from data collected in fall 2019, will go into effect February 1, 2020.⁴

Expanding Demand-Responsive Parking Management

Staff are currently working to expand demand-responsive pricing under the goBerkeley program to the Fourth Street and University/San Pablo commercial areas. Each expansion effort includes an analysis of parking occupancy rates to determine where price adjustments may be needed, coupled with in-depth outreach to the local business community to ensure that goBerkeley policies reflect the unique needs of each district. Ultimately, staff are prepared to expand goBerkeley to all metered commercial districts in the City where merchants express interest in better parking demand management.

³ July 24, 2018 Council Meeting: <http://bit.ly/2me7og3>

October 2, 2018 Council Meeting: <http://bit.ly/2lOz4bf>

⁴ December 10, 2019 Council Meeting: <http://bit.ly/37rnogQ>

Evaluating Parking Management for Evenings and Special Events

On-street parking meters in both goBerkeley and non-goBerkeley areas operate from 9 a.m. to 6 p.m., Monday through Saturday. Parking occupancy studies for recent goBerkeley program adjustments have consistently shown that demand in Downtown Berkeley, Southside/Telegraph, and Elmwood is very high after 6 p.m., particularly on Saturdays, as restaurants, event venues, and other attractions continue to generate demand well after meters are no longer enforced. With off-street parking facilities continuing to charge for parking until midnight or later, drivers are incentivized to circle to find free parking on-street. This is the opposite of the goBerkeley model, which strategically prices public parking garages and lots lower than on-street rates to reduce circling for a spot. Recognizing the need for parking management in the evening, other cities in the Bay Area charge for on-street parking after 6 p.m., including Santa Cruz, Santa Rosa, and Walnut Creek (until 8 p.m.); and certain areas of Sacramento and San Francisco (until 10 p.m.).

Likewise, during evening special events such as UC Berkeley concerts and sporting events, parking in localized areas near event venues becomes difficult to find and may also lead to circling for a spot, which increases greenhouse gas emissions. Several cities in the region have instituted special event pricing at on-street parking meters, including Sacramento, San Francisco, and San Jose.

In 2014, staff conducted a survey to better understand evening parking needs in goBerkeley areas, and concluded that in some cases, employees were parking in front of businesses after 6 p.m. This information was shared with merchants, which generated interest in an evening metering pilot in Downtown Berkeley and the Elmwood but a pilot was not pursued at that time. However, the demand for parking after 6 p.m. in certain areas remains. Staff will evaluate the need for and merchant interest in evening and special event pricing at on-street meters and expect to bring a proposal to Council in 2020.

Finally, expanding the goBerkeley Program is a Strategic Plan Priority Project, advancing our goals to:

- Provide state-of-the-art, well-maintained infrastructure, amenities, and facilities;
- Foster a dynamic, sustainable, and locally-based economy;
- Be a global leader in addressing climate change, advancing environmental justice, and protecting the environment; and
- Be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

BACKGROUND

In 2015, the City was awarded a \$950,000 grant from the Metropolitan Transportation Commission (MTC) for the goBerkeley Residential Shared Parking Pilot (Resolution No. 67,382–N.S.). The pilot will test policies to increase parking availability for residents, employees, and visitors; reduce circling for parking; and expand access to non-

motorized means of transportation within Residential Preferential Parking (RPP) areas in the Southside and Elmwood neighborhoods.

The goBerkeley program comprises a suite of strategies and initiatives designed to improve economic vitality and reduce greenhouse gas emissions. goBerkeley features improved parking availability that in turn improves pedestrian and bicyclist safety by reducing the likelihood of incidents of distracted driving as drivers search for parking. Clearer signage and longer on-street parking time limits also provide better customer service.

ENVIRONMENTAL SUSTAINABILITY

According to the State of California Legislative Analyst's Office, transportation was the largest source of greenhouse gas emissions in California in 2016, with 69% of these emissions generated by passenger vehicles.⁵ Reducing greenhouse gas emissions produced by vehicular traffic is one of the City's 2009 Climate Action Plan goals. Parking management based on user demand should ultimately improve parking availability in commercial and residential areas, and lessen traffic congestion and vehicle emissions as drivers are anticipated to spend less time searching for available parking spaces.

POSSIBLE FUTURE ACTION

Staff will manage the goBerkeley Program, including the Residential Shared Parking Pilot project, as described above and will return to Council for input, updates, and/or approval of new programs and initiatives as needed.

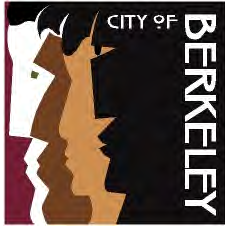
FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Precise fiscal impacts depend on the nature and scope of future goBerkeley expansions and/or new programs. In most cases, these actions will require their own Council Reports to implement, and fiscal impacts will be presented to Council as part of these efforts. In general, however, fiscal impacts are difficult to forecast as demand-responsive parking pricing may result in increased or decreased parking rates in different areas, and parking behaviors resulting from these price adjustments may vary.

CONTACT PERSON

Farid Javandel, Transportation Manager, Public Works, 981-7061
Danette Perry, Parking Services Manager, Public Works, 981-7057
Gordon Hansen, Senior Planner, Public Works, 981-7064

⁵ Legislative Analyst's Office Report, December 21, 2018 *Assessing California's Climate Policies—Transportation*: <http://bit.ly/2kKfcFN>



Rashi Kesarwani
Councilmember District 1

REVISED AGENDA MATERIAL for Supplemental Packet 1

Meeting Date: March 23, 2021

Item Number: 9

Item Description: Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral

Submitted by: Councilmember Rashi Kesarwani

The item has been amended to include the Gilman District and update the Fiscal Impact to reflect the cost of consulting services for two business districts. Additional edits are included to provide more detail about the concept of a Parking Benefit District, and Councilmember Rashi Kesarwani is added as a co-author.



CONSENT CALENDAR
March 23, 2021

To: Honorable Mayor and Members of the City Council
 From: Councilmember Ben Bartlett (Author), Councilmember Rashi Kesarwani (Co-Author), & Mayor Jesse Arreguin and Councilmember Terry Taplin (co-sponsors)
 Subject: Budget Referral: Establish a Parking Benefits Districts (PBD) in the Adeline Corridor and Gilman District and Refer Funding to the Fiscal Year 2022 Budget Referral Process

Formatted: Indent: Left: 1"

RECOMMENDATION

Refer to the City Manager to establish ~~a~~ Parking Benefits Districts (PBDs) in the (1) Adeline Corridor and (2) Gilman District in order to finance and support neighborhood improvements--such as landscaping; enhanced lighting; security ambassadors; enhanced street sweeping and sidewalk cleaning; bike, pedestrian, micromobility, and public transit infrastructure; marketing and promotion of the commercial areas, and other potential enhancements to be determined and more--in South and West Berkeley, and

Further, refer to the Fiscal Year 2022 budget process ~~\$50,000~~ \$75,000 for city staff to hire and manage a seek consulting services to assist in the formation and establishment of the PBDs.

CURRENT SITUATION

Outlined in the Lorin Business Association's vision for South Berkeley and the Adeline Corridor draft plan is a business improvement district (BID).¹ A BID uses fees from businesses and/or property owners to support physical improvements, special events, public safety, street cleanliness/maintenance, and programming. The Lorin Business Association has already spent five years advocating for a BID in South Berkeley but such a district has yet to be established in this community. Thus, the City can take a critical step in supporting innovative revitalization activities in South Berkeley by establishing a Parking Benefits District (PBD) to help the City improve the Adeline Corridor. In addition, the parking revenue generated within the PBD should fund designated neighborhood improvements.

The Gilman District has a similar need for a mechanism to fund necessary streetscape improvements. Establishing a PBD is a financing tool in which revenue is reinvested within the business district in order to fund necessary investments that encourage placemaking and a safe, clean, and pleasant experience for workers and visitors. The Gilman District is home to an eclectic mix of businesses and non-profits, such as art galleries, wineries, breweries, biotech, office space, and an educational farm and community center, among other varied enterprises.

¹ <https://www.cityofberkeley.info/council3/adeline/>

BACKGROUND

The Covid-19 pandemic and resulting Shelter-In-Place orders have had a devastating impact on the vitality of our business districts. The development of a Parking Benefit District (PBD) within a business district is a long-term strategy for establishing a dedicated source of revenue to can enhance and reinvest in a commercial area as it seeks to recover from the economic recession resulting from the pandemic.

Parking benefits districts (PBDs) are defined geographic areas, typically along commercial corridors, in which revenue generated from on-street and off-street parking facilities within the district is returned to the district to finance neighborhood improvements. A PBD ties the economic benefits of parking directly to improving the quality of life in the immediate area.²

PBDs specifically require local parking revenue to stay local, while financing neighborhood improvements. PBDs allow local merchants, organizations, property owners, residents and visitors to clearly see that the monies collected are being spent for the benefit of their district, on projects that they have chosen. In turn, they become willing to support, and often advocate on behalf of the needs of the residents and patrons who utilize the parking.

To improve our commercial districts and expand investments in our neighborhoods, the Council should adopt this item creating a South and West Berkeley PBD with the specific requirement that parking revenues generated in the district is be used for neighborhood improvements. Funds from a PBD could be used in critically important ways, such as hiring full-time staff to manage the following activities: landscaping and streetscape improvementscreening, street cleaning, transit and pedestrian infrastructure, street furniture, marketing of local businesses, management activities, and visitor and security ambassadors.

Determination of how to allocate and use the funds could be managed by a Parking Advisory Committee, a group of representatives from the commercial district, that would make recommendations to City staff on how the revenues would best support the vibrancy of the business district.

In establishing the PBDs, the City should consider a separate permitting system for the benefit of employees of local businesses in order to enable access to parking within reasonable proximity to their place of employment at a fair price. In such a system, local businesses could purchase a certain number of annual permits for employees at a rate that is different from the rate charged to hourly visitors. Fee structures for employee permits versus hourly visitors could initially be determined with the help of the hired consultant.

The request for a PBD is an innovative approach to a real problem in South and West Berkeley. Constituents in both areas have faced many generations of neglect in this

² See Donald Shoup's Fall 2016 Access Magazine's article: Parking Benefit Districts: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/11/access49-web-almanac.pdf>

Office of Councilmember Ben Bartlett

2180 Milvia Street, Berkeley, Floor 5, Berkeley, CA 94704 • Tel: (510) 981-7130 • E-Mail: bbartlett@cityofberkeley.info

Formatted: Font: Italic

Formatted: English (United States)

~~neighborhood~~. A PBD brings equity, a leg up for ~~our~~ commercial districts to develop in a cohesive, community-oriented way. It also gives ~~our~~ neighborhoods an opportunity to work ~~together communally~~ on issues of mutual interest ~~to South Berkeley in each locale~~, while receiving the resources necessary to improve the quality of life ~~of its for~~ constituents. ~~The establishment of these PBDs could potentially lead to the establishment of PBDs in other areas of the City, adding to the value of this effort.~~

A successful PBD ~~in South Berkeley~~ would also incorporate a number of other key elements that the ~~City Manager Council~~ should ~~also~~ consider:

- Creation of a governing ~~and oversight body~~ Parking Advisory Committee to ~~recommend appropriate uses~~ develop an approved program of revenue ~~generated by the PBD. expenditures, subject to final approval by City Council.~~ This body could take one of several potential forms, such as: ~~A~~ an appointed or volunteer advisory board, which could include residents, property owners, ~~businesses~~ owners and other community organizations operating within South ~~and West Berkeley~~, ~~residents~~ and ~~eCity~~ staff;
- Implementation of parking meters and pricing structures that facilitate demand-based pricing, ~~with employees of local businesses potentially receiving access to permits that are provided at a different rate from the parking rate charged to hourly visitors;~~
- Adoption of a defined list of PBD revenue expenditures;
- Development of a coordinated public relations plan, which ~~w~~ could use wayfinding, signage, and public outreach to explain the role of demand-based pricing and articulate how parking revenue is being utilized to benefit the two districts;
- ~~signage, and public outreach to explain the role of demand-based pricing and articulate how parking revenue is being utilized to benefit South Berkeley;~~
- Ongoing evaluation and management of PBD policies and expenditures; and
- City reporting on the funds generated.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

A PBD is a well established concept used in municipalities around the United States. In California, Pasadena³ and Newport Beach⁴ have used their PBDs to support revitalization needs. Parking management is an issue often overlooked in a neighborhood's development plan. While it may seem like a secondary concern in the quest for economic development, parking management directly impacts accessibility to businesses, customer willingness to travel to certain areas, and the quality of life experienced by residents. Studies have shown that a smart, proactive parking policy can revitalize a neighborhood. South ~~and West Berkeley is a~~ are prime neighborhoods for this type of engagement.

³ See Donald Shoup's Fall 2003 Access Magazine article focusing on Old Pasadena: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/02/Access-23-02-Small-Change-into-Big-Change.pdf>

⁴ See this promotional flyer from Newport Beach: <https://www.newportbeachca.gov/Home/ShowDocument?id=11814>

Office of Councilmember Ben Bartlett

2180 Milvia Street, Berkeley, Floor 5, Berkeley, CA 94704 • Tel: (510) 981-7130 • E-Mail: bbartlett@cityofberkeley.info

3

Formatted: English (United States)

Formatted: English (United States)

CONSULTATION OVERVIEW

The District 3 Office consulted with leaders of the Lorin Business Association. Their advocacy has informed this recommendation. The District 1 office has conducted outreach to the Gilman District.

RATIONALE FOR RECOMMENDATION

The Council should promote equity by establishing a Parking Benefits Districts (PBDs) in the Adeline Corridor and Gilman District to finance and support neighborhood improvements in South and West Berkeley. In comparison to the ways the City has invested in other districts, South and West Berkeley ~~has~~ have often been neglected. The Lorin Business Association has long advocated for the establishment of a traditional business improvement district, but such a district has yet to be established in this community. The Gilman District also is in need of additional investment. The Council now has the opportunity to support the ~~se~~ South Berkeley commercial districts and improve the quality of life for ~~its~~ their constituents by establishing a PBD in each business district and dedicating parking revenue funding in the PBD to local neighborhood improvements, such as landscaping, lighting, cleaning, security ambassadors, publicity and promotion, pedestrian and transit infrastructure, and other things that City residents benefit from.

FISCAL IMPACTS

~~Rather than accruing to the City, if the PBD is established, all or a portion of revenue generated from on street and off parking facilities will be utilized to finance neighborhood improvements, thereby improving the quality of life in the business district and surrounding area.~~ In order to form the PBDs, a one-time allocation of ~~resources, estimated at approximately \$50,000 \$75,000~~ is ~~required and being~~ referred to the FY 2022 budget process for consulting services for the following activities:

- Working with key stakeholders to help define the general parameters of the PBDs;
- Developing each respective PBD's boundaries, which revenues would be utilized, a draft budget for expenditures, a description of any new meters or other facilities that need be installed, and a timeline;
- Assigning of responsibilities to various organizations and creation of a new non-profit corporation, if needed;
- Development of a timeline with specific tasks and deadlines; and
- Writing of an Ordinance for Council consideration and presentation to the City Council.

~~Likely A~~additional costs to establish new meters or other facilities would be identified by the consultant and could potentially be covered by the resulting revenues from the PBD. ~~fiscal impacts, if any, to the City will be analyzed in depth should City Council approve the referral along with the requested budget allocation when the FY 2022 budget is adopted.~~

ENVIRONMENTAL SUSTAINABILITY

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"
Formatted: Font: 12 pt

Formatted: Underline

Providing parking for free or below the price that customers are willing to pay unnecessarily subsidizes a carbon-intensive mode of transportation. The City of Berkeley has declared a climate emergency, and it reflects the principles of environmental sustainability to impose a parking fee for the negative externality of greater greenhouse gas emissions emitted by non-electric cars compared to other modes of transportation, such as micromobility devices, public transit, biking or walking.

CONTACT PERSON

| | |
|-------------------------------|--|
| Councilmember Ben Bartlett: | 510-981-7130 |
| James Chang | jchang@cityofberkeley.info |
| Councilmember Rashi Kesarwani | 510-981-7111 |
| Beth Gerstein | bgerstein@cityofberkeley.info |

- Formatted: French (France)
- Field Code Changed
- Formatted: French (France)
- Formatted: French (France)



BEN BARTLETT

CITY COUNCILMEMBER, DISTRICT 3

CONSENT CALENDAR

March 23, 2021

To: Honorable Mayor and Members of the City Council
From: Councilmember Ben Bartlett (Author), Councilmember Rashi Kesarwani (Co-Author), Mayor Jesse Arreguin and Councilmember Terry Taplin (co-sponsors)
Subject: Budget Referral: Establish Parking Benefit Districts in the Adeline Corridor and Gilman District and Refer Funding to the Fiscal Year 2022 Budget Process

RECOMMENDATION

Refer to the City Manager to establish Parking Benefit Districts (PBDs) in the (1) Adeline Corridor and (2) Gilman District in order to finance and support neighborhood improvements--such as landscaping; enhanced lighting; security ambassadors; enhanced street sweeping and sidewalk cleaning; bike, pedestrian, micromobility, and public transit infrastructure; marketing and promotion of the commercial areas, and other potential enhancements to be determined -- in South and West Berkeley.

Further, refer to the Fiscal Year 2022 budget process \$75,000 for city staff to seek consulting services to assist in the formation and establishment of the PBDs.

CURRENT SITUATION

Outlined in the Lorin Business Association's vision for South Berkeley and the Adeline Corridor draft plan is a business improvement district (BID).¹ A BID uses fees from businesses and/or property owners to support physical improvements, special events, public safety, street cleanliness/maintenance, and programming. The Lorin Business Association has already spent five years advocating for a BID in South Berkeley but such a district has yet to be established in this community. Thus, the City can take a critical step in supporting innovative revitalization activities in South Berkeley by establishing a Parking Benefits District (PBD) to help the City improve the Adeline Corridor. In addition, the parking revenue generated within the PBD should fund designated neighborhood improvements.

The Gilman District has a similar need for a mechanism to fund necessary streetscape improvements. Establishing a PBD is a financing tool in which revenue is reinvested within the business district in order to fund necessary investments that encourage placemaking and a safe, clean, and pleasant experience for workers and visitors. The Gilman District is home to an eclectic mix of businesses and non-profits, such as art

¹ <https://www.cityofberkeley.info/council3/adeline/>

galleries, wineries, breweries, biotech, office space, and an educational farm and community center, among other varied enterprises.

BACKGROUND

The Covid-19 pandemic and resulting Shelter-In-Place orders have had a devastating impact on the vitality of our business districts. The development of a Parking Benefit District (PBD) within a business district is a long-term strategy for establishing a dedicated source of revenue to can enhance and reinvest in a commercial area as it seeks to recover from the economic recession resulting from the pandemic.

Parking benefit districts (PBDs) are defined geographic areas, typically along commercial corridors, in which revenue generated from on-street and off-street parking facilities within the district is returned to the district to finance neighborhood improvements. A PBD ties the economic benefits of parking directly to improving the quality of life in the immediate area.² PBDs specifically require local parking revenue to stay local, while financing neighborhood improvements. PBDs allow local merchants, organizations, property owners, residents and visitors to clearly see that the monies collected are being spent for the benefit of their district, on projects that they have chosen. In turn, they become willing to support, and often advocate on behalf of the needs of the residents and patrons who utilize the parking.

To improve our commercial districts and expand investments in our neighborhoods, the Council should adopt this item creating a South and West Berkeley PBD with the specific requirement that parking revenues generated in the district be used for neighborhood improvements. Funds from a PBD could be used in critically important ways, such as hiring full-time staff to manage the following activities: landscaping and streetscape improvements, street cleaning, transit and pedestrian infrastructure, street furniture, marketing of local businesses, management activities, and visitor and security ambassadors.

Determination of how to allocate and use the funds could be managed by a Parking Advisory Committee, a group of representatives from the commercial district, that would make recommendations to City staff on how the revenues would best support the vibrancy of the business district.

In establishing the PBDs, the City should consider a separate permitting system for the benefit of employees of local businesses in order to enable access to parking within reasonable proximity to their place of employment at a fair price. In such a system, local businesses could purchase a certain number of annual permits for employees at a rate that is different from the rate charged to hourly visitors. Fee structures for employee permits versus hourly visitors could initially be determined with the help of the hired consultant.

² See Donald Shoup's Fall 2016 Access Magazine's article: *Parking Benefit Districts*: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/11/access49-web-almanac.pdf>

The request for a PBD is an innovative approach to a real problem in South and West Berkeley. Constituents in both areas have faced many generations of neglect. A PBD brings equity, a leg up for commercial districts to develop in a cohesive, community-oriented way. It also gives neighborhoods an opportunity to work communally on issues of mutual interest in each locale, while receiving the resources necessary to improve the quality of life for constituents. The establishment of these PBDs could potentially lead to the establishment of PBDs in other areas of the City, adding to the value of this effort.

A successful PBD would also incorporate a number of other key elements that the City Manager should consider:

- Creation of a governing Parking Advisory Committee to recommend appropriate uses of revenue generated by the PBD. This body could take one of several potential forms, such as: an appointed or volunteer advisory board, which could include residents, property owners, business owners and other community organizations operating within South and West Berkeley, and City staff;
- Implementation of parking meters and pricing structures that facilitate demand-based pricing, with employees of local businesses potentially receiving access to permits that are provided at a different rate from the parking rate charged to hourly visitors;
- Adoption of a defined list of PBD revenue expenditures;
- Development of a coordinated public relations plan, which could use wayfinding, signage, and public outreach to explain the role of demand-based pricing and articulate how parking revenue is being utilized to benefit the two districts;
- Ongoing evaluation and management of PBD policies and expenditures; and
- City reporting on the funds generated.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

A PBD is a well established concept used in municipalities around the United States. In California, Pasadena³ and Newport Beach⁴ have used their PBDs to support revitalization needs. Parking management is an issue often overlooked in a neighborhood's development plan. While it may seem like a secondary concern in the quest for economic development, parking management directly impacts accessibility to businesses, customer willingness to travel to certain areas, and the quality of life experienced by residents. Studies have shown that a smart, proactive parking policy can revitalize a neighborhood. South and West Berkeley are prime neighborhoods for this type of engagement.

³ See Donald Shoup's Fall 2003 Access Magazine article focusing on Old Pasadena: <https://www.accessmagazine.org/wp-content/uploads/sites/7/2016/02/Access-23-02-Small-Change-into-Big-Change.pdf>

⁴ See this promotional flyer from Newport Beach: <https://www.newportbeachca.gov/Home/ShowDocument?id=11814>

CONSULTATION OVERVIEW

The District 3 Office consulted with leaders of the Lorin Business Association. Their advocacy has informed this recommendation. The District 1 office has conducted outreach to the Gilman District.

RATIONALE FOR RECOMMENDATION

The Council should promote equity by establishing Parking Benefit Districts (PBDs) in the Adeline Corridor and Gilman District to finance and support neighborhood improvements in South and West Berkeley. In comparison to the ways the City has invested in other districts, South and West Berkeley have often been neglected. The Lorin Business Association has long advocated for the establishment of a traditional business improvement district, but such a district has yet to be established in this community. The Gilman District also is in need of additional investment. The Council now has the opportunity to support these commercial districts and improve the quality of life for their constituents by establishing a PBD in each business district and dedicating parking revenue funding in the PBD to local neighborhood improvements, such as landscaping, lighting, cleaning, security ambassadors, publicity and promotion, pedestrian and transit infrastructure, and other things that City residents benefit from.

FISCAL IMPACTS

In order to form the PBDs, a one-time allocation of approximately \$75,000 is referred to the FY 2022 budget process for consulting services for the following activities:

- Working with key stakeholders to help define the general parameters of the PBDs;
- Developing each respective PBD's boundaries, which revenues would be utilized, a draft budget for expenditures, a description of any new meters or other facilities that need be installed, and a timeline;
- Assigning of responsibilities to various organizations and creation of a new non-profit corporation, if needed;
- Development of a timeline with specific tasks and deadlines; and
- Writing of an Ordinance for Council consideration and presentation to the City Council.

Likely additional costs to establish new meters or other facilities would be identified by the consultant and could potentially be covered by the resulting revenues from the PBD.

ENVIRONMENTAL SUSTAINABILITY

Providing parking for free or below the price that customers are willing to pay unnecessarily subsidizes a carbon-intensive mode of transportation. The City of Berkeley has declared a climate emergency, and it reflects the principles of environmental sustainability to impose a parking fee for the negative externality of

greater greenhouse gas emissions emitted by non-electric cars compared to other modes of transportation, such as micromobility devices, public transit, biking or walking.

CONTACT PERSON

Councilmember Ben Bartlett:
James Chang

510-981-7130
ichang@cityofberkeley.info

Councilmember Rashi Kesarwani
Beth Gerstein

510-981-7111
bgerstein@cityofberkeley.info

| Upcoming Worksessions – <i>start time is 6:00 p.m. unless otherwise noted</i> | |
|---|---|
| Scheduled Dates | |
| January 20 (Thurs.) | <ol style="list-style-type: none"> 1. Review and Update on City's COVID-19 Response 2. Public Works/Infrastructure Presentation |
| February 15 | <ol style="list-style-type: none"> 1. Homeless Services and Mental Health Services |
| March 15 | <ol style="list-style-type: none"> 1. Housing Element Update |
| April 19 | <ol style="list-style-type: none"> 1. Fire Department Standards of Coverage Study |

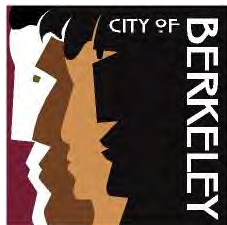
| Unscheduled Workshops |
|---|
| <ol style="list-style-type: none"> 1. Cannabis Health Considerations 2. Alameda County LAFCO Presentation |

| Unscheduled Presentations (City Manager) |
|---|
| <ol style="list-style-type: none"> 1. Civic Arts Grantmaking Process & Capital Grant Program 2. Civic Center – Old City Hall and Veterans Memorial Building (Tentative: Action Item) 3. Mid-Year Budget Report FY 2022 |

| | City Council Referrals to the Agenda & Rules Committee and Unfinished Business for Scheduling |
|----|---|
| 1. | <p>25. Surveillance Technology Report, Surveillance Acquisition Report, and Surveillance Use Policy for Automatic License Plate Readers <i>(Continued from February 25, 2020. Item contains revised and supplemental materials) (Referred from the May 12, 2020 agenda.)</i></p> <p>From: City Manager</p> <p>Recommendation: Adopt a Resolution accepting the Surveillance Technology Report, Surveillance Acquisition Report, and Surveillance Use Policy for Automatic License Plate Readers submitted pursuant to Chapter 2.99 of the Berkeley Municipal Code.</p> <p>Financial Implications: None</p> <p>Contact: Andrew Greenwood, Police, (510) 981-5900; Dave White, City Manager's Office, (510) 981-7000</p> <p>Note: <i>Referred to Agenda & Rules for future scheduling.</i></p> |
| 2. | <p>Berkeley's 2019 Community-Wide Greenhouse Gas Emissions Inventory <i>(Referred from the November 30, 2021 meeting)</i></p> <p>From: City Manager</p> <p>Contact: Jordan Klein, Planning and Development, (510) 981-7400</p> <p>Note: <i>Referred to the Agenda & Rules Committee for future scheduling.</i></p> |

| CITY CLERK DEPARTMENT | | | |
|---|----------------------|-----------------------|-------------------|
| WORKING CALENDAR FOR SCHEDULING LAND USE MATTERS BEFORE THE CITY COUNCIL | | | |
| Address | Board/ Commission | Appeal Period Ends | Public Hearing |
| NOD – Notices of Decision | | | |
| | | | |
| | | | |
| | | | |
| Public Hearings Scheduled | | | |
| 1527 Sacramento St (second story addition) | ZAB | | 2/22/2021 |
| 2956 Hillegass Ave (addition to lawful non-conforming structure) | ZAB | | 2/8/2021 |
| | | | |
| Remanded to ZAB or LPC | | | |
| 1205 Peralta Avenue (conversion of an existing garage) | ZAB | | |
| | | | |
| | | | |
| Notes | | | |
| | | | |
| | | | |
| | | | |

12/29/2021



Office of the City Manager

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2

Meeting Date: November 10, 2020

Item Number: 20

Item Description: Annual Commission Attendance and Meeting Frequency Report

Submitted by: Mark Numainville, City Clerk

The attached memo responds to issues and questions raised at the October 26 Agenda & Rules Committee Meeting and the October 27 City Council Meeting regarding the ability of city boards and commissions to resume regular meeting schedules.



Office of the City Manager

November 9, 2020

To: Mayor and Council
From: Dee Williams-Ridley, City Manager
Subject: Commission Meetings Under COVID-19 Emergency (Item 20)

This memo provides supplemental information for the discussion on Item 20 on the November 10, 2020 Council agenda. Below is a summary and update of the status of meetings of Berkeley Boards and Commissions during the COVID-19 emergency declaration and the data collected by the City Manager on the ability of commissions to resume meetings in 2021.

On March 10, 2020 the City Council ratified the proclamation of the Director of Emergency Services for a state of local emergency related to the COVID-19 pandemic. The emergency proclamation has been renewed twice by the Council and remains in effect.

On March 17, 2020 the City Council adopted Resolution No. 69,331-N.S. which placed limitations of the meetings of City legislative bodies, including all boards and commissions. The resolution allows for commissions to meet to conduct time-sensitive, legally mandated business with the authorization of the City Manager. Since that time, several commissions have obtained this approval and held meetings; many other commissions have not met at all since March.

The City Manager has periodically reviewed the status of commission meetings with the City Council Agenda & Rules Committee. Recently, at the October 12, 2020 Agenda & Rules Committee meeting, the City Manager presented a proposal to allow all commissions to meet under limited circumstances. The Committee voted to endorse the City Manager's recommendation.

Effective October 12, 2020, all City boards and commissions may meet once to develop and finalize their work plan for 2021 and to complete any Council referrals directly related to the COVID-19 pandemic response. A second meeting may be held to

complete this work with specific authorization by the City Manager. It is recommended that the meeting(s) occur by the end of February 2021.

Commissions that have been granted permission to meet under Resolution No. 69,331-N.S. may continue to meet pursuant to their existing authorization, and may also meet to develop their 2021 work plan.

Commissions that have not requested meetings pursuant to the Resolution No. 69,331-N.S. may meet pursuant to the limitations listed above.

In response to questions from the Agenda & Rules Committee and the Council, the City Manager polled all departments that support commissions to obtain information on their capacity to support the resumption of regular commission meetings. The information in Attachment 1 shows the information received from the departments and notes each commission's ability to resume a regular, or semi-regular, meeting schedule in 2021.

In summary, there are 24 commissions that have staff resources available to support a regular meeting schedule in 2021. Seven of these 24 commissions have been meeting regularly during the pandemic. There are five commissions that have staff resources available to support a limited meeting schedule in 2021. There are seven commissions that currently do not have staff resources available to start meeting regularly at the beginning of 2021. Some of these seven commissions will have staff resources available later in 2021 to support regular meetings. Please see Attachment 1 for the full list of commissions and their status.

With regards to commission subcommittees, there has been significant discussion regarding the ability of staff to support these meetings in a virtual environment. Under normal circumstances, the secretary's responsibilities regarding subcommittees is limited to posting the agenda and reserving the meeting space (if in a city building). With the necessity to hold the meetings in a virtual environment and be open to the public, it is likely that subcommittee meetings will require significantly more staff resources to schedule, train, manage, and support the work of subcommittees on Zoom or a similar platform. This additional demand on staff resources to support commission subcommittees is not feasible for any commission at this time.

One possible option for subcommittees is to temporarily suspend the requirement for ad hoc subcommittees of city commissions to notice their meetings and require public participation. Ad hoc subcommittees are not legislative bodies under the Brown Act and are not required to post agendas or allow for public participation. These requirements are specific to Berkeley and are adopted by resolution in the Commissioners' Manual. If it is the will of the Council, staff could introduce an item to temporarily suspend these

requirements which will allow subcommittees of all commissions to meet as needed to develop recommendations that will be presented to the full commission.

The limitations on the meetings of certain commissions are due to the need to direct staff resources and the resources of city legislative bodies to the pandemic response. Some of the staff assigned as commission secretaries are engaged in work with the City Emergency Operations Center or have been assigned new duties specifically related to the impacts of the pandemic.

Meeting frequency for boards and commissions will continue to be evaluated on a regular basis by the City Manager and the Health Officer in consultation with Department Heads and the City Council.

Attachments:

1. List of Commissions with Meeting Status
2. Resolution 69,331-N.S.

| <u>Boards and Commissions</u> | <u>Meetings Held Under COVID March - Oct</u> | <u>Regular Mtg. Date</u> | <u>Secretary</u> | <u>Dept.</u> | <u>Resume Regular Schedule in January 2021?</u> | <u>Note</u> |
|---|--|--------------------------|--------------------|--------------|---|---|
| Fair Campaign Practices Commission | 9 | 3rd Thur. | Sam Harvey | CA | YES | Have been meeting regularly under COVID Emergency |
| Open Government Commission | 6 | 3rd Thur. | Sam Harvey | CA | YES | Have been meeting regularly under COVID Emergency |
| Animal Care Commission | 0 | 3rd Wed. | Amelia Funghi | CM | YES | |
| Police Review Commission | 10 | 2nd & 4th Wed. | Katherine Lee | CM | YES | Have been meeting regularly under COVID Emergency |
| Disaster and Fire Safety Commission | 4 | 4th Wed. | Keith May | FES | YES | |
| Community Health Commission | 0 | 4th Thur. | Roberto Terrones | HHCS | YES | |
| Homeless Commission | 0 | 2nd Wed. | Josh Jacobs | HHCS | YES | |
| Homeless Services Panel of Experts | 5 | 1st Wed | Josh Jacobs | HHCS | YES | |
| Human Welfare & Community Action Commission | 0 | 3rd Wed. | Mary-Claire Katz | HHCS | YES | |
| Mental Health Commission | 1 | 4th Thur. | Jamie Works-Wright | HHCS | YES | |
| Sugar-Sweetened Beverage Product Panel of Experts | 0 | 3rd Thur. | Dechen Tsering | HHCS | YES | |
| Civic Arts Commission | 2 | 4th Wed. | Jennifer Lovvorn | OED | YES | |
| Elmwood BID Advisory Board | 1 | Contact Secretary | Kieron Slaughter | OED | YES | |
| Loan Administration Board | 0 | Contact Secretary | Kieron Slaughter | OED | YES | |
| Solano Avenue BID Advisory Board | 2 | Contact Secretary | Eleanor Hollander | OED | YES | |
| Design Review Committee | 6 | 3rd Thur. | Anne Burns | PLD | YES | Have been meeting regularly under COVID Emergency |
| Energy Commission | 0 | 4th Wed. | Billi Romain | PLD | YES | |
| Landmarks Preservation Commission | 6 | 1st Thur. | Fatema Crane | PLD | YES | Have been meeting regularly under COVID Emergency |
| Planning Commission | 3 | 1st Wed. | Alene Pearson | PLD | YES | Have been meeting regularly under COVID Emergency |
| Zoning Adjustments Board | 11 | 2nd & 4th Thur. | Shannon Allen | PLD | YES | Have been meeting regularly under COVID Emergency |
| Parks and Waterfront Commission | 4 | 2nd Wed. | Roger Miller | PRW | YES | |
| Commission on Disability | 0 | 1st Wed. | Dominika Bednarska | PW | YES | |
| Public Works Commission | 4 | 1st Thur. | Joe Enke | PW | YES | |
| Zero Waste Commission | 0 | 4th Mon. | Heidi Obermeit | PW | YES | |
| Commission on the Status of Women | 0 | 4th Wed. | Shallon Allen | CM | YES - LIMITED | Secretary has intermittent COVID assignments |

| <u>Boards and Commissions</u> | <u>Meetings Held Under COVID March - Oct</u> | <u>Regular Mtg. Date</u> | <u>Secretary</u> | <u>Dept.</u> | <u>Resume Regular Schedule in January 2021?</u> | <u>Note</u> |
|---|--|--------------------------|--------------------|--------------|---|--|
| Commission on Aging | 0 | 3rd Wed. | Richard Castrillon | HHCS | REDUCED FREQUENCY | Significant Dept. resources assigned to COVID response |
| Housing Advisory Commission | 0 | 1st Thur. | Mike Uberti | HHCS | REDUCED FREQUENCY | Significant Dept. resources assigned to COVID response |
| Measure O Bond Oversight Committee | 0 | 3rd Monday | Amy Davidson | HHCS | REDUCED FREQUENCY | Significant Dept. resources assigned to COVID response |
| Transportation Commission | 2 | 3rd Thur. | Farid Javandel | PW | REDUCED FREQUENCY | Staff assigned to COVID response |
| Children, Youth, and Recreation Commission | 0 | 4th Monday | Stephanie Chu | PRW | NO - SEPT 2021 | Staff assigned to COVID response |
| Youth Commission | 0 | 2nd Mon. | Ginsi Bryant | PRW | NO - SEPT 2021 | Staff assigned to COVID response |
| Community Environmental Advisory Commission | 0 | 2nd Thur. | Viviana Garcia | PLD | NO - JUNE 2021 | Staff assigned to COVID response |
| Cannabis Commission | 0 | 1st Thur. | VACANT | PLD | NO - JAN. 2022 | Staff vacancy |
| Peace and Justice Commission | 0 | 1st Mon. | VACANT | CM | NO | Staff vacancy |
| Commission on Labor | 0 | 3rd Wed., alternate mon | Kristen Lee | HHCS | NO | Staff assigned to COVID response |
| Personnel Board | 1 | 1st Mon. | La Tanya Bellow | HR | NO | Staff assigned to COVID response |

RESOLUTION NO. 69,331-N.S.

RATIFYING THE RECOMMENDATIONS ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND THE PUBLIC HEALTH OFFICER REGARDING MEETINGS OF BERKELEY LEGISLATIVE BODIES IN RESPONSE TO THE COVID-19 (NOVEL CORONAVIRUS) PANDEMIC

WHEREAS, on March 3, 2020, pursuant to Berkeley Municipal Code section 2.88.040, the City Manager, serving as the Director of Emergency Services, proclaimed the existence of a local emergency; and

WHEREAS, the proclamation was warranted by virtue of the extreme peril to the safety of persons and property in the City caused by pandemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"), including confirmed cases in California and the San Francisco Bay Area, and presumed cases in Alameda County prompting the County to declare a local health emergency; and

WHEREAS, the proclamation of the Director of Emergency Services was ratified by the City Council on March 10, 2020; and

WHEREAS, the continued spread of COVID-19 and increase in community transmission cases in surrounding counties warrant further measures be taken by the City to protect the community; and

WHEREAS, the Public Health Officer has issued guidelines for limiting mass gatherings; and

WHEREAS, certain limitations on the meetings of legislative bodies in the City of Berkeley is warranted; and

WHEREAS, the continued essential functions of the City and certain legislative bodies must continue for time-sensitive, legally mandated actions; and

WHEREAS, the Director of Emergency Services presented recommendations to the Agenda & Rules Committee on March 12, 2020 regarding the meetings of legislative bodies; and

WHEREAS, the Agenda & Rules Committee recommended that said recommendations be forwarded to the City Council for acknowledgement and ratification.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following recommendations issued by the Director of Emergency Services and the Public Health Officer regarding limitations and practices for legislative bodies of the City of Berkeley are hereby acknowledged and ratified:

Section 1. Boards and Commissions

Commissions listed below may continue to meet only if they have time-sensitive, legally mandated business to complete, as determined by the Director of Emergency Services. The City may consider teleconferencing for these commissions, if feasible.

Design Review Committee
Fair Campaign Practices Commission
Housing Advisory Commission (limited to quasi-judicial activities)
Joint Subcommittee on the Implementation of State Housing Laws
Landmarks Preservation Commission
Open Government Commission
Personnel Board
Planning Commission
Police Review Commission
Zoning Adjustments Board

Commissions in Category B shall not meet for a period of 60 days. This will be re-evaluated at the Agenda & Rules Committee meeting on April 13, 2020. A Commission in Category B may convene a meeting if it has time-sensitive, legally-mandated business to complete, as determined by the Director of Emergency Services.

Category B

Animal Care Commission
Cannabis Commission
Civic Arts Commission
Children, Youth, and Recreation Commission
Commission on Aging
Commission on Disability
Commission on Labor
Commission on the Status of Women
Community Environmental Advisory Commission
Community Health Commission
Disaster and Fire Safety Commission
Elmwood Business Improvement District Advisory Board
Energy Commission
Homeless Commission
Homeless Services Panel of Experts
Housing Advisory Commission
Human Welfare and Community Action Commission
Measure O Bond Oversight Committee
Mental Health Commission
Parks and Waterfront Commission
Peace and Justice Commission
Public Works Commission
Solano Avenue Business Improvement District Advisory Board
Sugar-Sweetened Beverage Product Panel of Experts

Transportation Commission
Youth Commission
Zero Waste Commission
Loan Administration Board

Section 2. City Council Policy Committees

The Agenda & Rules Committee and the Budget & Finance Committee may continue to meet to fulfill their legislative and advisory responsibilities. All other Policy Committees (Facilities, Infrastructure, Transportation, Environment & Sustainability, Public Safety, Land Use, Housing & Economic Development, and Health, Life Enrichment Equity & Community) are suspended indefinitely. The 120-day deadline to consider an item will be tolled during the suspension of business.

Section 3. City Council


For City Council meetings, the City will continue to advise and implement social distancing by limiting the capacity of the Council Chambers, providing an overflow room, attempting to limit the duration of the meeting, only conducting essential business, and limiting or suspending ceremonial items. The City will adhere to and implement the provisions of the Governor's Executive Order #N-25-20 related to the Brown Act and the utilization of technology to facilitate participation.

The foregoing Resolution was adopted by the Berkeley City Council on March 17, 2020 by the following vote:

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

Noes: None.

Absent: None.



Jesse Arreguin, Mayor

Attest: 

Mark Numalville, City Clerk



Office of the City Manager

October 22, 2020

To: Berkeley Boards and Commissions

From: *Dee* Dee Williams-Ridley, City Manager

Subject: Commission Meetings During COVID-19 Emergency

This memo serves to provide a summary and update of the status of meetings of Berkeley Boards and Commissions during the COVID-19 emergency declaration.

On March 10, 2020, the City Council ratified the proclamation of the Director of Emergency Services for a state of local emergency related to the COVID-19 pandemic. The emergency proclamation has been renewed twice by the Council and remains in effect.

On March 17, 2020, the City Council adopted Resolution No. 69,331-N.S. which placed limitations of the meetings of City legislative bodies, including all boards and commissions. The resolution allows for commissions to meet to conduct time-sensitive, legally mandated business with the authorization of the City Manager. Since that time, several commissions have obtained this approval and held meetings; many other commissions have not met at all since March.

The City Manager has periodically reviewed the status of commission meetings with the City Council Agenda & Rules Committee. Recently, at the October 12, 2020, Agenda & Rules Committee meeting, the City Manager presented a proposal to allow all commissions to meet under limited circumstances. The Committee voted to endorse the City Manager's recommendation.

Effective October 12, 2020, all City boards and commissions may meet once to develop and finalize their work plan for 2021 and to complete any Council referrals directly related to the COVID-19 pandemic response. A second meeting may be held to complete this work with specific authorization by the City Manager. It is recommended that the meeting(s) occur by the end of February 2021.

Commissions that have been granted permission to meet under Resolution No. 69,331-N.S. may continue to meet pursuant to their existing authorization, and may also meet to develop their 2021 work plan.

Commissions that have not requested meetings pursuant to the Resolution No. 69,331-N.S. may meet pursuant to the limitations listed above.

Page 2
October 22, 2020
Re: Commission Meetings During COVID-19 Emergency

To assist commissions with the development of their work plan and to provide the City Council with a consistent framework to review the work plans, the City Manager has developed the following items to consider in developing the work plan that is submitted to the City Council agenda.

Prompts for Commissions to use in work plan:

- What commission items for 2021 have a direct nexus with the COVID-19 response or are the result of a City Council referral pertaining to COVID-19?
- What commission items for 2021 are required for statutory reasons?
- What commission items for 2021 are required for budgetary or fund allocation reasons?
- What commission items for 2021 support council-adopted or voter-adopted mission critical projects or programs?
- What are the anticipated staff demands (above and beyond baseline) for analysis, data, etc., to support commission work in 2021 (baseline duties = posting agendas, creating packets, attend meetings, minutes, etc.)?

The limitations on commission meetings are due to the need to direct staff resources and the resources of city legislative bodies to the pandemic response. Many of the staff assigned as commission secretaries are engaged in work with the City Emergency Operations Center or have been assigned new specific duties related to the impacts of the pandemic.

Meeting frequency for boards and commissions will continue to be evaluated on a regular basis by the City Manager in consultation with Department Heads and the City Council. More frequent meetings by commissions will be permitted as the conditions under COVID-19 dictate.

Thank you for your service on our boards and commissions. The City values the work of our commissions and we appreciate your partnership and understanding as we address this pandemic as a resilient and vibrant community.

Attachments:

1. Resolution 69,331-N.S.
2. List of Commissions with Meeting Data

cc: Mayor and City Councilmembers
Senior Leadership Team

RESOLUTION NO. 69,331-N.S.

RATIFYING THE RECOMMENDATIONS ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND THE PUBLIC HEALTH OFFICER REGARDING MEETINGS OF BERKELEY LEGISLATIVE BODIES IN RESPONSE TO THE COVID-19 (NOVEL CORONAVIRUS) PANDEMIC

WHEREAS, on March 3, 2020, pursuant to Berkeley Municipal Code section 2.88.040, the City Manager, serving as the Director of Emergency Services, proclaimed the existence of a local emergency; and

WHEREAS, the proclamation was warranted by virtue of the extreme peril to the safety of persons and property in the City caused by pandemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus ("COVID-19"), including confirmed cases in California and the San Francisco Bay Area, and presumed cases in Alameda County prompting the County to declare a local health emergency; and

WHEREAS, the proclamation of the Director of Emergency Services was ratified by the City Council on March 10, 2020; and

WHEREAS, the continued spread of COVID-19 and increase in community transmission cases in surrounding counties warrant further measures be taken by the City to protect the community; and

WHEREAS, the Public Health Officer has issued guidelines for limiting mass gatherings; and

WHEREAS, certain limitations on the meetings of legislative bodies in the City of Berkeley is warranted; and

WHEREAS, the continued essential functions of the City and certain legislative bodies must continue for time-sensitive, legally mandated actions; and

WHEREAS, the Director of Emergency Services presented recommendations to the Agenda & Rules Committee on March 12, 2020 regarding the meetings of legislative bodies; and

WHEREAS, the Agenda & Rules Committee recommended that said recommendations be forwarded to the City Council for acknowledgement and ratification.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following recommendations issued by the Director of Emergency Services and the Public Health Officer regarding limitations and practices for legislative bodies of the City of Berkeley are hereby acknowledged and ratified:

Section 1. Boards and Commissions

Commissions listed below may continue to meet only if they have time-sensitive, legally mandated business to complete, as determined by the Director of Emergency Services. The City may consider teleconferencing for these commissions, if feasible.

Design Review Committee
Fair Campaign Practices Commission
Housing Advisory Commission (limited to quasi-judicial activities)
Joint Subcommittee on the Implementation of State Housing Laws
Landmarks Preservation Commission
Open Government Commission
Personnel Board
Planning Commission
Police Review Commission
Zoning Adjustments Board

Commissions in Category B shall not meet for a period of 60 days. This will be re-evaluated at the Agenda & Rules Committee meeting on April 13, 2020. A Commission in Category B may convene a meeting if it has time-sensitive, legally-mandated business to complete, as determined by the Director of Emergency Services.

Category B

Animal Care Commission
Cannabis Commission
Civic Arts Commission
Children, Youth, and Recreation Commission
Commission on Aging
Commission on Disability
Commission on Labor
Commission on the Status of Women
Community Environmental Advisory Commission
Community Health Commission
Disaster and Fire Safety Commission
Elmwood Business Improvement District Advisory Board
Energy Commission
Homeless Commission
Homeless Services Panel of Experts
Housing Advisory Commission
Human Welfare and Community Action Commission
Measure O Bond Oversight Committee
Mental Health Commission
Parks and Waterfront Commission
Peace and Justice Commission
Public Works Commission
Solano Avenue Business Improvement District Advisory Board
Sugar-Sweetened Beverage Product Panel of Experts

Transportation Commission
Youth Commission
Zero Waste Commission
Loan Administration Board

Section 2. City Council Policy Committees

The Agenda & Rules Committee and the Budget & Finance Committee may continue to meet to fulfill their legislative and advisory responsibilities. All other Policy Committees (Facilities, Infrastructure, Transportation, Environment & Sustainability, Public Safety, Land Use, Housing & Economic Development, and Health, Life Enrichment Equity & Community) are suspended indefinitely. The 120-day deadline to consider an item will be tolled during the suspension of business.

Section 3. City Council


For City Council meetings, the City will continue to advise and implement social distancing by limiting the capacity of the Council Chambers, providing an overflow room, attempting to limit the duration of the meeting, only conducting essential business, and limiting or suspending ceremonial items. The City will adhere to and implement the provisions of the Governor's Executive Order #N-25-20 related to the Brown Act and the utilization of technology to facilitate participation.

The foregoing Resolution was adopted by the Berkeley City Council on March 17, 2020 by the following vote:

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

Noes: None.

Absent: None.



Jesse Arreguin, Mayor

Attest: 

Mark Numalville, City Clerk



URGENT ITEM AGENDA MATERIAL

Government Code Section 54954.2(b)
Rules of Procedure Chapter III.C.5

**THIS ITEM IS NOT YET AGENDIZED AND MAY OR MAY NOT BE
ACCEPTED FOR THE AGENDA AS A LATE ITEM, SUBJECT TO THE
CITY COUNCIL'S DISCRETION ACCORDING TO BROWN ACT RULES**

Meeting Date: September 28, 2021

**Item Description: Resolution Making Required Findings Pursuant to the
Government Code and Directing City Legislative Bodies to
Continue to Meet Via Videoconference and Teleconference**

This item is submitted pursuant to the provision checked below:

- Emergency Situation (54954.2(b)(1) - majority vote required)
Determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.
- Immediate Action Required (54954.2(b)(2) - two-thirds vote required)
There is a need to take immediate action and the need for action came to the attention of the local agency subsequent to the agenda for this meeting being posted.

Once the item is added to the agenda (Consent or Action) it must be passed by the standard required vote threshold (majority, two-thirds, or 7/9).

Facts supporting the addition of the item to the agenda under Section 54954.2(b) and Chapter III.C.5 of the Rules of Procedure:

Assembly Bill 361 (Rivas) was signed by the Governor on September 16, 2021. This bill allows local legislative bodies to meet using videoconference technology while maintaining the Brown Act exemptions in Executive Order N-29-20 for noticing and access to the locations from which local officials participate in the meeting. Local agencies may only meet with the exemption if there is a state declared emergency.

The bill also requires that local legislative bodies meeting only via videoconference under a state declared emergency to make certain findings every 30-days regarding the need to meet in a virtual-only setting.

The agenda for the September 28, 2021 was finalized and published prior to the Governor signing AB 361 in to law. Thus, the need to take action came to the attention of the local agency after the agenda was distributed. This item qualifies for addition to the agenda with a two-thirds vote of the Council under Government Code Section 54954.2(b)(2).



Office of the City Attorney

CONSENT CALENDAR
September 28, 2021

To: Honorable Mayor and Members of the City Council
Madame City Manager

From: Farimah Faiz Brown, City Attorney

Subject: Resolution Making Required Findings Pursuant to the Government Code and Directing City Legislative Bodies to Continue to Meet Via Videoconference and Teleconference

RECOMMENDATION

Adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference.

FISCAL IMPACT OF RECOMMENDATION

To be determined.

CURRENT SITUATION AND ITS EFFECTS

Pursuant to California Government Code section 8630 and Berkeley Municipal Code Chapter 2.88.040, on March 3, 2020, the City Manager, in her capacity as Director of Emergency Services, proclaimed a local emergency due to conditions of extreme peril to the safety of persons and property within the City as a consequence of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus (COVID-19), including a confirmed case in the City of Berkeley. As a result of multiple confirmed and presumed cases in Alameda County, the County has declared a local health emergency. On March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to the spread of COVID-19. On March 10, 2020, the City Council ratified the Proclamation of Local Emergency with the passage of Resolution No. 69-312.

On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public.

These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 will expire on September 30, 2021.

COVID-19 continues to pose a serious threat to public health and safety. There are now over 4,700 confirmed cases of COVID-19 and at least 55 deaths in the City of Berkeley. Additionally, the SARS-CoV-2 B.1.617.2 (“Delta”) variant of COVID-19 that is currently circulating nationally and within the City is contributing to a substantial increase in transmissibility and more severe disease.

As a result of the continued threat to public health posed by the spread of COVID-19, state and local officials continue to impose or recommend measures to promote social distancing, mask wearing and vaccination. Holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies, and therefore public meetings cannot safely be held in person at this time

Assembly Bill 361 (Rivas), signed into law by Governor Newsom on September 16, 2021, amended a portion of the Brown Act (Government Code Section 54953) to authorize the City Council, during the state of emergency, to determine that, due to the spread of COVID-19, holding in-person public meetings would present an imminent risk to the health or safety of attendees, and therefore City legislative bodies must continue to meet via videoconference and teleconference. Assembly Bill 361 requires that the City Council must review and ratify such a determination every thirty (30) days. Therefore, if the Council passes this resolution on September 28, 2021, the Council will need to review and ratify the resolution by October 28, 2021.

This item requests that the Council review the circumstances of the continued state of emergency posed by the spread of COVID-19, and find that the state of emergency continues to directly impact the ability of the public and members of City legislative bodies to meet safely in person, that holding public meetings of City legislative bodies in person would present imminent risks to the health and safety of attendees, and that state and local officials continue to promote social distancing, mask wearing and vaccination. This item further requests that the Council determine that City legislative bodies, including but not limited to the City Council and its committees, and all commissions and boards, shall continue to hold public meetings via videoconference and teleconference, and that City legislative bodies shall continue to comply with all provisions of the Brown Act, as amended by SB 361.

BACKGROUND

On March 1, 2020, Alameda County Public Health Department and Solano County Public Health Department reported two presumptive cases of COVID-19, pending confirmatory testing by the Centers for Disease Control (CDC), prompting Alameda County to declare a local health emergency.

On March 3, 2020, the City's Director of Emergency Services proclaimed a local emergency due to the spread of COVID-19, including a confirmed case in the City of Berkeley and multiple confirmed and presumed cases in Alameda County.

On March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to the spread of COVID-19.

On March 10, 2020, the City Council ratified the Proclamation of Local Emergency. Since that date, there have been over 4,700 confirmed cases of COVID-19 and at least 57 deaths in the City of Berkeley.

On March 17, 2020, Governor Newsom signed Executive Order N-29-20 which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) to allow teleconferencing of public meetings to be used as a tool for ensuring social distancing. As a result, City legislative bodies have held public meetings via teleconference throughout the pandemic. The provisions of Executive Order N-29-20 allowing teleconferencing to be used as a tool for social distancing will expire on September 30, 2021.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Not applicable.

RATIONALE FOR RECOMMENDATION

The Resolution would enable the City Council and its committees, and City boards and commissions to continue to hold public meetings via videoconference and teleconference in order to continue to socially distance and limit the spread of COVID-19.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Farimah Brown, City Attorney, City Attorney's Office (510) 981-6998
Mark Numainville, City Clerk, (510) 981-6908

Attachments:

1: Resolution Directing City Legislative Bodies to Continue to Meet Via Videoconference and Teleconference

RESOLUTION NO. –N.S.

RESOLUTION MAKING THE REQUIRED FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 54953(E)(3) AND DIRECTING CITY LEGISLATIVE BODIES TO CONTINUE TO MEET VIA VIDEOCONFERENCE AND TELECONFERENCE

WHEREAS, in accordance with Berkeley Municipal Code section 2.88.040 and sections 8558(c) and 8630 of the Government Code, which authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a City exist, the City Manager, serving as the Director of Emergency Services, beginning on March 3, 2020, did proclaim the existence of a local emergency caused by epidemic in the form of the global spread of a severe acute respiratory illness caused by a novel (new) coronavirus (“COVID-19”), including confirmed cases in California and the San Francisco Bay Area, and presumed cases in Alameda County prompting the County to declare a local health emergency; and

WHEREAS, on March 10, 2020, the City Council ratified the Proclamation of Local Emergency with the passage of Resolution No. 69-312; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency pursuant to the California Emergency Services Act, in particular, Government Code section 8625; and

WHEREAS, the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020 continues to be in effect; and

WHEREAS, on September 16, 2021, Governor Newsom signed into law AB 361, which authorizes the City Council to determine that, due to the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference; and

WHEREAS, the City Council does find that the aforesaid conditions of extreme peril continue to exist, and now include over 4,700 confirmed cases of COVID-19 and at least 55 deaths in the City of Berkeley; and

WHEREAS, the City Council recognizes that the SARS-CoV-2 B.1.617.2 (“Delta”) variant of COVID-19 that is currently circulating nationally and within the City is contributing to a substantial increase in transmissibility and more severe disease; and

WHEREAS, as a result of the continued threat to public health posed by the spread of COVID-19, state and local officials continue to impose or recommend measures to promote social distancing, mask wearing and vaccination; and

WHEREAS, holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies, and therefore public meetings cannot safely be held in person at this time; and

WHEREAS, the City Council will need to again review the need for the continuing necessity of holding City legislative body meetings via videoconference and teleconference by October 28, 2021.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that, pursuant to Government Code section 54953, the City Council has reviewed the circumstances of the continued state of emergency posed by the spread of COVID-19, and finds that the state of emergency continues to directly impact the ability of the public and members of City legislative bodies to meet safely in person, that holding public meetings of City legislative bodies in person would present imminent risks to the health and safety of attendees, and that state and local officials continue to promote social distancing, mask wearing and vaccination; and

BE IT FURTHER RESOLVED that City legislative bodies, including but not limited to the City Council and its committees, and all commissions and boards, shall continue to hold public meetings via videoconference and teleconference; and

BE IT FURTHER RESOLVED that all City legislative bodies shall comply with the requirements of Government Code section 54953(e)(2) and all applicable laws, regulations and rules when conducting public meetings pursuant to this resolution.



OFFICE OF THE GOVERNOR

June 2, 2021

VIA EMAIL

Graham Knaus, Executive Director
CA State Assoc. of Counties
gknaus@counties.org

Jean Kinney Hurst, Legislative Advocate
Urban Counties of CA
jhurst@counties.org

Carolyn Coleman, Executive Director
League of CA Cities
ccoleman@cacities.org

Laura Preston, Legislative Advocate
Assoc. of CA School Administrators
lpreston@acsa.org

Staci Heaton, Acting Vice President of
Government Affairs
Rural County Representatives of CA
sheaton@rcrcnet.org

Amber King, Vice President, Advocacy
and Membership
Assoc. of CA Healthcare Districts
amber.king@achd.org

Pamela Miller, Executive Director
CA Assoc. of Local Agency Formation
Commissions
pmiller@calafco.org

Danielle Blacet-Hyden, Deputy Executive
Director
CA Municipal Utilities Assoc.
dblacet@cmua.org

Niel McCormick, Chief Executive Officer
CA Special Districts Assoc.
neilm@cstda.net

Kristopher M. Anderson, Esq., Legislative
Advocate
Assoc. of CA Water Agencies
krisa@acwa.com

RE: Transition Period Prior to Repeal of COVID-related Executive Orders

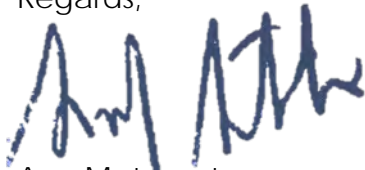
Dear Mr. Knaus, Ms. Miller, Ms. Hurst, Ms. Preston, Ms. Heaton, Ms. King, Ms. Coleman, Ms. Blacet-Hyden, Mr. McCormick, Mr. Anderson, and colleagues,

Thank you for your correspondence of May 18, 2021, inquiring what impact the anticipated June 15 termination of the Blueprint for a Safer Economy will have on Executive Order N-29-20, which provided flexibility to state and local agencies and boards to conduct their business through virtual public meetings during the COVID-19 pandemic.

Please be assured that this Executive Order Provision will not terminate on June 15 when the Blueprint is scheduled to terminate. While the Governor intends to terminate COVID-19 executive orders at the earliest possible date at which conditions warrant, consistent with the Emergency Services Act, the Governor recognizes the importance of an orderly return to the ordinary conduct of public meetings of state and local agencies and boards. To this end, the Governor's office will work to provide notice to affected stakeholders in advance of rescission of this provision to provide state and local agencies and boards time necessary to meet statutory and logistical requirements. Until a further order issues, all entities may continue to rely on N-29-20.

We appreciate your partnership throughout the pandemic.

Regards,

A handwritten signature in blue ink, appearing to read 'Ana Matosantos', written in a cursive style.

Ana Matosantos
Cabinet Secretary



NEWS RELEASE

Release
Number: 2021-58

June 4, 2021

Standards Board Readopts Revised Cal/OSHA COVID-19 Prevention Emergency Temporary Standards

The revised Cal/OSHA standards are expected to go into effect no later than June 15

Sacramento — The Occupational Safety and Health Standards Board on June 3 readopted Cal/OSHA's revised COVID-19 prevention emergency temporary standards.

Last year, the Board adopted health and safety standards to protect workers from COVID-19. The standards did not consider vaccinations and required testing, quarantining, masking and more to protect workers from COVID-19.

The changes adopted by the Board phase out physical distancing and make other adjustments to better align with the state's June 15 goal to retire the Blueprint. Without these changes, the original standards, would be in place until at least October 2. These restrictions are no longer required given today's record low case rates and the fact that we've administered 37 million vaccines.

The revised emergency standards are expected to go into effect no later than June 15 if approved by the Office of Administrative Law in the next 10 calendar days. Some provisions go into effect starting on July 31, 2021.

The [revised standards](#) are the first update to Cal/OSHA's temporary COVID-19 prevention requirements adopted in November 2020.

The Board may further refine the regulations in the coming weeks to take into account changes in circumstances, especially as related to the availability of vaccines and low case rates across the state.

The standards apply to most workers in California not covered by Cal/OSHA's Aerosol Transmissible Diseases [standard](#). Notable revisions include:

- **Face Coverings:**
 - Indoors, fully vaccinated workers without COVID-19 symptoms do not need to wear face coverings in a room where everyone else is fully vaccinated and not showing symptoms. However, where there is a mixture of vaccinated and unvaccinated persons in a room, all workers will continue to be required to wear a face covering.
 - Outdoors, fully vaccinated workers without symptoms do not need to wear face coverings. However, outdoor workers who are not fully vaccinated must continue to wear a face covering when they are less than six feet away from another person.
- **Physical Distancing:** When the revised standards take effect, employers can eliminate physical distancing and partitions/barriers for employees working indoors and at outdoor mega events if they provide respirators, such as N95s, to unvaccinated employees for voluntary use. After July 31, physical distancing

and barriers are no longer required (except during outbreaks), but employers must provide all unvaccinated employees with N95s for voluntary use.

- **Prevention Program:** Employers are still required to maintain a written COVID-19 Prevention Program but there are some key changes to requirements:
 - Employers must review the California Department of Public Health's [Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments](#).
 - COVID-19 prevention training must now include information on how the vaccine is effective at preventing COVID-19 and protecting against both transmission and serious illness or death.
- **Exclusion from the Workplace:** Fully vaccinated workers who do not have COVID-19 symptoms no longer need to be excluded from the workplace after a close contact.
- **Special Protections for Housing and Transportation:** Special COVID-19 prevention measures that apply to employer-provided housing and transportation no longer apply if all occupants are fully vaccinated.

The Standards Board will file the readoption rulemaking package with the Office of Administrative Law, which has 10 calendar days to review and approve the temporary workplace safety standards enforced by Cal/OSHA. Once approved and published, the full text of the revised emergency standards will appear in the Title 8 sections [3205](#) (COVID-19 Prevention), [3205.1](#) (Multiple COVID-19 Infections and COVID-19 Outbreaks), [3205.2](#) (Major COVID-19 Outbreaks), [3205.3](#) (COVID-19 Prevention in Employer-Provided Housing) and [3205.4](#) (COVID-19 Prevention in Employer-Provided Transportation) of the [California Code of Regulations](#). Pursuant to the state's [emergency rulemaking process](#), this is the first of two opportunities to readopt the temporary standards after the initial effective period.

The Standards Board also convened a representative subcommittee to work with Cal/OSHA on a proposal for further updates to the standard, as part of the emergency rulemaking process. It is anticipated this newest proposal, once developed, will be heard at an upcoming Board meeting. The subcommittee will provide regular updates at the Standards Board monthly meetings.

The [Occupational Safety and Health Standards Board](#), a seven-member body appointed by the Governor, is the standards-setting agency within the Cal/OSHA program. The Standards Board's objective is to adopt reasonable and enforceable standards at least as effective as federal standards. The Standards Board also has the responsibility to grant or deny applications for permanent variances from adopted standards and respond to petitions for new or revised standards.

The California Division of Occupational Safety and Health, or [Cal/OSHA](#), is the division within the Department of Industrial Relations that helps protect California's workers from health and safety hazards on the job in almost every workplace. [Cal/OSHA's Consultation Services Branch](#) provides free and voluntary assistance to employers to improve their health and safety programs. Employers should call (800) 963-9424 for assistance from Cal/OSHA Consultation Services.

Contact: Erika Monterroza / Frank Polizzi, Communications@dir.ca.gov, (510) 286-1161.

The [California Department of Industrial Relations](#), established in 1927, protects and improves the health, safety, and economic well-being of over 18 million wage earners, and helps their employers comply with state labor laws. DIR is housed within the [Labor & Workforce Development Agency](#)



Office of the City Manager

June 1, 2021

To: Agenda & Rules Committee

From: Dee Williams-Ridley, City Manager

Subject: Preliminary Analysis of Return to In-Person Meetings of City Legislative Bodies

Introduction

This memo responds to the request from the Agenda & Rules Committee on May 17, 2021 for information from the City Manager on the options and timing for a return to in-person meetings for City legislative bodies. The analysis below is a preliminary summary of the considerations and options for returning to in-person meetings.

With the onset of the COVID-19 pandemic, the shelter-in-place order, and the issuance of Executive Order N-29-20 (“Executive Order”) in the spring of 2020, the City quickly adjusted to a virtual meeting model. Now, almost 15 months later, with the Blueprint for a Safer Economy scheduled to sunset on June 15, 2021, the City is faced with a new set of conditions that will impact how public meetings may be held in Berkeley. While the June 15, 2021 date appears to be certain, there is still a great deal of uncertainty about the fate of the Executive Order. In addition, the City is still awaiting concrete, specific guidance from the State with regards to regulations that govern public meetings and public health recommendations that will be in place after June 15, 2021.

For background, Executive Order N-29-20 allows legislative bodies to meet in a virtual setting and suspends the following Brown Act requirements:

- Printing the location of members of the legislative body on the agenda;
- Posting the agenda at the location of members of the legislative body that are remote; and
- Making publicly available remote locations from which members of the legislative body participate.

Meeting Options

There are three groups of City Legislative bodies that are considered in this memo

- City Council;
- City Council Policy Committees; and
- Boards and Commissions.

The three meeting models available are:

- In-person only;
- Virtual only; or
- Hybrid (in-person and virtual).

The scenarios below show the options available for each given set of facts.

| Summary Recommendations of Meeting Options | Physical Distancing | | | No Physical Distancing | | |
|--|---------------------|--------|----------|------------------------|--------|----------|
| | In-Person | Hybrid | Virtual* | In-Person | Hybrid | Virtual* |
| | City Council | X | X | X | X | X |
| Policy Committees | | | X | X | | X |
| Board and Commissions | | | X | X | | X |

* The ability to hold virtual-only meetings is dependent on the status of Executive Order N-29-20

Currently, the Centers for Disease Control recommends physical distancing for unvaccinated persons. While the City and the community have made tremendous progress with regards to vaccination, the City would use the guidelines for unvaccinated persons when making determinations regarding public meetings.

Meeting Type Considerations

Our previous experience pre-pandemic and our experience over the past 15 months demonstrates that the City can conduct all in-person and all virtual meetings. However, the possibility of hybrid meetings presents new questions to consider. The primary concern for a return to in-person meetings using a hybrid model is the impact on the public experience and the legislative process.

Will the legislative body be able to provide a transparent, coherent, stable, informative, and meaningful experience for the both the public in attendance and virtually?

Will the legislative body be able to conduct the legislative process in an efficient, coherent, and meaningful manner with the members split between in-person and virtual, and considering the additional delays and logistical challenges of allowing for public participation in a hybrid model?

For the City Council, testing has shown that the larger space and technology infrastructure at the Boardroom will allow the Council to conduct all three types of meetings (in-person, hybrid, virtual).

For Policy Committees and Commissions, only the “all virtual” or “all in-person” meetings are recommended. Preliminary testing has shown that the audio/visual limitations of the meeting rooms available for these bodies would result in inefficient and cumbersome management of the proceedings in a hybrid model. In addition, there are considerations to analyze regarding the available bandwidth in city facilities and all members having access to adequate devices. Continuing the all virtual model for as long as possible, then switching to an all in-person model when conditions permit provides the best access, participation, and legislative experience for the public and the legislative body.

Other Considerations

Some additional factors to consider in the evaluation of returning to in-person or hybrid meetings are:

- How to address vaccination status for in-person attendees.
- Will symptom checks and/or temperature checks at entry points be required?
- Who is responsible for providing PPE for attendees?
- How are protocols for in-person attendees to be enforced?
- Physical distancing measures for the Mayor and City Councilmembers on the dais.
- Installation of physical barriers and other temporary measures.
- Will the podium and microphone need to be sanitized after every speaker?
- High number of touch points in meeting rooms.
- Will chairs for the public and staff need to be sanitized if there is turnover during the meeting?
- Determining the appropriate capacity for meeting locations.
- The condition and capacity of meeting room ventilation system and air cycling abilities.
- How to receive and share Supplemental Items, Revisions, Urgent Items, and submissions by the public both in-person and virtually.
- Budget including costs for equipment, physical improvements, A/V, PPE, and sanitization.

Conclusion

As stated above, conditions are changing daily, and there is a high degree of uncertainty surrounding the future guidance, regulations, and actions at the state level. Planning, testing and analysis are already underway to prepare for an eventual return to in-person meetings. Staff will continue to monitor the evolving legislative and public health circumstances and advise the committee at future meetings.

Attachment:

1. Executive Order N-29-20

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-29-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, a least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

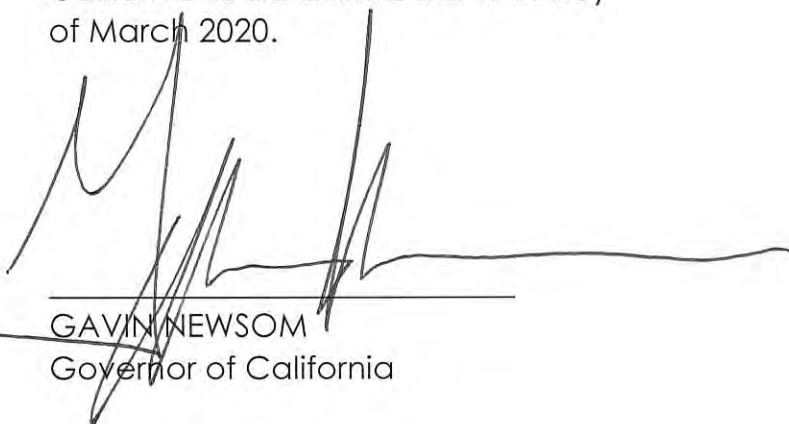
All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State