



BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING

MONDAY, FEBRUARY 26, 2024

2:30 P.M.

2180 Milvia Street, 6th Floor, Berkeley, CA 94704 – Redwood Room

1404 Le Roy Ave, Berkeley, CA 94708 – Teleconference Location

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf

Alternate: Councilmember Terry Taplin

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

Remote participation by the public is available through Zoom. To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device: Use URL - <https://cityofberkeley-info.zoomgov.com/j/1610853132> To request to speak, use the “raise hand” icon on the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and Enter **Meeting ID: 161 085 3132**. If you wish to comment during the public comment portion of the agenda, press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.

To submit a written communication for the Committee’s consideration and inclusion in the public record, email policycommittee@berkeleyca.gov.

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.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

AGENDA

Roll Call

Public Comment

Review of Agendas

1. **Approval of Minutes: February 13, 2024**
2. **Review and Approve Draft Agenda:**
 - a. 3/12/24 – 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

- 8a. **Discussion and Possible Action on City Council Rules of Decorum, Procedural Rules, and Remote Public Comments**
- 8b. **Council Referral - Proposed Changes to Public Comment**
From: Open Government Commission
Referred: February 13, 2024
Deadline: October 9, 2024
Recommendation: City Council to review and implement suggested changes to the way public comment is given at City Council Meetings.
Financial Implications: None
Contact: Sam Harvey, Commission Secretary, (510) 981-6950

Referred Items for Review

9. **Amend Berkeley Municipal Code Chapter 3.78 To Expand Eligibility Requirements for Representatives of The Poor to Serve on The Human Welfare and Community Action Commission**
From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)
Referred: November 13, 2023
Deadline: July 25, 2024
Recommendation: Amend Berkeley Municipal Code Chapter 3.78 to expand eligibility requirements for Representatives of the Poor to serve on the Human Welfare and Community Action Commission, or any successor commission, to consider the current geographic formation of poverty in Berkeley.
Financial Implications: None
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
10. **City Council Legislative Systems Redesign**

Unscheduled Items

11. **Modifications or Improvements to City Council Meeting Procedures (referred by Council at the March 14, 2023 meeting)**
12. **Strengthening and Supporting City Commissions: Guidance on the Development of Legislative Proposals**
13. **Discussion and Recommendations on the Continued Use of the Berkeley Considers Online Engagement Portal**

Items for Future Agendas

- **Requests by Committee Members to add items to the next agenda**

Adjournment – Next Meeting Monday, March 4, 2024

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### **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 public participation may be addressed to the City Clerk Department (510) 981-6900.

**COMMUNICATION ACCESS INFORMATION:**  
 This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date. Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

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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 Thursday, February 22, 2024.



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@berkeleyca.gov.

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

TUESDAY, FEBRUARY 13, 2024

2:30 P.M.

2180 Milvia Street, 6th Floor, Berkeley, CA 94704 – Redwood Room

1404 Le Roy Ave, Berkeley, CA 94708 – Teleconference Location

Committee Members:

Mayor Jesse Arreguin, Councilmembers Sophie Hahn and Susan Wengraf

Alternate: Councilmember Terry Taplin

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Roll Call: 2:31 p.m. All present.

Public Comment – 4 speakers

Review of Agendas

1. **Approval of Minutes: January 29, 2024**
Action: M/S/C (Arreguin/Hahn) to approve the minutes of 1/29/24.
Vote: All Ayes.
2. **Review and Approve Draft Agenda:**
 - a. 2/27/24 – Regular City Council Meeting
Action: M/S/C (Hahn/Wengraf) to approve the agenda of 2/27/24 with the changes noted below.
 - *Item 13 Public Comment Changes (Commission) – referred to the Agenda & Rules Committee*
 - *Item 16 Vehicle Charging Fees (City Manager) – removed from the agenda by the City Manager*
 - *Item 17 State of Public Health Report (City Manager) – presentation moved to Ceremonial Calendar; report moved to Information Calendar*
 - *Item 18 BESO Ordinance (City Manager) – referred to Land Use, Housing & Economic Development Committee*
 - *Item 19 Future Health Access (Arreguin) – Vice-Mayor Wengraf added as a co-sponsor; dollar amount corrected in the report; moved to Consent Calendar*
 - *Item 20 Eminent Domain (Bartlett) – revised item submitted; moved to Consent Calendar***Vote:** All Ayes.
3. **Selection of Item for the Berkeley Considers Online Engagement Portal**
- None Selected
4. **Adjournments In Memory** – None

Scheduling

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

Referred Items for Review

8. **Discussion and Possible Action on City Council Rules of Decorum, Procedural Rules, and Remote Public Comments**

Action: 3 speakers. No discussion or action. Continued to next meeting.

9. **Amend Berkeley Municipal Code Chapter 3.78 To Expand Eligibility Requirements for Representatives of The Poor to Serve on The Human Welfare and Community Action Commission**
From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)

Referred: November 13, 2023

Deadline: July 25, 2024

Recommendation: Amend Berkeley Municipal Code Chapter 3.78 to expand eligibility requirements for Representatives of the Poor to serve on the Human Welfare and Community Action Commission, or any successor commission, to consider the current geographic formation of poverty in Berkeley.

Financial Implications: None

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

Action: 5 speakers. Requested an analysis from the City Attorney regarding the legal applicability of the proposal in the context of the block grant regulations.

10. **City Council Legislative Systems Redesign**

Action: 3 speakers. No discussion or action. Continued to the next meeting.

Unscheduled Items

11. **Modifications or Improvements to City Council Meeting Procedures (referred by Council at the March 14, 2023 meeting)**
12. **Strengthening and Supporting City Commissions: Guidance on the Development of Legislative Proposals**
13. **Discussion and Recommendations on the Continued Use of the Berkeley Considers Online Engagement Portal**

Items for Future Agendas

- None

Adjournment

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

Vote: All Ayes.

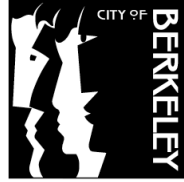
Adjourned at 3:42 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on February 13, 2024.

Mark Numainville, City Clerk

Communications

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DRAFT AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, March 12, 2024
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
 TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

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 – VACANT
 DISTRICT 8 – MARK HUMBERT

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

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <<INSERT ZOOM for GOV URL HERE>>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (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 meeting will be recorded.*

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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. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.

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Preliminary Matters

Roll Call:

Land Acknowledgement Statement: *The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*

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. Persons attending the meeting in-person and wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

Public Comment by Employee Unions (first regular meeting of the month): *This period of public comment is reserved for officially designated representatives of City of Berkeley employee unions, with five minutes allocated per union if representatives of three or fewer unions wish to speak and up to three minutes per union if representatives of four or more unions wish to speak.*

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 or Information 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. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on March 12, 2024

From: City Manager

Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

Financial Implications: Various Funds - \$3,676,000

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

2. Grant Application: California Affordable Housing and Sustainable Communities Infrastructure in connection with the proposed North Berkeley BART (NBB) BRIDGE Phase 1 Project.

From: City Manager

Recommendation: Adopt a Resolution:

1. Authorizing the City Manager to negotiate, enter into, and cause the City to perform its obligation under an agreement (including amendments) with BRIDGE Housing Corporation and/or their affiliates relating to grant applications to the California Affordable Housing and Sustainable Communities (AHSC) program for project-related transportation and infrastructure improvements for the North Berkeley BART (NBB) BRIDGE Phase 1 affordable housing project at the North Berkeley BART Station Area, for a total AHSC award amount of up to \$50 million.

2. Authorizing the City Manager to accept up to \$5 million in state AHSC funds and complete selected transportation improvements if awarded.

Financial Implications: See report

Contact: Amy Davidson, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

- 3. Application for Prohousing Incentive Program Funds**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to apply for and accept funds from the State of California's Prohousing Incentive Program, in an amount not to exceed \$1,250,000.
Financial Implications: See report
Contact: Amy Davidson, Health, Housing, and Community Services, (510) 981-5400
- 4. Amendment to Contract No. 8392 with Innovative Claim Solutions (ICS) for Workers' Compensation Claims Administration**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 8392 with Innovative Claims Solutions (ICS) for third-party administration of workers' compensation claims through June 30, 2025 for a total contract amount not to exceed \$9,202,243.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
- 5. Contract Amendment: WBCP, Inc. Recruitment Agency**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32400083 with WBCP, Inc. for recruitment services to cover the period of October 2, 2023 through June 30, 2026, for a total cost not to exceed \$350,000.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
- 6. Salary Adjustments: Electrical Supervisor and Communications Supervisor**
From: City Manager
Recommendation: Adopt a Resolution adjusting the salary range for Electrical Supervisor and Communications Supervisor to consist of three steps ranging from \$62.8856 per hour to \$66.6047 per hour, effective March 12, 2024.
Financial Implications: See report.
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

Consent Calendar

- 7. Align Training and Certification Differentials for Deputy Police Chief and Police Chief with Differentials for Berkeley Police Association Members**
From: City Manager
Recommendation: Adopt a Resolution aligning the training and certification differentials for Deputy Police Chief and Police Chief – specifically, for Crisis Intervention Training, the KIND Policing Differential, and POST certificates – with those of Berkeley Police Association members; specify that for Deputy Police Chief and Police Chief the POST certificates must be at the Management level; provide retiree medical benefits that BPA members and the Police Chief receive to the Deputy Police Chief as well.
Financial Implications: See report.
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
- 8. Grant Application: Firehouse Subs Foundation for Polaris all-terrain vehicle (ATV) for Berkeley Echo Lake Camp**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a Firehouse Subgrant application in the amount up to \$50,000; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.
Financial Implications: Grant - \$50,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 9. Lease Agreement: Dorothy Day House d.b.a Dorothy's Closet at 2425a Channing Avenue in the Telegraph-Channing Mall and Garage**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement with Dorothy Day House, a 501c3 nonprofit organization doing business as Dorothy's Closet to use and occupy 2425a Channing Avenue inside the Telegraph-Channing Mall and Garage for a five (5) year lease term with an option to extend for one additional five (5) year term. The initial lease term is anticipated to begin retroactively on May 1, 2023.
Financial Implications: See report
Contact: Andrew Murray, Public Works, (510) 981-6300
- 10. Referral to Develop Curb Management Plan**
From: Environment and Climate Commission
Recommendation: Refer to the City Manager to fund and develop a Curb Management Plan.
Financial Implications: See report
Contact: Sarah Moore, Commission Secretary, (510) 981-7400

Consent Calendar

- 11. Filling Vacancies Among the Elected Representatives of the Poor**
From: Human Welfare and Community Action Commission
Recommendation: Adopt a Resolution confirming the appointments of Catherine Huchting (District 3); and, Maria Sol (District 1) as elected representatives of the poor on the Human Welfare and Community Action Commission (HWCAC), having been voted at the HWCAC January 8, 2024 meeting, and that their terms expire November 28, 2024.
Financial Implications: See report
Contact: Mary-Claire Katz, Commission Secretary, (510) 981-5400

Council Consent Items

- 12. Budget Referral: Publicly Accessible Permanent Bathroom at James Kenney Park**
From: Councilmember Kesarwani (Author)
Recommendation: Refer \$160,000 to the June FY 2024-25 budget process to renovate an existing bathroom at the James Kenney Community Center to make it ADA compliant and permanently accessible to members of the general public who visit the park.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
- 13. Opposition to AT&T Applications: Relief of “Carrier of Last Resort” and Eligible Telecommunications Carrier Designation**
From: Councilmember Wengraf (Author)
Recommendation: Adopt a Resolution and send a letter to the CPUC expressing strong opposition to AT&T’s proposal to discontinue being the default landline phone provider, and its proposal to relinquish its eligible telecommunications carrier (ETC) designation. Urge the CPUC to reject AT&T’s application to end traditional landline service in all areas until reliable broadband cellular coverage is available.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

Action Calendar

The public may comment on each item listed on the agenda for action. 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 during one of the Action Calendar public comment periods on the item. Public comment will occur for each Action item (excluding public hearings, appeals, and/or quasi-judicial matters) in one of two comment periods, either 1) before the Action Calendar is discussed; or 2) when the item is taken up by the Council.

A member of the public may only speak at one of the two public comment periods for any single Action item.

The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, 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 – Scheduled Public Comment Period

During this public comment period, the Presiding Officer will open and close a comment period for each Action item on this agenda (excluding any public hearings, appeals, and/or quasi-judicial matters). The public may speak on each item. Those who speak on an item during this comment period may not speak a second time when the item is taken up by Council.

Action Calendar – Policy Committee Track Items

- 14. Relationship Nondiscrimination Ordinance**
From: Councilmember Taplin (Author)
Recommendation: Adopt first reading of an Ordinance amending the Berkeley Municipal Code to include non-discrimination protections based on family and relationship structure.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
- 15. Vision 2050 Community Engagement Expansion**
From: Councilmember Taplin (Author)
Recommendation: Authorize the City Manager to expand the scope of the Vision 2050 Complete Streets Parcel Tax Community Engagement and Program Plan in the FY 2024 Budget to consider additional revenue sources: (1) potential ballot referenda for an increase to Berkeley’s Parks Tax and/or (2) renewing the Measure P Real Property Transfer Tax beyond 2028.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
- 16. Creating SHARE BERKELEY - A Berkeley Public Library Share Hub for Access, Resilience, and Equity**
From: Councilmember Hahn (Author)
Recommendation: 1. Request that the Library Director work with Library Staff to develop a visionary plan to expand the Berkeley Public Library’s Tool Lending Library into a comprehensive, full-service SHARE hub for the City of Berkeley, providing a one-stop center for community members to:
a. Borrow from an expanded portfolio of Library-based tools, supplies, equipment and other durable/reusable items;
b. Access comprehensive, up-to-date information and referrals about community-based opportunities for borrowing, renting, or obtaining free tools, supplies, equipment, bikes/vehicles, locations, and similar resources; and
c. Receive need-based financial assistance to support access to community-based share/rental resources. 2. Consider categories of items that might be appropriate for an expanded Berkeley Public Library (BPL) in-house Lending Library, and which

Action Calendar – Policy Committee Track Items

categories would be best accessed through other community share/rental resources such as REI, AAA, bike and party rental services, and other organizations serving Berkeley. 3. Consider expanding BPL’s in-house Lending Library beyond the current portfolio of carpentry, gardening, kitchen, and other traditional tools to potentially include categories such as toys and games; event furniture and supplies; sports and recreation-related equipment; irons, floor polishing machines, and other household tools; and other durable items typically used on a limited basis by members of the community. 4. Create a plan to establish, maintain, and administer a comprehensive, one-stop reference/resource service for all share/rental/free opportunities available to Berkeley residents, including but not limited to ensuring access to a searchable database of resources and offering assistance and advice to individuals seeking information on share/rental/free opportunities. Consider a partnership with existing platforms and applications such as the Buy Nothing Project to foster connections between neighbors and support the goals of the circular economy. 5. For items to be shared/rented through outside lending or rental services, explore possibilities for SHARE BERKELEY to offer and/or administer City-based or other vouchers/subsidies for low-income residents to access borrowed/rented items from non-Library vendors at reduced or no cost. 6. Consider and propose storage, maintenance, repair, customer service, and other operational and space needs for an expanded in-house Lending Library and to house and administer the Share Hub resource center. 7. Consider start-up and ongoing costs for the expanded in-house Lending Collection and to establish and administer the Share Hub resource center, including but not limited to costs for equipment, materials, software/technology, staffing, and facilities. 8. In the course of researching categories of items to potentially add to the Library’s in-house Lending Collections and in considering other elements of the Share Hub concept, conduct robust outreach to individuals and groups of diverse backgrounds, ages, and abilities to ensure services, offerings, and facilities equitably represent and serve all members of the community.

Financial Implications: See report

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

Information Reports

17. **Staff Shortages: City Services Constrained by Staff Retention Challenges and Delayed Hiring Audit Status Report**

From: City Manager

Contact: Anne Cardwell, City Manager's Office, (510) 981-7000

Public Comment – Items Not Listed on the Agenda

Adjournment

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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.

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Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <https://berkeleyca.gov/>.

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

City Clerk Department - 2180 Milvia Street, First Floor
Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901
Email: clerk@berkeleyca.gov

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

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

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Environment and Climate Commission

CONSENT CALENDAR

March 12, 2024

To: Honorable Mayor and Members of the City Council

From: Environment and Climate Commission (ECC)

Submitted by: Cecilia Lunaparra, Chair, ECC

Subject: Referral to Develop Curb Management Plan

RECOMMENDATION

Refer to the City Manager to fund and develop a Curb Management Plan.

FISCAL IMPACTS OF RECOMMENDATION

Development of a curb management plan will require substantial staff time and likely additional consultant support (tentatively estimated at \$100,000-\$250,000).

Implementation of the plan and ongoing upkeep may have additional costs and staff time required. Refer to the City Manager for budgetary projecting; a long-term funding plan is necessary.

CURRENT SITUATION AND ITS EFFECTS

Transportation has stubbornly remained Berkeley's largest source of greenhouse gas (GHG) emissions, contributing over 60% of the city's total emissions. The City of Berkeley has adopted goals of being a Fossil Fuel Free city and becoming a net carbon sink by 2030, achieving carbon neutrality by 2045, and achieving an 80% reduction in GHG emissions by 2050. However, GHG emissions from transportation are currently expected to increase, and have not meaningfully declined as a proportion of total city emissions since 2008.

Berkeley's Strategic Plan sets the goal of being a global leader in addressing climate change, advancing environmental justice, and protecting the environment. Addressing climate change as it applies to transportation, and in particular driving emissions, will require the city to engage in a multipronged strategy, including:

- increasing and improving bus service
- improving the ability to bike safely throughout the city
- developing complete streets improvements
- reducing excess parking spaces where appropriate to encourage alternative transportation

The City has developed several individual plans to accomplish these goals, including the 2017 Berkeley Bicycle Plan, the 2020 Pedestrian Plan, the Berkeley Strategic Transportation (BeST) Plan, the 50/50 Sidewalk Program and the Long-Term Paving Plan, the ADA Transition Plan, the Gilman Street Interchange Project, the Streetlight Comprehensive Plan, and Southside Complete Streets. One key aspect that has received less focus in these plans is curb management.

Curb management plays an important role in ensuring that roads are able to be effectively and safely used by all road users. Presently, based on data from the Mineta Transportation Institute at San Jose State University, Berkeley has an estimated 72,193 on-street parking spaces, with another 71,773 off-street parking spaces (a total of 143,966 spaces), or 21.3 spaces per acre. The Bay Area median Census block group-level parking density was 19.7 spaces per acre, while Berkeley's median Census block group-level parking density is 23.5 spaces per acre.

At the same time, Berkeley households had roughly 57,500 registered vehicles, or about 2.5 parking spaces per automobile.

Parking abundance and underpricing encourages automobile usage, driving up greenhouse gas emissions. At the same time, in many parts of Berkeley, there is frequently insufficient parking available due to low parking turnover (extended parking duration), often resulting in double-parking that endangers cyclists and other drivers, and can delay transit riders or impair emergency vehicle access. Many areas of Berkeley need a review and adjustment of the allocations of different curbside uses to better align this public resource with City goals and the needs of existing businesses and residents.

Other cities, such as San Francisco and New York, have begun to prioritize the creation of more loading zones to reduce parking spots that accommodate driving trips into the city, while improving the efficiency of within-city short-term trips such as meal pick-up. Understanding how curb use is apportioned in Berkeley, especially in heavily trafficked areas, will help the City understand how to shift curb usage away from car storage and towards more dynamic use. A curb management program could function as a Strategic Plan Priority Project advancing the City of Berkeley's goal to be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

A presentation and reference map have been created by the Environment and Climate Commission's ad-hoc Transportation Subcommittee, quantifying the total number of loading zones on more than 30 streets within Berkeley, including all commercially-zoned corridors. A member of the subcommittee counted the total number of loading zones on each street using Google Satellite Imagery, Google Street view, and in some cases physically walking along streets to confirm loading zone presence. Based on this methodology, there are roughly 330-360 loading zones (yellow curbs) and 220-240 <1



hour parking spots (mostly green curbs). There are additionally 82 disabled parking spots on the studied streets. Most of these loading zones (59%) are on a street that contains a bike lane. However, few of these loading zones are directly in front of large apartment buildings or restaurants with high traffic; on the whole, the existing loading zones are sub-optimally located. The highest density of loading zones in the studied streets occurs on Telegraph Avenue over five blocks in the Southside neighborhood, where roughly 50% of storefronts have direct curb access to a loading zone.

### BACKGROUND

On June 12, 2018, Berkeley City Council unanimously declared a Climate Emergency, calling “to end citywide greenhouse gas emissions as quickly as possible.” Berkeley also set a goal of being a Fossil Fuel Free city, achieving carbon neutrality by 2045.

Transportation is the single largest source of greenhouse gas emissions in Berkeley, contributing around 60% of the city’s total emissions. Unfortunately, this share – and the total level of emissions – is currently expected to grow.

The proposed policy would request that the Transportation Division develop a curb management program to improve the City’s understanding of curb usage and help shift city curb infrastructure away from private car parking and towards more dynamic usage.

The ECC encourages Transportation Division staff and the Transportation Commission to consider:

- 1) Inventory the City’s existing curb allocations.
- 2) Ensure adequate loading zones (yellow curbs) and <1 hour parking zones (green curbs) in all appropriate areas of the city.
- 3) Ensure adequate disabled parking (blue curbs) and review the City’s existing process for blue curb requests in coordination with and under the guidance of the Disability Commission.
- 4) Ensure daylighting of all intersections (red curbs) in accordance with AB 413 to improve visibility of road users and reduce traffic crashes.
- 5) Support emergency vehicle access and emergency evacuations in the Very High Fire Hazard Severity Zone.
- 6) Additional parking meters, bicycle parking, or other curb management and use practices that may be appropriate to align curb uses with City goals and priorities.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Reducing on street parking to favor loading zones will shift travel away from automobiles, reducing greenhouse gas emissions and improving environmental sustainability.

RATIONALE FOR RECOMMENDATION

An initial review of loading zone availability done by the ECC ad-hoc subcommittee, and City staff expressed interest in the development of a curb management plan.

ALTERNATIVE ACTIONS CONSIDERED

The ECC considered taking no action and waiting for the staffing crisis in the Transportation Division to be addressed before making this referral. However, Transportation Staff conveyed interest in the topic of curb management, prompting the ECC to forward this recommendation.

CITY MANAGER

The City Manager takes no position on the content and recommendations of the Commission's Report and recommends that it be referred to the budget process.

CONTACT PERSON

Sarah Moore, Commission Secretary, Environment and Climate Commission, (510) 981-7494

Attachments:

- 1: Parking and Loading Zone Pilot Presentation
- 2: Loading Zone Interactive Map

# Parking and loading zone pilot analysis

ECC Transportation and Public Space subcommittee  
Prepared by Commissioner Brianna McGuire, D3



## Agenda

- Background, context, and methodology
- General maps
- Housing mini-analysis
- Telegraph restaurant mini-analysis
- Next steps

<https://docs.google.com/presentation/d/1xVruoBWclIIB-fLBYYD7hXJ0sDi6QJO3YNYcla1Zsh0/e/dit?pli=1#slide=id.p>

# Background, context, and methodology

## Background - why do this?

- To make recommendations for the locations of new loading zones
- To start building the infrastructure needed for a cargo-bike powered delivery structure in the city
- To identify win-win opportunities to reduce demand for private personal automobile trips while simultaneously improving traffic congestion and safety

Berkeley has a lower-to-similar ratio of loading zones to metered parking compared to San Francisco and New York

| City          | Total parking | Metered parking | Total loading zones | Total planned by 2024 | Ratio metered: loading | Total green zones |
|---------------|---------------|-----------------|---------------------|-----------------------|------------------------|-------------------|
| Berkeley      | >15,000       | 3,800*          | 330-360             | ?                     | 0.086                  | 220-240           |
| San Francisco | 442,000       | 27,550          | 9,324 (717)         | ?                     | 0.338 (0.026)          | 625               |
| New York      | 5,375,612     | 81,875          | 7,902               | 9,402 (+500/yr)       | 0.097                  | ?                 |

\*Metered parking includes city-owned garage space. This is not the case for the other cities.

“The Bay Area has 2.6x more parking than it needs.”

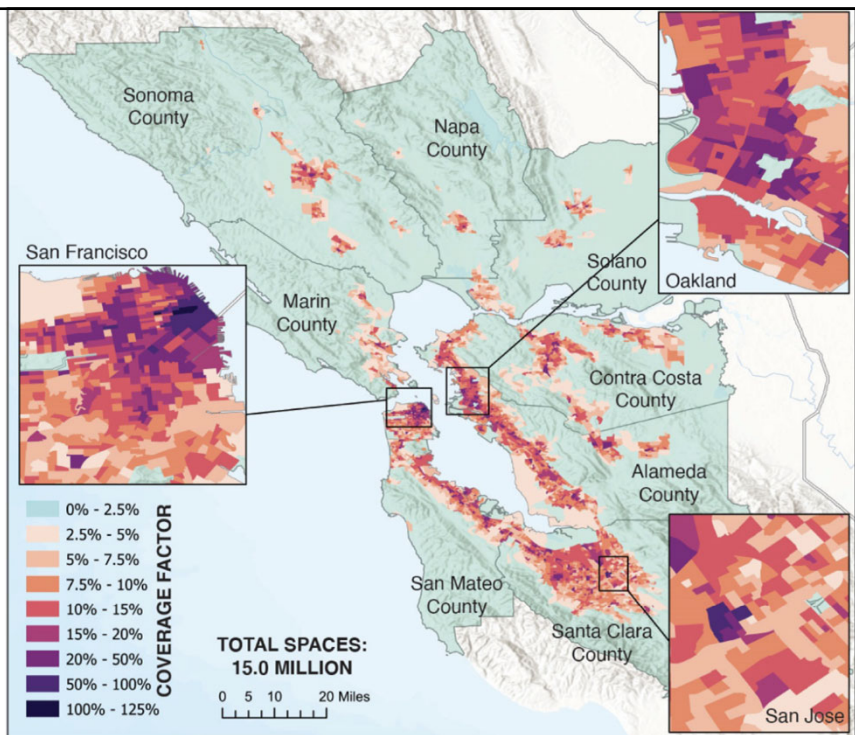
Project 2022 | February 2022

SJSU SAN JOSE STATE UNIVERSITY

MTI MOUNTAIN TOP INSTITUTE

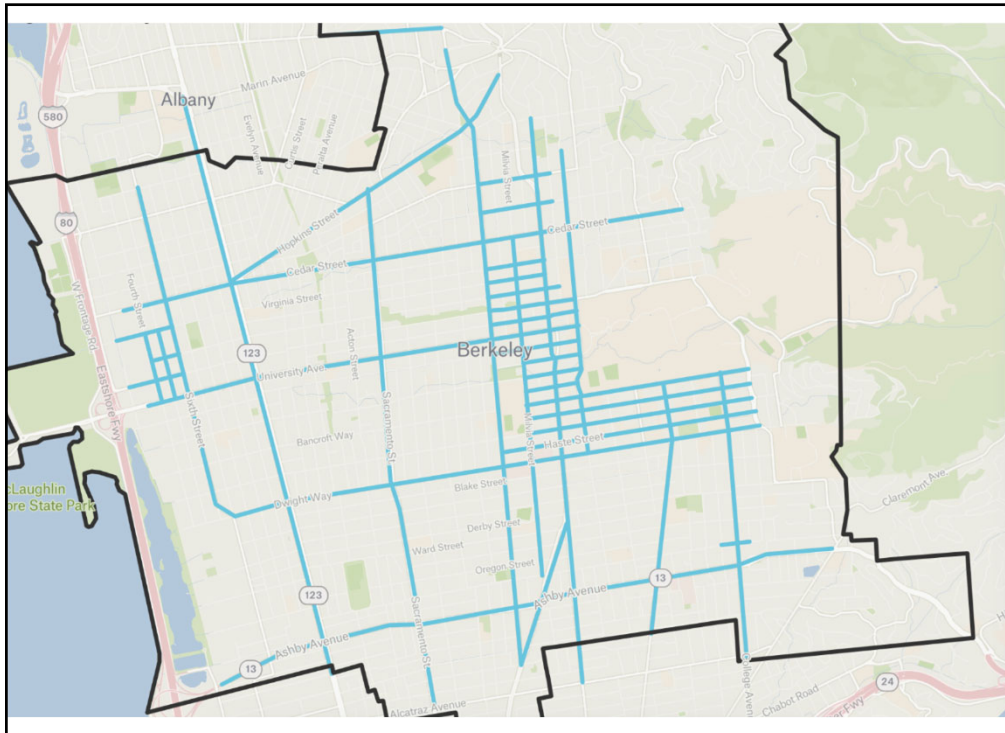
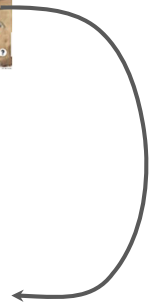
Inventorizing San Francisco Bay Area Parking Spaces: Technical Report Describing Objectives, Methods, and Results

Mikhail Chester, PhD  
Alysha Helmrich, PhD  
Rui Li



<https://docs.google.com/presentation/d/1xVruoBWcIIIB-fLBYYD7hXJ0sDi6QJO3YNYcla1Zsh0/e/dit?pli=1#slide=id.p>

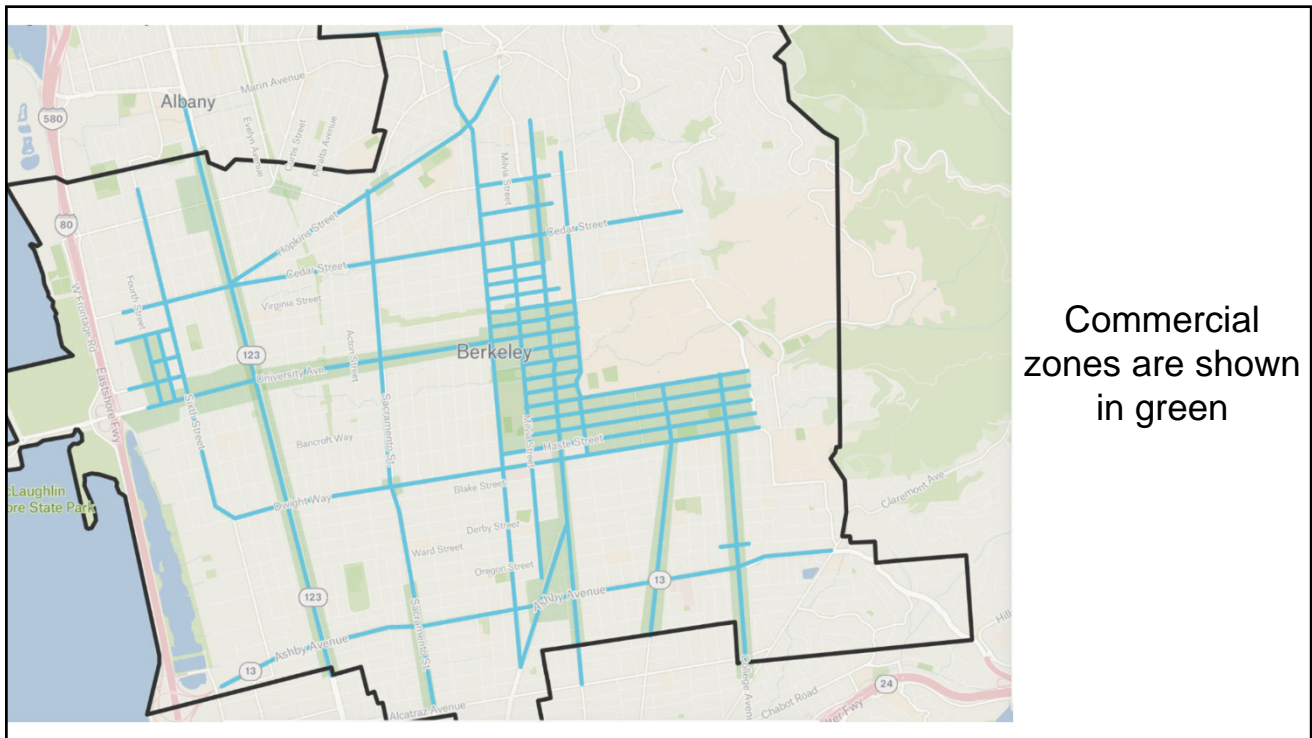
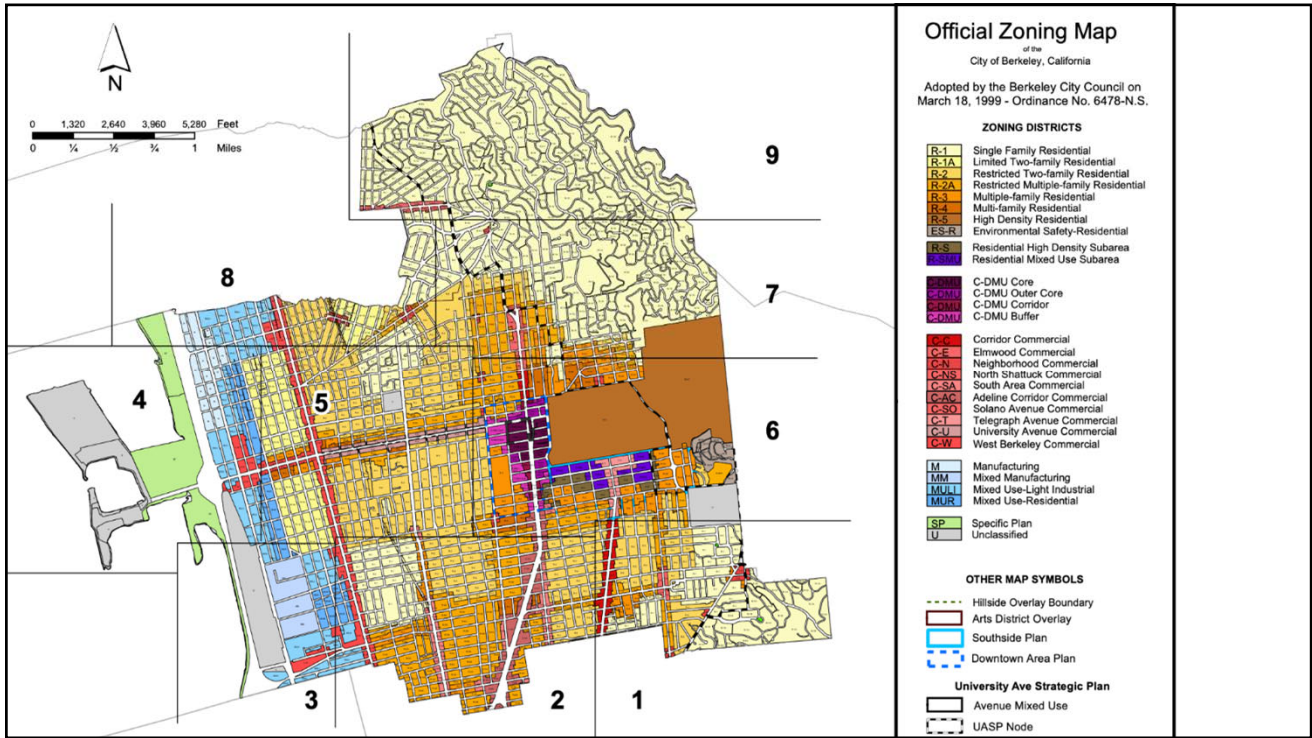
# Methodology



Streets of interest are shown in blue

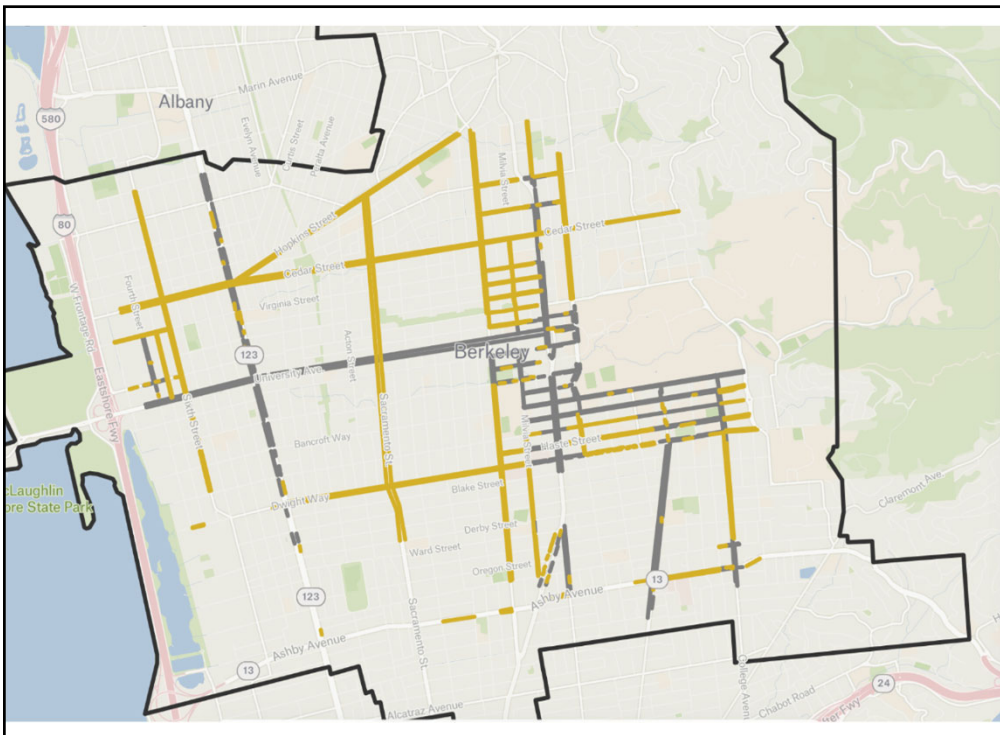
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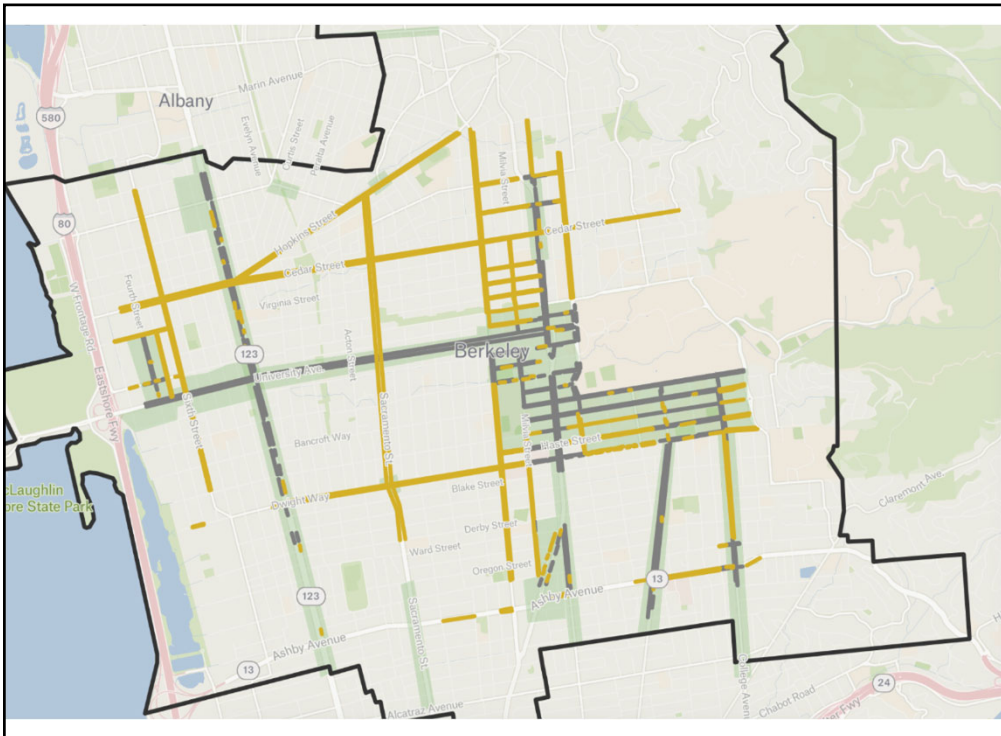
# General maps



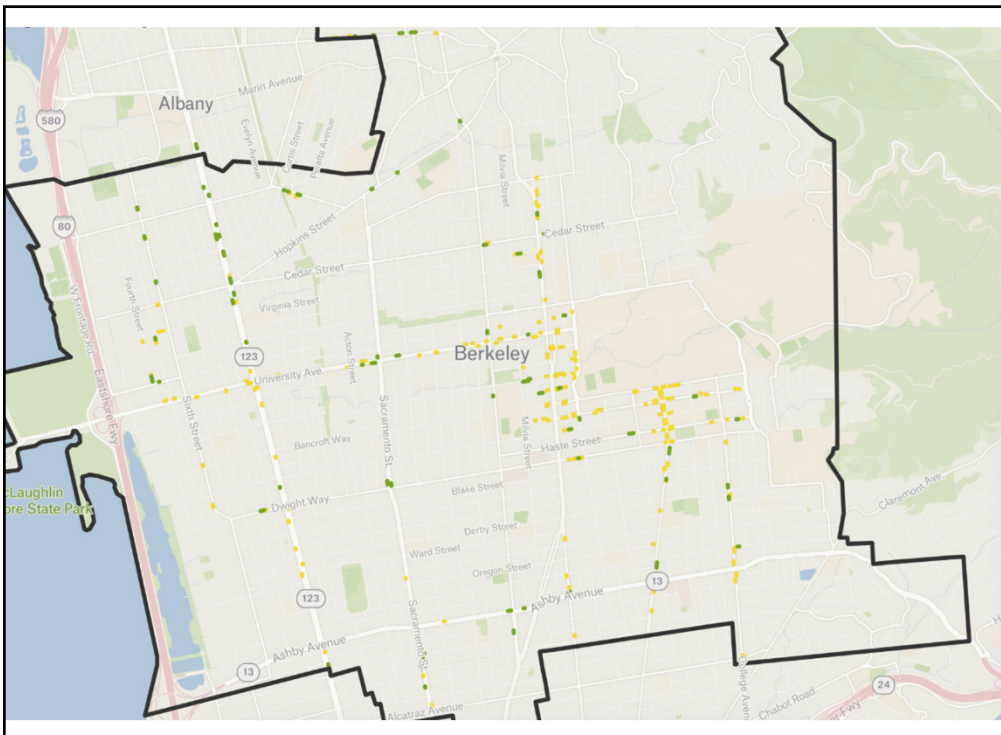
Yellow (lighter) = free  
Gray (darker) = metered

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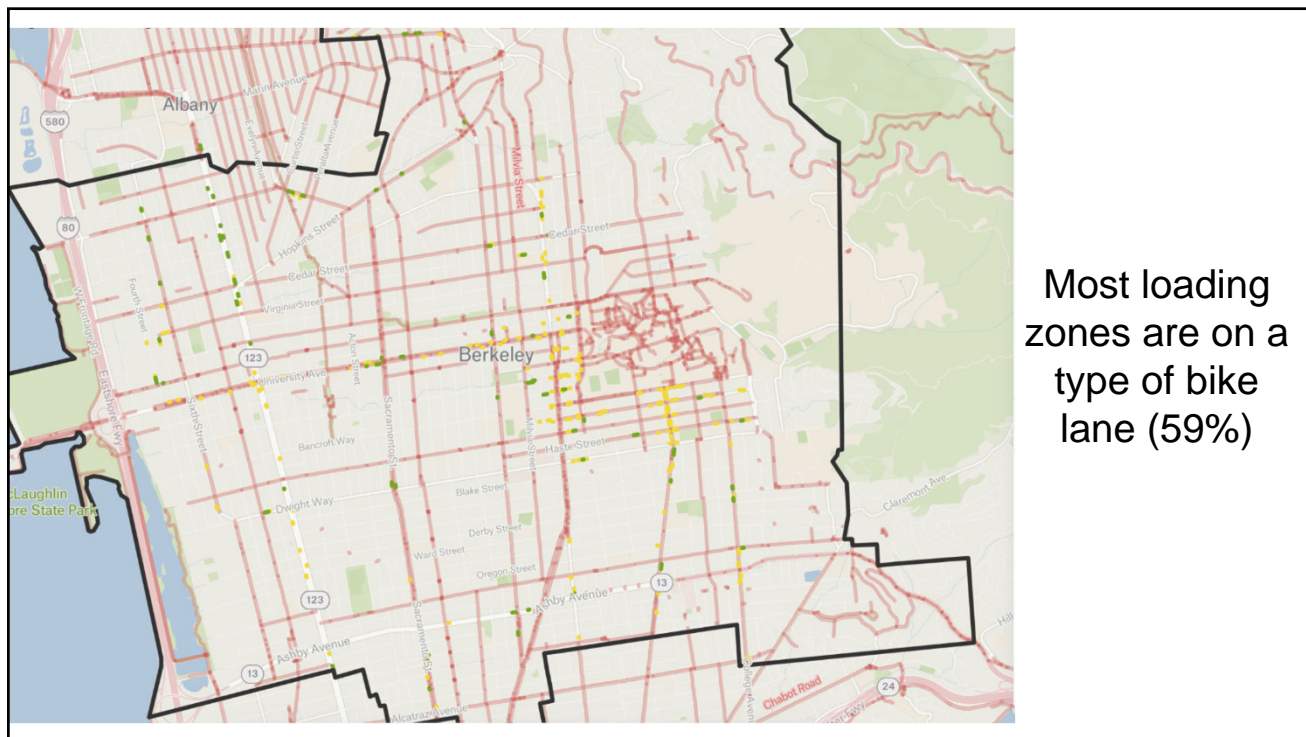
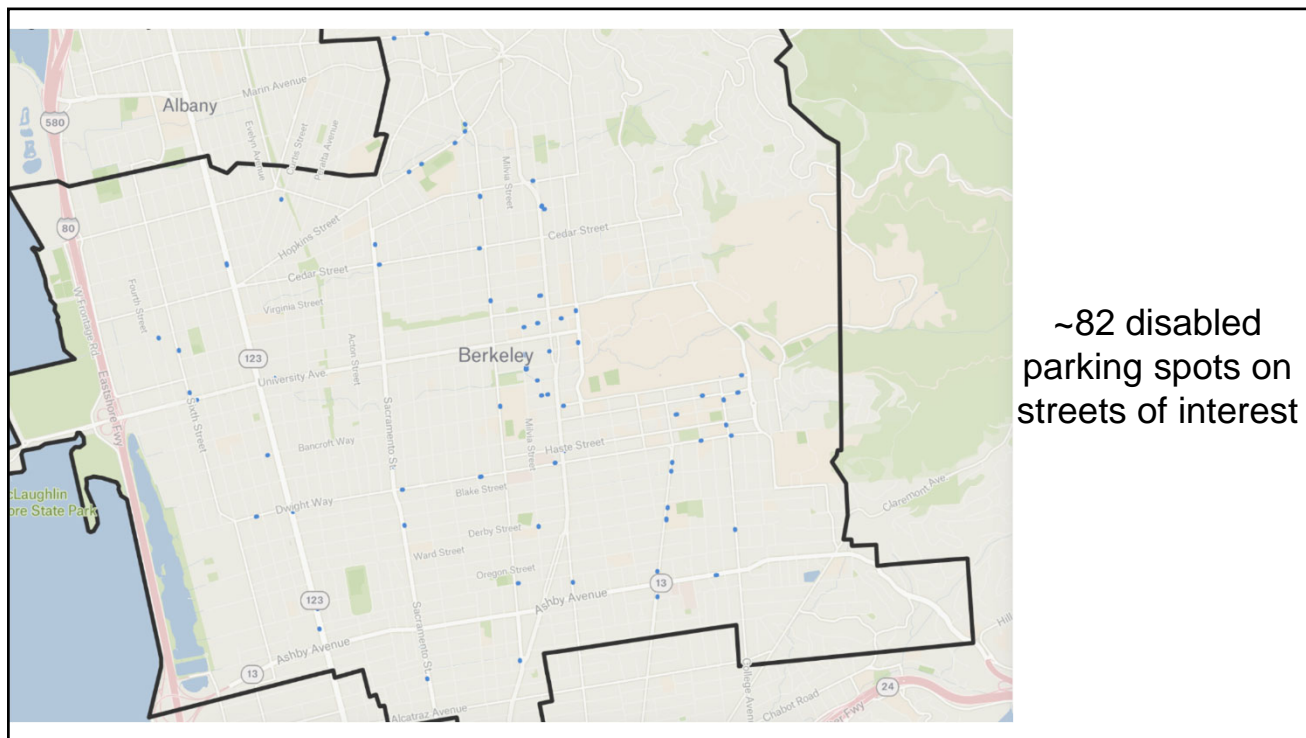


Areas of interest (in green) are mostly metered



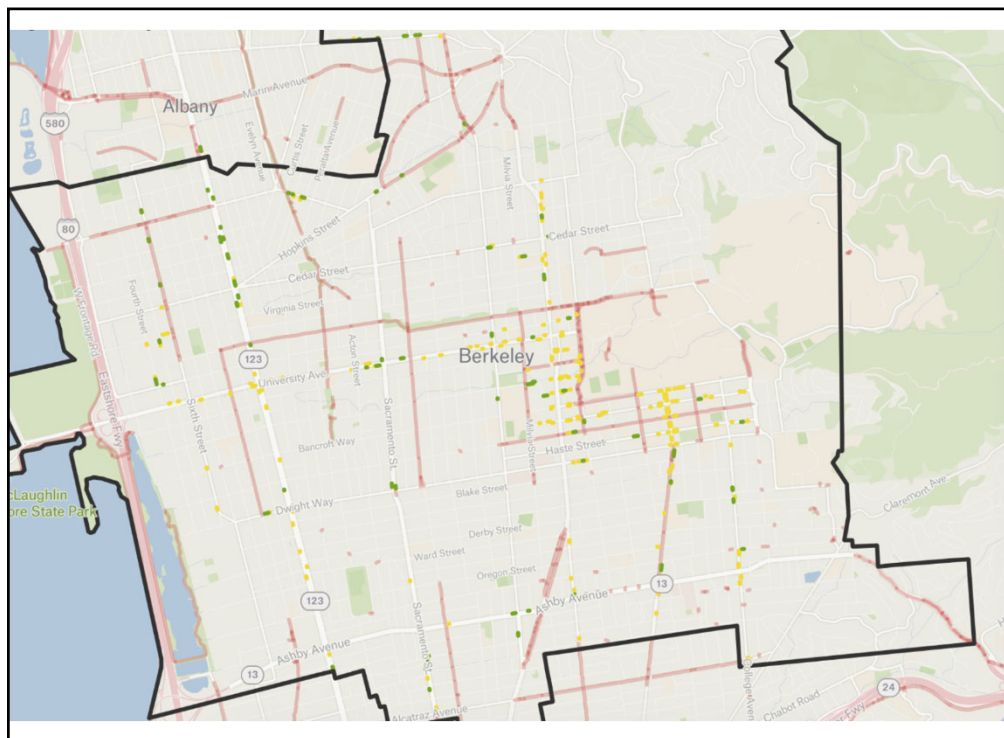
330-360 loading zones (yellow) and 220-240 short term spots (green) on streets of interest

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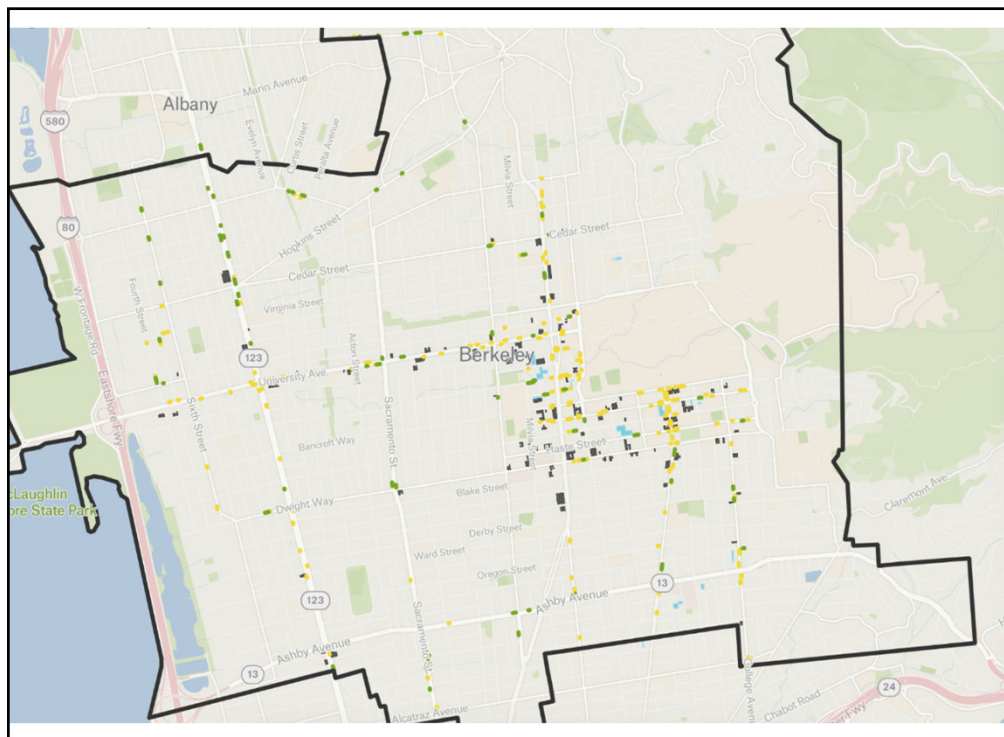


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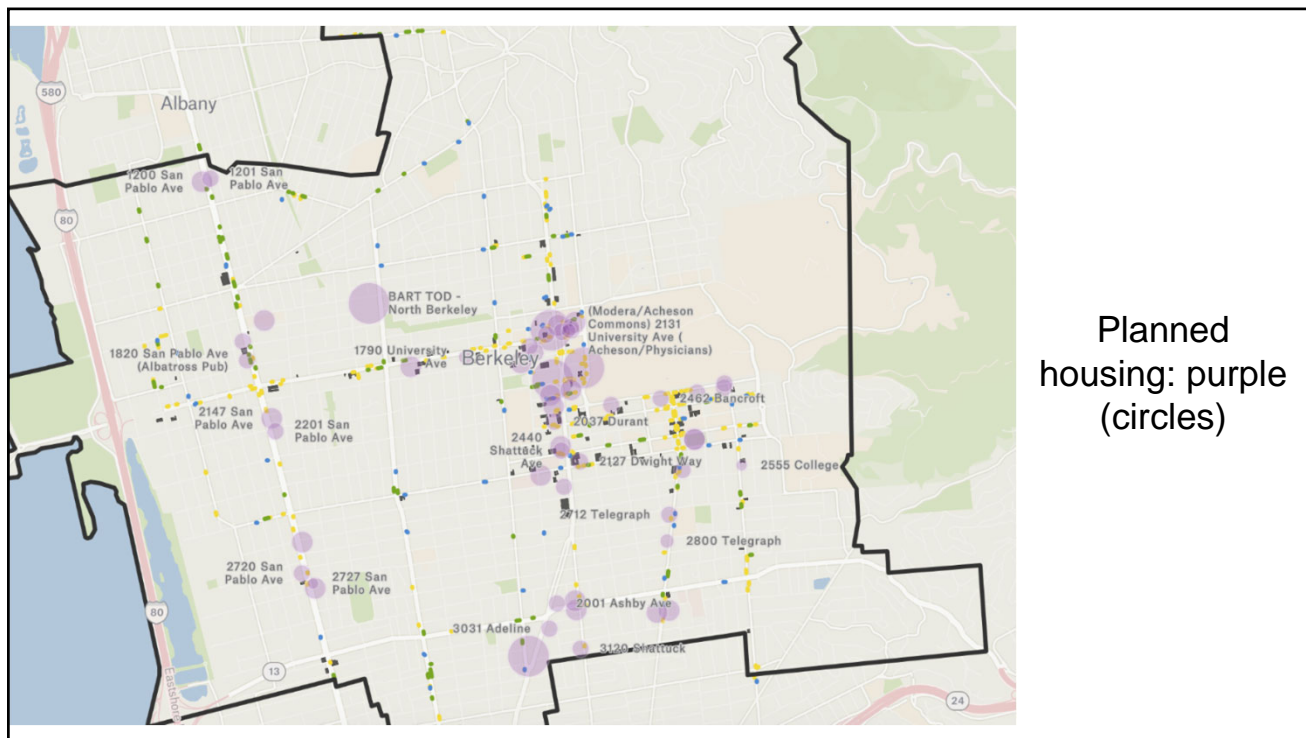


Only 10% of spots (36 loading zones and 22 short term parking spots) are on dedicated or protected bike lanes



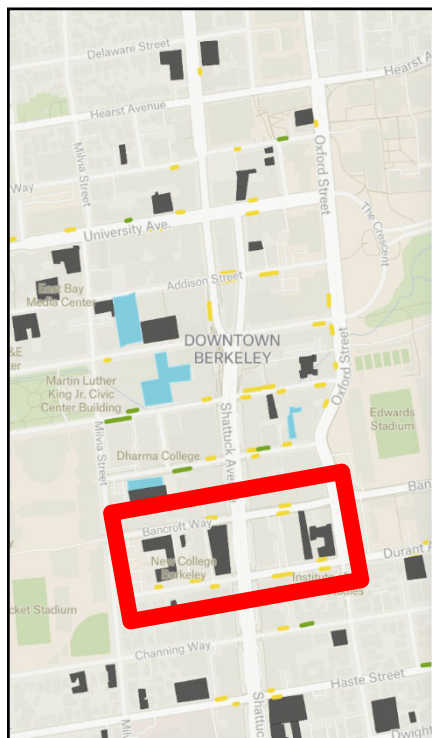
Blue (light) squares = parking  
Dark squares = apartment buildings

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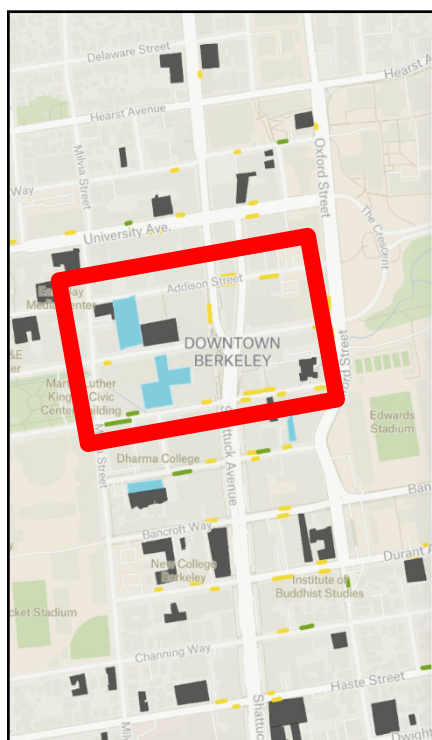


# Housing mini-analysis

<https://docs.google.com/presentation/d/1xVruoBWclIIB-fLBYYD7hXJ0sDi6QJO3YNYcla1Zsh0/e/dit?pli=1#slide=id.p>



Only 2 loading spots among these five apartment buildings



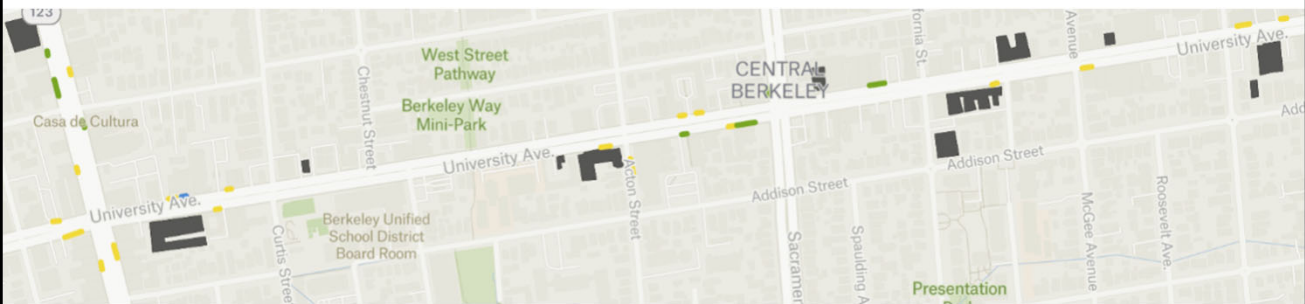
Great candidate area for loading zones - parking lots are very nearby!



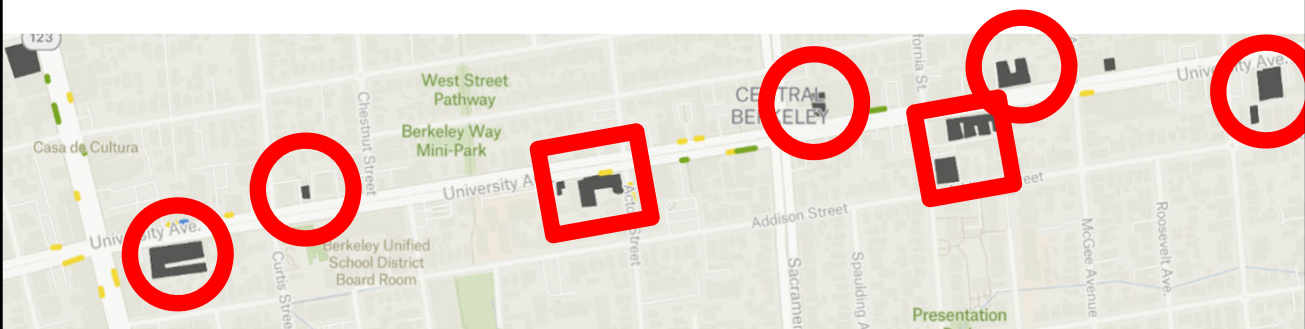
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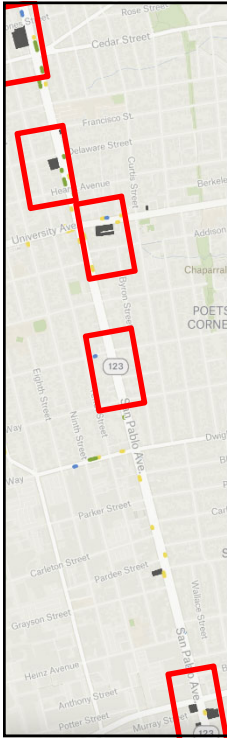


University is entirely metered parking, medium restaurant density, medium-low housing density, but low loading density



Buildings with squares have loading zones, buildings with circles do not

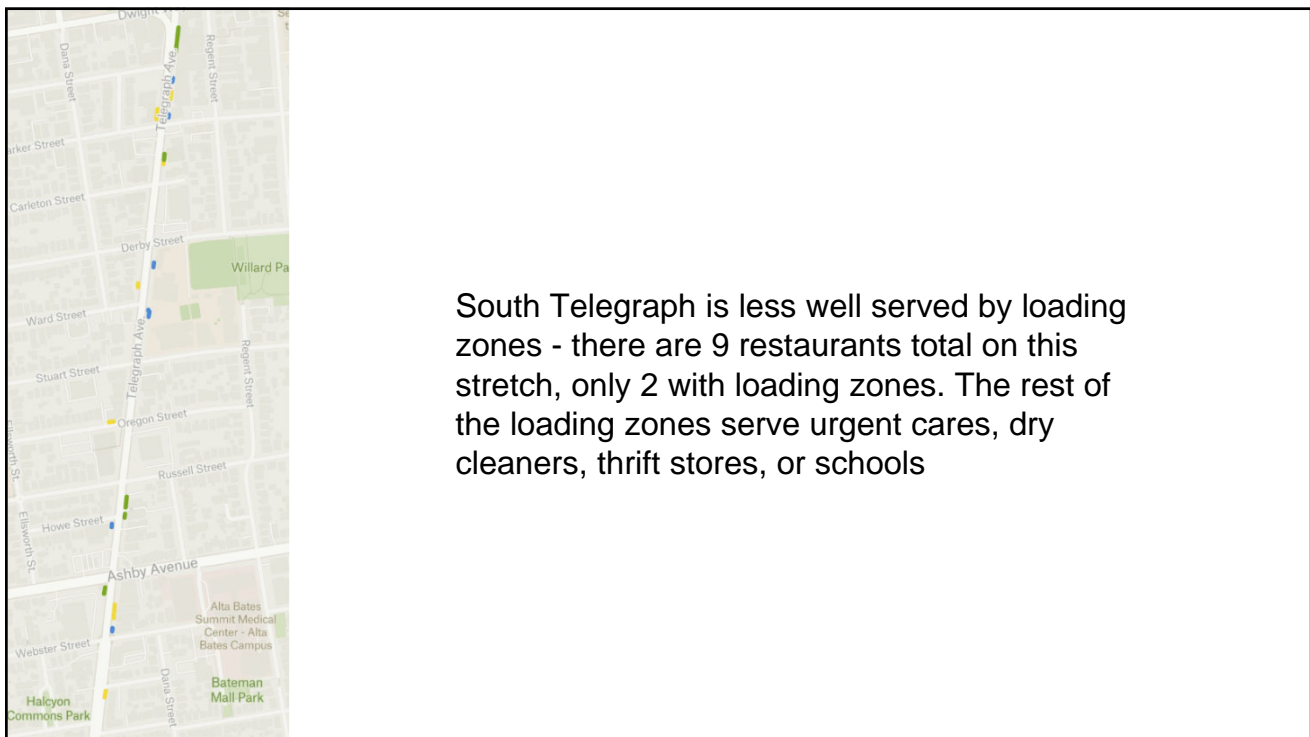
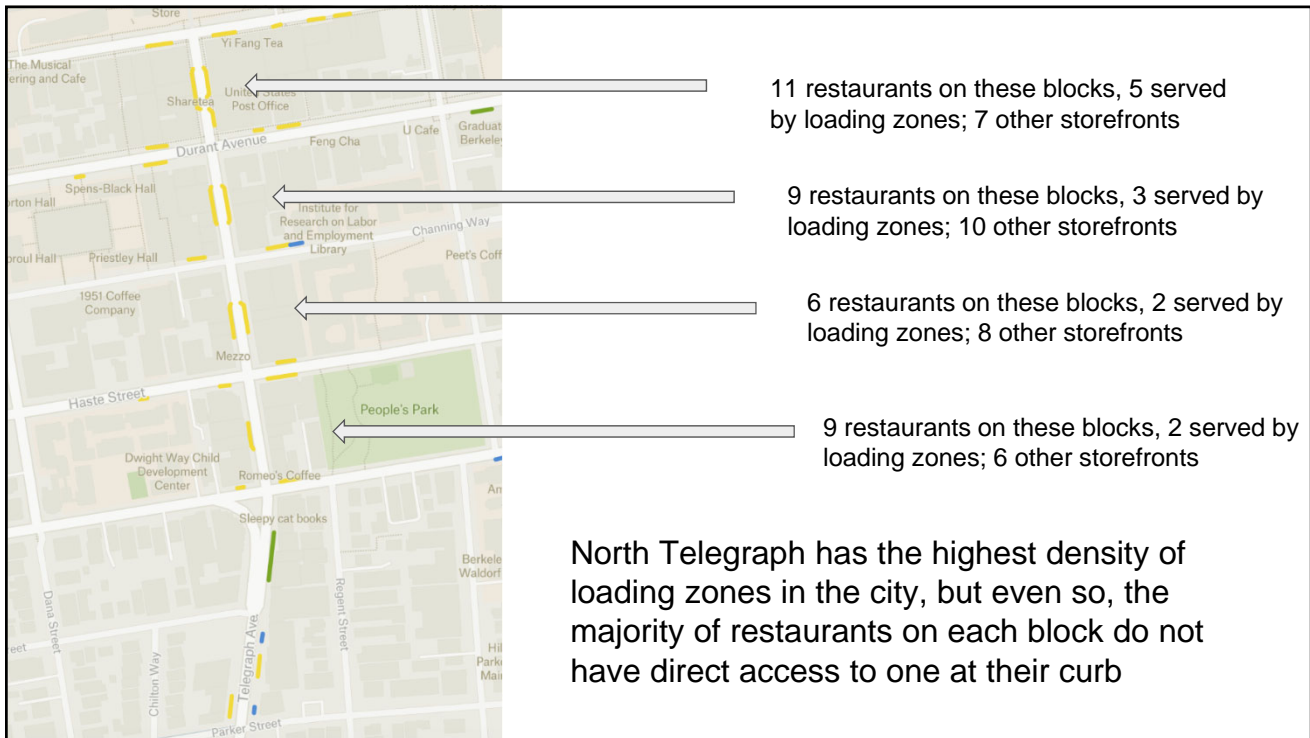




1 loading zone  
among these 6  
apartment buildings  
on San Pablo

## Telegraph restaurant analysis





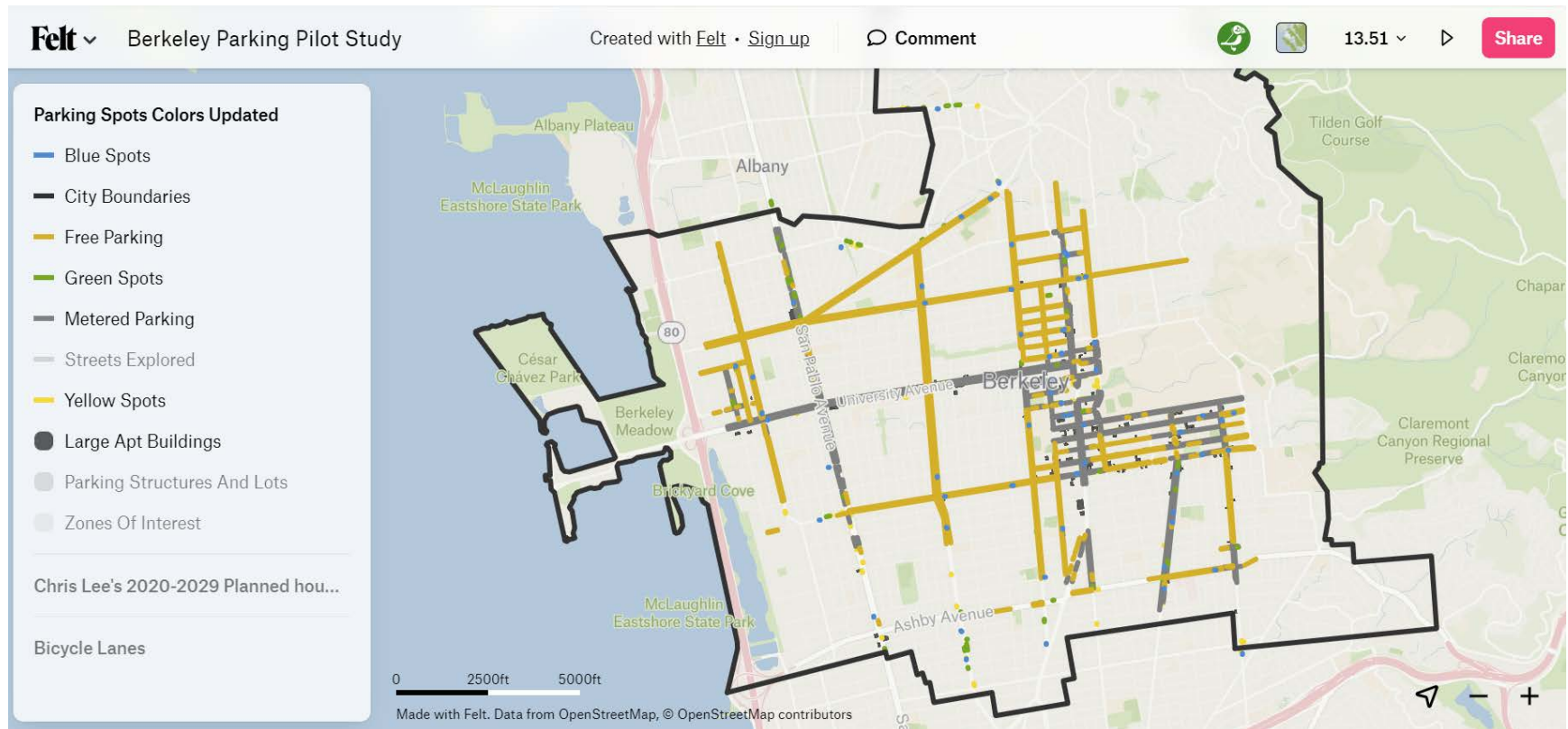
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## Conclusions and next steps

- While we may have somewhat comparable levels of loading zones to other cities, we (and they) could probably use more
- Apartments and restaurants are mostly poorly served by loading zone locations
  
- Determine highest priority intervention space
  - Compare Telegraph to other restaurant corridors
  - Evaluate loading zone density more completely on blocks with planned housing
- Study “completeness” of loading zone transition and best practices
- When to refer to Council to refer to Transportation and Infrastructure?

What other work is needed at this time?

ATTACHMENT 2



Available at:

<https://felt.com/map/Berkeley-Parking-Pilot-Study-Asymc9AjmTk6TemDtxhWZB?loc=37.866123,-122.264268,16.22z&share=1>





Office of the City Manager

CONSENT CALENDAR  
March 12, 2024

To: Honorable Mayor and Members of the City Council  
 From: Human Welfare and Community Action Commission  
 Submitted by: Chairperson, Human Welfare and Community Action Commission  
 Subject: Filling Vacancies Among the Elected Representatives of the Poor

RECOMMENDATION

Adopt a Resolution confirming the appointments of Catherine Huchting (District 3); and, Maria Sol (District 1) as elected representatives of the poor on the Human Welfare and Community Action Commission (HWCAC), having been voted at the HWCAC January 8, 2024 meeting, and that their terms expire November 28, 2024.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

Failure to maintain full membership on the HWCAC, which also acts as the Board of the Berkeley Community Action Agency (CAA), could result in a loss of Community Services Block Grant (CSBG) funding. Vacancies on the Berkeley CAA Board were noted as a “finding” during the most recent desk review of this program conducted by the State Department of Community Services and Development.

BACKGROUND

The HWCAC is structured to include fifteen members, nine of whom are appointed by Berkeley City Council members and six of whom are elected representatives of the poor. Berkeley Municipal Code Section 3.78.080 stipulates that elections of representatives of the poor are held biennially in the month of November in even numbered years. The next election will take place in November 2024. Subsection C of the code states, “...the remaining representatives of the poor...shall select a person to fill the vacancy until the next election...” and that the, “...name of the selected representatives shall be submitted to the City Council for confirmation.” BMC 3.78.030 (b) also states in part, that the remaining elected commission members shall recommend to the Council that the newly elected person fill out the term of the appointment. Maintaining full membership of the HWCAC has been an ongoing challenge, and the commission currently has two members.

At the time of the January 8, 2024 meeting where representatives of the poor were on the agenda, there were no elected representatives of the poor on the Commission. Therefore, the two existing commissioners voted:

- M/S/C: Behm-Steinberg, Lippman. Ayes – Behm-Steinberg, Lippman; Noes – None; Abstain – None; Absent: None) to select Catherine Huchting to fill one of the current vacancies.
- M/S/C: Behm-Steinberg, Lippman. Ayes – Behm-Steinberg, Lippman; Noes – None; Abstain – None; Absent: None) to select Maria Sol to fill one of the current vacancies.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no known environmental impacts associated with the recommendation of this report.

#### RATIONALE FOR RECOMMENDATION

Failure to maintain full membership on the HWCAC is in violation of the City's CSBG revenue contract and may jeopardize future funding.

#### ALTERNATIVE ACTIONS CONSIDERED

None.

#### CONTACT PERSON

Mary-Claire Katz, Commission Secretary, HHCS, (510) 981-5414

Attachments:

1: Resolution

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

FILLING VACANCIES AMONG THE ELECTED REPRESENTATIVES  
OF THE POOR ON THE HWCAC

WHEREAS, Berkeley Municipal Code Section 3.78.080 stipulates that election of representatives of the poor are held biennially in the month of November in even numbered years, and the next election will take place in November 2024; and

WHEREAS, Subsection C states "...the remaining representatives of the poor...shall select a person to fill the vacancy until the next election..." and that the "...name of the selected representatives shall be submitted to the City Council for confirmation"; and

WHEREAS, at the January 8, 2024 HWCAC special meeting, the Commission elected Catherine Huchting (District 3) to fill one vacancy with her term ending November 28, 2024; and

WHEREAS, at the January 8, 2024 HWCAC special meeting, the Commission elected Maria Sol (District 1) to fill one vacancy with her term ending November 28, 2024.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Catherine Huchting (District 3) and Maria Sol (District 1) are confirmed as elected representatives of the poor serving on the Human Welfare and Community Action Commission until November 28, 2024.







Rashi Kesarwani  
Councilmember, District 1

CONSENT CALENDAR  
March 12, 2024

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author)

SUBJECT: Budget Referral: Publicly Accessible Permanent Bathroom  
at James Kenney Park

#### RECOMMENDATION

Refer \$160,000 to the June FY 2024-25 budget process to renovate an existing bathroom at the James Kenney Community Center to make it ADA compliant and permanently accessible to members of the general public who visit the park.

#### CURRENT SITUATION AND ITS EFFECTS

***The Portable Toilet Available to Park Users Is Poorly Maintained and Recently Burned Down.*** The portable toilet attracted hazardous waste, including used syringes, soiled materials and human waste in and around the facility. Additionally, despite the city's contract with the portable toilet company for daily cleaning,<sup>1</sup> the company has a record of missing service days and poor maintenance. According to the Director of the Parks and Recreation Department Scott Ferris, there have been at least five fires associated with the portable toilet at this location in the last 12 years; the last incident occurred on January 30, 2024 when it was burned to the ground.

***James Kenney Park is a High-Use Park Without a Permanent ADA-Accessible Bathroom.*** Newly renovated in 2020, James Kenney Park is the sole recreational area in northwest Berkeley offering picnic areas; both 2-5 and 5-12 year old play areas; sports fields; tennis, pickleball and basketball courts, and a community center. The community center has available bathrooms inside the building, accessible when the building is open from 12 to 8 p.m. Mondays through Fridays. Another bathroom exists with an exterior entrance behind a locked gate that is not publicly available.

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<sup>1</sup> The City contracts with United Site Services to maintain its many portable toilets in the parks. The City entered this contract in Spring 2014.

Despite the park's popularity, it has no publicly available restroom that remains open during the park's open hours, 6 a.m. to 10 p.m. daily. A new permanent restroom facility has recently been installed at Strawberry Creek Park and soon other parks such as Cesar Chavez Park, Harrison Skate Park, Ohlone Park and Tom Bates Sports Field will see new or renovated restrooms thanks to our Measure T1 infrastructure bond. Unfortunately, there were insufficient funds to allow for the installation of a permanent publicly available restroom at James Kenney Park via Measure T1.

For families with children visiting the park during Recreation Center off-hours, the only available sanitation facility is a portable toilet. The current portable toilet is located at the southeast corner of the park alongside the sports field. The City's Customer Service Team, the Parks Department and the District 1 Council office have all received numerous complaints about its poor condition.

***Making Necessary Upgrades to the Existing Permanent Restroom at the James Kenney Recreation Center is Cost Effective.*** Installation of a new permanent ADA compliant bathroom costs roughly \$450,000.<sup>2</sup> If, however, the exterior fence to the community center courtyard were modified to allow complete access to the already existing restroom with an exterior entrance, the cost of providing a permanent, publicly accessible restroom at James Kenney Park would decrease dramatically. Immediately north of the playgrounds and the pollinator garden lies the James Kenney Community Center which also sits adjacent to the Bay Area Hispano Institute for Advancement, Inc. (BAHIA) School Age Program. Together, the buildings surround an open courtyard (see aerial view below). There is a single permanent bathroom accessible from that courtyard though it is situated behind a locked gate. This facility would need repairs to make it fully ADA compliant: the walkway between the curb on Eighth Street down to the gate would need to be made ADA compliant, the current wheelchair ramp needs to be updated, grab bars would need to be installed, and the sink would need reconfiguration to facilitate ease of access for all users. The estimated cost for these modifications and improvements (\$160,000) is dramatically less than purchasing and installing a brand new restroom facility and would increase the likelihood that park users would have a decent restroom much sooner. Neighbors have been requesting such a facility and improvements to the park for several years.

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<sup>2</sup> This is the price quoted for the permanent restroom recently installed at Strawberry Creek Park.

Aerial view of James Kenney Community Center and BAHIA. Exterior access to permanent bathroom inside the yellow box.



### FISCAL IMPACT

The Parks Department has provided a cost estimate of \$160,000 that covers: making the concrete pathway from the curb to the gate ADA compliant, modifying the perimeter gate, and updating the current restroom to make it fully ADA compliant.

### ENVIRONMENTAL IMPACTS

Eventual elimination of a portable toilet that attracts waste, illegal dumping, used syringes and debris would help maintain this open space environment for all users.

### CONTACT

Councilmember Rashi Kesarwani, District 1

(510) 981-7110





Susan Wengraf  
Vice Mayor and Councilmember District 6

CONSENT CALENDAR  
March 12, 2024

To: Honorable Mayor and Members of the City Council  
From: Vice Mayor Wengraf (Author)  
Subject: Opposition to AT&T Applications: Relief of “Carrier of Last Resort” and Eligible Telecommunications Carrier Designation

RECOMMENDATION

Adopt a Resolution and send a letter to the CPUC expressing strong opposition to AT&T’s proposal to discontinue being the default landline phone provider, and its proposal to relinquish its eligible telecommunications carrier (ETC) designation. Urge the CPUC to reject AT&T’s application to end traditional landline service in all areas until reliable broadband cellular coverage is available.

FINANCIAL IMPLICATIONS

None

CURRENT SITUATION AND ITS EFFECTS

California residents deserve reliable telecommunication service. The California Public Utility Commission (CPUC) must ensure that traditional landline phone service remains in place until broadband can replace it as a reliable means of communication. Many geographic areas of Berkeley do not have dependable cellular service. Removal of traditional landlines before reliable alternatives are in place, contradicts Berkeley’s strategic goals of creating a resilient, safe, connected and prepared city. Landline telephone service is a lifeline for those in Berkeley who do not have reliable cell service.

AT&T submitted two applications to the California Public Utility Commission (CPUC) on March 3, 2023. One for targeted relief from its carrier of last resort obligation and certain associated tariff obligations ([A23-03-003](#)). The other, to relinquish its eligible telecommunications carrier designation ([A23-03-002](#)).

If the CPUC grants AT&T relief from being the “Carrier of Last Resort” (COLR), i.e. the only carrier legally mandated to provide service to anyone in their service territory who wants it, and therefore stops providing landline service, large numbers of residents living in Berkeley where cellular service is non-existent or unreliable will be deprived of a dependable means of communication. Reliable telephone service is essential for day-to-day life and critical for medical emergencies, public safety and natural disasters. Landlines are overwhelmingly the most reliable method of communication.

In the Berkeley Hills and other high fire risk areas throughout the state, where PG&E regularly conducts Public Safety Power Shutoffs (PSPS), traditional landlines, or Plain Old Telephone Service (POTS), are the only form of reliable communication – unless cell tower back-up generators last throughout the PSPS or disaster, and households with reliable cell service have invested in batteries or generators to keep their phones and modems operating.

Berkeley Fire Chief Dave Sprague stated that, *"The loss of POTS in the region before reliable alternatives are in place creates an unacceptable degradation of public safety for California's residents following a seismic event, wildfire, or other natural disaster."*

Further, if AT&T is allowed to relinquish its Eligible Telecommunications Carrier (ETC) designation, it would no longer be mandated to provide Lifeline service which ensures residents with low incomes, frequently elders and those with disabilities, can have access to telephone service.

### BACKGROUND

California's telecommunications policy is founded on an ongoing commitment to universal service by assuring the continued affordability and widespread availability of high-quality telecommunications services.

The California Public Utilities Commission (CPUC) has deemed Carrier of Last Resort (COLR) obligations an important component of universal access to communications services because these obligations ensure that customers who want service, receive it.

As a COLR, AT&T has an obligation to serve all customers in its service area who request service. If the CPUC approves AT&T's application for relief of its COLR obligations, California would have no Carrier of Last Resort and residents would lose their Plain Old Telephone Service (POTS).

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Elimination of Plain Old Telephone Service (POTS) could prevent safe evacuation in a natural disaster and interfere with Emergency Response. As extreme weather events increase due to climate change, access to reliable communication is critical to life and safety.

### CONTACT PERSON

Vice Mayor & Councilmember Susan Wengraf, Council District 6 510-981-7160

Attachments:

- 1: Resolution
- 2: Letter to CPUC

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

OPPOSITION TO AT&T COLR AND ETC APPLICATIONS

WHEREAS, California's telecommunications policy is founded on an ongoing commitment to universal service by assuring the continued affordability and widespread availability of high-quality telecommunications services; and

WHEREAS, The California Public Utilities Commission (CPUC) has deemed Carrier of Last Resort (COLR) obligations an important component of universal access to communications services because these obligations ensure that customers who want service, receive it; and

WHEREAS, AT&T submitted two applications to the CPUC on March 3, 2023. One for targeted relief from its carrier of last resort obligation and certain associated tariff obligations ([A23-03-003](#)); the other, to relinquish its eligible telecommunications carrier designation ([A23-03-002](#)); and

WHEREAS, If the CPUC grants AT&T relief from being the "Carrier of Last Resort" (COLR) and therefore AT&T stops providing landline service, large numbers of residents living in Berkeley where cellular service is non-existent or unreliable will be deprived of a dependable means of communication; and

WHEREAS, If the CPUC allows AT&T to relinquish its Eligible Telecommunications Carrier (ETC) designation, AT&T would no longer be mandated to provide Lifeline service which ensures residents with low incomes, frequently elders and those with disabilities, can have access to telephone service; and

WHEREAS, Reliable telephone service is essential for day-to-day life and critical for medical emergencies, public safety and natural disasters; and

WHEREAS, Berkeley Fire Chief Dave Sprague stated that "*The loss of POTS in the region before reliable alternatives are in place creates an unacceptable degradation of public safety for California's residents following a seismic event, wildfire, or other natural disaster.*"

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it strongly opposes AT&T's applications A23-03-003 and A23-03-002.

BE IT FURTHER RESOLVED that the Berkeley City Council strongly urges the CPUC to reject AT&T's A23-03-003 and A23-03-002 applications.

Exhibits

A: Letter to the CPUC





February 12, 2024

California Public Utilities Commission  
505 Van Ness Ave  
San Francisco, California 94102

RE: Opposition to AT&T's Applications A23-03-003 and A23-03-002

Dear CPUC President and Commissioners,

The City of Berkeley respectfully requests that you reject AT&T's applications for targeted relief from its Carrier of Last Resort (COLR) obligation, and to relinquish its eligible telecommunications carrier (ETC) designation.

All residents deserve reliable telecommunication service. The CPUC must ensure that Plain Old Telephone Service (POTS) remains in place until broadband has achieved that standard.

If AT&T is allowed to stop being the COLR and transfer its landline service to broadband or VOIP, large numbers of Berkeley residents where cellular service is non-existent or intermittent at best, will be deprived of a reliable means of communication.

Berkeley cannot maintain a resilient, safe, connected and prepared city without reliable landline service.

Berkeley Fire Chief Dave Sprague stated that, *"The loss of POTS in the region before reliable alternatives are in place creates an unacceptable degradation of public safety for California's residents following a seismic event, wildfire, or other natural disaster."*

Further, if AT&T is allowed to relinquish its Eligible Telecommunications Carrier (ETC) designation, Berkeley's residents with low incomes could lose Lifeline Program access to telephone service, including elders and those with disabilities. As you know, reliable telephone service is essential for day-to-day life and critical for medical emergencies, public safety and natural disasters.

For some of Berkeley's residents, who are underserved by cellular phone service, there is no substitute for landline telephone service. We strongly urge you to take into consideration the needs of those with no cellular service, those who could lose low cost telephone services, and those living in areas of high risk to wildfire and other natural disasters, as you make your decision.

Respectfully,  
Berkeley City Council  
Cc: Kate Turner, Cal Advocates; Regina Costa, TURN





## CONSENT CALENDAR

March 12, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Taplin

Subject: Relationship Nondiscrimination Ordinance

### RECOMMENDATION

Adopt first reading of an Ordinance amending the Berkeley Municipal Code to include non-discrimination protections based on family and relationship structure.

### SUMMARY

This ordinance aims to extend legal protections to a diverse array of family configurations and relationship structures, including polyamorous relationships, multi-parent families, step-families, and other non-nuclear family structures. It is a significant step towards recognizing and safeguarding the rights and dignity of all residents, reflecting the city's commitment to inclusivity and equality.

### CURRENT SITUATION AND ITS EFFECTS

In today's diverse society, a significant portion of households diverge from the traditional nuclear family model. Research indicates that only a minority of American households fit this normative structure, showcasing a variety of configurations including multi-partner/multi-parent families, step-families, and multi-generational households. Concurrently, consensual non-monogamy (CNM) is practiced by an estimated 5% of American adults.<sup>1</sup>

Despite this prevalence, diverse family and relationship structures lack explicit protection under current laws, leading to widespread stigma and discrimination. Nearly two-thirds of non-monogamous individuals report experiencing discrimination in critical areas such as housing, healthcare, and business services, underscoring the urgent need for legal recognition and protection.<sup>2</sup> Single parents and people who identify as asexual and/or aromantic also face legal difficulties and discrimination in many aspects of public life.<sup>3</sup>

<sup>1</sup> Scoats, R., & Campbell, C. (2022). What do we know about consensual non-monogamy?. *Current Opinion in Psychology*, 101468. Retrieved Feb. 13, 2024 from

<https://www.sciencedirect.com/science/article/pii/S2352250X22001890>

<sup>2</sup> Sheff, E. A. (2017). Polyamory at Work. *Psychology Today*. Retrieved April 27, 2023, from

<https://www.psychologytoday.com/us/blog/the-polyamorists-next-door/201710/polyamory-at-work>

<sup>3</sup> European Database of Asylum Law. (2018). Netherlands: Council of State rules that asexual applicants do not fall under the exception for LGBTI people in the application of the "safe country of origin" concept. *EDAL*. Retrieved April 27, 2023 from:

<https://www.asylumlawdatabase.eu/en/content/netherlands-council-state-rules-asexual-applicants-do-not-fall-under-exception-lgbti-people>

The proposed ordinance in Berkeley, aiming to prohibit discrimination based on family and relationship structure, addresses this gap. By acknowledging the complexity of modern relationships and the inherent dignity of all family structures, this ordinance seeks to foster a more inclusive and empathetic community. It is a necessary step towards ensuring that all residents can live authentically without fear of discrimination, reflecting Berkeley's longstanding commitment to diversity and inclusion.

Establishing anti-discrimination protections based on family and relationship structure is a Strategic Plan Priority Project, advancing our goal to champion and demonstrate social and racial equity.

### **BACKGROUND**

A group of citizens of Berkeley originally drafted a proposal for additional language to Chapter 13.31 of Berkeley's Municipal Code in 2017. The City Council approved an item with the proposed language introduced by Councilmember Linda Maio and cosponsored by Councilmember Ben Bartlett on the December 19, 2017 Consent Calendar (see Attachment 2). However, this language was never formally adopted as an ordinance. This revised and expanded ordinance includes protections for both 'family structure' and 'relationship structure,' reflecting a comprehensive approach to safeguarding the rights of all citizens regardless of their familial or relational configurations.

### **Review of Existing Laws**

The Berkeley Municipal Code, as it currently stands, enumerates various protected categories under its nondiscrimination ordinances, safeguarding individuals from discrimination based on race, color, national origin, religion, sex, gender, sexual orientation, and disability, among others.<sup>4</sup> However, it lacks specific mention of "family and relationship structure" as protected categories. This omission leaves individuals who do not conform to traditional nuclear family models or who are part of non-monogamous relationships vulnerable to various forms of discrimination and bias.

In addressing this gap, the proposed ordinances draw upon the foundational principles of equity and inclusivity that guide the City of Berkeley's approach to civil rights. By proposing the inclusion of "family and relationship structure" within the ambit of protected categories, these ordinances seek to extend these protections to encompass the full spectrum of family and relationship dynamics present within the community.

### **Alternative Actions Considered**

In considering how best to protect diverse families and relationships from discrimination, the option of revising the Berkeley Municipal Code to explicitly include "family and relationship structure" as protected categories was identified as the most effective and

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<sup>4</sup> e.g. BMC 13.20.030, 13.28.020, 13.09.020

direct approach. This decision was made in light of the fact that there are no existing legal remedies or alternative measures within the city's current legal framework that adequately address the discrimination experienced by individuals in non-traditional family configurations or non-monogamous relationships.

Other alternatives, such as relying on broader state or federal anti-discrimination laws, were deemed insufficient due to their lack of specificity regarding the unique challenges faced by these groups. Similarly, the development of separate programs or policies outside the legal framework was considered less effective, as they would not provide the same level of enforceable protections against discrimination.

Therefore, the proposed ordinances represent a necessary and appropriate step towards ensuring that all residents, regardless of their family or relationship structure, are afforded equal protection under the law. This action underscores Berkeley's commitment to inclusivity and civil rights, ensuring that the city's legal protections evolve to reflect the diversity of its community.

### **Consultation/Outreach Overview and Results**

These draft ordinances were informed by extensive consultation and collaboration with key stakeholders dedicated to advancing the rights and acceptance of non-monogamous families and relationships, including:

- The Polyamory Legal Advocacy Coalition (PLAC): This multi-disciplinary coalition of academic and legal professionals, including notable figures such as Alexander Chen, Founding Director of the Harvard Law School LGBTQ+ Advocacy Clinic; Diana Adams, Esq., founder of the Chosen Family Law Center; and Heath Schechinger, M.Ed., Ph.D., Co-Founder of PLAC and Executive Director of the Modern Family Institute. Their collective expertise in legal support, policy advocacy, and academic research on diverse family and relationship forms significantly contributed to the bill's development.
- OPEN (Organization for Polyamory and Ethical Non-monogamy): A California-based nonprofit, OPEN brought to the table its advocacy experience and extensive network, including Berkeley residents who are active in advocating for non-monogamous relationship protections. OPEN's involvement highlights the grassroots support for the ordinance and the organization's role in representing the community's voice.
- PolyActive: This Berkeley-based grassroots advocacy group played a pivotal role in the advocacy for the initial 2017 bill and continued to support the current efforts. Their local insight and community mobilization efforts underscored the

immediate need for legal protections within Berkeley.

- The Berkeley City Attorney's office was consulted to ensure the proposed ordinances align with existing legal frameworks and municipal code requirements, facilitating a legally sound approach to extending protections based on family and relationship structure.

These consultations resulted in a robust and inclusive legislative proposal, reflecting a collaborative effort among legal experts, community advocates, and local government representatives. This process underscores the collective commitment to fostering a more inclusive society through meaningful legal change.

#### RATIONALE FOR RECOMMENDATION

Berkeley's commitment to inclusivity, equity, and justice demands that we recognize and protect all forms of family and relationships. The proposed ordinance responds to the evolving nature of our community by prohibiting discrimination based on family and relationship structure, ensuring that every resident, regardless of how they define family, is afforded equal rights and protections.

The initiative to safeguard diverse family and relationship structures is not new to Berkeley. In 2017, efforts began with Consent Item 27, aiming to address these very issues. Today's proposed ordinance, developed with the City Attorney's Office, builds on that work, offering broader protections that reflect our community's values.

Adopting this ordinance will make Berkeley a leader on the West Coast in recognizing the rights of non-traditional families and relationships, aligning with our city's long-standing commitment to human rights. It is a clear statement of our community's dedication to fostering an inclusive and equitable society for all residents.

#### IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT

This ordinance provides a comprehensive framework for enforcement, ensuring that any person aggrieved by violations of its provisions has the right to seek civil action. It empowers individuals, the City Attorney, and the district attorney to take legal action against any entity that contravenes the ordinance, thereby safeguarding the interests of protected classes. Additionally, it stipulates that violators are liable for damages and legal costs, reinforcing the ordinance's deterrent effect against discrimination based on family or relationship structure. The ordinance also outlines a limitation period for actions, ensuring timely justice, and specifies its applicability in alignment with broader state and federal legal standards. Set to be effective from January 1, 2025, this ordinance represents a significant step towards inclusive and equitable treatment for all Berkeley residents, regardless of their family or relationship structure.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

FISCAL IMPACTS OF RECOMMENDATION

This ordinance is not expected to require additional Full-Time Employees (FTEs) for its implementation. The enforcement mechanism leverages current city attorney and district attorney resources without necessitating new personnel or additional General Fund impacts.

OUTCOMES AND EVALUATION

The primary outcome of implementing this ordinance is to provide legal protections for diverse families and relationships in Berkeley, ensuring they are not subject to discrimination based on their family or relationship structure. While the city may not actively monitor the number of civil suits brought forward under these protections, advocacy organizations such as the Polyamory Legal Advocacy Coalition (PLAC) and OPEN (Organization for Polyamory and Ethical Non-monogamy) are committed to tracking and evaluating the impact of these measures. By collaborating with these organizations and remaining attuned to community feedback, the city can assess the effectiveness of the ordinance in safeguarding the rights of its residents and identify any areas for improvement in enforcement or outreach efforts.

CONTACT PERSON

Terry Taplin, Councilmember, District 2, 510-981-7120

Attachments:

- 1: Ordinance
- 2: Prohibiting Discrimination on the Basis of Relationship Structure (12/19/2017)

ORDINANCE NO. ####-N.S.

ADDING CHAPTER 13.22 TO THE BERKELEY MUNICIPAL CODE TO PROHIBIT  
DISCRIMINATION ON THE BASIS OF FAMILY OR RELATIONSHIP STRUCTURE

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code 13.22 is hereby added to read as follows:

**Chapter 13.22**

**DISCRIMINATION ON THE BASIS OF FAMILY OR RELATIONSHIP STRUCTURE  
PROHIBITED**

**13.22.010 Purpose**

It is the policy of the City to eliminate all forms of discrimination within the City, particularly discrimination against individuals who are a part of families or relationships that fall outside the nuclear family norm. These include single parents, multi-partner/multi-parent families and relationships, multi-generational households, consensually non-monogamous relationships, and asexual and aromantic relationships. It is the intent of the City to eliminate discrimination against individuals in such family or relationship structures in housing, public accommodations, educational institutions, and business establishments.

**13.22.020 Findings**

The City Council of the City of Berkeley finds and determines as follows:

A. Diverse family structures, including relationship structures involving more than two adults engaged in a loving and consensual relationship, are becoming increasingly common.

B. The perpetuation of nuclear definitions of "family" excludes a significant segment of the Berkeley population, such as multi-partner/multi-parent families and relationships, single parents, multi-generational households, consensually non-monogamous relationships, and consensual intimate relationships, including asexual and aromantic relationships. Individuals should not face discrimination on the basis of whom they share their homes, their hearts, and their lives.

C. People in interpersonal relationships between two or more adult individuals that involve romantic, physical, and/or emotional intimacy face discrimination in many aspects of public life due to prejudicial misunderstandings related to the validity and moral fitness of such relationships.

D. Single parents and people who identify as asexual and/or aromantic also face discrimination in many aspects of public life.

**13.22.030 Definitions**

As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this subsection:

A. "Family or relationship structure" means the actual or perceived involvement or uninvolvement of an individual in an "intimate personal relationship" or relationships, as defined

in BMC Section 13.22.030(B). "Family or relationship structure" includes an individual's actual or perceived affinity, or lack thereof, for any given type of intimate personal relationship, regardless of whether the individual is currently in any intimate personal relationship(s).

B. "Intimate personal relationship" means any interpersonal relationship between two or more adult individuals that involves romantic, physical, and/or emotional intimacy, irrespective of the marital status of these individuals as defined in Part 11053 of Title 2 of the California Code of Regulations. "Intimate personal relationship" includes, but is not limited to, multi-partner/multi-parent families and relationships, and multi-generational households.

C. "Business establishment" means any entity, however organized, which furnishes goods or services to the general public. An otherwise qualifying establishment which has membership requirements is considered to furnish services to the general public if its membership requirements: (a) consist only of payment of fees; (b) consist of requirements under which a substantial portion of the residents of this City could qualify; or (c) consist of an otherwise unlawful business practice.

D. "Individual" means the same as the term "person."

E. "Person" means any natural person, firm, corporation, partnership or other organization, association or group of persons however organized.

### **13.22.040 Unlawful Activities**

A. In General. It shall be unlawful for any person or agent or employee thereof to discriminate against an individual on the basis of that individual's family or relationship structure, with respect to any of the following activities:

1. *Housing*. Any real estate transaction including but not limited to the rental thereof and/or any related terms, conditions, advertisements, communications, insurance, maintenance, rehabilitation, repairs, improvements, use or availability of facilities, or financing including loans and guarantees;

2. *Business Establishments*. The use or availability of goods, services, facilities, privileges, advantages, or accommodations from any business establishment, and/or any related terms, conditions, advertisements or communications;

4. *Educational Institutions*. Admission and the use or availability of any services, programs and facilities, and/or any related terms, conditions, advertisements or communications;

5. *City Facilities and Services*. The use or availability of any municipal service or facility.

6. *City Supported Services and Facilities*. The use or availability of any service or facility wholly or partially funded or otherwise supported by the City.

B. Exceptions.

1. *Housing*. Nothing in this chapter shall be (a) construed to apply to the rental or leasing of any housing unit in which the owner or any member of the owner's family occupies the same living unit in common with the prospective tenant; (b) deemed to permit any rental



or occupancy of any dwelling unit or commercial space otherwise prohibited by law; or  
(c) override any just cause for eviction set forth in the rental stabilization ordinance.

2. *Education.* It shall not be an unlawful discriminatory practice for a religious or denominational educational institution to limit admission to applicants of the same religion.

C. Pretext. It shall be unlawful to do any of the actions mentioned in subsections (A)(1) through (A)(6) for any reason that would not have been asserted but for an individual's family or relationship structure.

### **13.22.050 Enforcement**

A. Any aggrieved person may enforce the provisions of this chapter by means of a civil action.

B. Any person who commits, or proposes to commit, an action in violation of this chapter may be enjoined therefrom by a court of competent jurisdiction.

C. Action for injunction under this subsection may be brought by any aggrieved person, by the City Attorney, by the district attorney, or by any person or entity which will fairly and adequately represent the interests of the protected class.

### **13.23.060 Liability for costs and damages**

Any person who violates the provisions of this chapter shall be liable to each person injured by such violation for reasonable attorney's fees and costs as determined by the court, plus damages equaling three times the amount of actual damages or a minimum of one thousand dollars.

### **13.23.070 Limitation on action**

Actions under this chapter must be filed within one year of the alleged discriminatory acts.

### **13.23.080 Waiver**

The provisions of this Chapter do not apply where their application would violate or be inconsistent with state or federal laws, rules, or regulations.

### **13.23.090 Effective date**

The effective date of this ordinance shall be January 1, 2025.

### Section 2. Severability

If any section, subsection, sentence, clause, phrase, or word of this Ordinance, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Ordinance. The Council of the City of Berkeley hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this Ordinance or application thereof would be subsequently declared invalid or unconstitutional.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.





COUNCILMEMBER LINDA MAIO  
City of Berkeley

**CONSENT CALENDAR**  
December 19, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Linda Maio

SUBJECT: Prohibiting Discrimination on the Basis of Relationship Structure

**RECOMMENDATION:**

That the Council refer the proposed language to the City Manager requesting that the City amend Chapter 13.31 as proposed to prohibit discrimination on the basis of relationship structure in regard to Employment, Real Estate Transactions, Business Practices, City Facilities and Services or Education on the Basis of Relationship Structure.

**BACKGROUND:**

A group of citizens of Berkeley drafted the proposed additional language to Chapter 13.31 of Berkeley's Municipal Code with a great deal of care and thoroughness. The existing laws within the City of Berkeley presently protect people against discrimination on the basis of a large number of characteristics. Local laws currently prohibit discrimination not only on the basis of ethnicity, religion, and age, but also on the basis of sexual orientation. However, the current local laws do not specifically provide protection from discrimination for polyamorous people or others involved in consensually non-monogamous relationships. This proposed addition to the existing legal code seeks to remedy this situation by extending all the protections currently provided against discrimination on the basis of sexual orientation to polyamorous people. It is proposed that this be accomplished by adding a new chapter to the existing City of Berkeley law code.

The addition to Chapter 13.31 would prohibit discrimination in employment, housing, business practices, city facilities and services, or education on the basis of relationship structure. This would apply to the City of Berkeley as well as private entities. The prohibitions on discrimination in business practices and education would not apply to religious institutions.

The addition would define "relationship structure" as "the number of consenting adults involved in an intimate relationship and/or the number of intimate personal relationships in which each consenting adult is simultaneously involved." "Relationship structure" would also include an individual's "disposition" or desire for a certain relationship structure, regardless of whether that person is in that type of relationship, or any relationship. The addition would also prohibit advertising that expresses the intent to discriminate, or practice of discriminating, on the basis of relationship structure.

The addition would give any person whose rights under the measure are violated the right to sue for compensatory and punitive damages, attorneys' fees, plus not less than \$200 or more than \$400 in addition. Individuals, may also seek injunctions on behalf of themselves or others to prevent or remedy violations of the measure. The District Attorney may also seek injunctions to prevent or remedy violations of the measure.

See attachment for proposed language.

ATTACHMENTS

BMC Chapter 13.31 Proposed language.

ENVIRONMENTAL SUSTAINABILITY

No environmental sustainability impact.

FINANCIAL IMPLICATIONS

Staff time.

CONTACT

Councilmember Linda Maio, District 1, 510-981-7110

## **DISCRIMINATION ON THE BASIS OF RELATIONSHIP STRUCTURE**

### **Section 13.31.010: Policy.**

It is the policy of the City to eliminate discrimination based on relationship structure within the City.

### **Section 13.31.020: Finding--Definitions.**

A. Findings. Discrimination based on relationship structure poses a substantial threat to the health, safety and general welfare of this community. Such discrimination deprives the City of the fullest utilization of its capacities for development and advancement. Further, existing state and federal restraints on arbitrary discrimination are not adequate to meet the particular problems of discrimination based on relationship structure in this community, so that it is necessary and proper to enact local regulations adapted to the circumstances which exist in this City.

B. Definitions. As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this subsection:

1. "Business establishment" means any entity, however organized, which furnishes goods or services to the general public. An otherwise qualifying establishment which has membership requirements is considered to furnish services to the general public if its membership requirements: (a) consist only of payment of fees; (b) consist of requirements under which a substantial portion of the residents of this City could qualify; or (c) consist of an otherwise unlawful business practice.
2. "Individual" means the same as the term "person." Wherever this chapter refers to the relationship structure of any individual, or the relationship structure of any group, the phrase shall mean the relationship structure of any member of the group.
3. "Person" means any natural person, firm, corporation, partnership or other organization, association or group of persons however organized.
4. "Relationship structure" refers to the number of consenting adults involved in an intimate personal relationship and/or the number of intimate personal relationships in which each consenting adult is simultaneously involved. It also includes an individual's disposition or desire for a certain relationship structure, regardless of whether the individual is currently in that type of, or in any, relationship.
5. Discrimination on the basis of relationship structure shall include both discrimination based on actual knowledge of relationship structure and

discrimination based on supposition or assumption of relationship structure or desired structure.

**Section 13.31.030: Employment.**

A. Unlawful Employment Practices.

1. Employers--Discrimination. It shall be an unlawful employment practice for an employer to fail or refuse to hire, or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions or privileges of employment on the basis of such individual's relationship structure.
2. Employers--Segregation. It shall be an unlawful employment practice for an employer to limit, segregate or classify employees or applicants for employment in any manner which would deprive or tend to deprive any individual of employment opportunities, or adversely affect his or her employment status on the basis of such individual's relationship structure.
3. Employment Agencies. It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment any individual, or otherwise to discriminate against any individual on the basis of such individual's relationship structure.
4. Labor Organizations. It shall be an unlawful employment practice for a labor organization to fail or refuse to include in its membership or to otherwise discriminate against any individual; or to limit, segregate or classify its membership; or to classify or fail or refuse to refer for employment any individual in any way which would deprive or tend to deprive such individual of employment opportunities, or otherwise adversely affect her or his status as an employee or as an applicant for employment on the basis of such individual's relationship structure.
5. Job Training. It shall be an unlawful employment practice for an employer, an employment agency or a labor organization to discriminate against any individual in admission to, or employment in, any program established to provide apprenticeship or other training or retraining, including any on-the-job training program on the basis of such individual's relationship structure.
6. Advertising. It shall be an unlawful employment practice for an employer, employment agency or a labor organization to print, publish, advertise or disseminate in any way, any notice or advertisement with respect to employment, membership in, or any classification or referral for employment or training by any such organization, which expresses an intent to discriminate based on relationship structure.

B. Pretext. It shall be unlawful to do any of the acts mentioned in subdivisions (A)(1) through (A)(6) of this section for any reason that would not have been asserted but for the relationship structure of any individual. Bona Fide Occupational Qualification not Prohibited--Affirmative Defense.

1. Bona Fide Occupational Qualification. Nothing contained in this section shall be deemed to prohibit selection or rejection based upon a bona fide occupational qualification.
2. Affirmative Defense. In any action brought under Section 13.31.090 of this chapter (enforcement), if a party asserts that an otherwise unlawful discriminatory practice is justified as a bona fide occupational qualification, that party shall have the burden of proving: (a) that the job requires a bona fide occupational qualification of a certain relationship structure based on business necessity; and (b) that there exists no less discriminatory means of satisfying the occupational qualification.
3. Exceptions. It shall not be unlawful discriminatory practice for an employer to observe the conditions of a bona fide seniority system or a bona fide employee benefit system, provided such systems or plans are not a pretext to evade the purposes of this chapter; provided, further, that no such system shall provide an excuse for failure to hire any individual because of relationship structure.

C. Notices.

1. Requirements. Every employer with fifteen or more employees, every labor organization with fifteen or more members, and every employment agency shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment and members are customarily posted, the following notice: "Discrimination on the basis of relationship structure is prohibited by law. Berkeley Municipal Code, Sections 13.31.010-13.31.100."
2. Alternate Compliance. Notwithstanding the above, the provisions of this subsection may be complied with by adding the words "relationship structure" to all notices required by federal or state law, and indicating on the notice that discrimination on the basis of relationship structure is prohibited by the Berkeley Municipal Code, Sections 13.31.010 through 13.31.100.
3. Penalty for Noncompliance. Willful violations of this subsection shall be punishable by a fine of not more than fifty dollars for each offense. This is the exclusive penalty for violations of this subsection, except that individuals and organizations may also seek relief as described in **Section 13.31.080**

### **Section 13.31.040: Housing and other real estate transactions.**

A. Unlawful Real Estate Practices.



1. Transactions. Generally, it shall be an unlawful real estate practice for any person to interrupt, terminate or fail or refuse to initiate or conduct any transaction in real property, including but not limited to the rental thereof; to require different and less favorable terms for such transaction; to include in the terms or conditions of a transaction in real property any clause, condition or restriction; or falsely to represent that an interest in real property is not available for transaction, on the basis of any individual's relationship structure.
2. Credit and Insurance. It shall be an unlawful real estate practice for any person to refuse to lend money, guarantee the loan, accept a deed of trust or mortgage, or otherwise refuse to make available funds for the purchase, acquisition, construction, alteration, rehabilitation, repair or maintenance of real property; or impose different and less favorable conditions on such financing; or refuse to provide title or other insurance relating to the ownership or use of any interest in real property, on the basis of any individual's relationship structure.
3. Tenant's Services. It shall be an unlawful real estate practice for any person to refuse or restrict facilities, services, repairs or improvements for any tenant or lessee on the basis of any individual's relationship structure.
4. Advertising. It shall be an unlawful real estate practice for any person to make, print, publish, advertise or disseminate in any way, any notice, statement or advertisement with respect to a transaction or proposed transaction in real property, or with respect to financing related to any such transaction, which expressed an intent to discriminate based on relationship structure or any other prohibited basis.

B. Pretext. It shall be unlawful to do any of the actions mentioned in subdivisions (A)(1) through (A)(4) for any reason that would not have been asserted but for the relationship structure of any individual.

C. Exceptions.

1. Owner Occupied Dwellings. Nothing in this chapter shall be construed to apply to the rental or leasing of any housing unit in which the owner or lessor resides within the living unit and it is necessary for the owner or lessor to use either a bathroom or kitchen facility in common with the prospective tenant(s).
2. Effect on Other Laws. Nothing in this chapter shall be deemed to permit any rental or occupancy of any dwelling unit or commercial space otherwise prohibited by law.

**Section 13.31.050: Business establishments.**

A. Unlawful Business Practice.

1. Business Practices Generally. It shall be an unlawful business practice for any person to deny any individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any business establishment based on such individual's relationship structure.
2. Advertising. It shall be an unlawful business practice for any person to make, print, publish, advertise or disseminate in any way any notice, statement or advertisement with respect to any business establishment which expresses the establishment's intent to or practice of discriminating based on relationship structure or any other prohibited basis.

B. Pretext. It shall be unlawful to do any of the acts mentioned in subdivisions (A)(1) or (A)(2) of this section for any reason that would not have been asserted but for the relationship structure of any individual.

**Section: 13.31.060: City facilities and services.**

A. Unlawful Service Practices.

1. City Facilities. It shall be an unlawful service practice for any person to deny any individual the full and equal enjoyment of, or to place different terms and conditions on the availability of, the use of any City facility on the basis of such individual's relationship structure.
2. City Services. It shall be an unlawful service practice for any person to deny any individual the full and actual enjoyment of, or to impose different terms or conditions on the availability of, any City service on the basis of such individual's relationship structure.
  - a. Supported Facilities and Services. It shall be an unlawful service practice for any person to deny any individual the full and equal enjoyment of, or to impose different terms and conditions upon the availability of, any service, program or facility wholly or partially funded or otherwise supported by the City on the basis of such individual's relationship structure. This subsection shall not apply to any facility, service or program which does not receive any assistance from the City or which is not provided to the public generally.
  - b. Advertising. It shall be an unlawful service practice for any person to make, print, publish, advertise or disseminate in any way any notice, statement or advertisement with respect to any service or facility provided by either the City or an organization described in (A)(2a) of this section which expresses the City's or organizations intent to or practice of discriminating based on relationship structure or on any other prohibited basis.

B. Pretext. It shall be an unlawful discriminatory practice to do any of the acts mentioned in subdivisions (A)(1) through (A)(2) for any reason which would not have been asserted but for the relationship structure of any individual.

**Section 13.31.070: Educational institutions.**

A. Unlawful Educational Practices.

1. Admission. It shall be an unlawful educational practice for any person to deny admission, or to impose different and less favorable terms or conditions on admission, on the basis of an individual's relationship structure.
2. Services. It shall be an unlawful educational practice for any person to deny any individual the full and equal enjoyment of, or to impose different terms or conditions upon the availability of, any service or program offered by an educational institution on the basis of such individual's relationship structure.
3. Facilities. It shall be an unlawful educational practice for any person to deny any individual the full and equal enjoyment of, or to impose different and less favorable terms or conditions upon the access to any facility owned or operated by an educational institution on the basis of such individual's relationship structure.
4. Advertising. It shall be an unlawful educational practice for any person to make, print, publish, advertise or disseminate in any way any notice, statement or advertisement with respect to an educational institution which expresses the educational institution's intent to or practice of discriminating based on relationship structure or on any other prohibited basis.

B. Pretext. It shall be an unlawful discriminatory practice to do any of the acts mentioned in subdivisions (A)(1) through (A)(4) of this section for any reason which would not have been asserted but for the relationship structure of any individual.

C. Exception. It shall not be an unlawful discriminatory practice for a religious or denominational institution to limit admission, or give other preferences to applicants of the same religion.

**Section 13.31.080: Liability.**

Any person who violates any of the provisions of this chapter or who aids in the violation of any provisions of this chapter shall be liable for, and the court must award to the individual whose rights are violated, actual damages, costs, reasonable attorney's fees, and not less than two hundred dollars but not more than four hundred dollars in addition thereto. In addition, the court may award punitive damages in a proper case.

**Section 13.31.090: Enforcement.**

- A. Any aggrieved person may enforce the provisions of this chapter by means of a civil action.
- B. Any person who commits, or proposes to commit, an action in violation of this chapter may be enjoined therefrom by any court of competent jurisdiction.
- C. Action for injunction under this subsection may be brought by any aggrieved person, by the district attorney, or by any person or entity who has standing and who will fairly and adequately represent the interests of the protected class.

**Section 13.31.100: Limitation on action.**

Actions under this chapter must be filed within one year of the alleged discriminatory act(s).

CONSENT CALENDAR

March 12, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Taplin

Subject: Vision 2050 Community Engagement Expansion

RECOMMENDATION

Authorize the City Manager to expand the scope of the Vision 2050 Complete Streets Parcel Tax Community Engagement and Program Plan in the FY 2024 Budget to consider additional revenue sources: (1) potential ballot referenda for an increase to Berkeley's Parks Tax and/or (2) renewing the Measure P Real Property Transfer Tax beyond 2028.

CURRENT SITUATION AND ITS EFFECTS

In response to escalating effects of climate change and unfunded liabilities, the City of Berkeley must identify sustainable revenue sources to invest in infrastructure rehabilitation and maintenance. Adopted in 2022, the City of Berkeley's FY 2023-2027 Capital Improvement Program Budget estimated a total of \$1.65 billion in unfunded capital needs.<sup>1</sup>

In 2023, the Berkeley City Council adopted a Fiscal Year 2024 Update to the City's Biennial Budget, which included \$100,000 for the Vision 2050 Complete Streets Parcel Tax Community Engagement and Program Plan.<sup>2</sup> According to a January 16, 2024 article in *Berkeleyside*, community members are already pursuing signature gathering efforts for two parcel tax initiatives to fund street paving.<sup>3</sup> In the event that either effort succeeds, broadening the scope of possible revenue sources considered in the Community Engagement and Program Plan can help address other major capital needs to advance Vision 2050 priorities.

In November 2022, Berkeley voters approved Measure L by only 59.4%, short of the two-thirds supermajority required to approve the \$650 million bond measure. Measure L would have funded the following categories of capital projects:

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<sup>1</sup> City of Berkeley FY23-27 Capital Improvement Program:

[https://berkeleyca.gov/sites/default/files/documents/FY-23-27-Capital-Improvement-Program\\_0.pdf](https://berkeleyca.gov/sites/default/files/documents/FY-23-27-Capital-Improvement-Program_0.pdf)

<sup>2</sup> City of Berkeley FY 2024 Mid-Biennial Adopted Budget Update:

<https://berkeleyca.gov/sites/default/files/documents/FY-2024-Mid-Biennial-Adopted-Budget-Book.pdf>

<sup>3</sup> Savidge, N. (Jan. 16, 2024). Dueling taxes to fund street paving could be on Berkeley ballot in November. *Berkeleyside*. Retrieved Feb. 15, 2024 from

<https://www.berkeleyside.org/2024/01/16/berkeley-2024-election-street-paving-parcel-tax>

- \$300 million for street safety improvements, including pedestrian crossings, bicycle facilities, and street paving;
- \$200 million for affordable housing;
- \$150 million for public parks, facilities, pools, utility undergrounding along fire evacuation routes, and climate resiliency.

Without the funding for parks and facilities from Measure L, there remains insufficient revenue to fund deferred maintenance and planned capital projects. Due in part to cost overruns from approved Measure T1 (2016) projects, many critical capital projects remain un- or under-funded. Projects include renovation of the Frances Albrier Community Center, which is in dire need of seismic safety upgrades and *has already undergone initial planning and stakeholder outreach*.<sup>4</sup>

As rising construction costs have already forced costly delays in planned projects, further deferring these projects would thus incur significant opportunity costs for taxpayers.

The Measure P Real Property Transfer Tax Program Fund may face similar funding shortfalls in funding capital projects due to declining revenues and operating costs for services (see Attachments 3 and 4). Nevertheless, Measure P contributions have been leveraged to fund vital projects for rehousing Berkeley’s homeless population, including Project Homekey hotel conversions. In Alameda County’s 2022 Point in Time Count, Berkeley saw slight reductions in its sheltered and unsheltered homeless populations while the County’s populations grew.<sup>5</sup> It is doubtful that this marginal progress would have been possible without the support of Measure P funds.



2022 Point in Time Count

<sup>4</sup> Frances Albrier Community Center Replacement Project: [https://berkeleyca.gov/sites/default/files/documents/CapitalProject\\_FACC-Executive%20Summary%20with%20Attachments.pdf](https://berkeleyca.gov/sites/default/files/documents/CapitalProject_FACC-Executive%20Summary%20with%20Attachments.pdf)

<sup>5</sup> Berkeley 2022 Point in Time Count: <https://everyonehome.org/wp-content/uploads/2022/05/Berkeley-PIT-2022-Infographic-Report.pdf>

Vision 2050 Community Engagement is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

### BACKGROUND

To establish a long-range plan for sustainable infrastructure, 84.6% of Berkeley voters supported Vision 2050 with the passage of Measure R in the November 2018 election. The Measure asked: *Shall the measure, advising the Mayor to engage citizens and experts in the development of Vision 2050, a 30-year plan to identify and guide implementation of climate-smart, technologically-advanced, integrated and efficient infrastructure to support a safe, vibrant and resilient future for Berkeley, be adopted?*

The Vision 2050 Framework (see Attachment 1) lays out 5 strategies for a sustainable, “cradle-to-grave” planning process to rehabilitate and maintain Berkeley’s infrastructure. Additionally, three core principles have guided planning for the Draft Vision 2050 Program Plan:

1. **Support vibrant and safe communities.** *Infrastructure shall take equity into account and improve quality of life of all Berkeley residents, including having green open spaces, safe modes of mobility, and being prepared for fires and earthquakes.*
2. **Have efficient, inspired and well maintained infrastructure.** *Infrastructure shall be long lasting, use advanced technologies, and be maintained to provide efficient service.*
3. **Facilitate a green Berkeley and contribute to saving our planet.** *Infrastructure shall accelerate the transition to carbon neutrality and include electrification, develop natural streetscapes using green infrastructure, and prioritize human-powered and public transportation.*

Four major outcomes have been identified as goals in the Draft Program Plan for Vision 2050:

1. *Streets are safer, more sustainable, improved to a good condition, and maintained.*
2. *Infrastructure is resilient, protects the environment, and is adapted to climate change impacts.*
3. *Open space, parks, and recreation improve our quality of life.*
4. *Public facilities are safe and provide community placemaking.*

In November 2018, 72% of Berkeley voters also approved Measure P, “increasing the real property transfer tax for ten years from 1.5% to 2.5% for property sales and transfers over \$1,500,000, adjusted annually to capture the top approximately 33% of transfers” to fund homeless services and “rehousing.” Measure P has supplemented homeless services, rental assistance, street outreach, safe RV parking, sanitation, transitional shelter and permanent supportive housing. In the FY 2024 Mid-Biennial Budget Update that the City Council adopted in 2023, Measure P projected revenues

“have been adjusted downward from \$14.1 million to \$10.2 million... which reflects a decrease of \$3.9 million from the original estimate of \$14.1 million. However, FY 24 revised expenditures are budgeted at \$21.1 million and include costs like the Russell Street residence acquisition (\$4.5 million) and post COVID-19 rental assistance (\$1.0 million).”

#### RATIONALE FOR RECOMMENDATION

Members of the community have stated to Council that the broad scope of Measure L (2022) limited consensus-building efforts among voters with varying priorities. In various public fora and written communications, Berkeley residents expressed apprehension toward the multitude of seemingly disparate capital projects under the Measure’s scope, adding confusion to the “sticker shock” of the bond measure’s dollar amount amid high consumer price inflation. Consequently, while the community is already robustly engaged in at least two signature-gathering initiatives for parcel tax measures to fund street repair in the 2024 General Election, significant funding gaps remain for projects in parks, facilities, and affordable housing.

Using funds allocated for community engagement on this topic to explore additional discrete revenue sources would be a worthwhile investment in building community consensus.

The Parks Tax was last increased in 2014 when 75% of Berkeley voters approved Measure F. Berkeley’s Parks Tax Fund has supported Parks operations and supplemented General Fund and Marina Fund contributions, T1 funding, and external grant funding for critical capital needs across Berkeley, including significant health and safety needs at the Waterfront and Aquatic Park (see Attachment 2), but costs and unfunded needs have continued to outpace revenues (see Attachment 4). Similarly, in spite of revenue cyclicity, Measure P has been instrumental in leveraging external funding, including state funds from Project Homekey, to rehouse Berkeley’s homeless population.

The Measure P Real Property Transfer Tax increase is set to expire at the end of the 2028 calendar year. As of Fiscal Year 2024, the Measure P Program Fund is facing a structural deficit as costs outpace declining revenues. In order to maintain broad community consensus on this revenue source for possible renewal after the ten-year period for the special tax elapses, articulating a common vision for expenditures from special tax funds will likely remain essential for avoiding structural conflicts between operating budgets, including personnel costs, and capital budgets for key projects.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

No impacts associated with expanding scope of Vision 2050 public outreach in the FY 2024 Budget.



FISCAL IMPACTS OF RECOMMENDATION

\$100,000 is allocated in the FY 2024 Budget. In consultation with the City Manager, no additional costs have been identified.

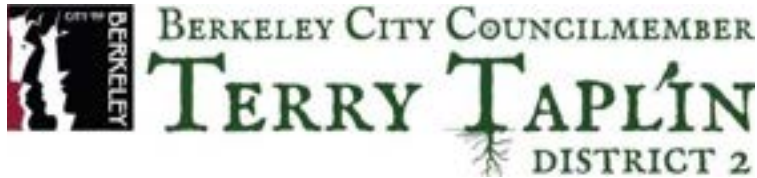
CONTACT PERSON

Terry Taplin, Councilmember, District 2, 510-981-7120

Attachments:

- 1: Budget Referral: Vision 2050 Complete Streets Parcel Tax Community Engagement and Program Plan (March 14, 2023)
- 2: Update on Parks, Recreation and Waterfront Department Maintenance and Capital Projects (October 18, 2022)
- 3: Measure P Program Forecast (Budget & Finance Policy Committee, May 2023)
- 4: Projected Fund Balances (Budget & Finance Policy Committee, June 2023)





CONSENT CALENDAR  
March 14, 2023

To: Honorable Mayor and Members of the City Council

From: Councilmember Taplin (Author), Councilmember Kate Harrison (Co-Sponsor),  
Councilmember Rigel Robinson (Co-Sponsor)

Subject: Budget Referral: Vision 2050 Complete Streets Parcel Tax Community  
Engagement and Program Plan

### RECOMMENDATION

Refer \$400,000 to the June 2023 mid-year budget update to conduct community engagement, public information campaign, and program plan development for potential 2024 complete streets and climate-resilient infrastructure revenue measures.

### FINANCIAL IMPLICATIONS

\$400,000 in General Fund impacts with an estimated \$100,000 in cost to conduct community outreach, and an additional \$300,000 to develop a final 2050 Program Plan.

### CURRENT SITUATION AND ITS EFFECTS

Investing Berkeley's deferred maintenance needs with Complete Streets funding and long-range asset management planning is a Strategic Plan Priority Project, advancing our goals to: provide state-of-the-art, well-maintained infrastructure, amenities, and facilities; create a resilient, safe, connected, and prepared city; champion and demonstrate social and racial equity; and be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

In 2017, the City of Berkeley had the 15th worst pavement condition index (PCI) out of 101 jurisdictions in the Bay Area region. While baseline funding has marginally improved since then, deferred maintenance for infrastructure continues to outpace available resources, and costs continue to grow. In November 2020, the Berkeley City Auditor reported: "Berkeley streets have an asset replacement value of approximately \$777.6 million, and deferred maintenance needs of streets exceeded \$251 million in 2019... In addition to the continued deterioration of pavement condition, the current level of funding would also increase deferred maintenance costs to an estimated \$328 million by 2023. In 2018, a City contractor estimated the City would need \$17.3 million annually to maintain the current PCI or \$27.3 million annually to increase PCI by five points in five years."<sup>1</sup>

<sup>1</sup> Wong, J., et al (2020). Rocky Road: Berkeley Streets at Risk and Significantly Underfunded. *Berkeley City Auditor*. Retrieved from <https://berkeleyca.gov/sites/default/files/2022-01/Rocky-Road-Berkeley-Streets-at-Risk-and-Significantly-Underfunded.pdf>

In July 2022, the City Council voted to increase the annual street paving budget from \$7.3 million to \$15.3 million. Under 2020 estimates, the funding gap for improving PCI by 5 points citywide in 5 years is still \$12 million annually. However, street paving costs can increase five-to-tenfold when conditions necessitate “full rehabilitation” beyond regular maintenance. Thus, paving costs will continue to increase sharply the longer they are deferred.

In November 2022, Berkeley voters approved Measure L by only 59.4%, short of the two-thirds supermajority required to approve the \$650 million bond measure. Measure L would have funded the following categories of capital projects:

- \$300 million for street safety improvements, including pedestrian crossings, bicycle facilities, and street paving;
- \$200 million for affordable housing;
- \$150 million for public parks, facilities, pools, utility undergrounding along fire evacuation routes, and climate resiliency.

In a January 2022 Work Session, the City Manager presented several revenue measure options to fund deferred infrastructure needs, including: “A parcel tax of \$12M annually (or \$250M if bonded against) to address street repair and traffic safety.” In an online survey of 1,024 Berkeley residents concluding on January 12, 2022, a plurality of 28.5% of respondents ranked “Street Repair” as their top priority.

As deferred maintenance costs continue to increase, it is more urgent than ever to foster broad-based community trust in designing future revenue measures for infrastructure. Developing and finalizing a Program Plan will be essential for identifying and prioritizing projects while maintaining the flexibility to respond to changing conditions.

## BACKGROUND

The City of Berkeley began developing the Vision 2050 Framework in 2018 to ensure that a 30-year long-term investment plan for sustainability and resilience in City infrastructure would reflect the community’s collective vision across the lifespan of our public assets. Berkeley voters supported Vision 2050 with the passage of Measure R in the November 2018 election, which asked: *Shall the measure, advising the Mayor to engage citizens and experts in the development of Vision 2050, a 30-year plan to identify and guide implementation of climate-smart, technologically-advanced, integrated and efficient infrastructure to support a safe, vibrant and resilient future for Berkeley, be adopted?*

The Vision 2050 Framework lays out 5 strategies for a sustainable, “cradle-to-grave” planning process to maintain Berkeley’s infrastructure. Additionally, three core principles have guided planning for the Draft Vision 2050 Program Plan:

1. **Support vibrant and safe communities.** Infrastructure shall take equity into account and improve quality of life of all Berkeley residents, including having green open spaces, safe modes of mobility, and being prepared for fires and earthquakes.
2. **Have efficient, inspired and well maintained infrastructure.** Infrastructure shall be long lasting, use advanced technologies, and be maintained to provide efficient service.
3. **Facilitate a green Berkeley and contribute to saving our planet.** Infrastructure shall accelerate the transition to carbon neutrality and include electrification, develop natural streetscapes using green infrastructure, and prioritize human-powered and public transportation.

In 2022, Berkeley's total estimated infrastructure funding needs—including capital costs and ongoing maintenance costs for streets—totaled \$1.8 billion.

Four major outcomes have been identified as goals in the Draft Program Plan for Vision 2050:

1. Streets are safer, more sustainable, improved to a good condition, and maintained.
2. Infrastructure is resilient, protects the environment, and is adapted to climate change impacts.
3. Open space, parks, and recreation improve our quality of life.
4. Public facilities are safe and provide community placemaking.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

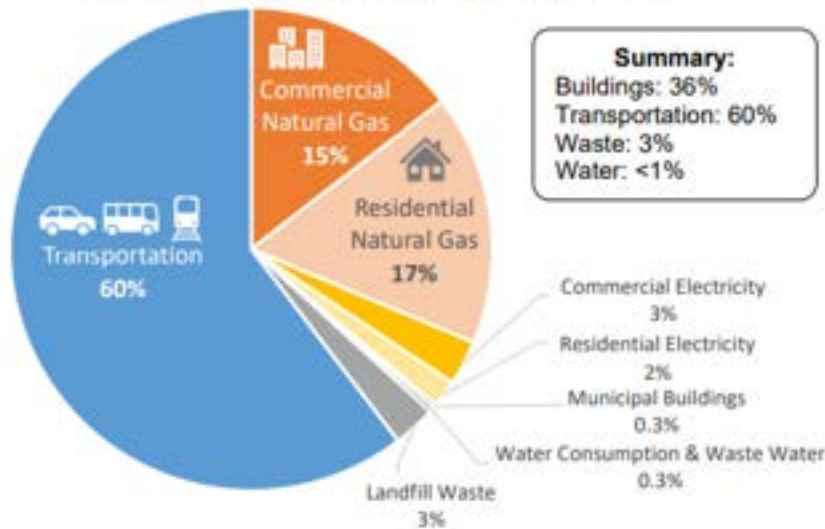
Aligning paving schedules with Complete Streets safety upgrades and design standards identified in the Berkeley Bicycle Plan, Pedestrian Plan, and Vision Zero Action Plan, would reduce planning and construction costs while maintaining consistency with Berkeley's transportation and climate policy goals. At the statewide level, the California Air Resources Board reported in 2018 that even the most optimistic assumptions about Electric Vehicle adoption would still require a 25% reduction in Vehicle Miles Traveled per capita to meet California's emission reduction goals.

Locally, Berkeley's 2019 greenhouse gas inventories identify 60% of the City's carbon footprint coming from the transportation sector. (The decrease in 2020 has been largely attributed to the COVID-19 pandemic.)<sup>2</sup> Meeting our ambitious decarbonization goals will require significant investments in well-paved streets that are safe for all transportation modes, especially increasing safety for pedestrians and cyclists of all body types and abilities.

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<sup>2</sup> <https://berkeleyca.gov/sites/default/files/documents/2021-11-30%20Item%2032%20Berkeley%E2%80%99s%202019%20Community-Wide%20Greenhouse%20Gas%20Emissions%20Inventory.pdf>

### 2019 Greenhouse Gas Inventory



While Berkeley has a strong tradition promoting bicycles and other mobility devices, surveys have consistently shown that transport mode choices are strongly affected at the margins by perceptions and experiences of safety.<sup>3</sup>

### THE SAFER PEOPLE FEEL, THE MORE THEY CYCLE



Source: Ipsos | Cycling Across the World | May 2022 | Global Version | Public  
 The "Global Country Average" reflects the average result for all the countries and regions where the survey was conducted. It has not been adjusted for the population size of each country or region and is not intended to suggest a total result. The sample in Brazil, China, China (mainland), Colombia, India, Malaysia, Mexico, Peru, Saudi Arabia, South Africa and Turkey are more urban, more educated, and/or more affluent than the general population.

© Ipsos | Cycling Across the World | May 2022 | Global Version | Public



Smoother pavement, wider sidewalks, and physical separation from motor vehicles both significantly reduce the risk of dangerous collisions. The Berkeley City Council has consistently supported incorporating Complete Streets safety designs into road maintenance projects to increase safety and reduce automobile dependence, while also reducing traffic congestion for motorists and reducing stress on street pavement.

CONTACT PERSON

Councilmember Taplin      Council District 2      510-981-7120

Attachments:

- 1: Draft Vision 2050 Program Plan
- 2: January 20, 2022 Work Session: Vision 2050 Update





# VISION 2050 PROGRAM PLAN

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# 01

## THE INFRASTRUCTURE PROGRAM PLAN: OVERVIEW

This section provides an overview of the Vision 2050 Initiative and describes the Program Plan.





## 1.1 The Vision 2050 Initiative

The Vision 2050 initiative was introduced by Mayor Arreguin at his 2017 State of the City address. He described a complex network of pipes, streets, utility wires, bikeways, and transportation systems that are old and have suffered from historic disinvestment, neglect, and poor maintenance. As our infrastructure ages, we need a plan to make sure our systems are resilient to handle a growing population and climate change, including sea-level rise, more flooding, and wildfires. As technological innovations emerge and the condition of our infrastructure declines, we have an enormous and exciting opportunity to reimagine our streets and public spaces. This initiative is about building a future for Berkeley that provides essential services for future generations.

In November 2018, Berkeley voters approved Measure R. The Measure asked: "Shall the measure, advising the Mayor to engage citizens and experts in the development of Vision 2050, a 30-year plan to identify and guide implementation of climate-smart, technologically-advanced, integrated and efficient infrastructure to support a safe, vibrant and resilient future for Berkeley, be adopted?" The response was a resounding yes.

A 40-member residents' task force was formed and the team analyzed quality of life, environmental and technology trends, and funding issues. To help keep focus on the future, the team imagined being on a street corner in Berkeley in the year 2050. What will Berkeley be like then? Figure 1 shows a street corner view from 2050.

The task force worked diligently for 18 months and developed the principles, strategies and

recommended actions shown on Figure 2.

Community engagement was at the center of Vision 2050. Outreach began early in 2018 with four information nights across Berkeley. Outreach continued in an effort to reach people where they already congregate, including neighborhood and faith-based groups and community organizations. From September 2018 to July 2019, the Mayor's Office presented at thirteen community organization meetings in conversations that ranged from a handful to one hundred people. Community feedback was used to develop the principles, strategies, and recommended actions.



▲ **Figure 1:** Street Corner View from Vision 2050 report

## VISION 2050

The Vision 2050 Framework focused on better coordination, integrated project delivery, utilizing new financing mechanisms, and broad principles and strategies for our infrastructure needs. The Framework was approved by Berkeley's City Council in September 2020. The City Manager then turned to implement the recommendations and assigned the Public Works Department to lead the effort. A timeline for the Vision 2050 initiative is shown below.

- 2017**  
Mayor Arreguin announces Vision 2050 Initiative
- November 2018**  
Measure R approved by voters
- 2018-2019**  
Residents task force conducted analysis
- September 2020**  
City Council approves Vision 2050 Framework
- Current**  
Implementation led by City Manager

▲ **Figure 3:** Timeline for Vision 2050 Initiative



## PRINCIPLES, STRATEGIES AND RECOMMENDED ACTIONS

### 1 STRATEGY ONE Use Integrated and Balanced Planning

- > Use multi-criteria decision-making
- > Use adaptive planning
- > Prepare and implement a Dig Once policy

### 2 STRATEGY TWO Manage Infrastructure from Cradle to Grave

- > Institute structured master planning
- > Develop an Asset Management Program

### 3 STRATEGY THREE Adopt Sustainable and Safe Technologies

- > Accelerate the transition to clean energy and electrification
- > Implement Complete Streets to provide sustainable and healthy transportation
- > Develop natural streetscapes that provide ecosystem services
- > Use sensors, data, and advanced technologies
- > Prepare a wildfire mitigation and safety plan

### 4 STRATEGY FOUR Invest in Our Future

- > Take advantage of a strong financial position to address infrastructure needs and commit to reducing large unfunded infrastructure liability by doubling capital expenditures

### 5 STRATEGY FIVE Prepare the City's Organization to Implement a Major Capital Program

- > Develop an organization that is integrated and has capacity to deliver
- > Prepare a program approach with management tools
- > Provide independent oversight and reporting

▲ **Figure 2:** Vision 2050 Principles, Strategies, and Recommended Actions Page 87

## 1.2 What is an Infrastructure Program Plan?

This Infrastructure Program Plan (Plan) is the City of Berkeley's roadmap to rebuild our public infrastructure over the next 30 years. This Plan supports the Vision 2050 principles and provides information on outcome objectives, program elements, community input, the funding plan, program implementation, and program oversight and reporting. The Plan serves as a roadmap to guide the many infrastructure decisions that will be required throughout the next three decades. The Plan is flexible and adaptable, so the City can anticipate and address new challenges that we will face in the future. Why prepare a Plan now?

Improving the City's infrastructure requires new funding and a revenue measure or measures, which voters may consider on the November 2022 ballot. This Plan is prepared to provide the public with an understanding of the "big picture" for Vision 2050 in advance of voting for new funding. This approach is an advancement from prior measures. The Plan describes the work at the asset category level—streets, stormwater, parks, waterfront, etc. It is not a project-by-project prioritization. That will happen if voters approve funding, after which a project and program team will be formed and an oversight committee designated.

## 1.3 Core Values and Principles Guide our Planning

Berkeley's streets, storm drains, sewers, and water lines date back to the early decades of the 20th century. Critical systems are simply wearing out. Recent budgets have been insufficient to address these infrastructure needs, let alone modernize our systems or improve their resilience. As defined in the City's resilience strategy, resilience is the capacity of individuals, communities, institutions, businesses, and systems within a city to survive, adapt, and grow no matter what kinds of chronic stresses and acute shocks they experience.

The growing backlog of aging infrastructure leaves the community vulnerable to unplanned failure and service interruptions. For residents, workers, and businesses, this can translate to unsafe conditions, increased cost, and impediments to quality of life. Examples of infrastructure needs are shown in Figure 4.

As we begin to grapple with Berkeley's unfunded infrastructure needs, new challenges are emerging. The local impacts of the global climate crisis pose a major threat to our aging infrastructure. Extreme storm events, wildfires, heat waves, drought, groundwater, and sea level rise will challenge streets, pipes, and open spaces that were designed for a more benign environment. These vulnerabilities are layered upon other acute risks such as a major earthquake, and chronic challenges such as inequity. If our city is to survive and thrive, we must increase our resilience to these challenges.



### PRINCIPLE ONE

SUPPORT VIBRANT AND SAFE COMMUNITIES

Infrastructure shall take equity into account and improve the quality of life of all Berkeley residents, including having green open spaces, safe modes of mobility, and being prepared for fires and earthquakes.

### PRINCIPLE TWO

HAVE EFFICIENT, INSPIRED AND WELL MAINTAINED INFRASTRUCTURE

Infrastructure shall be long lasting, use advanced technologies, and be maintained to provide efficient service.

### PRINCIPLE THREE

FACILITATE A GREEN BERKELEY AND CONTRIBUTE TO SAVING OUR PLANET

Infrastructure shall accelerate the transition to carbon neutrality and include electrification, develop natural streetscapes using green infrastructure, and prioritize human-powered and public transportation.

▲ **Figure 2:** Vision 2050 Principles

As we rebuild our infrastructure and, at the same time, reimagine a landscape for a changing future, our infrastructure decisions must remain flexible, yet grounded in a set of clear values. For this reason, the Vision 2050 Framework identified four core values as shown in Figure 5. These values will guide implementation of Vision 2050.



**Street Pavement Damage**



**Sidewalk Repair**



**Deteriorated Marina Dock**

▲ **Figure 4:** Example Infrastructure Needs



## CORE VALUES FOR INFRASTRUCTURE DEVELOPMENT



### EQUITY

The benefits of improved infrastructure must be distributed equitably throughout the entire community. Equity should mean that disadvantaged citizens with more pressing needs experience benefits sooner than others and receive benefits particularly tailored to their unique needs.



### STRONG LOCAL ECONOMY

A strong local economy provides resources to Berkeley citizens and creates an opportunity to build local skills and employment opportunities that support the city's diverse community.



### PUBLIC HEALTH AND SAFETY

This core value considers safe and convenient access to greenspaces, public services, clean air, and social support networks, all of which can have a big impact on people's emotional and physical health.



### RESILIENCE AND SUSTAINABILITY

Resilience requires systems and structures that are able to recover quickly from temporary and, sometimes, catastrophic events. Sustainability refers to the ability to minimize our impacts on the environment while still providing core services.

▲ **Figure 5:** Vision 2050 Core Values





# 02

## INFRASTRUCTURE NEEDS AND COMMUNITY PRIORITIES

This section provides an update on the City's infrastructure funding needs and the community's infrastructure priorities.





## 2.1 Infrastructure Needs

The City has an extensive portfolio of capital assets and infrastructure, including 216 miles of streets, more than 300 miles of sidewalks, 255 miles of sewers, 78 miles of underground storm drains, 95 public buildings, 52 parks, 2 pools, and 3 camps. In addition, the City operates and maintains the Berkeley Waterfront and its related facilities, including the pier, docks, pilings, channel, streets, pathways, parking lots, buildings, trails, Adventure Playground, and 1,000 berth marina.

A City budget is prepared every two years and it includes a Capital Improvement Program (CIP). The City's ability to fund its CIP is limited by the total available resources that are competing with other community priorities. CIP funding resources include the General Fund, a number of special revenue funds, grants, and loans. The CIP attempts to identify all known CIP projects, categorizing them as baseline (annual, recurring program), one-time (special allocations, grants, loans), and unfunded (funding source has yet to be identified).

The FY2022 CIP identified an infrastructure capital funding need of more than \$1 billion in Berkeley. However, these infrastructure needs are constantly changing due to increased construction costs and new planning studies that result in updated cost estimates. Past estimates also focused primarily on "fix it first" type repairs rather than the transformational infrastructure sought by the Vision 2050 Framework.

For this reason, Table 1 provides an updated list of infrastructure needs. This list includes updates from prior estimates and advances Vision 2050 in several significant ways. It adds asset categories

that are more than simply fixing or repairing an asset and are about the ultimate use and safety of the asset. For example, instead of solely identifying the deferred maintenance in our pavement, the list includes the cost of fully implementing our adopted Bicycle and Pedestrian Plans, which would keep our streets safe for all users, especially bicyclists and pedestrians. Instead of focusing solely on traditional infrastructure, it includes trees as an important infrastructure category and begins to address the climate crises by building in the cost of undergrounding the City's evacuation routes.

Some of these categories have existing, dedicated funding for which an increase is necessary to cover these needs. Others categories may require multiple revenue sources, such as the General Fund, grants, State and Federal funding, developer contributions, user rates, and new revenue sources. An estimate of potential revenue from these funding sources is provided in Section 4.

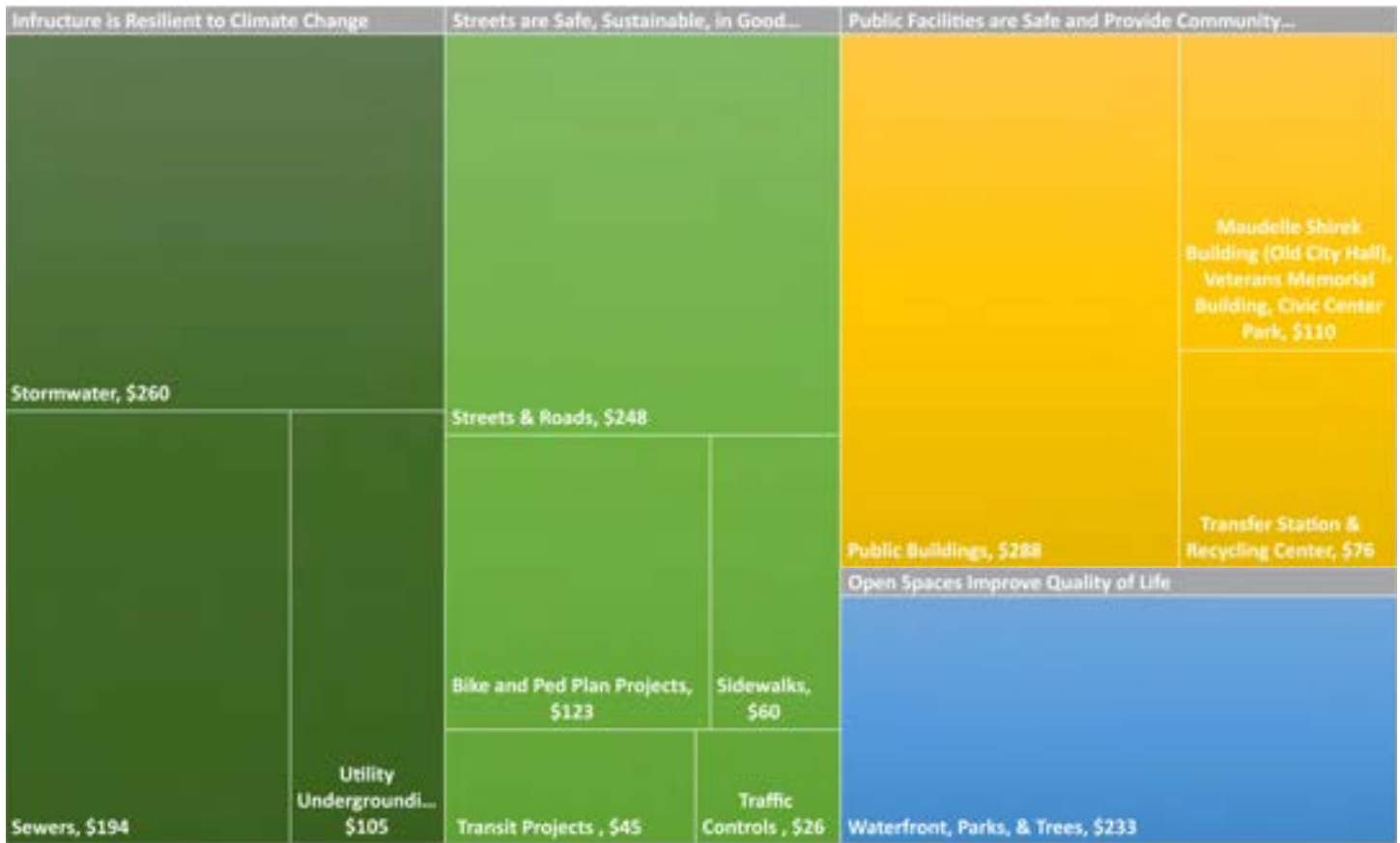
Figure 6 summarizes these same needs, grouped by asset category within each of the four Vision 2050 Program outcomes discussed in Section 3. If these needs are addressed, then Vision 2050's goal of resilient and sustainable infrastructure will be reached.

**TABLE 1**  
**INFRASTRUCTURE FUNDING NEEDS**  
 (These are updated on an ongoing basis)

| Asset Category                                                                             | Infrastructure Funding Needs, in 2022 dollars |
|--------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>More immediate needs</b>                                                                |                                               |
| Parks, camps, and pools                                                                    | \$116,000,000                                 |
| Watefront                                                                                  | \$131,000,000                                 |
| Public buildings                                                                           | \$288,000,000                                 |
| Sidewalks                                                                                  | \$60,000,000                                  |
| Streets                                                                                    | \$248,000,000                                 |
| Sewers                                                                                     | \$194,000,000                                 |
| Stormwater                                                                                 | \$259,500,000                                 |
| Traffic Controls, Streetlights, and Parking                                                | \$26,000,000                                  |
| <b>Longer-term needs</b>                                                                   |                                               |
| Bike and Pedestrian plan projects                                                          | \$122,500,000                                 |
| Maudelle Shirek Building (Old City Hall),<br>Veterans Memorial Building, Civic Center Park | \$110,000,000                                 |
| Transfer station and recycling center                                                      | \$76,000,000                                  |
| Transit projects                                                                           | \$45,000,000                                  |
| Trees                                                                                      | \$21,000,000                                  |
| Utility Undergrounding                                                                     | \$105,000,000                                 |
| <b>Total Average</b> <span style="float: right;"><b>\$1,802,000,000</b></span>             |                                               |

Table 1’s cost estimates are largely work that would be capital funded. In some cases, such as with streets and roads, the estimate includes recurring annual costs to keep the asset performing at the

expected level and without deterioration. The requirement to fund the annual maintenance of assets is addressed in the Asset Management Program discussed in Section 6.



▲ **Figure 6:** Infrastructure Funding Needs by Vision 2050 Outcome Objective

## 2.2 Community Input and Priorities

To better understand the community’s infrastructure priorities, the following was completed in winter 2021 through spring 2022:

- › Two statistically-reliable surveys of a representative sample of 500 Berkeley voters
- › Meetings with over 25 commissions and local community organizations
- › An online public survey that received over 1,000 responses
- › An informational mailer to all Berkeley residents
- › Development of a Vision 2050 website [BerkeleyVision2050.org](https://BerkeleyVision2050.org)
- › Four virtual large area public meetings

All of these efforts have been instrumental in sharing information and gaining input in the development of this Program Plan.

A survey in October 2021 of a random, representative sample of 500 Berkeley voters elicited respondents’ infrastructure priorities and found that voters’ top priorities included:

- › Increasing affordable housing for low-income and homeless residents (79% rated as “important”)
- › Upgrading storm drains, green infrastructure, and watersheds to keep pollution from the Bay (79% important)
- › Developing climate change resiliency, including protecting against sea level rise, wildfires and drought (78% important)
- › Undergrounding utilities to reduce the risk of wildfire (73% important)
- › Repairing deteriorating streets (73% important)

An online survey was also conducted and a total of 1,024 responses were received. For the most part, the results from the online survey aligned with the scientific survey. More so than the scientific survey, street repair stood out as a clear top priority followed by affordable housing. The top five ranked priorities are listed below, with percentages indicating the number of respondents who ranked the particular item as top priority:

- › 28.5% - Street repair
- › 19.2% - Affordable housing
- › 8.3% - Bike lanes/safety
- › 7.5% - Climate change resiliency
- › 6.8% - Pedestrian safety

Input on this Program Plan was gained from four large area public meetings held on March 30, April 6, April 13, and April 20 and the following Commissions: Environment and Climate, Disaster and Fire Safety, Disabilities, Parks and Waterfront, Public Works, and Transportation. Berkeley residents brought their questions, input, and comments, a summary of which can be found at [BerkeleyVision2050.org](http://BerkeleyVision2050.org).

This program plan reflects input gathered from these meetings and City Council meetings on May 31 and June 21, 2022:

- › More detail on possible climate and street investments
- › Adding regular five-year updates
- › Address overall vision
- › Incorporate trees as public infrastructure assets
- › Include indicator on tree canopy and diversity
- › Address sidewalks
- › Address equity and reference existing equity-based plans
- › Include transit
- › Explain why affordable housing is being considered for the revenue measure(s)
- › Include developers' fees as source of revenue
- › Address General Fund commitments to maintaining public infrastructure
- › Include public art
- › Revise indicators on EVs, sidewalks, and micromobility
- › Revise Program Delivery section to address paving, traffic safety, and a multi-benefit approach
- › Include more on climate change, e.g., resilience and electrification in buildings
- › Include reference to the San Pablo Park pool
- › Include coordination of programs/projects for multiple benefits









03

# INTRODUCING THE 30-YEAR PROGRAM PLAN



The City's infrastructure systems are very complex, are in daily use, and can't be improved all at once. This Plan proposes making the improvements over a 30-year planning period in order to achieve a sustainable and resilient infrastructure. This is a reasonable time frame given the need to balance the work priority, the funding required, tax impacts, and the ability to deliver the projects. This also allows time for incorporating new technologies as they develop.

This 30-year Program Plan provides the following information:

- › The major outcomes from implementing the Plan
- › Implementing the Plan over 30 years in phases
- › Possible results from the first phase

### 3.1 Outcomes of the Program Plan

This Plan includes visible outcomes. Four major outcomes have been identified that incorporate and advance Vision 2050 principles and core values, and

incorporate community input received to date. The outcomes are shown in Figure 7 and the related infrastructure components are described below.



▲ **Figure 7:** Outcomes of the Program Plan



# Outcome 1 - Have Safe and Good Quality Streets

## Streets are Safer, More Sustainable, Improved to a Good Condition, and Maintained

Having streets and streetscapes that are safer, greener, vibrant and enjoyable, use sustainable technologies, and are in “good” or better condition is a top priority from the community input, has been a subject of City audits, and is a priority of the Council. The asset categories to achieve this outcome are described below.

### Asset Category 1 - Street Surface

The poor condition of Berkeley’s streets has been documented by the City Auditor’s report *Rocky Road: Berkeley Streets at Risk and Significantly Underfunded*, by residents’ complaints, and by an overall low Pavement Condition Index (PCI). On a scale of 0 to 100, streets in a “good” condition have a PCI between 70 - 79. Berkeley’s streets are “at risk” with an overall average PCI of 57 and, without more funding, will continue to deteriorate. From a community survey conducted in the fall of 2021, improving the condition of Berkeley’s streets is one of the community’s highest infrastructure priorities. The target is to improve Berkeley’s streets to a PCI of more than 70.

Berkeley’s streets in 2050 will look much different than today. Personal automobiles will be rarer, and public transit, ride sharing services, bicycling, and walking more common. Streets will better serve all users, and include visible engineering improvements that make bicycling and walking safer. These streets will make transit easier, safer, faster, and more reliable to access and use. Work in our streets will also require a coordinated approach to the infrastructure above, both at and below the street surface. This will require planning that is integrated and uses concepts such as “Dig Once”.

We also will use other street surface technologies that are long lasting, help absorb stormwater and reduce pollution, reduce surface temperatures and the “urban heat island” effect, and reduce our dependence on asphalt paving, the production of which generates greenhouse gas emissions.

The expected outcome is for Berkeley’s street surface to be in an overall “good” condition, to move toward using sustainable technologies, and to have Vision Zero and Dig Once policies fully implemented.

**Reimagine Streets:**

- › Implement Multi modal Streets with Protected Sidewalks and Bike Lanes
- › Introduce Pervious and/or Cool Pavement
- › Reclaim Street Parking for Trees and Vegetation
- › Promote transit use

COMMON STREET PROBLEMS



COMPLETE STREETS



▲ **Figure 8:** Vision 2050 Streets

### Asset Category 2 - Sidewalks

Most Berkeley residents use a sidewalk daily, and many of us much more. Sidewalks in 2050 will be an even more important part of the transportation network. They will accommodate and promote the City’s trees and healthy urban forest, serve users



of all levels of ability and accessibility, and use materials that help filter stormwater and reduce surface temperatures. At present, the City faces a backlog of thousands of sidewalk repairs that have been requested by residents. While Measure T1 has significantly reduced that backlog, the backlog is about to grow again as City staff complete the first proactive assessment of the City’s sidewalks to identify repair locations. This proactive assessment is being conducted as part of the City’s update to its Americans with Disabilities (ADA) Transition Plan. The City addresses sidewalk repairs with short-term grinding and filling of problem areas and long-term replacement of damaged sidewalks. Where conflicts with the urban forest exist, tools like meandering sidewalks are used to reduce or resolve those conflicts and make tree removal a last resort.

The expected outcome is for the backlog of Berkeley’s sidewalk repairs to be completed and to have adequate resources to address future repair needs.

### Asset Category 3 - Bicycle and Pedestrian Plans

Eighty percent of the collisions that result in deaths or severe injuries on our streets involve someone riding a bike or walking. Making our streets safer means prioritizing bicycle and pedestrian safety. This is especially important to help more residents and workers choose these fossil fuel-free active transportation modes, and is why Berkeley’s vision for the future of its transportation network is to be

multi-modal, fossil-fuel free, and equitably accessed. The City has adopted the 2017 Bicycle Plan and the 2020 Pedestrian Plan, and has identified projects to help to bring the City closer to these safe and accessible multi-modal goals.

The City is transforming the City’s bicycle network into a low-stress experience with a goal of reducing motor vehicle conflicts and connecting cyclists with the most utilized portions of the City. At the end of the program, over 50 miles of city streets will comprise bikeways, with 15.8 miles of these streets being full bicycle boulevards that criss-cross the City.

Walking is also a core mode of transportation in Berkeley. Improving walkability makes Berkeley safer, more inclusive, and more connected. As the most accessible and affordable form of transportation, walking lies at the core of an equitable mobility network and a healthy community. In addition to enhancing Berkeley’s quality of life, improving walking will help the City to achieve its Vision Zero Policy goal of zero traffic deaths and severe injuries.

The Berkeley Pedestrian Plan includes an infrastructure inventory and an assessment of pedestrian demand and safety. The plan identifies ten priority street segments requiring projects to improve pedestrian safety and walkability. Projects provide improved street design, upgraded pedestrian crossings, installed speed management and traffic calming, and improved sidewalk maintenance and accessibility.

The expected outcome is for Berkeley’s Bicycle and Pedestrian plans to be fully implemented.



## Asset Category 4 - Traffic Controls, Streetlights, and Parking

In support of creating safe, accessible, and easy to use streets, the City of Berkeley is planning upgrades to existing traffic signals, including detection at 67 locations, ADA accessibility, pedestrian push buttons at 103 locations, and battery back-ups at 124

locations. Public Works maintains 8,011 streetlights and is planning replacements and upgrades of 2,100 parking meters and 240 pay stations.

The expected outcome is for these traffic controls, streetlights, and parking needs to be addressed.

# Outcome 2 - Protect the Environment

## Infrastructure is Resilient, Protects the Environment, and is Adapted to Climate Change Impacts

Global warming is a significant threat to communities globally and to the City of Berkeley. Berkeley's 2009 Climate Action Plan, 2016 Resilience Strategy, and 2019 Local Hazard Mitigation Plan establish city-wide actions to reduce greenhouse gas emissions and adapt to climate change impacts. The message is clear that the City's infrastructure must be resilient to prepare the City for these risks. Key goals of the City's climate action plans are to use energy more efficiently, transition to renewable energy as a power source for both buildings and transportation, improve access to sustainable transportation modes, recycle our waste, and build local food systems. The asset categories to achieve this outcome are described below.

### Asset Category 1 - Stormwater and Watershed Management

The 2012 Watershed Management Plan (WMP) identified projects to improve storm drains, restore creeks, attenuate peak flows and to reduce pollutants entering San Francisco Bay. That project modelled the Potter and Codornices watersheds. The City is in the process of updating the WMP. The updated plan will consider flooding and drought caused by extreme storm events, sea level, and groundwater rise, implementation of the Green Infrastructure Plan, and modelling of all the watersheds. Infrastructure improvements will include storm drains, flow attenuation basins, permeable surfaces, bio-swales, and improvements at Aquatic Park.

The expected outcome is to have a stormwater system that addresses future climate impacts, reduces impervious surfaces, minimizes flooding, meets the City's stormwater discharge permit into San Francisco Bay, prevents pollution from reaching the San Francisco Bay, and revitalizes the urban watershed.

### Asset Category 2 - Sewers

The City's wastewater collection system includes approximately 254 miles of City-owned sanitary





sewers, 7,200 manholes and other sewer structures, seven pump stations, and approximately 31,600 service laterals. The City is responsible for maintenance and repair of the lower portion of the service laterals (located within the public right-of-way) from the property line cleanout to the connection to the City's sewer main. Wastewater generated in the City's collection system is conveyed to the East Bay Municipal Utility District (EBMUD) wastewater interceptor system and is treated at EBMUD's Main Wastewater Treatment Plant.

During the 1980s, EBMUD and the seven Satellite agencies conducted studies to address the problem of overflows and bypasses of untreated wastewater that occurred during large wet weather events due to excessive infiltration and inflow (I/I) into the collection systems. These studies resulted in a long-term program of construction of collection system relief sewers and sewer rehabilitation. The City has rehabilitated or replaced over 200 miles of its gravity sewers and associated lower laterals over the past 30 years. Since 2006, the City has also implemented a private sewer lateral (PSL) certification program requiring the inspection and/or repair or replacement of private (upper) sewer laterals at the time of property transfer or major building remodel.

The seven Satellites and EBMUD are in a Consent Decree with the U.S EPA, the State Water Resources Control Board, and the Regional Water Quality Control Board, which establishes requirements for achieving the elimination of untreated wastewater overflows and bypasses over the next 20 to 25 years.

The expected outcome is to comply with the City's requirements in the Consent Decree and seal the sewer system from storm water intrusion, thereby reducing the risk of untreated sewage reaching the Bay during wet weather. This will become even more important as storms intensify due to the climate crisis.

### Asset Category 3 - Undergrounding Overhead Utility Wires

The City of Berkeley's stated goal, as outlined in the General Plan, Disaster Preparedness and Safety Element, is to ensure the City's disaster related efforts are directed toward preparation, mitigation, response and recovery from disaster shocks. The Berkeley Local Hazard Mitigation Plan states that our two greatest disaster challenges are a Hayward Fault rupture and Wildland Urban Interface (WUI) fire. The climate crisis will result in periods of drought followed by very wet winters, producing heavy vegetation, dry summers, and hot easterly winds in the late summer. These conditions are known to create significant fires such as the 1991 Oakland Hills Tunnel Fire and fires in many parts of California in the past five years.

Methods to reduce the threat of overhead wires creating WUI fires include aggressive vegetation management and other fire hardening techniques. Overhead power lines, more so than undergrounded wires, can exacerbate unsafe conditions either by contributing to the disaster itself or hampering public safety efforts and evacuations. Earthquakes and landslides can knock over utility poles creating a special hazard. In an earthquake,



poles have a tendency to sway in opposite directions causing wires to snap and throw sparks. Some of California’s biggest fires have started because of live wires in contact with combustible fuel.

The Public Works Commission led a three-phase study to underground overhead utility wires in Berkeley. The Phase 3 report recommended undergrounding along evacuation routes to support public safety through ingress of first responders and egress of community members in the event of a major disaster.

The expected outcome is to implement the Phase 3 study recommendations to underground overhead utility wires along Berkeley’s evacuation routes and to support neighborhoods in fire zones that choose to underground.

### Asset Category 4 - Electrification of Buildings Neighborhoods and Transportation

A major goal of Vision 2050 is to decrease the City’s overall climate impact. This effort requires both the reduction of City-wide energy use and transition away from fossil fuels to renewable energy. The Existing Buildings Electrification Strategy in 2021 transitions existing buildings in Berkeley from natural gas appliances to all-electric alternatives in a way that benefits all residents, especially members of historically marginalized communities. As identified in the City’s Resilience Strategy and Climate Action Plan, Berkeley seeks an energy system that, by 2045, is carbon neutral and delivers carbon-free electricity across a highly distributed system. Multifaceted changes to existing infrastructure and its uses are required to achieve carbon neutrality. Improvements to the existing energy grid may include, among other items:

- › Increasing electricity distribution capacity to accommodate neighborhood electrification and mobility charging, in coordination with streets and other infrastructure improvements
- › Improving or expanding access to transformers, vaults, and switchgears
- › Seeking opportunities to decommission gas pipes in areas where buildings or neighborhoods are transitioning to all-electric
- › Supporting solar energy and storage for critical facilities that prioritizes renewable backup power over diesel generators, including mobile batteries and electric vehicle-to-building connections
- › Increasing electric vehicle infrastructure for municipal fleet and distributed mobility charging for residents

The expected outcome is to achieve the City’s goal of becoming a fossil fuel-free city as soon as possible.

### Asset Category 5 - Urban Forest

The City’s municipal forest includes approximately 42,000 street, park, and median trees. These are often referred to as “city trees” or “public trees.”

#### CLIMATE EQUITY FUND PILOT PROGRAMS

In 2021, the Berkeley City Council allocated \$600,000 for Climate Equity Fund Pilot Programs that provide decarbonization and resilience programs for low income community members to retrofit homes, increase access to electric bikes or other forms of electric micro mobility, and gain access to resilience measures and other electrification measures.

They are maintained by the Parks, Recreation, and Waterfront’s Urban Forestry Unit, which performs pruning, removing, and planting trees. These trees are hard at work. They remove pollutants and carbon dioxide from the air, help cool the City during the summer, absorb stormwater during storms, and help the City stay green and support a high quality of life. However, there are approximately 10,000 vacant tree locations and many of these locations are in areas with higher proportions of low-income residents of color. The expected outcome is to increase our City’s tree canopy by planting thousands more trees for the purpose of enhancing our urban forest, sequestering carbon, addressing equity, mitigating urban heat island impacts, and improving quality of life.

### Asset Category 6 - Specific Resilience Infrastructure Assets

While limiting City-wide climate impact is necessary, the effects of global warming are already testing traditional infrastructure and will continue to push our resources to their limits. Worsening drought conditions, increased risk of extreme weather events such as flooding and sea level rise create major challenges for our water supplies, watershed management, and resilience of our underground infrastructure systems. These events also have implications on the safety, health, and well-being of the community. The City has identified several new technologies and infrastructure to build while working towards climate adaptation and resilience. Some of the new infrastructure and adaptation strategies include:

- › Develop rainwater catchments, expanding the use of gray water and expanding the distribution and use of EDMUD recycled water (purple pipe) for landscaping irrigation.
- › Use natural green infrastructure solutions including infiltration basins, wetlands, bioswales, permeable paving, etc. to mitigate

flooding from the combined effects of groundwater, sea level rise, and extreme rain events.

- › Increase the urban forestry canopy and use cool paving technologies to protect against extreme heat.
- › Upgrade Community Resilience Centers and Resilience Hubs to ensure respite and evacuation capacity.
- › Identify and manage urban - wildland forest canopy to mitigate wildfire risks.
- › Install technologies such as air filtration to mitigate wildfire smoke impacts.
- › Use “cool” paving and reduce dark asphalt street surfaces to combat urban heat island effects.
- › Improve seismic safety systems in City facilities to reduce impacts from future earthquakes.





## Outcome 3 - Promote Quality of Life

### Open Space, Parks, and Recreation Improve Our Quality of Life

A key outcome of the Vision 2050 initiative is to improve our overall quality of life through the promotion of open spaces, parks, and recreational opportunities. The asset categories to achieve this outcome are described below.

#### Asset Category 1 - Parks

The City has 52 parks that contain 15 athletic fields, 49 sports courts (basketball and tennis), and 63 play areas. Many parks need significant improvements to pathways, lighting, irrigation systems, play structures, and athletic fields. The expected outcome is to implement these improvements.



#### Asset Category 2 - Pools

The City has two swimming pools, one by King Middle School and the other at West Campus. The pools require improvements to the locker rooms and office areas, and improvements to piping, decking, tiling, and roofs. While the King pool has a 30-year lease, the West Campus site has a five-year lease with the possibility that a new pool will be built at San Pablo Park that serves south and west Berkeley residents.

#### Asset Category 3 - Park Buildings and Restrooms

The City has four community centers, 2 clubhouses, 29 restrooms, and outbuildings. Many of the

required improvements have been made with funding from Measure T1. Future improvements include seismic/deferred maintenance at some park buildings, renovation of existing restrooms, and construction of new restrooms. The expected outcome is to implement the required improvements, including electrification, elimination of natural gas connections, and the addition of solar and battery storage, where feasible.

#### Asset Category 4 - Camps

The City of Berkeley's non-resident camps include Cazadero Camp located off the Russian River, Echo Lake Camp located just above South Lake Tahoe, and Berkeley Tuolumne Camp located just east of Yosemite Park. These camps include hundreds of facilities, amphitheaters, bridges, pathways, water systems, and swimming pools.

There are two significant camp projects in progress. The rebuilding of Berkeley Tuolumne Camp is nearly completed and is scheduled to reopen in the summer of 2022. At Cazadero Camp, the Jensen Dorm, which was destroyed by a landslide in 2016, has been reconstructed. These projects are primarily funded by insurance.

The expected outcome is to complete the construction at the camps and to have them back in operation.

#### Asset Category 5 - Waterfront

The Waterfront is the largest public marina in the Bay Area located on 125 acres of land and 50 acres of water, and includes approximately 1,040 berths, public access docks, pilings, channels, streets, pathways, parking lots, buildings, restrooms, buildings, and small boat launch ramps.

There are many funding needs at the Waterfront, where many of the facilities have reached the end of their useful life and are starting to fail. As documented in multiple reports, there is a diminishing ability to pay for the pressing capital needs in the Waterfront. The Marina Fund is the City's mechanism for managing all Waterfront revenues and expenditures. Revenues steeply declined in the last two years as a result of safety and security concerns and failing infrastructure. The combination of falling revenue and increasing expenditure needs have strained the relatively small Marina Fund to a breaking point.

The City has begun a long-term planning effort - the Berkeley Marina Area Specific Plan (Figure 9)- to establish the community's vision for the Waterfront and to plan for making the Marina Fund viable and stable. There is still a need to address urgent infrastructure repairs to finger docks, pilings, electrical systems, and restrooms.

If these investments are not made, facilities and infrastructure will either require more costly emergency funding or be closed as in the case of the Berkeley Pier.

The expected outcome is to make the urgent repairs, complete the Berkeley Marina Area Specific Plans, and to return the Marina Fund to solvency.



▲ Figure 9: Marina Community Vision

## Outcome 4 - Have Safe Public Facilities

### Public Facilities are Safe, Resilient, and Provide Community Placemaking

The City is responsible for maintenance of 95 facilities, not including Library facilities and facilities leased to other entities. These facilities include 39 facilities in the Parks, Recreation, and Waterfront inventory and 56 facilities in the Public Works inventory. These facilities house City staff and are places where residents receive public services. These facilities need to be safe, healthy, and resilient, and provide community placemaking, where the connection between people and these places is strengthened. The asset categories to achieve this outcome are described below.

#### Asset Category 1 - Public Buildings

In 2013, staff retained a consultant to perform

assessments and provide updated condition reports and cost estimates for the City's facility inventory. The recommended improvements are extensive. All projects included in these assessments are considered either major maintenance or capital projects. Despite support from a variety of City funds, the cost for routine maintenance, major maintenance, and capital improvements far exceeds currently existing sources of funds.

The expected outcome is that condition assessments of the City's public buildings will be conducted regularly, and necessary improvements identified and completed. These improvements include electrification, elimination of natural gas



connections, and addition of solar and battery storage, where feasible.

### Asset Category 2 - Civic Center

The Civic Center comprises portions of the area surrounding Martin Luther King Jr. Civic Center Park including the Maudelle Shirek Building "Old City Hall" (1909) and the Veterans Memorial Building (1928). Presently, the historic buildings have decades of accumulated deferred maintenance and are seismically unsound. As part of the city's Measure T1 program, the Veterans Memorial Building and Old City Hall were slated for structural analysis and visioning of possible conceptual design alternatives, in concert with Civic Center Park. A consultant was retained to conduct a community outreach strategy, perform an assessment of the existing infrastructures, identify programs and functions for the two buildings, develop concepts for improvements for the Park. The consultant completed this work and presented a suite of financing and revenue generation strategies for the facility. City Council approved the following vision:

#### CIVIC CENTER VISION

The Civic Center will be the heart of Berkeley's community. Civic Center will be the prime space for civic life, culture, and the arts. It will reflect the city's diverse identities, celebrating its history, and contributing to shaping its future. A place of shared resources and a platform for free expression accessible to all, Civic Center aims to manifest the city's values, advance social justice, and demonstrate the power of true public space.

The expected outcome is to design and construct a Civic Center consistent with this vision and to provide placemaking.

### Asset Category 3 - Transfer Station and Recycling Center

The city's current solid waste transfer station was opened in 1983. In the late 1980s, Berkeley's recycling operations relocated to the site to be operated by the Community Conservation Center. In the 1990s, the residential recyclable collection operator, the Ecology Center, was allocated an area at the site for its operations yard and office building. These facilities are not integrated and operations are not coordinated in a way that provides customers ease of use, access, or efficient drop-off of materials. These facilities do not meet current seismic requirements, have not been upgraded or improved since constructed, exceed their serviceable life, and cannot help meet the city's Zero Waste Goal. The city retained a consultant to conduct a feasibility study to build a new solid waste transfer and recycling facility. Through active collaboration and community participation between November 2018 to May 2019, the city has developed a consensus around two conceptual facility designs.

The expected outcome is that the CEQA analysis and design of the approved project will be completed and a replacement facility constructed that helps the city achieve its Zero Waste goal.



**Award Winning Remodel of the Mental Health Building**

## 3.2 Work Prioritization and Phasing

The Vision 2050 program is planned to be implemented over 30 years in approximately three, 10-year phases. Due to the work’s complexity and volume, an understandable prioritization process is needed to sequence the work. The Program Plan uses a scoring system based on these components and weighting:

- › Envision criteria, 60% weighting
- › Community input criteria, 40% weighting

The Vision 2050 report recommended the use of multi-criteria decision-making and suggested using the Envision criteria as prioritization tool. Envision is a program that is organized by the Institute for Sustainable Infrastructure and provides an objective framework of criteria designed to help identify ways in which sustainable approaches can be used to plan, design, construct, and operate individual infrastructure projects.

The Envision framework includes 64 sustainability and resilience indicators organized around five categories: quality of life, leadership, resource allocation, natural world, and climate and resilience. Envision is now widely applied to civil infrastructure projects akin to LEED certification. This criteria is given a weighting of 60%.

The other criteria comprises community input from the surveys, online feedback and community meetings. What the community wants for Berkeley is important and this criteria is given a weighting of 40%. The resulting criteria and score sheet is shown on Table 2.

**TABLE 2:  
PRIORITIZATION SCORE CARD**

| Envision Criteria (Weight 60%)                                                                                      |                                            |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>Quality of Life</b>           |                                            |
|                                                                                                                     | Public Health and Safety                   |
|                                                                                                                     | Equity                                     |
|                                                                                                                     | Public Space                               |
| <b>Leadership</b>                 |                                            |
|                                                                                                                     | Integrated Planning                        |
|                                                                                                                     | Lifecycle Maintenance                      |
|                                                                                                                     | Local Economy                              |
| <b>Resource Allocation</b>       |                                            |
|                                                                                                                     | Sustainable and Durable Materials          |
|                                                                                                                     | Reduces Energy Use                         |
|                                                                                                                     | Preserves Water Resources                  |
|                                                                                                                     | Ready to Implement                         |
| <b>Natural World</b>           |                                            |
|                                                                                                                     | Green Infrastructure                       |
|                                                                                                                     | Open Space and Habitats                    |
| <b>Climate and Resilience</b>  |                                            |
|                                                                                                                     | Reduces Greenhouse Gas Emissions           |
|                                                                                                                     | Extreme Climate Impacts                    |
|                                                                                                                     | Resilience Strategy                        |
|                                                                                                                     | <b>Total Envision Points</b>               |
|                                                                                                                     |                                            |
| Community Input Criteria (Weight 40%)                                                                               |                                            |
|                                                                                                                     | Complies with Community Survey Input       |
|                                                                                                                     | Complies with Commissions and Public Input |
|                                                                                                                     | <b>Total Community Input Points</b>        |
|                                                                                                                     |                                            |



Each asset category was rated using the score sheet, and initial scoring was completed by managers in the Public Works and Parks, Recreation and Waterfront departments. A summary of the scoring results is shown on Table 3. This rating is intended as a general guideline for resource allocation. It does not dictate when the works gets done as there may be other project requirements.

For planning purposes, the work can be placed in three priority groups as shown in Table 3. This can serve as a start for the planning of a 30-year program. More details of the 3-phase program will be developed by the program team, should voters approve new funding for the program. Ultimately, the City Council will select the projects to fund and their timing.

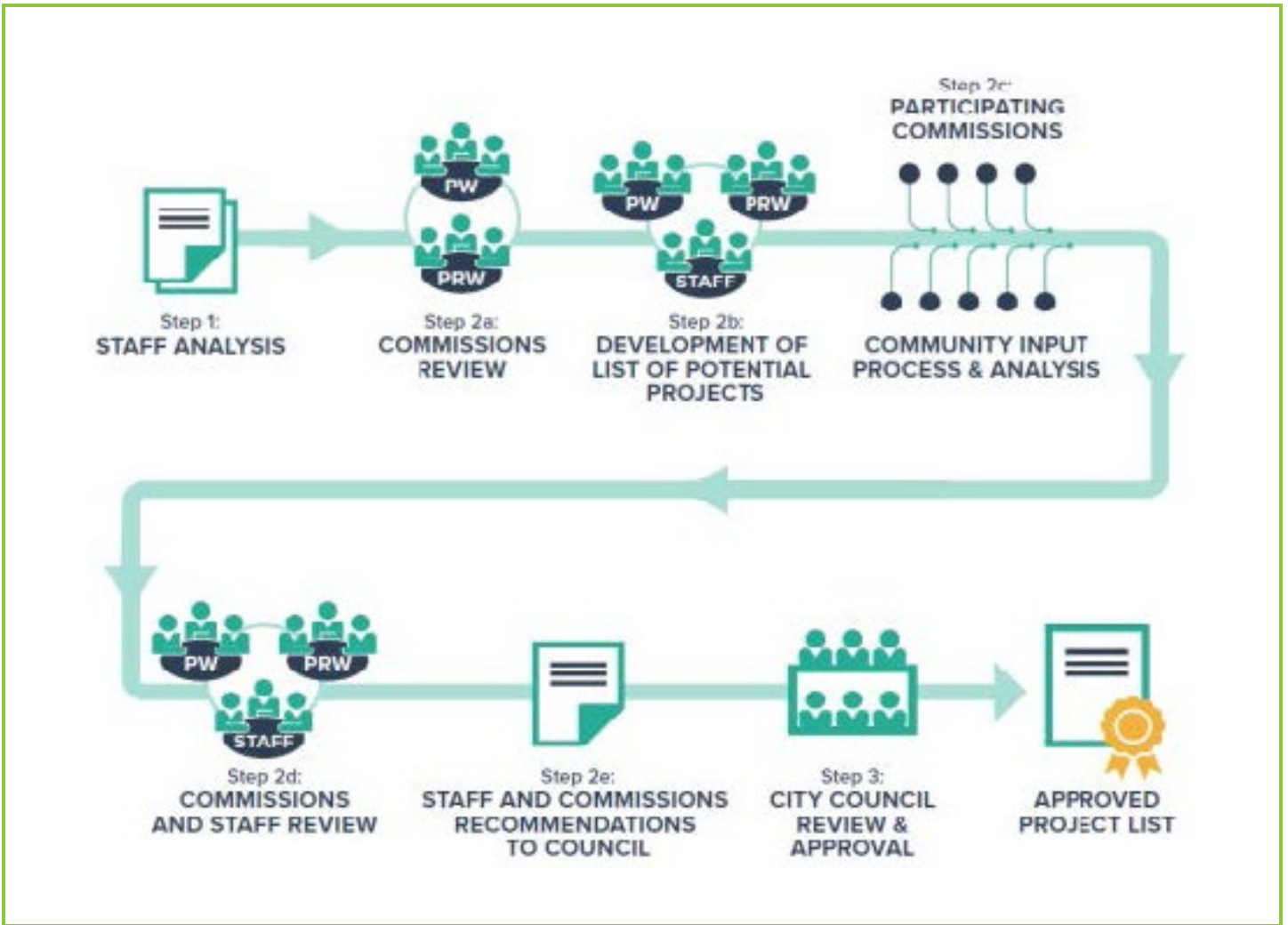
**TABLE 3**  
**SUMMARY OF PRIORITY SCORING**

| Priority | Asset Category by Score                     |
|----------|---------------------------------------------|
| <b>1</b> | Streets                                     |
|          | Bicycle and Pedestrian Plan projects        |
|          | Sidewalks                                   |
| <b>2</b> | Undergrounding                              |
|          | Stormwater                                  |
|          | Parks                                       |
|          | Trees                                       |
|          | Waterfront                                  |
| <b>3</b> | Traffic Controls, Streetlights, and Parking |
|          | Transit projects                            |
|          | Civic center                                |
|          | City buildings                              |
|          | Transfer station                            |
|          | Sewer                                       |

The Program Plan’s goal is to ensure all of these asset categories become Priority 1 well before 2050. Asset categories in Priorities 1 and 2 are most aligned to resilience and sustainability measures in the criteria and are closest to being able to move into construction. Many of the asset categories in Priorities 2 and 3 require more public process, planning, and/or engineering, some of which may be supported by a revenue measure or measures.

Some of these asset categories, such as sewer, have sufficient, dedicated funding sources that make them unnecessary to prioritize for new revenue funding.

When sufficient funding mechanisms and the project team are in place, the work of selecting projects will begin. The process will be carried out separately for each 10-year program phase. The project selection process is shown on Figure 10. This process is being used successfully on the second phase of the Measure T1 program. Projects that are identified as high priority for implementation within each 10-year phase will move forward to final acceptance after staff analysis, community and Commission input, and City Council review and approval. The prioritization of the projects will use the scorecard shown on Table 2, or as updated at the time.



▲ **Figure 10:** Project Approval Process



# 04

## THE PLAN'S FUNDING, RESULTS, AND TAX IMPACT

This section describes a high-level funding approach to achieving resilient and sustainable infrastructure by 2050, the various sources of funds available for this work, results that could be delivered, and a review of the tax impacts on residents for implementing a Vision 2050 program.

MARTIN LUTHER KING JR  
CIVIC CENTER

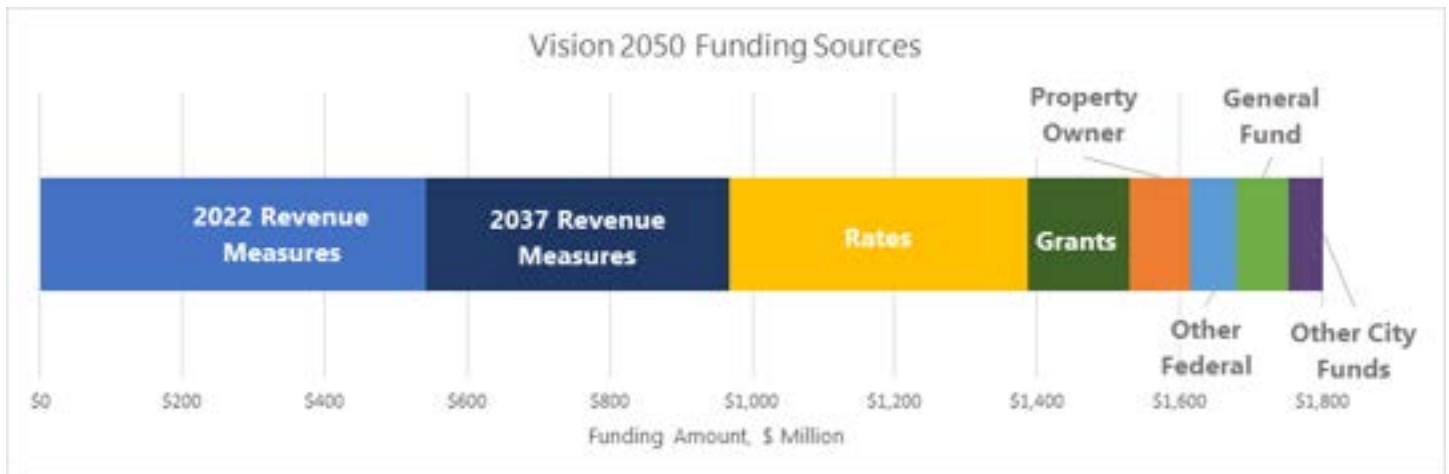
2180  
Wilva Street

# 4.1 Funding Sources

Achieving a resilient and sustainable infrastructure by 2050 will require new revenue from a variety of sources, including new voter-approved measures. Adjustment to user fees and rates that are dedicated to certain services will be another important source of infrastructure funding. For example, Berkeley’s sewer system is operated and maintained through user fees charged to customers. Through financial analysis, staff have determined that the \$194 million needed in the city’s sewer systems can be addressed in the next decade or so with cost-of-living adjustments to existing rates. Other services have dedicated funding sources (or rates), but that funding falls short. This is true of the city’s

stormwater fee and a special parcel tax for parks and trees. Other sources of funds include grants (federal, state, and other), developer fees, city funds (including the General Fund), and property owner fees, e.g., 50/50 sidewalk repairs.

Figure 11 shows the anticipated funding sources that will be available to complete each of the four Program outcomes and deliver sustainable and resilient infrastructure by 2050. This is a high-level projection with many assumptions yet to be proven, but is offered to show a funding path to the Vision 2050 destination and its dependence on a variety of revenue sources.



▲ **Figure 11:** Vision 2050 Funding Sources





## 4.2 Funding Alternatives

For the November 2022 ballot, two types of infrastructure revenue measures are being considered: a General Obligation Bond (or Infrastructure Bond) and Parcel Tax.

**General Obligation Bonds** (GO Bonds) are paid by an ad valorem property tax based on taxable property assessed value and can only be used to fund capital improvements (no maintenance, operations or services). GO Bonds are considered the most secure type of municipal debt and carry the lowest interest rates given the taxing power for repayment of the debt service. GO Bonds can also be structured to match the life expectancy of the infrastructure improvements and be issued in independent series as required based on project costs and timing. This phasing can allow for a better alignment of infrastructure utilization and repayment of the debt. Also, bond measures are generally considered progressive forms of taxation since they are based on the assessed value of properties.

The city has historically managed its GO Bond program for each authorization (Measures G, S, I, FF, M, T1 and O) through the issuance of individual bond series calculated to meet the capital funding requirements of the projects. Bonds were issued in amounts that minimized the impact on the tax rate required to make debt service payments. Since 1992, the city has maintained annual tax rates below original projections represented to voters for each of the GO Bond authorizations.

A **Parcel Tax** is a property tax that generates annual special revenues for capital, operations, maintenance and services. State law provides for

a number of different tax formulas for levies to all properties (residential and commercial) including per parcel, building square footage or land use. A parcel tax cannot be based on property value. A parcel tax based on building square feet is generally considered a progressive form of taxation since larger properties pay more than smaller properties, exemptions for seniors and low-income property owners are allowed.

Given the scale of the infrastructure need, the Program Plan assumes two 2022 Revenue Measures. First, a parcel tax of \$0.30 per building square foot for 14 years, raising approximately \$25 million annually, that is dedicated to streets, sidewalks, and traffic safety as described under Outcome Number 1. Second, an infrastructure bond of \$300 million with \$150 million to address affordable housing for low-income persons and the unhoused and \$150 million to improve resilience to climate change, wildfire prevention and protection, and to improve other select public infrastructure, as described in Outcome Numbers 2, 3, and 4.

These measures fund the community's top priorities voiced in the public outreach: affordable housing, street repair, and resilience to climate change. Multiple measures provide more flexible sources of funding that could address maintenance needs in addition to capital improvements. Street repair, sidewalk repair, and traffic safety are also top needs identified by online survey respondents, and is supported by the city's prioritization using the Vision 2050/Envision scorecard. These measures would significantly reduce the city's risk related to infrastructure unfunded liabilities, and improve the City's streets for all users.



**TABLE 4  
FUNDING MECHANISMS**

| Type                     | GO Bond                                                                      | Parcel Tax                                                                    |
|--------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <b>TAX BASIS</b>         | Assessed Value (AV)                                                          | Building square footage                                                       |
| <b>USE OF FUNDS</b>      | Capital only                                                                 | Capital + Maintenance                                                         |
| <b>TAX PROGRESSIVITY</b> | Progressive                                                                  | Progressive                                                                   |
| <b>EXEMPTIONS</b>        | None                                                                         | Low income/senior                                                             |
| <b>PROS</b>              | Relative tax burden decreases as total AV increases                          | Fixed payments with cost of living adjustments, funds capital and maintenance |
| <b>CONS</b>              | Cannot pay for maintenance or operations<br>Does not adjust for future costs | Increases tax burden if building square footage increases                     |

**Why is affordable housing included in these possible revenue measures?**

The Vision 2050 Framework focused on infrastructure, not affordable housing. However, on April 27, 2021, City Council approved exploring revenue measures that addressed both infrastructure and affordable housing, given both were top priorities for residents. Housing and infrastructure are connected. Ensuring affordable housing in a city such as Berkeley reduces greenhouse gas emissions because it affords lower and middle-income residents an opportunity to live closer to where they work, which means less emissions getting to work. At the same time, ensuring affordable housing is an important tool for ensuring a diverse and equitable city, which is an important priority of our community and City Council.

## Results

Per Section 4.1, these results assume:

- › The City continues its track record of successfully leveraging state, federal, and regional grants.
- › City Council allocates a total of \$15 million to annual paving from non-revenue measure sources in order to ensure proper ongoing maintenance of the City's streets, as accomplished for FY 2024.
- › Parcel tax revenue of \$25M annually is distributed roughly two-thirds to paving condition and one-third to traffic safety and sidewalks.
- › GO bond revenue is distributed roughly 60% to climate change, resiliency, and wildfire protection projects; and 40% to public realm and other infrastructure projects.

These investments would:

- › Improve streets to good paving condition and repave 97% of street mileage across the City.
- › Implement 100% of adopted traffic safety plans (bike/ped) and achieve Berkeley's vision of a low-stress bike network
- › Begin to underground the City's evacuation routes to enable emergency responders' ingress and evacuating residents' egress in the event of a wildfire, earthquake, or other disaster
- › Complete selected sea level rise projects at the Waterfront
- › Replace and improve Aquatic Park, storm drain, and green infrastructure citywide to prevent pollution from reaching the Bay and improve the City's resiliency from climate-infused storms
- › Assist in advancing the city's park and public realm projects, e.g., Waterfront, Civic Center Renovation, and San Pablo Park pool



## 4.3 Review of Tax Implications

Property tax rates for Berkeley property owners are comparable to neighboring cities. After accounting for ad valorem taxes, city voter-approved taxes and assessments, school district taxes, and other fixed charges, FY 2021 tax rates in Berkeley (1.58%) were on par with Oakland (1.54%) and lower than in Albany (1.89%).

The city’s prior bond issuances include Measure FF (neighborhood libraries), Measures G, S, and I (public safety, main library/seismic retrofit, animal shelter), Measure O (affordable housing), Measure M (streets and watershed), and Measure T1 (infrastructure and public facilities). Debt service from prior bond measures constitutes only 3.2% of the average property owner’s tax bill.

The city has a current debt service of \$52.90 per \$100,000, which is low compared to nearby cities and their school districts, as shown in the table below. Even after implementation of a \$300M GO bond, the city’s debt service will continue to be lower than nearby cities and school districts.

**TABLE 6  
DEBT SERVICE COMPARISON**

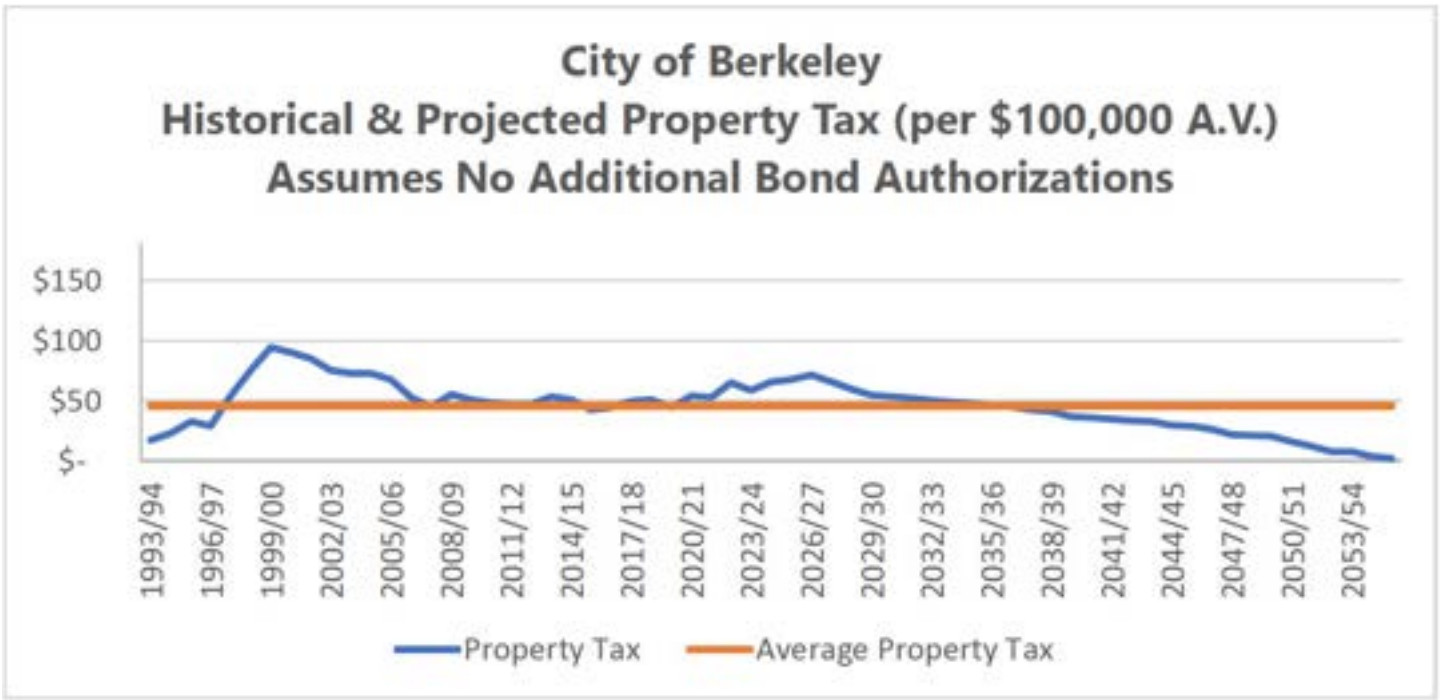
| City or District                  | Debt Service per \$100,000 of Assessed Value |
|-----------------------------------|----------------------------------------------|
| City of Oakland                   | \$201.10                                     |
| Albany School District            | \$195.00                                     |
| Berkeley School District          | \$145.10                                     |
| City of Albany                    | \$130.30                                     |
| Oakland School District           | \$120.20                                     |
| City of Berkeley plus \$300M bond | \$79.75 (average)                            |
| City of Berkeley (current)        | \$52.90 (average)                            |

**TABLE 5  
EXISTING DEBT SERVICE AND TAX IMPACT**

| 2021/22 Tax Rates                                           | Total GO Bond Tax Burden |
|-------------------------------------------------------------|--------------------------|
| Per \$100,000                                               | \$52.90                  |
| Average Tax (based on assessed property value of \$647,972) | \$342.78                 |

The city has historically maintained low GO Bond tax rates as shown in Figure 12. This represents the previously approved bond measures including the remaining bonds for Measures T1 and O to be issued over the next four years.

If voters approved a \$300 million GO bond, the average tax required for the new bond authorization will be \$27 per \$100,000 of assessed value. Assuming the existing GO bond authorization capacity are issued as scheduled, the cumulative debt service on all GO Bonds will increase through 2036, and then begin to decrease as prior bonds are paid off.



▲ **Figure 12:** Historical & Projected Property Tax

Assuming average developed property size of 1,900 square feet, a parcel tax of 30 cents per square foot would add \$570 annually to the average property owner’s tax bill, which is comparable to the annual cost of refuse service based on a 32-gallon cart.

Below is a summary of the tax impacts on an average property, assumed to be an average valued house at \$647,972 (assessed value) with 1,900 sq ft.

| TABLE 7<br>SUMMARY OF TAX IMPACTS         |                                                     |
|-------------------------------------------|-----------------------------------------------------|
|                                           | \$300M<br>GO Bond + Parcel Tax                      |
| Tax Rate (\$100,000 A.V.)                 | Avg Bond = \$27<br>Parcel = 30 cents per sq. ft.    |
| Tax (Avg Home: \$647,972;<br>1,900 sq ft) | Avg Bond = \$166<br>Parcel = \$570<br>Total = \$736 |



## 4.4 Other Benefits of Infrastructure Spending

Infrastructure spending has other benefits. It creates jobs. The U.S. Department of Transportation has found that for every \$1 billion in infrastructure investment, 13,000 jobs are created. In a place like Berkeley, which follows both state law on public works expenditures and local law via a Community Workforce Agreement, this means jobs that pay prevailing wages and benefits.

Infrastructure spending also can add art to our public spaces. If 1 percent of a revenue measure is dedicated to local public art, as was the case with Measure T1, or City Council commits an annual General Fund allotment of a similar amount, then Berkeley's public spaces will get more public art. Public art plays an integral role in improving our community's wellbeing by creating inspired spaces that reflect the unique character of our city. Public art breathes life into the built environment, engages the community with creative art experiences, and fosters a sense of belonging.



Art Installation at Civic Center Garage



Statue of William Byron Rumford



Art Installation at Shattuck & Center

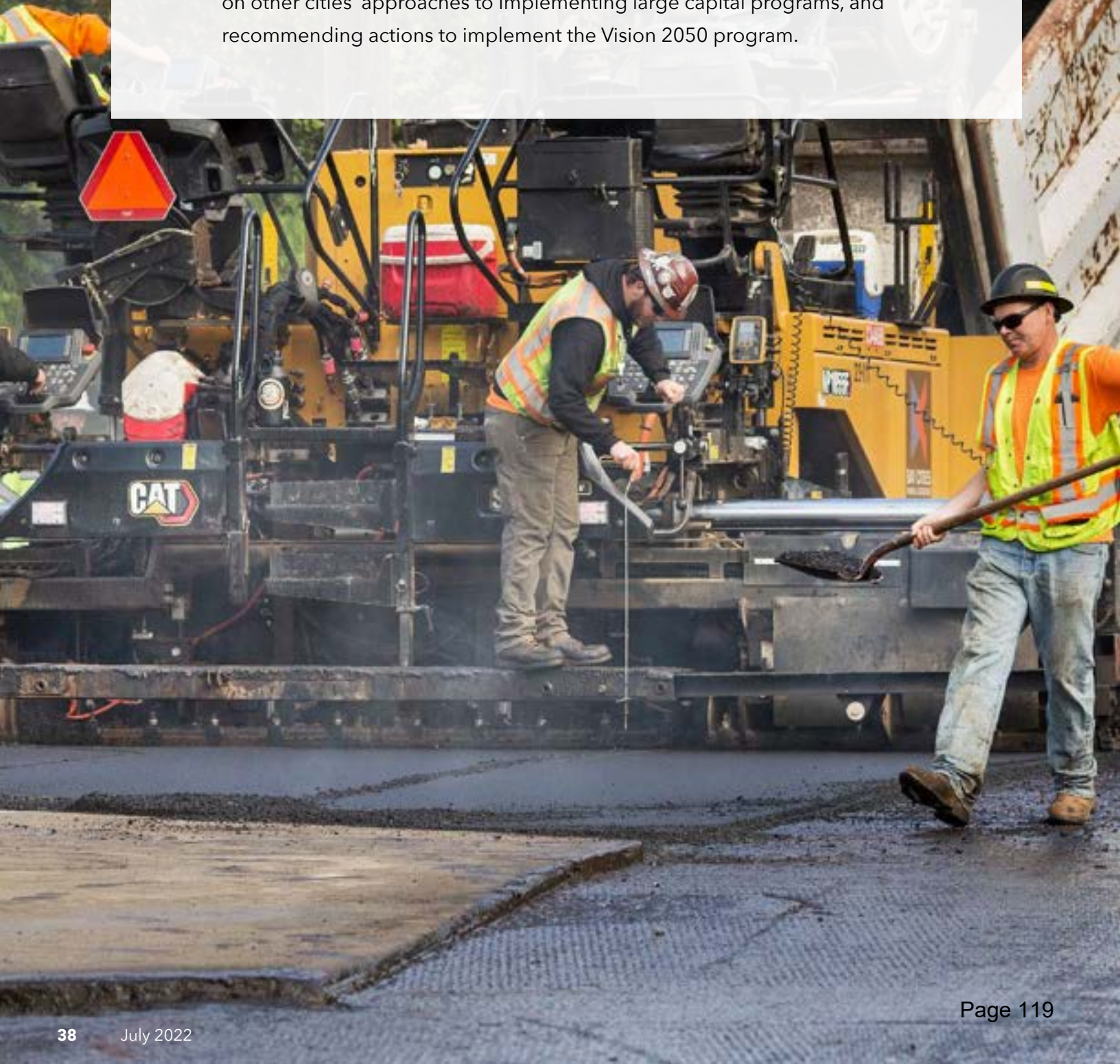




## 05

## PROGRAM DELIVERY

The City has well-established capital project divisions in the Public Works Department and Parks, Recreation, and Waterfront Departments, delivering a wide range of infrastructure projects. Given this major 30-year program to rebuild infrastructure, this section looks ahead on how the City will deliver the program, evaluating the City's current capabilities, sharing information on other cities' approaches to implementing large capital programs, and recommending actions to implement the Vision 2050 program.



## 5.1 Current Organization and Measure T1 Implementation

Capital projects are delivered by the Engineering and Transportation Divisions in the Public Works Department, and Capital Projects Division of the Parks, Recreation and Waterfront Department. Most of this work is based on regular, annual contributions from special funds, including ratepayer funds (sewer, stormwater, and streetlight) and a parks-focused parcel tax.

As shown in the table below, capital investments have more than doubled in the last decade.

| Year | Capital Program |
|------|-----------------|
| 2010 | \$41.6 million  |
| 2020 | \$114.5 million |

This growth has largely been driven by Measure T1 and the large project to rebuild Tuolumne Camp. In November of 2016, Berkeley voters passed Measure T1, authorizing the city to sell \$100 million of General Obligation Bonds to repair, renovate, replace, or reconstruct portions of the city's aging infrastructure.

The City of Berkeley has managed all T1 projects internally with a team that includes administrative, financial, and project management staff from the Public Works and Parks, Recreation, and Waterfront Departments. Five full-time equivalent positions were allocated across 11 staff within PW and PRW. One of the five FTEs is a T1 Associate Management Analyst. While projects are managed by city staff, the planning, design, and construction management of projects are largely completed by consultants.

As a part of preparing this Program Plan, interviews were conducted with the T1 Management Team and project managers to learn what has worked well and how things can be done better in the future.

### Positive outcomes of T1 implementation:

- › The City has completed nearly all of the 39 projects in Phase 1. Phase 2 projects are approved and are on track to be completed by 2026
- › Interdepartmental collaboration has been very effective with regular meetings and open communications
- › Community messaging has been regular and recurring, with ongoing updates to the website and email distribution lists, periodic reporting to Council, and a January 2022 informational brochure mailed to residents
- › The program team has been able to staff up and retain staff during the program
- › Staff costs have been kept to a minimum, i.e., less than 12% of project costs
- › Meetings are held at the conclusion of each project to discuss challenges, successes, and lessons learned
- › The project teams have largely been able to keep up with the project schedules



**Ideas for future improvements:**

- › Reduce the time it takes to hire staff
- › Increase IT and legal support to match the program size
- › Add consultants to help with certain tasks in project management
- › Improve tools to aid in project management

- › Streamline contracting policies, including bid protest procedures and purchasing policies

It is important to note there will be overlap with the T1 team completing the Phase 2 projects and the Vision 2050 team ramping up. The future organization will need to account for this to ensure the success of both programs.

## 5.2 Research on Other Programs

The City and its consultants conducted interviews with three cities implementing large capital programs. Interview topics included organization, tools, implementation, and accountability.

Successes, challenges, and lessons learned were discussed with each group, too. Table 8 summarizes the cities and their programs.

| TABLE 8<br><b>CITIES INTERVIEWED AND THEIR CAPITAL PROGRAMS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                     |                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------|
| City                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Program Description | Budget and Staff                                        |
| <p><b>City of Oakland</b></p> <ul style="list-style-type: none"> <li>› Measure KK’s funding allocations are a) \$350 million for streets and roads, b) \$150 million for facilities and c) \$100 million for anti-displacement and affordable housing</li> <li>› CIP projects are delivered through Public Works (PW) and Transportation (OakDOT). PW delivers non-transportation projects, such as sewer, drainage, and parks. OakDOT delivers transportation projects through two divisions: a) Great Streets (large projects) and b) Safe Streets (street repairs)</li> <li>› Program management is primarily done with City staff with some consultant support. There are about 20 dedicated staff members for program management</li> <li>› Staffing vacancies have been as high as 25%</li> </ul> |                     | <p>\$87M / 20 employees =<br/>~\$4.4M per employee.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <p><b>City of Oakland (cont.)</b></p> <ul style="list-style-type: none"> <li>› Oakland’s PCI was 53 in 2019 and increased to 58 in 2021. They are using \$100 M of Measure KK funds over 3 years to improve 350 miles of street surface</li> <li>› Measure KK has a 9 member Public Oversight Committee. The members were appointed by the Mayor and report to the City Council</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                            |
| <p><b>City of Sunnyvale</b></p> <ul style="list-style-type: none"> <li>› The Public Works Engineering Division delivers all capital projects through four groups: a) special projects, b) project design, c) construction management, and d) land development</li> <li>› The special projects group manages very large capital projects, e.g., \$1 billion wastewater treatment plant re-build. Consultants handle the day-to-day project management but do not have monetary authority</li> <li>› There are 8 staff in the project design group, who manage the smaller on-going capital projects</li> <li>› The City uses e-Builder software</li> <li>› Staffing vacancies are a problem</li> <li>› City Council’s target PCI is 80. Their current PCI is about 76</li> </ul>                                                                                                                                          | <p>\$176.5M / 30 employees<br/>= ~\$5.9M per employee.</p> |
| <p><b>City of San Diego</b></p> <ul style="list-style-type: none"> <li>› The City delivers capital projects through two departments: a) Capital Projects and b) Strategic Capital Projects. Capital Projects perform projects that are \$5 to 20 million in size, the work is long-term and they have about 700 staff. The Strategic Capital department works on projects over \$100 million in size, the work requires special expertise, there are about 50 staff and there is a high reliance on consultants</li> <li>› The current 5-year CIP has a funding need of \$8.4 billion</li> <li>› The City uses OCI (overall condition index) instead of PCI. The City’s target for OCI is 70</li> <li>› Staff vacancies range from 15 - 20%</li> <li>› A State of CIP Report is provided to City Council twice per year</li> <li>› San Diego is a participant in a California multi-agency benchmarking group</li> </ul> | <p>\$830M / 750 employees<br/>= ~\$1.1M per employee</p>   |

While Berkeley uses City staff for project management and consultants for planning, design, and construction management, by comparison, the larger programs are managed by a combination of City staff and consultants. Berkeley's 5 full time equivalent employees are handling \$45 million projects at present, a higher ratio than these other cities. City staff make all financial decisions, manage City processes, and complete repeatable tasks. Consultants assist City staff with a wide variety of tasks involving project planning, design, construction management, and execution, and provide necessary specialized expertise and knowledge. Some program teams include a

dedicated group who administer grant funding. Challenges experienced during large program implementation include difficulty in recruiting and retaining a talented workforce, having sufficient administrative and support services, and having effective and efficient hiring and on-boarding processes, including a continuous recruitment process.

These issues could be addressed in part by including dedicated financial and recruiting staff that are funded through the revenue measure, and developing program-specific hiring policies and procedures.

## 5.3 Recommendations for Vision 2050 Implementation

The recommendations presented in the section below build off the successes and lessons learned from implementation of Measure T1 and the City's regular capital program, and from the three cities we interviewed and researched. These recommendations will help in delivering a more significant investment in the city's infrastructure:

- › **Responsible organization** - A Vision 2050 program management team should be formed and report to the Public Works Director for the first phase of improvements, given this phase's focus is likely within the right of way, which is Public Works' responsibility. This team would be multi-discipline, meaning the team would be responsible for implementing all aspects of the Vision 2050 program, including projects outside of the normal purview of Public Works. In future phases, as determined by future Vision 2050 priorities, this program management team could report either to Directors of Public Works or Parks, Recreation, and Waterfront, a Deputy City Manager, or the City Manager.

- › **Multiple Benefits** - The Vision 2050 Framework recommended infrastructure improvements that have multiple benefits. Given this Plan's initial focus on streets and traffic safety, the program management team will ensure projects are delivered that, to the extent feasible, combine paving, traffic safety, and green infrastructure improvements. Recent annual paving projects demonstrated progress in this regard, as they have included paving, green infrastructure, and various traffic safety features such as traffic circles, traffic diverters, and pedestrian islands. Given this plan prioritizes the co-benefits of street paving and traffic safety, staff have modeled how to meet both goals simultaneously. By dedicating two-thirds of streets-focused investments to paving and one-third to traffic safety, this Plan's goals can be met in ten years or so.

- › **Program management team and staffing** - The City should initiate a recruitment for a new full-time position, Vision 2050



Program Manager. The manager should have an administrative support person and project managers (the number to be determined prior to implementation). The City team would ideally include dedicated staff in lieu of 3-year limited term positions, given the duration of the work. In addition, the city team should include both an in-house construction inspector and a project coordinator to assist with time-intensive tasks such as compiling budget data, preparing public outreach materials, and coordinating meetings. Outreach support should be included on this team as well. The Program Manager should also have a mix of staff and consultant support in a blended team. Consultant support may include: a) preparation of a project management manual, b) project cost tracking, c) performance indicator tracking, and d) management of special projects.

- › **Engineering functions** - As discussed above, the engineering and capital delivery divisions in the Public Works and Parks, Recreation and Waterfront Departments will continue to deliver ongoing projects. These include aspects of street paving, sidewalk repairs, sewer rehabilitation, and park and playground improvements.

- › **Special projects** - Projects that are not normally handled by the City's engineering

divisions should be managed by the program management team or assigned to a consultant. Examples of these projects may include utility undergrounding, seismic improvement to public buildings, public realm projects, etc

- › **Supporting departments** - Advanced planning needs to be held with the City's procurement, legal, human resources and information technology departments. Challenges experienced during large program implementation include difficulty in recruiting and retaining a talented workforce and having effective on-boarding processes. In addition, the City's procurement procedures need updating and improvement. The ideal Vision 2050 organization may include dedicated recruitment and financial staff, as well as new policies that are developed specifically for the program. For example, the City of Oakland cut 500 staff hours and months from project timelines by reducing the number of project and procurement approvals.

- › **Tools, software and procedures** - An evaluation of current and new tools will be made for delivering the program. This will include: a) procurement tools for goods and services, b) project scheduling and tracking software, c) document management, and d) reporting.





# 06

## SUPPORTING STRATEGIES

This section describes the performance monitoring, oversight and reporting and on-going maintenance that will be a part of implementing a successful Vision 2050 program.





## 6.1 Performance Indicators

A large complex program like Vision 2050 can benefit from identifying Key Performance Indicators (KPIs) to track progress. An initial list of KPIs is shown on Table 9 and are organized around the four Vision 2050 outcome objectives. The indicators go beyond the traditional tracking of cost and schedule progress and incorporate indicators that reflect sustainability and resilience goals.

It will be important to update these KPIs at the beginning of each phase of this thirty-year program, and more frequently in some areas, in order to incorporate changing conditions, new technologies, and new priorities.

TABLE 9

### VISION 2050 KEY PROGRAM PERFORMANCE INDICATORS

| 1. Streets are Safer, More Sustainable, Improved to a Good Condition, and Maintained               |                                                                              |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Paving condition                                                                                   | % of sidewalks in safe condition                                             |
| Three year average of severe injuries/fatalities                                                   | % of Bicycle, Pedestrian, and ADA Transition Plans implemented               |
| % of 2020 pavement surface converted to pervious surface                                           | Public satisfaction with right of way                                        |
| % of commute trips by solo occupant vehicle                                                        | % of trips by walking, micro mobility or transit                             |
| 2. Infrastructure is Resilient, Protects the Environment, and is Adapted to Climate Change Impacts |                                                                              |
| Citywide GHG reductions                                                                            | % of public buildings fossil-fuel free                                       |
| Citywide natural gas consumption                                                                   | % of automobiles that are EV citywide                                        |
| % of Stormwater and GI plans implemented                                                           | % of sea level rise, undergrounding, and evacuation route projects completed |
| % of target acres treated by Green Infrastructure                                                  | % of 2022 vacant street tree sites planted                                   |
| % of public buildings seismically retrofitted                                                      |                                                                              |
| 3. Open Space, Parks, and Recreation Improve our Quality of Life                                   |                                                                              |
| % of Backlog Addressed Annually                                                                    | Diversity of the Urban Forest                                                |
| # of Street Trees/Tree Canopy Ratio                                                                | Public satisfaction at Parks and open spaces                                 |
| 4. Public Facilities are Safe and Provide Community Placemaking                                    |                                                                              |
| % of public realm/placemaking opportunities implemented                                            | % of Backlog Addressed                                                       |
| % of ADA Transition Plan implemented in buildings                                                  | Public satisfaction in public spaces                                         |
| % of public buildings with battery storage                                                         |                                                                              |

## 6.2 Equity

Incorporating equity into infrastructure is a core value of the Vision 2050 Framework, and is something Berkeley residents want. Three-fourths of voters said an infrastructure measure should incorporate equity.

Poorly maintained infrastructure is inherently inequitable, as it is more detrimental to Berkeley's most vulnerable residents. Those with mobility impairments can find potholes, deficient sidewalks, failing hand rails, or out-of-service elevators as insurmountable challenges. Those on bikes or walking, instead of in vehicles, are more at risk of death or serious injury on streets with potholes, failing pavement markings, and lacking traffic safety controls. As reported by the city auditor, low-income residents who depend on their automobile to get to work face greater risk from the estimated annual \$1,049 repair bill attributable to poorly maintained streets. The state of our parks, recreation and senior

centers has a serious impact on the programs and services delivered to children of color and lower income seniors.

In implementing equity into Vision 2050, Berkeley will build on recent progress. The City's transportation plans prioritize projects in historically underinvested neighborhoods in Berkeley, including improvements like bus bulbouts and dedicated bus lanes which help lower income residents more likely to use transit. Many capital projects approved in Measure T1 implementation advanced equity. These projects include the African American Holistic Resource Center, South Berkeley Senior Center, the Martin Luther King Jr. Youth Services Center, and public restrooms citywide approved as part of Measure T1, Phase 2. In addition, Phase 1 projects such as paving and park improvements at San Pablo Park and 10 play structures in West Berkeley also advance equity.

## 6.3 Reporting and Oversight

A Vision 2050 program team will prepare a Program Management Manual. The manual will include the performance indicators and a format for reporting progress. Typically, performance monitoring reports are prepared on a semi-annual basis. The reports will be provided to Council and will be available to the public via the Vision 2050 website.

To ensure accountability, independent oversight for the revenue measures will be provided by two of the City's Commissions: Transportation and Infrastructure, and Parks, Recreation, and Waterfont. These Commissions will review expenditures

for conformance with the measure's purposes, propose how future revenue measures proceeds are spent, and monitor progress toward Vision 2050's outcomes and performance indicators.

## 6.4 Lifecycle Maintenance

Asset Management is an important concept in which the city's infrastructure systems are managed throughout the life cycle from 'cradle to grave.' Taking an asset management approach was a key part of the City Council adopted Vision 2050 recommendations.

A Strategic Asset Management Plan (SAMP) was recently submitted to City Council and the Council adopted an Asset Management Policy. The SAMP develops policy guidance, reviews the city's current maintenance practices, and prepares a roadmap of key initiatives for implementing a full Asset Management Program (AMP) in Berkeley's Public Works and Parks, Recreation & Waterfront Departments. Critical systems that we depend on every day are simply wearing out. Recent budgets were inadequate for infrastructure capital and maintenance needs, let alone modernizing them. An AMP is needed to manage our infrastructure assets throughout their useful life.

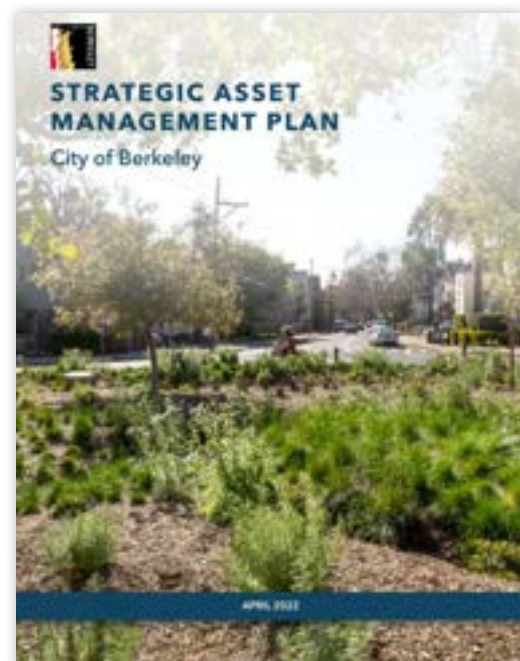
The city retained a consultant to assess the city's current asset management practices against a global standard benchmark on Asset Management in six areas: asset strategy and planning, asset management decision-making, lifecycle delivery, asset information, organization and people, and risk assessment. Based on the benchmark, Berkeley's average assessment was in the 'developing' level of asset management implementation and comparable to many U.S. cities, but not nearly good enough. The consultant worked with city staff to develop a 'Roadmap' of key initiatives in the next two

years to implement an effective AMP.

The components include:

- › Prepare an Asset Management policy for City Council's adoption
- › Form an Asset Management team, consisting of a team leader and two program staff
- › Form an AM Steering Committee to guide the program implementation
- › Provide consultant support
- › Prepare the strategies, procedures and analyses to implement an AMP

The SAMP conducted an asset-by-asset review of annual infrastructure maintenance funding and found that some asset categories such as streets and city buildings had insufficient maintenance funding by a wide margin, while other assets like sewer and streetlights had adequate maintenance funding. Assets such as stormwater have sufficient maintenance funding now. However, climate change and green infrastructure might make current funding commitments insufficient in future years.

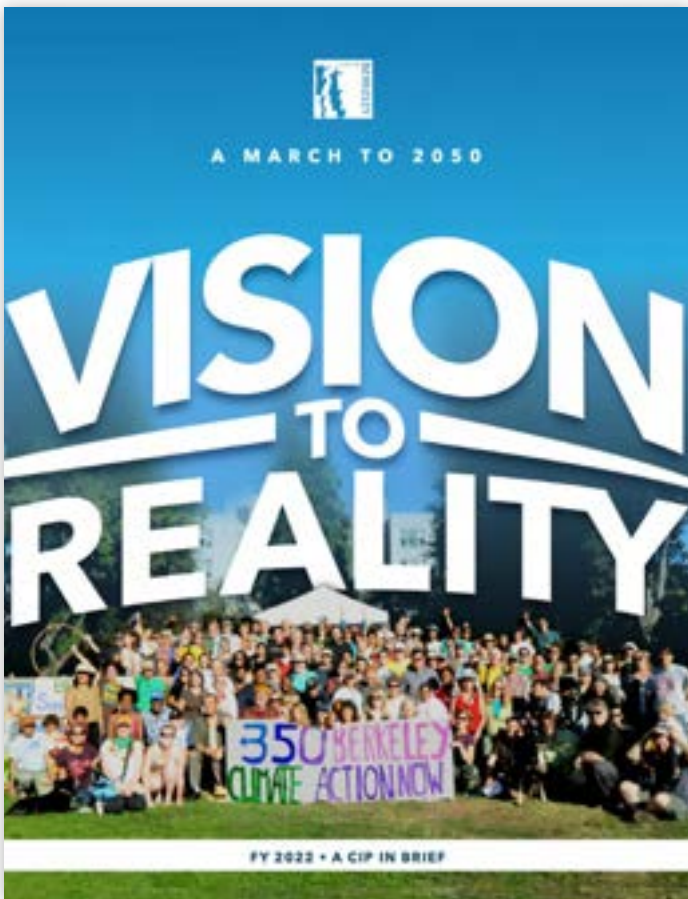




## 6.5 General Fund Support for Infrastructure Maintenance

The level of General Fund contribution for public infrastructure in the last 12 years has remained flat in nominal terms. Given escalating annual costs, this led to a decline in General Fund support for infrastructure. A common theme from community engagement has been to grow General Fund support for infrastructure and, at the very least, that revenue from any new measures not replace existing General Fund commitments to infrastructure.

In recognition of the need for more infrastructure funding, the City Council has revamped its capital budget and allocated an additional \$14M+ for street maintenance, \$5M+ for the Waterfront and Parks, and \$4M+ for other infrastructure. If these investments become a new “floor” for the City’s infrastructure, the City will be on track to achieve a resilient and sustainable infrastructure by 2050.



The FY 2022 CIP in Brief was the beginning of melding Vision 2050 into the City’s capital budget

# 07

# APPENDICES

## A. Acknowledgements

### City of Berkeley

Paul Buddenhagen, Deputy City Manager

Liam Garland, Director, Public Works

Scott Ferris, Director, Parks, Recreation and Waterfront

Ray Yep, Vision 2050 Implementation Team Member (volunteer)

Margo Schueler, Vision 2050 Implementation Team Member (volunteer)

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Andrew Brozyna, Deputy Director, Public Works

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Farid Javandel, Deputy Director, Public Works

Joe Enke, Manager of Engineering, Public Works

Input from the Leadership Teams in the Public Works and Parks, Recreation and Waterfront Departments

### Consultant Team

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Woodward & Curran: Dave Richardson, Principal

Daniel Windsor

Josh Uecker

Stephanie Hubli

## B. GLOSSARY OF TERMS AND ABBREVIATIONS

| Terminology                    | Definition                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ADA</b>                     | Americans with Disabilities Act                                                                                                                                                                                                                                                                                                                                            |
| <b>AMP</b>                     | Asset Management Program                                                                                                                                                                                                                                                                                                                                                   |
| <b>Asset categories</b>        | A logical grouping of similar assets or equipment types used to categorize, organize, and manage the asset portfolio.                                                                                                                                                                                                                                                      |
| <b>Asset management</b>        | Data driven planning that improves operational, maintenance and capital forecasting of potential needs, and optimization of investments to realize the greatest value from assets while operating over their lifecycle.                                                                                                                                                    |
| <b>CEQA</b>                    | California Environmental Quality Act                                                                                                                                                                                                                                                                                                                                       |
| <b>CIP</b>                     | Capital Improvement Program                                                                                                                                                                                                                                                                                                                                                |
| <b>City</b>                    | City of Berkeley                                                                                                                                                                                                                                                                                                                                                           |
| <b>Council</b>                 | City Council of Berkeley                                                                                                                                                                                                                                                                                                                                                   |
| <b>EBMUD</b>                   | East Bay Municipal Utility District                                                                                                                                                                                                                                                                                                                                        |
| <b>Envision</b>                | Developed by the Institute for Sustainable Infrastructure and Harvard University, Envision provides industry-wide sustainability metrics for all types and sizes of infrastructure to help users assess and measure the extent to which their project contributes to conditions of sustainability across the full range of social, economic, and environmental indicators. |
| <b>KPI</b>                     | Key Performance Indicator                                                                                                                                                                                                                                                                                                                                                  |
| <b>General obligation bond</b> | A General Obligation bond is a common type of municipal bond that is secured by a government's pledge to use legally-available resources, including tax revenues, to repay bondholders.                                                                                                                                                                                    |
| <b>Parcel tax</b>              | The parcel tax is a tax on parcels of real property collected as part of a property tax bill. Unlike the property tax, the parcel tax cannot be based on property value. To impose a parcel tax, governments must win support from two-thirds of voters.                                                                                                                   |
| <b>PCI</b>                     | Pavement Condition Index, which is a scale of 0 to 100 (with 100 being the best) that indicates the condition of an asphalt street surface.                                                                                                                                                                                                                                |
| <b>Program plan</b>            | A structured approach to organizing a long term complex array of subcomponents. The plan typically describes the project components, schedule, outcomes, funding, and reporting.                                                                                                                                                                                           |
| <b>SAMP</b>                    | Strategic Asset Management Plan. This is a high level plan that reviews an organization's policies, assesses its maturity on maintenance, and develops a roadmap to implement a lifecycle maintenance management program.                                                                                                                                                  |
| <b>U.S. EPA</b>                | United States Environmental Protection Agency                                                                                                                                                                                                                                                                                                                              |
| <b>Vision 2050</b>             | An initiative of Berkeley's Mayor Jesse Arreguin to take a long term approach to improving Berkeley's aging infrastructure. The approach incorporates sustainability and resiliency and anticipating a future world with climate impacts.                                                                                                                                  |
| <b>WMP</b>                     | Watershed Management Plan                                                                                                                                                                                                                                                                                                                                                  |

## C. Reference Documents

1. Information on Vision 2050 can be found on its website: [BerkeleyVision2050.org](http://BerkeleyVision2050.org).
2. Reference documents referenced in this program plan can be found on the City of Berkeley website ([BerkeleyCA.gov](http://BerkeleyCA.gov)) using the search feature
3. Information on Berkeley's Measure T1 program can be found on its website: [BerkeleyCA.gov/your-government/our-work/ballot-measures/measure-t1](http://BerkeleyCA.gov/your-government/our-work/ballot-measures/measure-t1).
4. Information on the Envision process can be found on the Institute for Sustainable Infrastructure's website: [SustainableInfrastructure.org](http://SustainableInfrastructure.org).

MEET YOUR COUNCILMEMBERS



**MAYOR**  
**JESSE ARREGUIN**

*Term Expires 11/30/2024*



**DISTRICT 1**  
**RASHI KESARWANI**

*Term Expires 11/30/2022*



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**DISTRICT 8**  
**LORI DROSTE**

*Term Expires 11/30/2022*





Office of the City Manager

01

WORKSESSION  
January 20, 2022

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Paul Buddenhagen, Deputy City Manager  
 Subject: Discuss Vision 2050, Infrastructure Priorities, Stakeholder and Community Engagement, and City's Bonding Capacity; and Seek Direction on November 2022 Revenue Measure(s)

SUMMARY

This report provides an update on Vision 2050 and its recommended exploration of an infrastructure-focused revenue measure or measures for the November 2022 ballot. It includes results of recent stakeholder and community engagement, comparisons of revenue measure options, and an update on the City's bonding capacity; and seeks City Council's direction on revenue measure options for the November 2022 ballot.

City Council adopted the principles, strategies, and actions laid out in the Vision 2050 Framework in September 2020, after a resident-led, volunteer effort to develop a long-term plan centered on resiliency and sustainability. Strategy Four of the Vision 2050 Framework identified inadequate funding of the City's infrastructure and recommended action to address this need through new revenue. The City Manager formed a Vision 2050 implementation team and, as a result of this team's work, City Council approved a project in FY 2022 to explore a significant revenue measure or measures focused on infrastructure, including affordable housing. In Fall and Winter 2020, staff hired a consulting team, conducted a scientific survey (topline results in Attachment 1), opened and closed an online community survey, held more than 20 stakeholder meetings, performed financial analysis on the measure alternatives, and made progress on the study of the City's bond capacity.

Staff seeks City Council's direction on several questions that will drive the next actions on the project:

1. Is the November 2022 election the right time to include an infrastructure-focused revenue measure or measures?
2. If yes, should it be *one* infrastructure-focused measure or *multiple* measures? And what should be the approximate dollar amount of the measure(s)?

3. What should the top infrastructure spending priorities be for the measure(s)? And should affordable housing and traditional infrastructure both be addressed in such measure(s)?

In addition, staff seeks to learn what City Council would like to see incorporated in the upcoming *Vision 2050 Program Plan* for which public input will be solicited in March and April.

With direction from City Council, staff will proceed to draft a *Vision 2050 Program Plan*, engage Commissions and the public on the draft *Program Plan*, conduct a follow-up scientific survey of voters in April, and return to City Council in May with a proposed *Program Plan* and language for revenue measure(s) for City Council to consider placing on the November 2022 ballot.

### CURRENT SITUATION AND ITS EFFECTS

Most of Berkeley's streets, sidewalks, sewers, parks, playgrounds and public buildings were built over 75 years ago and need repair. However, local revenues have not kept pace with the need for investments to maintain and/or update aging infrastructure or promote sustainability and housing affordability. This underinvestment has led to an estimated \$1.2 billion in deferred maintenance as shared with the City Council during the development of the FY 2022 budget.<sup>1</sup> (An updated estimate will be reported to City Council as part of the *Program Plan* in May 2022.)

Studies show that \$1 spent in early maintenance of infrastructure, such as streets, can save \$7 in later, more expensive repairs. This explains why delays in addressing deferred maintenance in the City's streets will quadruple the cost of addressing these needs by 2050.

The \$1.2 billion in citywide infrastructure needs is an undercount, as this estimate does not include significant affordable housing need, nor does it include many needs related to new or improved infrastructure, such as utility undergrounding, bicycle and pedestrian improvements recommended in adopted City plans, some improvements that make the City's infrastructure more sustainable and resilient, or costs to transform the City's public spaces and commons.

Nevertheless, this size and scale of these infrastructure needs is very important, as they show the challenge ahead. This challenge exists despite proactive steps taken to address these needs in the last decade. Local voters approved the first phase of upgrades to local infrastructure through the passage of Measure M (\$30M) in 2012, the Parks Tax increase in 2014, Measure T1 in 2016 (\$100M), and Measure O in 2018

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<sup>1</sup> Attachment 2 provides the infrastructure needs reported to City Council at the March 16, 2021 session on *Unfunded Liability Obligations and Unfunded Infrastructure Needs*. In response to questions raised in stakeholder meetings, staff have added a second page to explain how these infrastructure needs were derived.

(\$135M). Together, these measures have provided additional resources to address affordable housing and the repair and improvement of Berkeley's aging infrastructure, including sidewalks, storm drains, parks, streets, senior and recreation centers, watershed and other City facilities.

While marking important progress, these measures have not been large enough to address this size of the infrastructure and affordable housing need. A measure or measures on the November 2022 ballot would secure a dedicated funding source to support local infrastructure and affordable housing, and accelerate the City's path toward sustainability and resilience as envisioned in the Vision 2050 Framework.

*Scientific Survey of Berkeley Voters.* A random, representative sample of 500 Berkeley voters were surveyed regarding their infrastructure priorities in October 2021 via telephone and text-to-online technology using professional interviewers. The survey had a margin of error of +/- 4.4%, and top line survey results are found in Attachment 1. It elicited respondents' infrastructure priorities, and support or opposition to an infrastructure-focused general obligation (or "infrastructure") bond, parcel tax, or sales tax increase.

The survey found that voters' top priorities included:

- Increasing affordable housing for low-income and homeless residents (79% rated as "important"),
- Upgrading storm drains, green infrastructure, and watersheds to keep pollution from the Bay (79% important);
- Developing climate change resiliency, including protecting against sea level rise, wildfires and drought (78% important),
- Undergrounding utilities to reduce the risk of wildfire (73% important), and
- Repairing deteriorating streets (73% important).

This survey found broad support for an infrastructure-focused revenue measure, but support fell short of the two-thirds necessary to pass a revenue measure dedicated to infrastructure, whether an infrastructure bond, parcel tax, or sales tax. Voters' support and opposition did not differ much between the larger-sized measures and the smaller-sized measures. The "No" vote (between 27-32%) common to these measures is higher than previous pre-placement surveys, and the undecided vote is smaller than previous surveys.

The survey also found that three-fourths of this representative group of voters believe an infrastructure measure should address equity, and a majority support a definition of equity where infrastructure benefits are provided first (or more) to lower-income neighborhoods and communities of color that have been historically underfunded.

*Revenue Measure Options.* The survey tested three revenue measure options:

- General Obligation (or Infrastructure) Bond:** debt issued to fund capital improvements that is repaid over the bond duration by property tax revenues. Funds from a bond measure may only be used for capital investments and cannot be used for maintenance, operations, or services. Bond measures are generally considered among the most progressive forms of taxation since they are based on the assessed value of properties.
- Parcel Tax:** a form of property tax typically based on the square footage of one parcel. Funds from a parcel tax measure are flexible and can be used for both capital, operations, maintenance, and services. The tax is based on the improved square footage of properties. It is generally considered a progressive form of taxation since larger properties pay more than smaller properties, and exemptions for seniors and low-income property owners are allowed.

| OPTIONS FOR FUNDING MECHANISMS  |                                             |                       |                                                                             |                                     |                                  |
|---------------------------------|---------------------------------------------|-----------------------|-----------------------------------------------------------------------------|-------------------------------------|----------------------------------|
| TYPE                            | Bond <sup>2</sup>                           |                       | Parcel Tax <sup>3</sup>                                                     |                                     | Sales Tax <sup>4</sup>           |
| AMOUNT                          | \$27 per \$100,000 AV                       | \$54 per \$100,000 AV | \$0.15 per square foot                                                      | \$0.30 per square foot              | \$0.05 per \$1.00                |
| ESTIMATED TOTAL FUNDING         | \$250 million                               | \$500 million         | \$12M/yr or \$250 million if bonded                                         | \$25M/yr or \$500 million if bonded | \$9M/yr, \$110 million if bonded |
| AVG. ANNUAL PROPERTY OWNER COST | \$200                                       | \$400                 | \$300                                                                       | \$600                               | Varies                           |
| TAX BASIS                       | Assessed Value (AV)                         |                       | Building square footage                                                     |                                     | Taxable purchases                |
| USE OF FUNDS                    | Capital only                                |                       | Capital + Maintenance                                                       |                                     | Capital + Maintenance            |
| TAX PROGRESSIVITY               | Progressive                                 |                       | Progressive                                                                 |                                     | Least Progressive                |
| EXEMPTIONS                      | None                                        |                       | Low income/senior                                                           |                                     | Essential purchases              |
| PROS                            | Relative tax burden lessens as AV increases |                       | Fixed payments, funds both operations/maintenance and capital               |                                     | Visitors pay share               |
| CONS                            | Cannot pay for maintenance or operations    |                       | Relative tax burden stays flat if citywide square footage does not increase |                                     | Impact on low-income residents   |

<sup>2</sup> These calculations assume four equal issuances over the first eight years and an interest rate of 4%. The average assessed value is for a single-family home of \$647,972.

<sup>3</sup> These calculations assume 83,073,012 taxable square feet and an average single-family home of ~2,000 square feet.

<sup>4</sup> These calculations assume \$6.5 million of the additional \$9 million in revenue would be available for bonding.

- **Sales Tax:** this is a consumption tax on the sale of goods and services for which the City has State permission to raise one half-cent per dollar more. Funds from a sales tax measure are flexible and can be used for capital, maintenance, operations, and services. Sales taxes are generally considered a less progressive form of taxation since low-income residents spend a larger portion of their incomes on taxable purchases than higher income populations. However, essential purchases like groceries and prescription medicine are exempt from sales tax and the cost is paid by anyone who shops locally, not just residents.

*Stakeholder and Community Engagement.* Staff held meetings with 20+ community organizations and the following Commissions: Community Environmental Advisory, Disability, Disaster and Fire, Energy, Parks and Waterfront, Public Works, and Transportation. These meetings were an opportunity to share more about the City's infrastructure needs, solicit input on possible revenue measures, answer questions, and highlight an online community survey that was opened in October 2021 and closed on January 12, 2022.

From the 20+ meetings with various stakeholders, the following issues and themes emerged:

- Request for more explanation of the \$1.2B in infrastructure need
- General belief that November 2022 was the right time for an infrastructure-focused measure
- Importance of trees, biodiversity, and green space in investment priorities
- Desire to see an integrated approach to infrastructure investments
- Some concern that a "fix-it-first" approach to infrastructure did not align well with ambition of Vision 2050 or the City's climate and resilience strategy
- Sales tax was not preferred given the impact on low-income residents
- Some concern over voters' (mis)trust of the City's financial management
- Varying opinions on whether affordable housing and traditional infrastructure should be included in one measure, split between two, or dealt with in different elections
- Support for equity in any measure
- Some concerns about the tax burden of an infrastructure bond versus parcel tax on new(er) property owners versus long-time owners
- Request for better understanding of results from affordable housing investments
- Request that federal, state, and regional grant funding be leveraged
- Some interest in a parcel tax given its ability to fund both capital improvements and ongoing maintenance
- Concern that ongoing maintenance be adequately funded to ensure whatever is constructed is properly maintained



For the online survey, a total of 1,024 responses were received. For the most part, the results from the online survey aligned with the scientific survey. However, the online survey afforded additional insight. For example, respondents were asked to rank their top three priorities for a potential measure from a list of infrastructure priorities. More so than the scientific survey, street repair stood out as a clear top priority followed by affordable housing. The top five ranked priorities are listed below, with percentages indicating the number of respondents who ranked the particular item as top priority:

1. 28.5% – Street Repair
2. 19.2% – Affordable Housing
3. 8.3% – Bike Lanes/Safety
4. 7.5% – Climate Change Resiliency
5. 6.8% – Pedestrian Safety

When respondents were asked to rank the urgency of various infrastructure priorities, repairing deteriorating streets stood out as a top priority, with housing and other infrastructure priorities considered urgent but less so. Respondents ranked the priorities on a five-point scale, with one the most urgent and five the least urgent, and the numbers in parentheses refer to the average rating of each item:

1. Repairing deteriorating streets (1.96)
2. Improving traffic safety (2.25)
3. Upgrading storm drains, green infrastructure, and our watersheds to keep pollution from the Bay (2.35)
4. Repairing sidewalks to improve pedestrian safety and ADA accessibility (2.37)
5. Undergrounding utilities to help reduce the risk of wildfire (2.40)
6. Climate change resiliency including protecting against sea level rise, wildfires, and drought (2.42)
7. Planting and caring for trees (2.52)
8. Increasing affordable housing for low-income and homeless residents (2.57)
9. Expanding bike lanes and improving bike safety (2.62)
10. Upgrading traffic signals, pavement markings, and street signs (2.66)

*Bond Capacity Study.* The Finance Department has engaged the Government Finance Officers Association to initiate a study of the City's bond capacity. Initial findings from that study will be shared during the staff presentation at the January 20<sup>th</sup> Work Session.

*Vision 2050 Program Plan.* After gaining City Council's direction, staff will develop a *Program Plan* and return to City Council for approval of this plan, along with proposed measure(s) for November 2022. The *Program Plan* will lay out a long-term program to address Berkeley's infrastructure needs through 2050, address this and future revenue measures, describe the impacts of infrastructure investments, identify an organizational approach to delivering on funded projects, and recommend a process for developing and approving projects funded by this and future revenue measures. While this plan will

not be binding and will be flexible enough to adapt as infrastructure needs evolve, it will provide a blueprint for future action. Other issues the *Program Plan* may address include:

- Ensuring capital improvements are properly maintained, and where maintenance is not properly funded for a particular infrastructure asset, recommend actions to address the shortfall.
- Reconciling immediate repair needs in the City's infrastructure, especially the City's street condition, with the re-envisioning of the public commons/space suggested in Vision 2050.
- Explaining how these investments will promote sustainability, and address climate change and resilience.
- Exploring an approach where property owners' tax burden stays level between 2023 and 2050, while still addressing significant infrastructure need.

#### *November 2022 Election and Measure Options*

The November 2022 election may include state, county, school, special district or additional City measures. Staff believe the ballot will not include a Berkeley Unified School District measure. Staff will request City Council's placement of an Article 34 measure, which is required by the California Constitution in order to develop affordable housing projects with state or local public financing. Such an approval has occurred in at least four previous elections and has had strong support. More information about state, regional, and Alameda County measures will be available in the spring or summer. Needless to say, there is a lot of uncertainty leading up to the November 2022 election given ongoing challenges with inflation, employment, and the global pandemic.

With that context and the findings from community and stakeholder engagement to date, staff seek direction among four possible revenue measure options.

Option #1, \$500M Infrastructure Bond. Such as measure could have the following investment priorities:

- \$200 Million - Street repair and traffic safety
- \$150 Million - Affordable housing for low-income and homeless residents
- \$75 Million - Climate change, sea level rise, wildfire prevention and protection
- \$75 Million - Other public infrastructure improvements<sup>5</sup>

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<sup>5</sup> *Other Public Infrastructure Improvements* could include one-time projects, e.g., Old City Hall, Veterans Memorial Building, Waterfront and Marina, etc.

This option funds voters' top priorities—affordable housing, street repair, and climate change—and invests most in street repair, as it is the top and most urgent need identified by online survey respondents. This option overall is large enough to address a significant portion of the City's infrastructure needs. Investments in affordable housing at this range would generate up to 660 new affordable units, pave more than 120 street miles, and improve traffic safety. If City Council direct staff to pursue a measure of this size and type, the *Program Plan* will provide more detail on how these funds may be spent and results attained.

Option #2, Multiple Measures. These measures could include:

- A parcel tax of \$12M annually (or \$250M if bonded against) to address street repair and traffic safety.
- An infrastructure bond of \$150M to address affordable housing for low-income persons and the unhoused.
- An infrastructure bond of \$100M to address climate change, wildfire prevention and protection, and other public infrastructure.

This option also funds voters' top priorities and provides more flexible sources of funding that could address maintenance needs. Results from these investments are likely to track the results from Option #1. However, each of these measures would have to separately meet the two-thirds threshold for approval, which is likely to be more difficult than one measure meeting the two-thirds threshold.

Options #3, Variants of the above options. City Council could direct staff to develop Options #1 or #2 but with different funding mechanisms, e.g. Option #1 but with a similarly-sized parcel tax in lieu of infrastructure bond, at different funding levels (lower or higher amounts), or with different investment priorities, e.g., more or less for affordable housing, street repair, etc.

Option #4, None of the above. City Council could choose to delay this discussion until a future election; ask for other measure options, such as the sales tax, to be developed further; or direct staff to consider an option not yet considered.

## BACKGROUND

Vision 2050 is a City Council-supported, resident-engaged initiative to address Berkeley's \$1.2+ billion in infrastructure needs. With voter approval of Measure R, Vision 2050 was defined as engaging residents and experts in developing a 30-year plan to identify and guide implementation of climate-smart, technologically-advanced, equitable and efficient infrastructure to support a safe, vibrant and resilient future for Berkeley.

On April 27, 2021, City Council approved a referral to the City Manager to "explore various options for a future city bond measure in November 2022 to support the growing

need for infrastructure investment, including street repaving, Complete Streets infrastructure that promotes bike and pedestrian safety, restoration of public buildings and facilities, and affordable housing citywide.” The adopted FY 2022 budget included a \$400,000 project to execute on this project after which the City Manager convened a working team of residents and City staff to assist with Vision 2050 implementation.

The table below summarizes activities both completed and anticipated for the potential revenue measure(s).

| Month     | Activities                                                                                                                                                                                                                                               |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sep. 2021 | <ul style="list-style-type: none"> <li>• Begin various analyses and start drafting outreach materials.</li> <li>• Establish contracts with TBWBH Props and Measures and V.W. Housen &amp; Associates for Vision 2050 Implementation Services.</li> </ul> |
| Oct. 2021 | <ul style="list-style-type: none"> <li>• Conduct community survey #1.</li> <li>• Begin virtual stakeholder meetings.</li> </ul>                                                                                                                          |
| Nov. 2021 | <ul style="list-style-type: none"> <li>• Continue virtual stakeholder meetings.</li> </ul>                                                                                                                                                               |
| Dec. 2021 | <ul style="list-style-type: none"> <li>• Continue virtual stakeholder meetings.</li> </ul>                                                                                                                                                               |
| Jan. 2022 | <ul style="list-style-type: none"> <li>• Hold January 20 work session to gain City Council direction.</li> </ul>                                                                                                                                         |
| Feb. 2022 | <ul style="list-style-type: none"> <li>• Informational mailer to residents with invitation for input at March and April public meetings.</li> </ul>                                                                                                      |
| Mar. 2022 | <ul style="list-style-type: none"> <li>• Present draft <i>Program Plan</i> to Commissions and large area public meetings for feedback.</li> </ul>                                                                                                        |
| Apr. 2022 | <ul style="list-style-type: none"> <li>• Continue <i>Program Plan</i> meetings.</li> </ul>                                                                                                                                                               |
| May 2022  | <ul style="list-style-type: none"> <li>• Conduct community survey #2.</li> <li>• Present survey results and seek City Council’s approval on Vision 2050 funding measure(s) and <i>Program Plan</i>.</li> </ul>                                           |
| Aug. 2022 | <ul style="list-style-type: none"> <li>• Last date to submit measure(s) to County Registrar of Voters.</li> </ul>                                                                                                                                        |
| Nov. 2022 | <ul style="list-style-type: none"> <li>• Election</li> </ul>                                                                                                                                                                                             |

After the January 20 work session, the interdepartmental team will incorporate City Council’s direction. In March and April, the team will present a draft *Program Plan* to Commissions and obtain public feedback through five large area virtual meetings that combine two City Council districts per meeting, similar to the public meetings held during the T1, Phase 2 process. Then staff will return to City Council on May 31 with the results of this public engagement, a draft *Program Plan*, and proposed revenue measure(s) that have been reviewed by the City Manager, City Attorney, and City Clerk.

Progress on overall implementation of Vision 2050 has continued. This includes completion of short-term items, such as convening a Vision 2050 team, preparing an implementation plan, participating in Council workshops, and submitting a Vision 2050 budget. There are also a number of other items underway, including development of a

Strategic Asset Management Plan. This work is described in more detail in the [November 16, 2021, Council report](#).<sup>6</sup>

As indicated in this [16-page information guide](#), progress on implementation of T1 continues. During Phase 1 (2017-2022), \$40M was spent on 39 different projects, leveraging an additional \$23M from grants and special funds to deliver \$63M in infrastructure improvements. T1, Phase 1 projects resulted in seismically safe, solar-equipped, and accessible community buildings, repaving some of the City's most neglected streets, new green infrastructure, replaced play structures, increased resilience through improvements that reduce water consumption, a renovated Rose Garden, and an Aquatic Park with much improved water quality. This phase's planning projects included the San Pablo Park Community Center and new pool, the Willard Clubhouse, citywide restrooms, and the community space/restroom at the Tom Bates Sports Complex. Phase 2 (2021-2026) is currently underway and includes an additional \$60M on various projects, including South Berkeley buildings, citywide restrooms, paving, and sidewalk repairs. The John Hinkel Park project, which includes repairs to the creek, lower picnic area, play area and amphitheater, is the first T1, Phase 2 project to be under construction and will be complete in late Spring of 2022.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Implementing Vision 2050 would result in more resilient public infrastructure that creates fewer greenhouse gases, and reduces conflict between our built and natural environment. More affordable housing in Berkeley would reduce greenhouse gas emissions caused by employees finding lower cost housing farther away from employment centers and requiring longer commutes.

#### FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

If a potential revenue measure or measures are placed on the ballot and subsequently approved by voters, the City would receive additional funds from increased tax revenues. One goal for any potential revenue measure or measures is to ensure any resulting increased tax burden is held steady over the long term.

#### CONTACT PERSON

Paul Buddenhagen, Deputy City Manager, (510) 981-7000  
Liam Garland, Director, Public Works, (510) 981- 6300

#### Attachments:

- 1: Topline of October 2021 Scientific Survey Results
- 2: Prior Estimate of Infrastructure Need and Methodology

<sup>6</sup> [https://www.cityofberkeley.info/Clerk/City\\_Council/2021/11\\_Nov/Documents/2021-11-16\\_Item\\_08\\_Vision\\_2050.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2021/11_Nov/Documents/2021-11-16_Item_08_Vision_2050.aspx)



**City of Berkeley Community Survey  
Live Phone and Text-to-Online  
October 12 – 17, 2021  
FINAL WEIGHTED TOPLINES**

**N=500 Likely Nov 2022 General Election Voters  
Splits: A/B, C/D, E/F**

|                              | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|------------------------------|-----------------|------------|--------------|
| <b>Region</b>                |                 |            |              |
| Council District 5/6/8 ..... | 42              | 46         | 41           |
| Council District 3/4/7 ..... | 29              | 27         | 27           |
| Council District 1/2 .....   | 29              | 26         | 32           |
| <b>Party Registration</b>    |                 |            |              |
| Democrat .....               | 80              | 77         | 84           |
| Republican .....             | 2               | 3          | 1            |
| No Party Preference .....    | 16              | 19         | 12           |
| Others .....                 | 2               | 1          | 2            |

**Q1.** Before we begin, I need to know if I have reached you on a cell phone, and if so, are you in a place where you can talk safely?

|                                                           |    |    |    |
|-----------------------------------------------------------|----|----|----|
| Yes, cell and can talk safely .....                       | 34 | 40 | 31 |
| Yes, cell and cannot talk safely <b>[CALL BACK]</b> ..... | 0  | 0  | 0  |
| No, not on cell, but own one .....                        | 10 | 10 | 10 |
| No, not on cell, and do not own one .....                 | 2  | 2  | 2  |
| (Don't know/refused) <b>[TERMINATE]</b> .....             | 0  | 0  | 0  |
| Text to online .....                                      | 54 | 48 | 57 |

**Q2.** Could you please tell me your gender? **[DO NOT READ OPTIONS]**

|                        |                    |     |     |
|------------------------|--------------------|-----|-----|
| Male .....             | 44                 | 100 | 0   |
| Female .....           | 52                 | 0   | 100 |
| Non-binary/other ..... | 4                  | 0   | 0   |
| (Refused) .....        | <b>[TERMINATE]</b> |     |     |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Q3.** Although it is some time from now, what are the chances of you voting in the November 2022 general election for Governor, Congress, and other offices? Are you almost certain to vote, will you probably vote, are the chances about 50-50, are you probably not going to vote, or are you definitely not going to vote?

|                                 |    |    |    |
|---------------------------------|----|----|----|
| Almost certain to vote.....     | 95 | 94 | 95 |
| Probably will vote .....        | 5  | 6  | 5  |
| 50-50 [TERMINATE].....          | 0  | 0  | 0  |
| Probably not [TERMINATE] .....  | 0  | 0  | 0  |
| Definitely not [TERMINATE]..... | 0  | 0  | 0  |
| Don't know [TERMINATE].....     | 0  | 0  | 0  |

**Q4. [T]** Generally speaking, do you think that things in the city of Berkeley are going in the right direction, or do you feel things are off on the wrong track?

|                      |    |    |    |
|----------------------|----|----|----|
| Right direction..... | 48 | 48 | 49 |
| Wrong track .....    | 32 | 31 | 31 |
| (Don't know).....    | 21 | 21 | 20 |

**Q5. [T\*]** How would you rate the job the city of Berkeley is doing in providing services to its residents — excellent, good, fair, or poor?

|                       |    |    |    |
|-----------------------|----|----|----|
| Excellent .....       | 6  | 7  | 5  |
| Good.....             | 45 | 45 | 48 |
| Fair .....            | 30 | 31 | 29 |
| Poor.....             | 15 | 15 | 14 |
| (Don't know).....     | 4  | 2  | 5  |
| Excellent /good ..... | 51 | 52 | 52 |
| Just fair /poor ..... | 45 | 46 | 43 |

**Q6. [T]** How much of an impact has the coronavirus pandemic had on you and your household – thinking about all of the effects, including financial concerns and physical and mental health, would you say the impact on your household has been very serious, fairly serious, moderate, minor, or no impact at all?

|                                 |    |    |    |
|---------------------------------|----|----|----|
| Very serious.....               | 15 | 15 | 13 |
| Fairly serious .....            | 23 | 22 | 23 |
| Moderate.....                   | 40 | 41 | 40 |
| Minor.....                      | 18 | 18 | 19 |
| No impact.....                  | 4  | 4  | 4  |
| (Don't know).....               | 0  | 0  | 0  |
| Very /fairly serious .....      | 38 | 37 | 37 |
| Moderate /minor /no impact..... | 62 | 62 | 63 |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Q7.** The next set of questions is about infrastructure needs in Berkeley. I am going to read you some areas that have been identified as types of infrastructure needing repair, investment, or improvement in the City of Berkeley. For each one, please tell me how important that is to you as a resident of Berkeley – extremely important, very important, somewhat important, not too important or not important at all: **[RANDOMIZE]**

**Sorted by Extremely Important**

|                                                                                                                  |    |    |    |
|------------------------------------------------------------------------------------------------------------------|----|----|----|
| B7l.Increasing affordable housing for low-income and homeless residents .....                                    | 54 | 47 | 55 |
| 7p.Developing climate change resiliency including protecting against sea level rise, wildfires, and drought..... | 48 | 39 | 54 |
| A7k.Increasing affordable housing for low-income residents .....                                                 | 42 | 31 | 47 |
| 7c.Undergrounding utilities to help reduce the risk of wildfire.....                                             | 40 | 31 | 45 |
| 7a.Repairing deteriorating streets .....                                                                         | 35 | 33 | 36 |
| B7e.Repairing sidewalks to improve access for those with disabilities.....                                       | 34 | 19 | 45 |
| 7y.Providing free transit passes for low-income residents .....                                                  | 34 | 25 | 37 |
| A7u.Upgrading storm drains, green infrastructure, and our watersheds to keep pollution from the Bay.....         | 31 | 20 | 40 |
| 7j.Planting and caring for trees.....                                                                            | 30 | 19 | 38 |
| 7t.Increasing availability of solar energy, solar batteries, and electric vehicles and equipment ....            | 28 | 23 | 31 |
| A7d.Repairing sidewalks to improve pedestrian safety .....                                                       | 27 | 20 | 34 |
| A7f.Improving traffic safety.....                                                                                | 27 | 22 | 32 |
| B7g.Improving traffic safety and flow.....                                                                       | 26 | 14 | 37 |
| B7v.Upgrading storm drains to reduce flooding and protect against sea level rise .....                           | 25 | 13 | 33 |
| 7i.Expanding bike lanes and improving bike safety ...                                                            | 25 | 21 | 27 |
| 7cc.Making public buildings, streets, and sidewalks more accessible to people with disabilities .....            | 25 | 18 | 27 |
| B7aa.Upgrading City buildings to be energy efficient, seismically safe, and COVID-safe .....                     | 23 | 14 | 30 |
| 7o.Decommissioning natural gas lines to reduce greenhouse gas emissions.....                                     | 21 | 14 | 25 |
| 7ee.Upgrading traffic signals, pavement markings, and street signs.....                                          | 18 | 19 | 17 |
| 7h.Improving streetlighting .....                                                                                | 17 | 12 | 22 |
| 7x.Providing more publicly available electric vehicle charging .....                                             | 16 | 13 | 19 |
| 7r.Repairing Berkeley Pier, including recreational and ferry upgrades.....                                       | 16 | 15 | 17 |
| 7s.Improving the Berkeley waterfront, including                                                                  |    |    |    |

|                                                                                                                                                                                                   | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------|--------------|
| docks, pilings, streets, parking lots, pathways,<br>and marina dredging .....                                                                                                                     | 15              | 9          | 19           |
| 7w.Making improvements to recreational facilities.....                                                                                                                                            | 13              | 8          | 17           |
| B7n.Renovating Berkeley's Civic Center Buildings<br>and Park to include music and theatre<br>performance spaces, a children's play area, café<br>kiosk and seating, and enhancing green space ... | 12              | 7          | 14           |
| 7q.Replacing the community center and building a<br>public pool in San Pablo Park.....                                                                                                            | 12              | 7          | 15           |
| 7b.Expanding lanes, parking, and charging for e-<br>bikes (electronic bikes), e-scooters, and app-<br>based car, bike, and scooter-shares.....                                                    | 11              | 9          | 14           |
| A7m.Improving seismic safety of historic buildings in<br>Civic Center, including Old City Hall and the<br>Veterans Building .....                                                                 | 11              | 7          | 14           |
| 7bb.Upgrading playgrounds .....                                                                                                                                                                   | 11              | 7          | 14           |
| 7dd.Upgrading senior centers .....                                                                                                                                                                | 11              | 6          | 14           |
| A7z.Upgrading City buildings .....                                                                                                                                                                | 4               | 6          | 3            |

a. Repairing deteriorating streets

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 35 | 33 | 36 |
| Very important.....       | 38 | 36 | 40 |
| Somewhat important .....  | 24 | 26 | 21 |
| Not too important .....   | 3  | 4  | 1  |
| Not important at all..... | 0  | 0  | 1  |
| (Don't know).....         | 1  | 0  | 1  |
| Important.....            | 73 | 69 | 76 |
| Not important .....       | 27 | 31 | 23 |

b. Expanding lanes, parking, and charging for e-bikes (electronic bikes), e-scooters, and app-based car, bike, and scooter-shares

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 11 | 9  | 14 |
| Very important.....       | 21 | 27 | 18 |
| Somewhat important .....  | 32 | 27 | 37 |
| Not too important .....   | 20 | 22 | 16 |
| Not important at all..... | 12 | 12 | 13 |
| (Don't know).....         | 3  | 3  | 3  |
| Important.....            | 33 | 36 | 32 |
| Not important .....       | 64 | 61 | 65 |

|                                                                                  | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|----------------------------------------------------------------------------------|-----------------|------------|--------------|
| <b>c. Undergrounding utilities to help reduce the risk of wildfire</b>           |                 |            |              |
| Extremely important .....                                                        | 40              | 31         | 45           |
| Very important.....                                                              | 33              | 37         | 30           |
| Somewhat important.....                                                          | 16              | 17         | 16           |
| Not too important .....                                                          | 7               | 10         | 4            |
| Not important at all.....                                                        | 3               | 2          | 4            |
| (Don't know).....                                                                | 2               | 3          | 1            |
| Important.....                                                                   | 73              | 68         | 75           |
| Not important .....                                                              | 26              | 29         | 24           |
| <b>d. SSA: Repairing sidewalks to improve pedestrian safety</b>                  |                 |            |              |
| Extremely important .....                                                        | 27              | 20         | 34           |
| Very important.....                                                              | 39              | 41         | 37           |
| Somewhat important.....                                                          | 23              | 22         | 23           |
| Not too important .....                                                          | 9               | 14         | 5            |
| Not important at all.....                                                        | 2               | 3          | 1            |
| (Don't know).....                                                                | 0               | 0          | 0            |
| Important.....                                                                   | 66              | 61         | 71           |
| Not important .....                                                              | 34              | 39         | 29           |
| <b>e. SSB: Repairing sidewalks to improve access for those with disabilities</b> |                 |            |              |
| Extremely important .....                                                        | 34              | 19         | 45           |
| Very important.....                                                              | 33              | 40         | 27           |
| Somewhat important.....                                                          | 24              | 28         | 22           |
| Not too important .....                                                          | 5               | 7          | 4            |
| Not important at all.....                                                        | 3               | 6          | 1            |
| (Don't know).....                                                                | 0               | 0          | 0            |
| Important.....                                                                   | 67              | 59         | 72           |
| Not important .....                                                              | 33              | 41         | 28           |
| <b>f. SSA: Improving traffic safety</b>                                          |                 |            |              |
| Extremely important .....                                                        | 27              | 22         | 32           |
| Very important.....                                                              | 37              | 36         | 38           |
| Somewhat important.....                                                          | 27              | 31         | 23           |
| Not too important .....                                                          | 5               | 6          | 5            |
| Not important at all.....                                                        | 2               | 2          | 2            |
| (Don't know).....                                                                | 2               | 4          | 1            |
| Important.....                                                                   | 64              | 57         | 70           |
| Not important .....                                                              | 34              | 39         | 30           |



|                                                          | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|----------------------------------------------------------|-----------------|------------|--------------|
| <b>g. SSB: Improving traffic safety and flow</b>         |                 |            |              |
| Extremely important .....                                | 26              | 14         | 37           |
| Very important.....                                      | 37              | 41         | 32           |
| Somewhat important.....                                  | 23              | 28         | 17           |
| Not too important .....                                  | 10              | 12         | 9            |
| Not important at all.....                                | 2               | 4          | 1            |
| (Don't know).....                                        | 2               | 1          | 3            |
| Important.....                                           | 63              | 55         | 69           |
| Not important .....                                      | 35              | 44         | 27           |
| <b>h. Improving streetlighting</b>                       |                 |            |              |
| Extremely important .....                                | 17              | 12         | 22           |
| Very important.....                                      | 29              | 27         | 32           |
| Somewhat important.....                                  | 34              | 41         | 28           |
| Not too important .....                                  | 16              | 18         | 14           |
| Not important at all.....                                | 3               | 2          | 4            |
| (Don't know).....                                        | 1               | 0          | 1            |
| Important.....                                           | 46              | 39         | 54           |
| Not important .....                                      | 53              | 60         | 45           |
| <b>i. Expanding bike lanes and improving bike safety</b> |                 |            |              |
| Extremely important .....                                | 25              | 21         | 27           |
| Very important.....                                      | 26              | 25         | 29           |
| Somewhat important.....                                  | 30              | 31         | 28           |
| Not too important .....                                  | 12              | 16         | 8            |
| Not important at all.....                                | 6               | 6          | 7            |
| (Don't know).....                                        | 1               | 0          | 2            |
| Important.....                                           | 51              | 46         | 56           |
| Not important .....                                      | 48              | 54         | 42           |
| <b>j. Planting and caring for trees</b>                  |                 |            |              |
| Extremely important .....                                | 30              | 19         | 38           |
| Very important.....                                      | 33              | 36         | 31           |
| Somewhat important.....                                  | 29              | 32         | 26           |
| Not too important .....                                  | 7               | 10         | 4            |
| Not important at all.....                                | 2               | 3          | 1            |
| (Don't know).....                                        | 0               | 0          | 0            |
| Important.....                                           | 62              | 55         | 68           |
| Not important .....                                      | 37              | 45         | 31           |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

k. **SSA:** Increasing affordable housing for low-income residents

|                            |           |           |           |
|----------------------------|-----------|-----------|-----------|
| Extremely important .....  | 42        | 31        | 47        |
| Very important.....        | 34        | 45        | 26        |
| Somewhat important.....    | 14        | 11        | 16        |
| Not too important .....    | 4         | 3         | 4         |
| Not important at all.....  | 6         | 8         | 4         |
| (Don't know).....          | 1         | 1         | 2         |
| <b>Important.....</b>      | <b>75</b> | <b>76</b> | <b>73</b> |
| <b>Not important .....</b> | <b>23</b> | <b>23</b> | <b>25</b> |

l. **SSB:** Increasing affordable housing for low-income and homeless residents

|                            |           |           |           |
|----------------------------|-----------|-----------|-----------|
| Extremely important .....  | 54        | 47        | 55        |
| Very important.....        | 26        | 24        | 30        |
| Somewhat important.....    | 10        | 12        | 9         |
| Not too important .....    | 6         | 10        | 4         |
| Not important at all.....  | 3         | 5         | 2         |
| (Don't know).....          | 1         | 2         | 0         |
| <b>Important.....</b>      | <b>79</b> | <b>71</b> | <b>85</b> |
| <b>Not important .....</b> | <b>19</b> | <b>27</b> | <b>14</b> |

m. **SSA:** Improving seismic safety of historic buildings in Civic Center, including Old City Hall and the Veterans Building

|                            |           |           |           |
|----------------------------|-----------|-----------|-----------|
| Extremely important .....  | 11        | 7         | 14        |
| Very important.....        | 31        | 32        | 32        |
| Somewhat important.....    | 43        | 44        | 39        |
| Not too important .....    | 10        | 9         | 10        |
| Not important at all.....  | 4         | 5         | 3         |
| (Don't know).....          | 2         | 3         | 1         |
| <b>Important.....</b>      | <b>42</b> | <b>39</b> | <b>46</b> |
| <b>Not important .....</b> | <b>56</b> | <b>58</b> | <b>53</b> |

|    |       |     |       |
|----|-------|-----|-------|
|    | TOTAL | MEN | WOMEN |
| N= | 500   | 221 | 262   |

n. **SSB:** Renovating Berkeley’s Civic Center Buildings and Park to include music and theatre performance spaces, a children’s play area, café kiosk and seating, and enhancing green space

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 12 | 7  | 14 |
| Very important.....       | 24 | 19 | 30 |
| Somewhat important.....   | 34 | 44 | 28 |
| Not too important .....   | 20 | 21 | 19 |
| Not important at all..... | 7  | 7  | 8  |
| (Don't know).....         | 2  | 2  | 2  |
| Important.....            | 36 | 26 | 44 |
| Not important .....       | 61 | 71 | 55 |

o. Decommissioning natural gas lines to reduce greenhouse gas emissions

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 21 | 14 | 25 |
| Very important.....       | 26 | 22 | 29 |
| Somewhat important.....   | 25 | 27 | 24 |
| Not too important .....   | 13 | 18 | 10 |
| Not important at all..... | 10 | 13 | 7  |
| (Don't know).....         | 5  | 6  | 4  |
| Important.....            | 47 | 36 | 54 |
| Not important .....       | 48 | 58 | 41 |

p. Developing climate change resiliency including protecting against sea level rise, wildfires, and drought

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 48 | 39 | 54 |
| Very important.....       | 30 | 31 | 30 |
| Somewhat important.....   | 16 | 22 | 12 |
| Not too important .....   | 3  | 4  | 2  |
| Not important at all..... | 2  | 3  | 2  |
| (Don't know).....         | 0  | 0  | 0  |
| Important.....            | 78 | 70 | 84 |
| Not important .....       | 21 | 30 | 16 |

TOTAL  
N= 500      MEN 221      WOMEN 262

q. Replacing the community center and building a public pool in San Pablo Park

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 12 | 7  | 15 |
| Very important.....       | 18 | 14 | 21 |
| Somewhat important.....   | 28 | 27 | 29 |
| Not too important .....   | 22 | 28 | 17 |
| Not important at all..... | 12 | 15 | 9  |
| (Don't know).....         | 9  | 9  | 9  |
| Important.....            | 30 | 22 | 36 |
| Not important .....       | 62 | 70 | 55 |

r. Repairing Berkeley Pier, including recreational and ferry upgrades

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 16 | 15 | 17 |
| Very important.....       | 26 | 23 | 30 |
| Somewhat important.....   | 31 | 31 | 31 |
| Not too important .....   | 19 | 19 | 16 |
| Not important at all..... | 6  | 8  | 4  |
| (Don't know).....         | 3  | 3  | 3  |
| Important.....            | 42 | 39 | 46 |
| Not important .....       | 56 | 58 | 51 |

s. Improving the Berkeley waterfront, including docks, pilings, streets, parking lots, pathways, and marina dredging

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 15 | 9  | 19 |
| Very important.....       | 28 | 30 | 29 |
| Somewhat important.....   | 38 | 43 | 33 |
| Not too important .....   | 15 | 14 | 14 |
| Not important at all..... | 2  | 2  | 2  |
| (Don't know).....         | 2  | 2  | 3  |
| Important.....            | 43 | 40 | 48 |
| Not important .....       | 55 | 58 | 49 |

t. Increasing availability of solar energy, solar batteries, and electric vehicles and equipment

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 28 | 23 | 31 |
| Very important.....       | 32 | 32 | 33 |
| Somewhat important.....   | 28 | 26 | 29 |
| Not too important .....   | 8  | 13 | 4  |
| Not important at all..... | 4  | 5  | 3  |
| (Don't know).....         | 0  | 1  | 0  |
| Important.....            | 60 | 55 | 64 |
| Not important .....       | 40 | 44 | 36 |

|    |       |     |       |
|----|-------|-----|-------|
|    | TOTAL | MEN | WOMEN |
| N= | 500   | 221 | 262   |

u. **SSA:** Upgrading storm drains, green infrastructure, and our watersheds to keep pollution from the Bay

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 31 | 20 | 40 |
| Very important.....       | 47 | 53 | 43 |
| Somewhat important .....  | 16 | 21 | 11 |
| Not too important .....   | 4  | 3  | 5  |
| Not important at all..... | 1  | 0  | 1  |
| (Don't know).....         | 1  | 3  | 0  |
| Important.....            | 79 | 73 | 83 |
| Not important .....       | 20 | 25 | 17 |

v. **SSB:** Upgrading storm drains to reduce flooding and protect against sea level rise

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 25 | 13 | 33 |
| Very important.....       | 37 | 32 | 40 |
| Somewhat important .....  | 22 | 30 | 17 |
| Not too important .....   | 10 | 17 | 5  |
| Not important at all..... | 2  | 4  | 1  |
| (Don't know).....         | 4  | 4  | 4  |
| Important.....            | 62 | 45 | 73 |
| Not important .....       | 34 | 51 | 23 |

w. Making improvements to recreational facilities

|                           |    |    |    |
|---------------------------|----|----|----|
| Extremely important ..... | 13 | 8  | 17 |
| Very important.....       | 28 | 27 | 29 |
| Somewhat important .....  | 39 | 45 | 35 |
| Not too important .....   | 13 | 11 | 14 |
| Not important at all..... | 3  | 5  | 2  |
| (Don't know).....         | 3  | 4  | 3  |
| Important.....            | 41 | 35 | 46 |
| Not important .....       | 56 | 61 | 51 |



|                                                                                                   | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|---------------------------------------------------------------------------------------------------|-----------------|------------|--------------|
| <b>x. Providing more publicly available electric vehicle charging</b>                             |                 |            |              |
| Extremely important .....                                                                         | 16              | 13         | 19           |
| Very important.....                                                                               | 25              | 25         | 25           |
| Somewhat important.....                                                                           | 32              | 29         | 35           |
| Not too important .....                                                                           | 19              | 22         | 14           |
| Not important at all.....                                                                         | 7               | 9          | 6            |
| (Don't know).....                                                                                 | 1               | 1          | 1            |
| Important.....                                                                                    | 41              | 39         | 44           |
| Not important .....                                                                               | 58              | 60         | 55           |
| <b>y. Providing free transit passes for low-income residents</b>                                  |                 |            |              |
| Extremely important .....                                                                         | 34              | 25         | 37           |
| Very important.....                                                                               | 33              | 35         | 33           |
| Somewhat important.....                                                                           | 24              | 26         | 23           |
| Not too important .....                                                                           | 5               | 6          | 3            |
| Not important at all.....                                                                         | 5               | 7          | 3            |
| (Don't know).....                                                                                 | 0               | 1          | 0            |
| Important.....                                                                                    | 67              | 60         | 70           |
| Not important .....                                                                               | 33              | 39         | 30           |
| <b>z. SSA: Upgrading City buildings</b>                                                           |                 |            |              |
| Extremely important .....                                                                         | 4               | 6          | 3            |
| Very important.....                                                                               | 18              | 11         | 25           |
| Somewhat important.....                                                                           | 40              | 41         | 39           |
| Not too important .....                                                                           | 23              | 24         | 21           |
| Not important at all.....                                                                         | 5               | 6          | 5            |
| (Don't know).....                                                                                 | 9               | 12         | 7            |
| Important.....                                                                                    | 23              | 17         | 28           |
| Not important .....                                                                               | 68              | 71         | 65           |
| <b>aa. SSB: Upgrading City buildings to be energy efficient, seismically safe, and COVID-safe</b> |                 |            |              |
| Extremely important .....                                                                         | 23              | 14         | 30           |
| Very important.....                                                                               | 35              | 34         | 34           |
| Somewhat important.....                                                                           | 30              | 39         | 24           |
| Not too important .....                                                                           | 8               | 10         | 6            |
| Not important at all.....                                                                         | 4               | 3          | 4            |
| (Don't know).....                                                                                 | 1               | 0          | 2            |
| Important.....                                                                                    | 58              | 48         | 64           |
| Not important .....                                                                               | 41              | 52         | 35           |

|                                                                                                        | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|--------------------------------------------------------------------------------------------------------|-----------------|------------|--------------|
| <b>bb. Upgrading playgrounds</b>                                                                       |                 |            |              |
| Extremely important .....                                                                              | 11              | 7          | 14           |
| Very important.....                                                                                    | 29              | 27         | 33           |
| Somewhat important.....                                                                                | 36              | 38         | 35           |
| Not too important .....                                                                                | 17              | 21         | 12           |
| Not important at all.....                                                                              | 4               | 5          | 4            |
| (Don't know).....                                                                                      | 2               | 3          | 2            |
| Important.....                                                                                         | 40              | 34         | 47           |
| Not important .....                                                                                    | 57              | 63         | 51           |
| <b>cc. Making public buildings, streets, and sidewalks more accessible to people with disabilities</b> |                 |            |              |
| Extremely important .....                                                                              | 25              | 18         | 27           |
| Very important.....                                                                                    | 36              | 38         | 36           |
| Somewhat important.....                                                                                | 28              | 28         | 29           |
| Not too important .....                                                                                | 8               | 11         | 5            |
| Not important at all.....                                                                              | 3               | 5          | 2            |
| (Don't know).....                                                                                      | 1               | 1          | 1            |
| Important.....                                                                                         | 60              | 55         | 63           |
| Not important .....                                                                                    | 39              | 43         | 37           |
| <b>dd. Upgrading senior centers</b>                                                                    |                 |            |              |
| Extremely important .....                                                                              | 11              | 6          | 14           |
| Very important.....                                                                                    | 30              | 28         | 33           |
| Somewhat important.....                                                                                | 37              | 37         | 36           |
| Not too important .....                                                                                | 14              | 14         | 13           |
| Not important at all.....                                                                              | 3               | 5          | 1            |
| (Don't know).....                                                                                      | 6               | 9          | 3            |
| Important.....                                                                                         | 40              | 34         | 47           |
| Not important .....                                                                                    | 54              | 57         | 50           |
| <b>ee. Upgrading traffic signals, pavement markings, and street signs</b>                              |                 |            |              |
| Extremely important .....                                                                              | 18              | 19         | 17           |
| Very important.....                                                                                    | 30              | 29         | 32           |
| Somewhat important.....                                                                                | 33              | 31         | 34           |
| Not too important .....                                                                                | 15              | 17         | 13           |
| Not important at all.....                                                                              | 4               | 4          | 4            |
| (Don't know).....                                                                                      | 1               | 1          | 0            |
| Important.....                                                                                         | 47              | 48         | 49           |
| Not important .....                                                                                    | 52              | 51         | 51           |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Now, I'm going to read several versions of a ballot measure that may appear on the ballot in Berkeley next year. I am going to ask about different ways of funding the measure and different dollar amounts for each.**

**[RANDOMIZE Q8/9, 10/11, 12]**

**The [first/next] version of the ballot measure I'm going to ask you about is a bond measure.**

**Q8. SSC [BOND MEASURE 27 CENTS] To:**

- improve aging infrastructure and facilities, including streets, sidewalks, bike lanes, parks, restrooms, senior and recreation centers, and
- provide affordable housing to prevent displacement of vulnerable populations, including low to middle-income households, veterans, artists, seniors, and people with disabilities and provide supportive housing for people experiencing homelessness;

Shall the City of Berkeley enact a measure issuing bonds of 250 million dollars, at rates of 27 cents per 100 dollars of assessed property value, on average, generating approximately 25 million dollars annually while bonds are outstanding and requiring independent oversight?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

**[IF YES/NO]:** And is that Yes/No strongly or not so strongly?

**[IF UNDECIDED]:** Well, to which side do you lean?

|                             |           |           |           |
|-----------------------------|-----------|-----------|-----------|
| Yes - strongly .....        | 28        | 26        | 29        |
| Yes - not so strongly ..... | 13        | 10        | 16        |
| Lean yes .....              | 14        | 11        | 15        |
| <b>Yes .....</b>            | <b>55</b> | <b>48</b> | <b>60</b> |
| <b>Undecided/DK.....</b>    | <b>16</b> | <b>19</b> | <b>14</b> |
| <b>No .....</b>             | <b>29</b> | <b>33</b> | <b>26</b> |
| Lean no.....                | 9         | 10        | 9         |
| No - not so strongly.....   | 4         | 4         | 3         |
| No - strongly .....         | 16        | 19        | 14        |
| (Refused).....              | 0         | 0         | 0         |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**The [first/next] version of the ballot measure I'm going to ask you about is a bond measure.**

**Q9. SSD [BOND MEASURE 54 CENTS] To:**

- improve aging infrastructure and facilities, including streets, sidewalks, bike lanes, parks, restrooms, senior and recreation centers, and
- provide affordable housing to prevent displacement of vulnerable populations, including low to middle-income households, veterans, artists, seniors, and people with disabilities and provide supportive housing for people experiencing homelessness;

Shall the City of Berkeley enact a measure issuing bonds of 500 million dollars, at rates of 54 cents per 100 dollars of assessed property value, on average, generating approximately 50 million dollars annually while bonds are outstanding and requiring independent oversight?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

**[IF YES/NO]:** And is that Yes/No strongly or not so strongly?

**[IF UNDECIDED]:** Well, to which side do you lean?

|                             |    |    |    |
|-----------------------------|----|----|----|
| Yes - strongly .....        | 35 | 35 | 36 |
| Yes - not so strongly ..... | 11 | 16 | 8  |
| Lean yes .....              | 12 | 6  | 16 |
| Yes .....                   | 58 | 57 | 59 |
| Undecided/DK.....           | 12 | 7  | 18 |
| No .....                    | 29 | 37 | 23 |
| Lean no.....                | 10 | 9  | 11 |
| No - not so strongly.....   | 8  | 7  | 7  |
| No - strongly .....         | 12 | 20 | 5  |
| (Refused).....              | 0  | 0  | 0  |

**Q8/9. Combined Bond Measure**

|                             |    |    |    |
|-----------------------------|----|----|----|
| Yes - strongly .....        | 32 | 31 | 32 |
| Yes - not so strongly ..... | 12 | 13 | 12 |
| Lean yes .....              | 13 | 8  | 15 |
| Yes .....                   | 57 | 52 | 59 |
| Undecided/DK.....           | 14 | 13 | 16 |
| No .....                    | 29 | 35 | 25 |
| Lean no.....                | 10 | 10 | 10 |
| No - not so strongly.....   | 6  | 6  | 5  |
| No - strongly .....         | 14 | 20 | 10 |
| (Refused).....              | 0  | 0  | 0  |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**The [first/next] version of the ballot measure I'm going to ask you about is a parcel tax.**

**Q10. SSE [PARCEL TAX 15 CENTS ] To:**

- improve aging infrastructure and facilities, including streets, sidewalks, bike lanes, parks, restrooms, senior and recreation centers, and
- provide affordable housing to prevent displacement of vulnerable populations, including low to middle-income households, veterans, artists, seniors, and people with disabilities and provide supportive housing for people experiencing homelessness;

Shall the City of Berkeley enact a measure levying 15 cents per building square foot, generating approximately 13 million dollars annually until ended by voters, with low-income exemptions, independent oversight and all funds staying local?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

**[IF YES/NO]:** And is that Yes/No strongly or not so strongly?

**[IF UNDECIDED]:** Well, to which side do you lean?

|                             |    |    |    |
|-----------------------------|----|----|----|
| Yes - strongly .....        | 37 | 35 | 37 |
| Yes - not so strongly ..... | 14 | 20 | 8  |
| Lean yes .....              | 9  | 4  | 14 |
| Yes .....                   | 60 | 60 | 58 |
| Undecided/DK.....           | 13 | 8  | 17 |
| No .....                    | 27 | 32 | 25 |
| Lean no.....                | 8  | 5  | 11 |
| No - not so strongly.....   | 4  | 5  | 3  |
| No - strongly .....         | 15 | 22 | 11 |
| (Refused).....              | 0  | 0  | 0  |



|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**The [first/next] version of the ballot measure I'm going to ask you about is a parcel tax.**

**Q11. SSF [PARCEL TAX 30 CENTS] To:**

- improve aging infrastructure and facilities, including streets, sidewalks, bike lanes, parks, restrooms, senior and recreation centers; and
- provide affordable housing to prevent displacement of vulnerable populations, including low to middle-income households, veterans, artists, seniors, and people with disabilities and provide supportive housing for people experiencing homelessness;

Shall the City of Berkeley enact a measure levying 30 cents per building square foot, generating approximately 26 million dollars annually until ended by voters, with low-income exemptions, independent oversight and all funds staying local?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

**[IF YES/NO]:** And is that Yes/No strongly strongly or not so strongly?

**[IF UNDECIDED]:** Well, to which side do you lean?

|                             |           |           |           |
|-----------------------------|-----------|-----------|-----------|
| Yes - strongly .....        | 35        | 34        | 37        |
| Yes - not so strongly ..... | 14        | 12        | 13        |
| Lean yes .....              | 11        | 7         | 15        |
| <b>Yes .....</b>            | <b>61</b> | <b>53</b> | <b>65</b> |
| <b>Undecided/DK.....</b>    | <b>12</b> | <b>13</b> | <b>12</b> |
| <b>No .....</b>             | <b>27</b> | <b>33</b> | <b>22</b> |
| <br>                        |           |           |           |
| Lean no.....                | 6         | 7         | 6         |
| No - not so strongly.....   | 3         | 3         | 3         |
| No - strongly .....         | 18        | 24        | 13        |
| <br>                        |           |           |           |
| (Refused).....              | 0         | 0         | 0         |

**Q10/11. Combined Parcel Tax**

|                             |           |           |           |
|-----------------------------|-----------|-----------|-----------|
| Yes - strongly .....        | 36        | 35        | 37        |
| Yes - not so strongly ..... | 14        | 16        | 11        |
| Lean yes .....              | 10        | 6         | 14        |
| <b>Yes .....</b>            | <b>60</b> | <b>57</b> | <b>62</b> |
| <b>Undecided/DK.....</b>    | <b>13</b> | <b>11</b> | <b>15</b> |
| <b>No .....</b>             | <b>27</b> | <b>33</b> | <b>23</b> |
| <br>                        |           |           |           |
| Lean no.....                | 7         | 6         | 8         |
| No - not so strongly.....   | 3         | 4         | 3         |
| No - strongly .....         | 17        | 23        | 12        |
| <br>                        |           |           |           |
| (Refused).....              | 0         | 0         | 0         |

|    |       |     |       |
|----|-------|-----|-------|
|    | TOTAL | MEN | WOMEN |
| N= | 500   | 221 | 262   |

**The [first/next] version of the ballot measure I'm going to ask you about is a sales tax.**

**Q12. [SALES TAX HALF CENT] To:**

- Improve aging infrastructure/ facilities, including streets, sidewalks, bike lanes, parks, restrooms, senior/recreation centers; and
- Provide affordable housing to prevent displacement of vulnerable populations, including low to middle-income households, veterans, artists, seniors, people with disabilities and provide supportive housing for people experiencing homelessness;

Shall the City of Berkeley enact a measure increasing the local sales tax by one half cent, generating approximately 9 million dollars annually from residents and visitors until ended by voters, with exemptions for essential purchases like groceries/prescription medicine and requiring independent oversight?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

**[IF YES/NO]:** And is that Yes/No strongly or not so strongly?

**[IF UNDECIDED]:** Well, to which side do you lean?

|                             |    |    |    |
|-----------------------------|----|----|----|
| Yes - strongly .....        | 34 | 34 | 35 |
| Yes - not so strongly ..... | 17 | 20 | 16 |
| Lean yes .....              | 8  | 7  | 8  |
| <br>                        |    |    |    |
| Yes .....                   | 59 | 60 | 59 |
| Undecided/DK.....           | 9  | 6  | 12 |
| No .....                    | 32 | 34 | 29 |
| <br>                        |    |    |    |
| Lean no.....                | 8  | 7  | 9  |
| No - not so strongly.....   | 6  | 8  | 4  |
| No - strongly .....         | 18 | 20 | 16 |
| <br>                        |    |    |    |
| (Refused).....              | 0  | 0  | 0  |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Q13.** In this survey I asked about three different ways to fund this measure: **[RANDOMIZE]**

- \_ a sales tax increase
- \_ a bond measure
- and
- \_ a parcel tax.

Note that the measures generate different amounts of revenue to invest in the city’s infrastructure and housing needs. **[RANDOMIZE STATEMENTS]**

The *sales tax* would generate 9 million dollars annually for these investments.

The *bond measure* would generate **[SSC: 25 million dollars / SSD: 50 million dollars]** annually for these investments.

The *parcel tax* would generate **[SSE: 13 million dollars / SSF: 26 million dollars]** annually for these investments.

Which of these, if any, do you think is the most appropriate way to increase city funding for the infrastructure and affordable housing needs outlined in the ballot measure? You may choose as many as you like. **[ACCEPT MULTIPLE RESPONSES]**

|                         |    |    |    |
|-------------------------|----|----|----|
| Bond measure.....       | 46 | 41 | 49 |
| Parcel tax.....         | 32 | 34 | 29 |
| Sales tax increase..... | 28 | 29 | 25 |
| (None).....             | 10 | 13 | 8  |
| (Don't know).....       | 14 | 9  | 18 |
| (Refused).....          | 0  | 0  | 0  |

**Q14.** The measures I’ve read to you include different funding priorities for the City of Berkeley. If you had to choose, which one or two of these are the highest priorities for you personally? **[RANDOMIZE]**  
**[ACCEPT UP TO TWO]**

|                                                                                      |    |    |    |
|--------------------------------------------------------------------------------------|----|----|----|
| Providing affordable housing for low-income people .                                 | 53 | 49 | 55 |
| Providing supportive housing for people experiencing homelessness .....              | 50 | 45 | 52 |
| Improving streets .....                                                              | 28 | 32 | 26 |
| Improving traffic safety and expanding services for pedestrians and bicyclists ..... | 22 | 25 | 20 |
| Improving parks and related facilities .....                                         | 11 | 12 | 10 |
| Improving senior and recreation centers .....                                        | 5  | 2  | 8  |
| (None).....                                                                          | 3  | 4  | 3  |
| (Don't know).....                                                                    | 2  | 1  | 3  |
| (Refused).....                                                                       | 0  | 0  | 0  |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Q15.** Now thinking just about providing affordable housing in Berkeley, which of the following would be the highest priority for you personally? **[RANDOMIZE]**

|                                                                                                           |    |    |    |
|-----------------------------------------------------------------------------------------------------------|----|----|----|
| Acquiring and building affordable housing units .....                                                     | 33 | 32 | 33 |
| Providing supportive housing for people experiencing homelessness .....                                   | 29 | 29 | 29 |
| Providing housing vouchers so low-income residents have better opportunities for affordable housing ..... | 15 | 15 | 16 |
| Preserving existing affordable housing units .....                                                        | 10 | 10 | 10 |
| (None).....                                                                                               | 7  | 9  | 6  |
| (Don't know).....                                                                                         | 6  | 5  | 6  |
| (Refused).....                                                                                            | 0  | 0  | 0  |

**Q16.** How important is it to you personally that a proposed infrastructure measure include an aspect of equity, whatever that means for you? Would you say it is very important, somewhat important, not to important, or not at all important?

|                           |    |    |    |
|---------------------------|----|----|----|
| Very important .....      | 48 | 38 | 54 |
| Somewhat important .....  | 28 | 32 | 27 |
| Not too important .....   | 6  | 7  | 5  |
| Not at all important..... | 7  | 13 | 3  |
| (Don't know).....         | 10 | 9  | 11 |
| (Refused).....            | 1  | 1  | 1  |
| Important.....            | 76 | 69 | 80 |
| Not important .....       | 13 | 20 | 8  |

**Q17. SSA:** Now I am going to read some ways that people have defined equity in Berkeley. Please tell me which definition is most in line with what equity means to you. **[RANDOMIZE]**

|                                                                                                                                               |    |    |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| Distributing more infrastructure benefits to lower-income neighborhoods and communities of color that have been historically underfunded..... | 55 | 51 | 56 |
| Distributing more infrastructure benefits to the most vulnerable, like children, people with disabilities, and older Berkeleyans. ....        | 18 | 21 | 17 |
| Distributing infrastructure benefits equally between Berkeley's eight City Council districts.....                                             | 9  | 13 | 6  |
| Distributing infrastructure benefits to areas of Berkeley where there are fewer parks, open spaces, and trees.....                            | 9  | 8  | 9  |
| (Don't know).....                                                                                                                             | 9  | 7  | 10 |
| (Refused).....                                                                                                                                | 1  | 0  | 1  |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Q18. SSB:** Now I am going to read some ways that people have defined equity in Berkeley. Please tell me which definition is most in line with what equity means to you. **[RANDOMIZE]**

|                                                                                                                                                |    |    |    |
|------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| Distributing infrastructure benefits first to lower-income neighborhoods and communities of color that have historically been underfunded..... | 52 | 50 | 51 |
| Distributing infrastructure benefits first to the most vulnerable, like children, people with disabilities, and older Berkeleyans .....        | 15 | 18 | 14 |
| Distributing infrastructure benefits equally between Berkeley's eight City Council districts.....                                              | 13 | 15 | 12 |
| Distributing infrastructure benefits to areas of Berkeley where there are fewer parks, open spaces, and trees.....                             | 8  | 6  | 9  |
| (Don't know).....                                                                                                                              | 10 | 7  | 14 |
| (Refused).....                                                                                                                                 | 2  | 3  | 0  |

**Q17/18. Combined Equity Definition**

|                                                                                                                                                  |    |    |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| Distributing infrastructure benefits (first) to lower-income neighborhoods and communities of color that have historically been underfunded..... | 54 | 50 | 54 |
| Distributing infrastructure benefits first to the most vulnerable, like children, people with disabilities, and older Berkeleyans .....          | 17 | 19 | 15 |
| Distributing infrastructure benefits equally between Berkeley's eight City Council districts.....                                                | 11 | 14 | 9  |
| Distributing infrastructure benefits to areas of Berkeley where there are fewer parks, open spaces, and trees.....                               | 8  | 7  | 9  |
| (Don't know).....                                                                                                                                | 10 | 7  | 12 |
| (Refused).....                                                                                                                                   | 1  | 2  | 1  |

**Q19.** People in Berkeley have differing opinions about the amount of taxes we pay to fund city services. Some say the amount of taxes we currently pay is appropriate for the services the city provides, while some **[ROTATE]**

\_ think taxes are too high  
and others

\_ would be willing to pay more in taxes in order to fund more services.

What about you?

|                                             |    |    |    |
|---------------------------------------------|----|----|----|
| Taxes are too high .....                    | 33 | 31 | 34 |
| Would be willing to pay more in taxes ..... | 33 | 35 | 31 |
| Current amount is appropriate.....          | 25 | 25 | 25 |
| (Don't know).....                           | 9  | 8  | 10 |
| (Refused).....                              | 1  | 1  | 1  |

|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

***Finally, I would like to ask you a few questions for statistical purposes only.***

**Q20.** In terms of local politics, do you consider yourself progressive, liberal, moderate, or conservative?

|                   |    |    |    |
|-------------------|----|----|----|
| Progressive.....  | 43 | 40 | 43 |
| Liberal.....      | 29 | 26 | 34 |
| Moderate.....     | 19 | 24 | 16 |
| Conservative..... | 3  | 4  | 3  |
| (Don't know)..... | 3  | 4  | 2  |
| (Refused).....    | 2  | 2  | 2  |

**Q21.** What is the last year of schooling that you have completed?

|                                                   |    |    |    |
|---------------------------------------------------|----|----|----|
| 1 - 11th Grade.....                               | 0  | 0  | 0  |
| High School Graduate.....                         | 2  | 3  | 3  |
| Vocational or technical school.....               | 2  | 2  | 2  |
| Some college but no degree.....                   | 13 | 14 | 10 |
| Associate degree.....                             | 7  | 4  | 9  |
| 4-year college graduate or bachelor's degree..... | 34 | 37 | 31 |
| Graduate School or advanced degree.....           | 40 | 36 | 44 |
| (Refused).....                                    | 3  | 4  | 2  |
| Non-college.....                                  | 24 | 23 | 23 |
| College grad.....                                 | 74 | 74 | 75 |

**Q22.** Do you have any children 18 years of age or younger living at home with you?

|                           |    |    |    |
|---------------------------|----|----|----|
| Yes.....                  | 21 | 22 | 22 |
| No.....                   | 76 | 75 | 76 |
| (Don't know/refused)..... | 3  | 3  | 3  |

**Q23. [IF Q22=YES]** Are any of your children currently enrolled in Berkeley public schools?

|    |     |    |    |
|----|-----|----|----|
| N= | 106 | 49 | 57 |
|----|-----|----|----|

|                           |    |    |    |
|---------------------------|----|----|----|
| Yes.....                  | 67 | 63 | 70 |
| No.....                   | 32 | 37 | 28 |
| (Don't know/refused)..... | 1  | 0  | 2  |

**Q24.** Do you own your own home or do you rent?

|                           |    |    |    |
|---------------------------|----|----|----|
| Own.....                  | 50 | 51 | 53 |
| Rent.....                 | 45 | 43 | 44 |
| (Other).....              | 2  | 3  | 1  |
| (Don't know/refused)..... | 2  | 3  | 2  |



|    | TOTAL | MEN | WOMEN |
|----|-------|-----|-------|
| N= | 500   | 221 | 262   |

**Q25. How long have you lived in Berkeley? [DO NOT READ, RECORD WITHIN RANGE]**

|                                    |    |    |    |
|------------------------------------|----|----|----|
| Less than two years .....          | 6  | 7  | 3  |
| Two to less than five years.....   | 13 | 13 | 12 |
| Five to less than ten years .....  | 18 | 20 | 15 |
| Ten to less than twenty years..... | 19 | 18 | 20 |
| Twenty years or more .....         | 33 | 29 | 38 |
| All your life .....                | 8  | 8  | 9  |
| (Don't know/refused).....          | 4  | 5  | 3  |

**Q26. [T]** Just to make sure we have a representative sample, could you please tell me whether you are from a Latino, Hispanic, or Spanish-speaking background?

**Q27. [ASK ALL] [T]** And please tell me which one, or more than one, of these racial or ethnic groups you identify with.

**[RANDOMIZE/READ CHOICES]**

**[ACCEPT MULTIPLE RESPONSES]**

**[IF "OTHER" OR "BIRACIAL" OR "MULTI-RACIAL":]** Well which two or three of these do you identify with the most?

|                                         |    |    |    |
|-----------------------------------------|----|----|----|
| White or Caucasian.....                 | 58 | 60 | 60 |
| Black or African American .....         | 10 | 9  | 11 |
| Latino/Latina or Hispanic.....          | 9  | 9  | 9  |
| Asian American or Pacific Islander..... | 12 | 9  | 13 |
| Native or Indigenous American .....     | 4  | 2  | 5  |
| Middle Eastern .....                    | 2  | 1  | 1  |
| (Other) .....                           | 3  | 4  | 2  |
| (Don't know/Refused).....               | 7  | 9  | 5  |

|                              | TOTAL<br>N= 500 | MEN<br>221 | WOMEN<br>262 |
|------------------------------|-----------------|------------|--------------|
| <b>Age</b>                   |                 |            |              |
| 18 - 24 .....                | 11              | 14         | 6            |
| 25 - 29 .....                | 9               | 9          | 8            |
| 30 - 34 .....                | 8               | 9          | 6            |
| 35 - 39 .....                | 9               | 9          | 10           |
| 40 - 44 .....                | 6               | 6          | 7            |
| 45 - 49 .....                | 9               | 9          | 9            |
| 50 - 54 .....                | 8               | 6          | 9            |
| 55 - 59 .....                | 5               | 8          | 4            |
| 60 - 64 .....                | 8               | 6          | 11           |
| 65 - 69 .....                | 6               | 5          | 8            |
| 70 - 74 .....                | 8               | 7          | 10           |
| 75 & older .....             | 12              | 12         | 14           |
| (don't know) .....           | 0               | 0          | 0            |
| <br>                         |                 |            |              |
| Under 30 .....               | 20              | 23         | 14           |
| 30 - 39 .....                | 17              | 19         | 16           |
| 40 - 49 .....                | 15              | 15         | 16           |
| 50 - 64 .....                | 21              | 20         | 24           |
| 65 & older .....             | 27              | 24         | 31           |
| <br>                         |                 |            |              |
| <b>City Council District</b> |                 |            |              |
| CCD 1 .....                  | 13              | 15         | 12           |
| CCD 2 .....                  | 16              | 11         | 19           |
| CCD 3 .....                  | 15              | 13         | 16           |
| CCD 4 .....                  | 8               | 9          | 7            |
| CCD 5 .....                  | 17              | 15         | 19           |
| CCD 6 .....                  | 13              | 17         | 11           |
| CCD 7 .....                  | 5               | 5          | 4            |
| CCD 8 .....                  | 12              | 14         | 11           |

**Infrastructure Need as Compiled Prior to FY 2022 Budget Adoption**

|                                                            | FY 2022<br>Year 1        | FY 2023<br>Year 2        | FY 2024<br>Year 3        | FY 2025<br>Year 4        | FY 2026<br>Year 5        | Total<br>Year 1- 5       |
|------------------------------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>Parks, Park Buildings, Pools, Waterfront, and Camps</b> |                          |                          |                          |                          |                          |                          |
| Available Funding <sup>(1)</sup>                           | \$1,400,000              | \$1,400,000              | \$1,400,000              | \$1,400,000              | \$1,400,000              | \$7,000,000              |
| Expenditures                                               | \$1,400,000              | \$1,400,000              | \$1,400,000              | \$1,400,000              | \$1,400,000              | \$7,000,000              |
| Capital & Maint. Need <sup>(2)</sup> \$217,039,000         |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$219,951,780)</b>   | <b>(\$222,922,816)</b>   | <b>(\$225,953,272)</b>   | <b>(\$229,044,337)</b>   | <b>(\$232,197,224)</b>   | <b>(\$232,197,224)</b>   |
| <b>Public Buildings</b>                                    |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$800,000                | \$800,000                | \$800,000                | \$800,000                | \$800,000                | \$4,000,000              |
| Expenditures                                               | \$800,000                | \$800,000                | \$800,000                | \$800,000                | \$800,000                | \$4,000,000              |
| Capital & Maint. Need \$282,300,000                        |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$287,130,000)</b>   | <b>(\$292,056,600)</b>   | <b>(\$297,081,732)</b>   | <b>(\$302,207,367)</b>   | <b>(\$307,435,514)</b>   | <b>(\$307,435,514)</b>   |
| <b>Sidewalks</b>                                           |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$700,000                | \$700,000                | \$700,000                | \$700,000                | \$700,000                | \$3,500,000              |
| Expenditures                                               | \$700,000                | \$700,000                | \$700,000                | \$700,000                | \$700,000                | \$3,500,000              |
| Capital & Maint. Need \$11,120,000                         |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$10,628,400)</b>    | <b>(\$10,126,968)</b>    | <b>(\$9,615,507)</b>     | <b>(\$9,093,818)</b>     | <b>(\$8,561,694)</b>     | <b>(\$8,561,694)</b>     |
| <b>Streets &amp; Roads</b>                                 |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$6,820,000              | \$6,820,000              | \$6,820,000              | \$6,820,000              | \$6,820,000              | \$34,100,000             |
| Expenditures                                               | \$6,820,000              | \$6,820,000              | \$6,820,000              | \$6,820,000              | \$6,820,000              | \$34,100,000             |
| Capital & Maint. Need \$250,000,000                        |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$248,043,600)</b>   | <b>(\$246,048,072)</b>   | <b>(\$244,012,633)</b>   | <b>(\$241,936,486)</b>   | <b>(\$239,818,816)</b>   | <b>(\$239,818,816)</b>   |
| <b>Sewers</b>                                              |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$21,974,583             | \$16,456,882             | \$20,188,912             | \$24,206,893             | \$24,700,000             | \$107,527,270            |
| Expenditures                                               | \$21,974,583             | \$16,456,882             | \$20,188,912             | \$24,206,893             | \$24,700,000             | \$107,527,270            |
| Capital & Maint. Need \$193,800,000                        |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$175,261,925)</b>   | <b>(\$161,981,144)</b>   | <b>(\$144,628,077)</b>   | <b>(\$122,829,608)</b>   | <b>(\$100,092,200)</b>   | <b>(\$100,092,200)</b>   |
| <b>Storm Water</b>                                         |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$1,300,000              | \$1,300,000              | \$1,300,000              | \$1,300,000              | \$1,300,000              | \$6,500,000              |
| Expenditures                                               | \$1,300,000              | \$1,300,000              | \$1,300,000              | \$1,300,000              | \$1,300,000              | \$6,500,000              |
| Capital & Maint. Need \$245,820,000                        |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$249,410,400)</b>   | <b>(\$253,072,608)</b>   | <b>(\$256,808,060)</b>   | <b>(\$260,618,221)</b>   | <b>(\$264,504,586)</b>   | <b>(\$264,504,586)</b>   |
| <b>Traffic Signals &amp; Parking Infrastructure</b>        |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$400,000                | \$400,000                | \$400,000                | \$400,000                | \$400,000                | \$2,000,000              |
| Expenditures                                               | \$400,000                | \$400,000                | \$400,000                | \$400,000                | \$400,000                | \$2,000,000              |
| Capital & Maint. Need \$14,838,800                         |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$14,727,576)</b>    | <b>(\$14,614,128)</b>    | <b>(\$14,498,410)</b>    | <b>(\$14,380,378)</b>    | <b>(\$14,259,986)</b>    | <b>(\$14,259,986)</b>    |
| <b>TOTAL</b>                                               |                          |                          |                          |                          |                          |                          |
| Available Funding                                          | \$33,394,583             | \$27,876,882             | \$31,608,912             | \$35,626,893             | \$36,120,000             | \$164,627,270            |
| Expenditures                                               | \$33,394,583             | \$27,876,882             | \$31,608,912             | \$35,626,893             | \$36,120,000             | \$164,627,270            |
| T1 Funding: \$100M Infrastructure Bond <sup>(3)</sup>      | \$10,650,000             | \$10,650,000             | \$10,650,000             | \$10,650,000             | \$10,650,000             | \$53,250,000             |
| Capital & Maint. Need \$1,214,917,800                      |                          |                          |                          |                          |                          |                          |
| <b>Unfunded Liability</b>                                  | <b>(\$1,194,290,681)</b> | <b>(\$1,179,649,613)</b> | <b>(\$1,160,983,693)</b> | <b>(\$1,137,926,474)</b> | <b>(\$1,113,915,004)</b> | <b>(\$1,113,915,004)</b> |

<sup>(1)</sup> Unless otherwise noted, available funding includes recurring sources of capital and major maintenance funding.

<sup>(2)</sup> Capital & Maint. Needs are current estimates of unfunded needs. Needs are estimated to increase at a rate of 2% per year.

<sup>(3)</sup> The remaining \$53.25M of the bond allocated to project budgets is estimated to be equally distributed over 5 years, (\$10.65 million/year).

| <b>Methodology for Infrastructure Need By Asset Category</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parks, Park Buildings, Pools, Waterfront, and Camps</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| These costs include all infrastructure associated with the City's 52 parks such as irrigation, paths, recreation centers, restrooms, sports fields, and play structures; the waterfront including streets, buildings, paths, docks, parking lots and the pier; resident camps including structures, pools, bridges, pathways and water systems; and pools including locker room buildings, decking, mechanical systems and pool shells.                                                                                                                                                                                                              |
| <b>Public Buildings</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| This includes 50 Public Works-maintained buildings, including Public Safety Building, Fire Stations, 1947 Center, HHCS buildings, Animal Shelter, Corp Yard, and off-street parking garages. These are not included: Transfer Station, Old City Hall, Veterans Building, Libraries, all PRW buildings, and EV charging stations. Estimates are derived both from staff and from completed facility condition assessments.                                                                                                                                                                                                                            |
| <b>Sidewalks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| This includes the City's backlog of resident-requested sidewalk repairs at approximately 3600 properties. The ADA Transition Plan is underway and includes a proactive condition assessment of sidewalks. This assessment will likely result in approximately \$50M in additional unfunded need not included in this calculation.                                                                                                                                                                                                                                                                                                                    |
| <b>Streets and Roads</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| This represents the one-time cost to raise the City's pavement condition to excellent, as shown by the Metropolitan Transportation Commission's Street Saver Program. The Street Saver Program includes the City's entire street inventory and each street segment's condition, both of which are audited for accuracy biannually and reported through the City's Pavement Management Plan. Curb ramps are included in this estimate, but improvements from a variety of other plans/policies are not included: Bicycle, Complete Streets, Green Infrastructure, Pedestrian, Watershed Management, Strategic Transportation (BeST), and Vision Zero. |
| <b>Sewers</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| This represents the one-time cost to rehabilitate 61 miles of the City's sewer pipes, which would complete the City's goal of rehabilitating all of the City's sewer pipes per the City's adopted plans. The amount declines over time as a result of the ongoing sewer program and its annually charged sewer fee. The sewer fee is adjusted after a Proposition 218 compliant process every five years, and if more revenue is needed for this asset category, the fee will adjust accordingly.                                                                                                                                                    |
| <b>Storm Water</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| This represents the \$204M of need as extrapolated from the cost estimates for the Potter/Codornices Creek watersheds identified in the Watershed Management Plan (2012). Staff projected an additional need of \$37M for unfunded capital and maintenance needs in the City's inlets, pipes, cross drains, etc. Staff are initiating the process to adopt a comprehensive stormwater plan to update these needs.                                                                                                                                                                                                                                    |
| <b>Traffic Signals and Parking Infrastructure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Replacements of 2100 parking meters and 240 pay stations at or nearing the end of their useful life, and upgrades to existing traffic signals, including detection at 67 locations, ADA accessibility/pedestrian push buttons at 103 locations, and battery back-ups at 124 locations. New traffic signals, pedestrian hybrid beacons, and rectangular rapid flashing beacons are not included.                                                                                                                                                                                                                                                      |



October 18, 2022

To: Honorable Mayor and Members of the City Council

From: *Dee* Dee Williams-Ridley, City Manager

Subject: Update on Parks, Recreation and Waterfront Department Maintenance and Capital Projects

Below is a list of the currently funded or recently completed maintenance and capital improvement projects in the Parks, Recreation, and Waterfront Department.

### **Maintenance Projects**

#### Recently Completed (FY, Funding Source)

- 63<sup>rd</sup> Street Park- Play equipment painting, new amenities, pollinator garden (FY22-23, PT)
- Codomices Park - Added new reservable picnic area - Donation (FY22-23, PT)
- Echo Lake Camp – 3 new emergency generators installed (FY23, CF)
- Echo Lake Camp – Complete rebuild of cabin 25 (FY23, CF)
- Echo Lake Camp – Camp manager cabin floor replacement (FY22, CF)
- Greg Brown Park- New trees and amenities (FY22-23, PT)
- Haskell - Mabel Park- Paint play equipment, new amenities (FY22-23, PT)
- John Hinkle Park Pathways – Replace support wall above playground (FY23, PT)
- King Park - Tree planting, new circle bench, irrigation establishment (FY22, PT)
- King Pool – Bleacher replacement (FY22, PT)
- King Pool - Artificial turf installation (FY23, PT)
- Prince Street Park - Paint play equipment, new amenities (FY22, PT)
- Remillard Park - Replace fence, rebuilt retaining wall, new play equipment (FY22-23, PT)
- San Pablo Park – Tree planting, 2 pollinator gardens (FY22, PT)
- Strawberry Creek Park - New fencing, trees, and tables- Donation (FY22-23, PT)
- Terrace View Park- Basketball court surfacing (FY23, PT)
- Waterfront / DE Dock Restroom – Security gate (FY22-23, WF)
- Waterfront / University Avenue – Median planting (FY22-23, WF)
- Waterfront / DE Dock- Decking safety improvements (FY22, WF)
- Waterfront / Docks- Metal plate installation (FY22-23, WF)
- Waterfront / Cesar Chavez Park – Owl fence repairs (FY23, WF)
- West Campus Pool – New deck lighting, bleacher replacement (FY22-23, PT)

Playground Surfacing Replacement: Dreamland, Codornices, 63 Avenue, Strawberry Creek, Prince Street (FY23, PT)

#### In Process

Aquatic Park - New fencing south of YMTC (FY23, PT)  
Aquatic Park - Irrigation establishment and tree planting on the west side (FY23-24, PT)  
Berkeley Way Mini Park - Picnic area, play equipment upgrades, (FY23-24, PT)  
Cedar Rose Park – Turf renovation (FY23, PT)  
Echo Lake Camp- Hazardous tree removal (FY22-23, PT)  
Grove Park – Turf renovation (FY23, PT)  
James Kenney Park – Turf renovation (FY23, PT)  
John Hinkle Park- Tree planting (FY23, PT)  
Monkey Island - Turf renovation, tree planting (FY23, PT)  
San Pablo Park – Turf renovation (FY23, PT)  
Solano – Peralta Park – Addition of play equipment and other furniture (FY22-23, GF)  
Tuolumne Camp - Emergency generators (FY23, CF)  
Waterfront / FG Dock- Gate replacement (FY22-23, MF)  
Waterfront /Shorebird Park: Replacement of asphalt pathway to picnic areas FY23, MF)  
Willard Park – Turf renovation (FY23, PT)

Note: All maintenance projects are funded by either General Fund (GF), Parks Tax (PT), and/or Marina Fund (MF).

### **Capital Improvement Projects**

#### Projects in Closing

Cazadero Camp Dormitory Rebuild (Insurance)  
John Hinkle Amphitheater, Picnic, and 2-12 Play Structure (T1, PT)  
King Pool Tile and Plaster (T1, GF)  
Tuolumne Camp Construction (Insurance, FEMA, GF, Donations)  
Waterfront: Marina Streets Replacement-University, Marina, Spinnaker (T1, BB, B, MF)  
West Campus Tile and Plaster (GF)  
King Park 2-5 and 5-12 Play Structures (Insurance, PT)

#### Projects in Construction (Funding Source)

Aquatic Park Tide Tube – Sediment Removal (T1)  
Skate Park Fence Replacement (PT)  
Waterfront: Marina Finger Docks- Phase 4 (MF)  
Waterfront: Marina O and K Electrical Replacement (GF, MF)  
West Campus Pool Filters (4) Replacement (GF)

#### Projects Bidding soon/Construction in late FY23

Aquatic Park Dock Access/Parking Lot (PT)  
Echo Lake Camp ADA- Phase 1 (GF)  
Grove Park 2-5 and 5-12 Playgrounds (T1, PT)  
Grove Park Sports Field (T1, PT)  
Ohlone 2-5, 5-12 Playgrounds, Mural Garden (T1, PT, Grant)  
Tuolumne Camp EV Charging Stations (GF)  
Waterfront: Marina Pilling Replacements (T1, GF, MF)



Projects in Design/Planning (Anticipated Construction/Funding Source)

African American Holistic Resource Center (FY25/ T1, GF, Grant)  
Aquatic Park Improvements- 600 Addison (Phase 1 FY23, Phase 2 FY24-25/ MOU, PT)  
Cedar Rose 2-5, 5-12 Play Structures (FY24/ GF, PT)  
Civic Center Upper Plaza -Turtle Island Project Improvements (FY24/T1, Grant, PT)  
Harrison Park Restroom Renovation (FY24/T1)  
MLK Jr. Youth Services Center/YAP Renovation (FY25/T1, Grants, PT)  
Ohlone Park Lighting (FY25/T1)  
Ohlone Park Restroom (FY25/T1)  
Santa Fe ROW: Covert 4 blocks to New Park (FY25/Grant)  
Tom Bates Restroom and Community Space (FY24-25/T1, PT)  
Waterfront: Cesar Chavez Park Restroom (FY25/T1)  
Waterfront: DE Dock Replacement (FY25/T1, MF)  
Waterfront: K Dock Restroom Renovation (FY25/T1)  
Willard Clubhouse and Restroom (FY24-25/T1, PT)

Design/Planning Only Projects -Construction Not Funded

Aquatic Park Dreamland-2-12 Play Structure (GF)  
Codornices Park 2-5 and 5-12 Play Structures (GF)  
Glendale – La Loma Park 2-5 and 5-12 Play Structures (GF, PT)  
James Kenney Park Skate Area (PT)  
John Hinkle Park Hut- Conceptual Design Only (PT)  
Shorebird Park 2-12 Play Structure (GF)  
South Cove West Parking Lot (MF)  
Tom Bates Sports Complex - Small Soccer/ Pickleball Courts (PT)  
Waterfront: Bike Park - Conceptual Design (PT)  
Waterfront- Dredging Main Channel (GF)  
Waterfront- Dredging South Cove (GF)  
Waterfront: Waterfront Specific Plan-BMASP (GF)

For further information on any of these projects, please email Scott Ferris at [sferris@cityofberkeley.info](mailto:sferris@cityofberkeley.info)

cc: Paul Buddenhagen, Deputy City Manager  
LaTanya Bellow, Deputy City Manager  
Scott Ferris, Director, Parks, Recreation & Waterfront Department  
Liam Garland, Public Works Director  
Jenny Wong, City Auditor  
Mark Numainville, City Clerk  
Matthai Chakko, Assistant to the City Manager

| Fund *                                  | FY 2023 Beginning Fund Balance | FY 2023 Projected Revenues | FY 2023 Projected Expenditures | FY 2023 Projected Fund Balance Usage | FY 2024 Proposed Update Beginning Fund Balance** | FY 2024 Proposed Update Revenues | FY 2024 Proposed Update Expenditures | FY 2024 Projected Fund Balance Usage | FY 2025 Projected Beginning Fund Balance** | FY 2025 Projected Revenues | FY 2025 Projected Expenditures | FY 2025 Projected Ending Fund Balance** | FY 2025 Projected Fund Balance Usage | Projected Fund Balance Increase/(Decrease) from FY 2023 to FY 2025 |
|-----------------------------------------|--------------------------------|----------------------------|--------------------------------|--------------------------------------|--------------------------------------------------|----------------------------------|--------------------------------------|--------------------------------------|--------------------------------------------|----------------------------|--------------------------------|-----------------------------------------|--------------------------------------|--------------------------------------------------------------------|
| General Fund                            | \$74,141,617                   | \$265,958,729              | \$274,796,462                  | \$8,837,733                          | \$65,303,884                                     | \$266,418,342                    | \$270,428,381                        | \$4,010,039                          | \$61,293,845                               | \$272,154,570              | \$278,285,253                  | \$55,163,162                            | \$6,130,683                          | (\$18,978,455)                                                     |
| Paramedic Tax                           | (\$2,726,813)                  | \$6,964,296                | \$4,465,370                    | (\$2,498,926)                        | (\$227,887)                                      | \$4,500,543                      | \$4,981,166                          | \$480,623                            | (\$708,510)                                | \$4,575,395                | \$4,632,492                    | (\$765,607)                             | \$57,097                             | \$1,961,206                                                        |
| Playground Camp Fund                    | \$4,024,465                    | \$6,152,122                | \$9,452,848                    | \$3,300,726                          | \$723,739                                        | \$3,109,285                      | \$2,735,587                          | (\$373,698)                          | \$1,097,437                                | \$3,191,627                | \$4,174,070                    | \$114,994                               | \$982,443                            | (\$3,909,471)                                                      |
| State Transportation Tax                | \$4,960,178                    | \$6,357,333                | \$5,196,926                    | (\$1,160,407)                        | \$6,120,585                                      | \$6,696,569                      | \$5,868,962                          | (\$827,607)                          | \$6,948,192                                | \$6,897,466                | \$6,103,720                    | \$7,741,938                             | (\$793,746)                          | \$2,781,760                                                        |
| CDBG Fund***                            | \$2,830,921                    | \$3,415,992                | \$4,757,857                    | \$1,341,865                          | \$1,489,056                                      | \$4,437,743                      | \$4,792,214                          | \$354,471                            | \$1,134,585                                | \$3,500,000                | \$3,250,000                    | \$1,384,585                             | (\$250,000)                          | (\$1,446,336)                                                      |
| Rental Housing Safety                   | \$2,912,194                    | \$2,261,986                | \$1,971,540                    | (\$290,446)                          | \$3,202,640                                      | \$1,783,780                      | \$2,356,542                          | \$572,762                            | \$2,629,878                                | \$2,525,769                | \$2,231,549                    | \$2,924,098                             | (\$294,220)                          | \$11,904                                                           |
| Parks Tax Fund                          | \$4,864,504                    | \$17,429,959               | \$18,227,452                   | \$797,493                            | \$4,067,011                                      | \$17,813,646                     | \$15,963,245                         | (\$1,850,401)                        | \$5,917,412                                | \$18,249,854               | \$19,381,764                   | \$4,785,502                             | \$1,131,910                          | (\$79,002)                                                         |
| Measure GG                              | \$3,003,860                    | \$5,763,263                | \$6,331,426                    | \$568,163                            | \$2,435,697                                      | \$5,677,795                      | \$5,704,447                          | \$26,652                             | \$2,409,045                                | \$5,758,104                | \$5,333,032                    | \$2,834,117                             | (\$425,072)                          | (\$169,743)                                                        |
| Street Light Assessment District Fund   | \$2,381,943                    | \$2,085,711                | \$2,086,963                    | \$1,252                              | \$2,380,691                                      | \$2,240,939                      | \$3,217,317                          | \$976,378                            | \$1,404,313                                | \$2,212,283                | \$1,933,941                    | \$1,682,655                             | (\$278,342)                          | (\$699,288)                                                        |
| Mental Health State Aid Realignment**** | \$5,925,383                    | \$3,256,911                | \$2,720,714                    | (\$536,197)                          | \$6,461,580                                      | \$3,320,985                      | \$4,031,749                          | \$710,764                            | \$5,750,816                                | \$3,346,048                | \$4,152,702                    | \$4,944,163                             | \$806,653                            | (\$981,220)                                                        |
| Measure FF                              | \$8,711,844                    | \$9,354,876                | \$7,724,018                    | (\$1,630,858)                        | \$10,342,702                                     | \$9,770,233                      | \$8,525,459                          | (\$1,244,774)                        | \$11,587,476                               | \$9,965,638                | \$7,526,723                    | \$14,026,391                            | (\$2,438,915)                        | \$5,314,547                                                        |
| Capital Improvement Fund                | \$8,165,916                    | \$19,002,999               | \$16,490,466                   | (\$2,512,533)                        | \$10,678,449                                     | \$18,370,905                     | \$22,333,379                         | \$3,962,474                          | \$6,715,975                                | \$22,968,380               | \$25,281,362                   | \$4,402,993                             | \$2,312,982                          | (\$3,762,923)                                                      |
| Measure T1                              | \$37,098,843                   | \$1,000,000                | \$13,389,509                   | \$12,389,509                         | \$24,709,334                                     | \$20,500,000                     | \$18,091,805                         | (\$2,408,195)                        | \$27,117,529                               | \$500,000                  | \$16,441,006                   | \$11,176,523                            | \$15,941,006                         | (\$25,922,320)                                                     |
| Zero Waste Fund                         | \$26,025,170                   | \$49,094,680               | \$48,476,709                   | (\$617,971)                          | \$26,643,141                                     | \$46,767,263                     | \$59,489,630                         | \$12,722,367                         | \$13,920,774                               | \$48,990,397               | \$57,405,039                   | \$5,506,132                             | \$8,414,642                          | (\$20,519,038)                                                     |
| Marina Fund                             | \$4,520,155                    | \$7,580,451                | \$11,388,992                   | \$3,808,541                          | \$711,614                                        | \$6,500,211                      | \$8,027,559                          | \$1,527,348                          | (\$815,734)                                | \$6,762,091                | \$8,567,303                    | (\$2,620,946)                           | \$1,805,212                          | (\$7,141,101)                                                      |
| Sanitary Sewer Fund                     | \$34,662,327                   | \$24,680,449               | \$34,377,591                   | \$9,697,142                          | \$24,965,185                                     | \$24,986,977                     | \$32,561,256                         | \$7,574,279                          | \$17,390,906                               | \$24,537,469               | \$39,142,949                   | \$2,785,426                             | \$14,605,480                         | (\$31,876,901)                                                     |
| Clean Storm Water Fund                  | \$9,426,996                    | \$4,419,311                | \$3,948,793                    | (\$470,518)                          | \$9,897,514                                      | \$4,551,890                      | \$6,111,869                          | \$1,559,979                          | \$8,337,535                                | \$4,688,447                | \$5,416,638                    | \$7,609,344                             | \$728,191                            | (\$1,817,652)                                                      |
| Permit Service Center Fund *****        | \$30,256,341                   | \$28,839,080               | \$18,751,674                   | (\$10,087,406)                       | \$40,343,747                                     | \$19,709,270                     | \$25,508,236                         | \$5,798,966                          | \$34,544,781                               | \$27,534,112               | \$25,733,871                   | \$36,345,022                            | (\$1,800,241)                        | \$6,088,681                                                        |
| Off Street Parking Fund                 | (\$1,064,784)                  | \$5,271,269                | \$5,928,298                    | \$657,029                            | (\$1,721,813)                                    | \$5,091,895                      | \$6,940,921                          | \$1,849,026                          | (\$3,570,839)                              | \$5,295,571                | \$7,218,558                    | (\$5,493,826)                           | \$1,922,987                          | (\$4,429,042)                                                      |
| Parking Meter Fund                      | \$3,776,013                    | \$11,482,942               | \$8,893,175                    | (\$2,589,767)                        | \$6,365,780                                      | \$9,712,789                      | \$10,122,167                         | \$409,378                            | \$5,956,402                                | \$10,149,865               | \$10,425,832                   | \$5,680,434                             | \$275,968                            | \$1,904,421                                                        |
| Building Purchase & Management Fund     | (\$308,774)                    | \$2,560,687                | \$2,895,832                    | \$335,145                            | (\$643,919)                                      | \$2,968,817                      | \$3,697,419                          | \$728,602                            | (\$1,372,521)                              | \$2,968,817                | \$3,296,626                    | (\$1,700,330)                           | \$327,809                            | (\$1,391,556)                                                      |
| Equipment Replacement Fund              | \$13,488,842                   | \$10,168,696               | \$4,304,549                    | (\$5,864,147)                        | \$19,352,989                                     | \$4,754,926                      | \$6,300,512                          | \$1,545,586                          | \$17,807,403                               | \$11,007,077               | \$4,450,749                    | \$24,363,731                            | (\$6,556,328)                        | \$10,874,889                                                       |
| Equipment Maintenance Fund              | (\$318,301)                    | \$9,305,089                | \$8,736,487                    | (\$568,602)                          | \$250,301                                        | \$6,461,013                      | \$9,296,717                          | \$2,835,704                          | (\$2,585,403)                              | \$8,859,057                | \$9,314,661                    | (\$3,041,007)                           | \$455,604                            | (\$2,722,706)                                                      |
| Building Maintenance Fund               | \$3,348,106                    | \$3,958,343                | \$3,997,288                    | \$38,945                             | \$3,309,161                                      | \$3,821,039                      | \$4,627,672                          | \$806,633                            | \$2,502,528                                | \$3,935,670                | \$4,812,779                    | \$1,625,419                             | \$877,109                            | (\$1,722,687)                                                      |
| IT Cost Allocation Fund                 | \$7,505,592                    | \$14,806,185               | \$15,500,000                   | \$693,815                            | \$6,811,777                                      | \$14,806,185                     | \$17,311,329                         | \$2,505,144                          | \$4,306,633                                | \$22,450,586               | \$22,000,586                   | \$4,756,633                             | (\$450,000)                          | (\$2,748,959)                                                      |
| <b>Total</b>                            | <b>\$287,612,538</b>           | <b>\$521,171,359</b>       | <b>\$534,810,940</b>           | <b>\$13,639,581</b>                  | <b>\$273,972,957</b>                             | <b>\$514,773,040</b>             | <b>\$559,025,540</b>                 | <b>\$44,252,499</b>                  | <b>\$229,720,458</b>                       | <b>\$533,024,293</b>       | <b>\$576,513,205</b>           | <b>\$186,231,546</b>                    | <b>\$43,488,912</b>                  | <b>(\$101,380,992)</b>                                             |

\*The City has over 200 funds, therefore, this is not an exhaustive list. This spreadsheet includes some of the City's major funding sources.

\*\*Fund balance amount does not account for any encumbered and projected carryover amounts from the previous fiscal year. Therefore, actual expenditures might be more than proposed/projected expenditures and might result in a lower fund balance.

\*\*\* As a grant, CDBG is not accurate to track with a fund balance. Any revenue received is then used as reimbursement for expenditures and does not gather in a fund balance to be used later

\*\*\*\* Expenditures and Revenue for MH Realignment are unknown given the new CalAIM changes that go into effect 7/1/23. HHCS will be working with a consultant over the next year to assess/project the impact.

\*\*\*\*\* The PSC Fund balance is high right now due to the number of large projects recently begun. We receive revenue up front on these large projects, but we will have expenditures against these amounts until the projects are complete, which can take several years.

**TRANSFER TAX -- MEASURE P PROGRAM LONG-TERM FORECAST-----DRAFT**

|                                                                                                                                                                             | Category of Spending                    | FY 2019 Actuals | FY 2020 Actual | FY 2021 Actual | FY 2022 Actual | FY 2023 Adopted | FY 2023 Projected | FY 2024 Adopted |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------|----------------|----------------|----------------|-----------------|-------------------|-----------------|
| <b>Revenues</b>                                                                                                                                                             |                                         |                 |                |                |                |                 |                   |                 |
| Beginning Fund Balance                                                                                                                                                      |                                         |                 | \$ 2,932,313   | \$ 9,859,779   | \$ 17,032,464  | \$ 22,783,216   | \$ 22,783,216     | \$ 12,236,186   |
| Measure P Revenues*                                                                                                                                                         |                                         | \$ 2,932,313    | \$ 9,512,603   | \$ 10,919,576  | \$ 20,591,313  | \$ 14,073,750   | \$ 14,073,750     | \$ 14,073,750   |
| <b>Total Revenues and Balance of Funds</b>                                                                                                                                  |                                         | \$ 2,932,313    | \$ 12,444,916  | \$ 20,779,355  | \$ 37,623,777  | \$ 36,856,966   | \$ 36,856,966     | \$ 26,309,936   |
| <b>LESS: Total Expenses</b>                                                                                                                                                 |                                         |                 |                |                |                |                 |                   |                 |
| <u>Personnel Costs</u>                                                                                                                                                      |                                         | \$ -            | \$ 118,521     | \$ 155,753     | \$ 309,483     | \$ 695,730      | \$ 592,010        | \$ 722,413      |
| CMO: Homeless Services Coordinator                                                                                                                                          | Staffing/Infrastructure                 |                 |                |                |                | \$ 196,348      | \$ 196,348        | \$ 202,899      |
| Finance: Accountant II                                                                                                                                                      | Staffing/Infrastructure                 |                 |                | \$ 70,784      | \$ 200,380     | \$ 178,858      | \$ 178,858        | \$ 193,441      |
| Finance: Contract Staffing                                                                                                                                                  | Staffing/Infrastructure                 |                 | \$ 38,266      |                | \$ -           |                 |                   |                 |
| HHCS: Community Services Specialist II                                                                                                                                      | Staffing/Infrastructure                 |                 | \$ 80,255      | \$ 84,969      | \$ 109,103     |                 |                   |                 |
| HHCS: 50% Senior Management Analyst                                                                                                                                         | Staffing/Infrastructure                 |                 |                |                |                | \$ 113,085      | \$ 113,085        | \$ 116,560      |
| HHCS: 2 Year Limited Term Community Services Specialist II                                                                                                                  | Staffing/Infrastructure                 |                 |                |                |                | \$ 207,439      | \$ 103,719        | \$ 209,513      |
| <u>Non-Personnel Costs/ Program Expenses</u>                                                                                                                                |                                         | \$ -            | \$ 2,466,616   | \$ 3,591,138   | \$ 14,531,078  | \$ 15,675,916   | \$ 24,028,770     | \$ 16,362,830   |
| Fire: 5150 Response & Transport                                                                                                                                             | Immediate Street Conditions and Hygiene | \$ -            | \$ 846,616     | \$ 1,601,639   | \$ 1,003,931   | \$ 1,321,605    | \$ 1,321,605      | \$ 1,556,857    |
| Dorothy Day House Shelter                                                                                                                                                   | Emergency Shelter                       | \$ -            |                | \$ 300,000     | \$ 566,000     | \$ 566,000      | \$ 566,000        | \$ 566,000      |
| Dorothy Day House Drop In                                                                                                                                                   | Immediate Street Conditions and Hygiene | \$ -            |                | \$ 21,340      | \$ 182,000     | \$ 182,000      | \$ 182,000        | \$ 182,000      |
| Pathways STAIR Center                                                                                                                                                       | Emergency Shelter                       | \$ -            |                | \$ 1,200,000   | \$ 1,499,525   | \$ 2,499,525    | \$ 2,499,525      | \$ 2,499,525    |
| No Place Like Home - Scattered Unit Supportive Services                                                                                                                     | Permanent Housing                       | \$ -            |                |                |                | \$ 128,750      | \$ -              | \$ 105,000      |
| Hope Center - Mental Health Services                                                                                                                                        | Permanent Housing                       |                 |                |                |                | \$ 71,250       | \$ 71,250         | \$ 95,000       |
| Coordinated Entry System (BACs HRC)                                                                                                                                         | Immediate Street Conditions and Hygiene |                 |                |                | \$ 1,000,000   | \$ 1,000,000    | \$ 150,000        | \$ 1,000,000    |
| Permanent Housing Subsidies / Shallow Subsidies                                                                                                                             | Permanent Housing                       |                 |                |                | \$ 650,000     | \$ 1,600,000    | \$ -              | \$ 1,600,000    |
| Berkeley Food and Housing Project - Men's Housing Program                                                                                                                   | Emergency Shelter                       |                 |                |                |                |                 |                   |                 |
| COVID-19 Emergency Housing Assistance - Housing Retention Program (EDC)                                                                                                     | Homelessness Prevention                 |                 |                |                |                | \$ 1,000,000    | \$ 1,300,000      |                 |
| Anti-Displacement Programs (Legal Assistance, Housing Retention Program, Flexible Housing Funds) (100k to BACS HRC; 275K to EDC and remaining to EBCLC) - transferred to U1 | Homelessness Prevention                 |                 |                |                |                | \$ 900,000      | \$ 900,000        | \$ 900,000      |
| BDIC Locker Program                                                                                                                                                         | Immediate Street Conditions and Hygiene |                 |                | \$ 25,000      | \$ 47,944      | \$ 50,000       | \$ 50,000         | \$ 50,000       |
| LifeLong Medical - Street Medicine                                                                                                                                          | Immediate Street Conditions and Hygiene |                 |                |                |                | \$ 525,000      | \$ 525,000        | \$ 525,000      |
| YSA Tiny Home                                                                                                                                                               | Emergency Shelter                       |                 |                | \$ 117,000     | \$ 56,074      | \$ 78,000       | \$ 78,000         | \$ 78,000       |
| DBA- Homeless Outreach Worker                                                                                                                                               | Immediate Street Conditions and Hygiene |                 | \$ 20,000      | \$ 40,000      | \$ 20,000      | \$ 40,000       | \$ 40,000         | \$ 40,000       |
| Downtown Streets Team                                                                                                                                                       | Immediate Street Conditions and Hygiene |                 |                | \$ 111,243     | \$ 299,643     | \$ 225,000      | \$ 225,000        | \$ 225,000      |
| Shelter at 742 Grayson Street                                                                                                                                               | Emergency Shelter                       |                 |                | \$ 86,633      | \$ 1,154,681   | \$ 1,011,900    | \$ 1,011,900      |                 |
| Shelter at 1720 San Pablo Ave Lease                                                                                                                                         | Emergency Shelter                       |                 |                |                |                |                 | \$ 883,200        | \$ 908,796      |
| Shelter at 1720 San Pablo Ave Supportive Services                                                                                                                           | Emergency Shelter                       |                 |                |                |                |                 | \$ 612,559        | \$ 950,000      |
| Safe RV Parking Program                                                                                                                                                     | Emergency Shelter                       |                 |                |                | \$ 287,359     |                 |                   |                 |
| Project Homekey- Golden Bear Inn                                                                                                                                            | Permanent Housing                       | \$ -            |                |                | \$ 7,325,341   |                 |                   |                 |
| Project Homekey Reservation (round 3)                                                                                                                                       | Permanent Housing                       |                 |                |                |                |                 | \$ 8,500,000      |                 |
| 1367 University Avenue Step Up Housing Project*                                                                                                                             | Permanent Housing                       | \$ -            |                |                |                |                 |                   | \$ 539,330      |
| Russell Street Residence Acquisition                                                                                                                                        | Permanent Housing                       |                 |                |                |                |                 |                   |                 |
| HHCS: Square One Hotel Vouchers                                                                                                                                             | Emergency Shelter                       | \$ -            |                |                |                |                 |                   |                 |
| Training and Evaluation                                                                                                                                                     | Staffing/Infrastructure                 | \$ -            |                |                |                | \$ 133,334      | \$ -              | \$ 133,334      |
| Homeless Response Team                                                                                                                                                      | Immediate Street Conditions and Hygiene | \$ -            |                | 88,283         | 415,999        | \$ 918,149      | \$ 918,149        | \$ 920,085      |
| Berkeley Relief Fund                                                                                                                                                        | Homelessness Prevention                 | \$ -            | \$ 1,600,000   |                |                |                 |                   |                 |
| Portable Toilets                                                                                                                                                            | Immediate Street Conditions and Hygiene |                 |                |                |                | \$ 96,000       | \$ 96,000         | \$ 96,000       |
| Berkeley Emergency Storm Shelter (Winter Shelter)                                                                                                                           | Emergency Shelter                       |                 |                |                | \$ 22,582      | \$ 186,500      | \$ 216,201        | \$ 350,000      |
| Old City Hall Sprinkler system                                                                                                                                              | Emergency Shelter                       |                 |                |                |                |                 |                   |                 |

|                                                                                                                                                                                                         |                                         |              |              |               |               |                |                 |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------|--------------|---------------|---------------|----------------|-----------------|----------------|
| Incident Weather Shelter                                                                                                                                                                                | Emergency Shelter                       |              |              |               |               |                | \$ 412,185      |                |
| One-Time Use of Measure P for Nexus Community Programs                                                                                                                                                  | Permanent Housing                       |              |              |               |               | \$ 578,164     | \$ 578,164      | \$ 578,164     |
| One-Time Use of Measure P for Nexus Community Programs                                                                                                                                                  | Immediate Street Conditions and Hygiene |              |              |               |               | \$ 976,207     | \$ 976,207      | \$ 976,207     |
| One-Time Use of Measure P for Nexus Community Programs                                                                                                                                                  | Emergency Shelter                       |              |              |               |               | \$ 882,480     | \$ 882,480      | \$ 882,480     |
| One-Time Use of Measure P for Nexus Community Programs                                                                                                                                                  | Staffing/Infrastructure                 |              |              |               |               | \$ 23,837      | \$ 23,837       | \$ 23,837      |
| One-Time Use of Measure P for Nexus Community Programs                                                                                                                                                  | Homelessness Prevention                 |              |              |               |               | \$ 262,215     | \$ 262,215      | \$ 262,215     |
| Reimagining Public Safety-Expand Downtown Streets Teams as placement for low-level violations                                                                                                           | Immediate Street Conditions and Hygiene |              |              |               |               | \$ 50,000      | \$ 50,000       | \$ 50,000      |
| Equitable Clean Streets                                                                                                                                                                                 | Immediate Street Conditions and Hygiene |              |              |               |               |                | \$ 327,293      |                |
| Expand the scope of services for the Downtown Streets Team to address the need for enhanced services around commercial and industrial areas in the Gilman District twice weekly                         | Immediate Street Conditions and Hygiene |              |              |               |               | \$ 50,000      | \$ 50,000       | \$ 50,000      |
| Reimagining Public Safety: Conduct a service needs assessment based on 911 and non-911 calls for service, dispatch, and response and capacity assessment of crisis response and crisis-related services | Staffing/Infrastructure                 |              |              |               |               | \$ 100,000     | \$ 100,000      |                |
| Reimagining Public Safety: Funding to organizations for Respite from Gender/Domestic Violence                                                                                                           | Emergency Shelter                       |              |              |               |               | \$ 220,000     | \$ 220,000      | \$ 220,000     |
| 1654 5th Street Operations                                                                                                                                                                              | Emergency Shelter                       |              |              |               |               |                |                 |                |
| 701 Harrison Transition - Site Security                                                                                                                                                                 | Emergency Shelter                       |              |              |               |               |                |                 |                |
| Public facilities improvement                                                                                                                                                                           | Staffing/Infrastructure                 |              |              |               |               |                |                 |                |
| Encampment Resolution Fund 2 grant match                                                                                                                                                                | Emergency Shelter                       |              |              |               |               |                |                 |                |
| Fiscal Year Surplus (Shortfall)                                                                                                                                                                         |                                         | \$ 2,932,313 | \$ 6,927,466 | \$ 7,172,686  | \$ 5,750,752  | \$ (2,297,896) | \$ (10,547,030) | \$ (3,011,493) |
| Ending Fund Balance                                                                                                                                                                                     |                                         | \$ 2,932,313 | \$ 9,859,779 | \$ 17,032,464 | \$ 22,783,216 | \$ 20,485,320  | \$ 12,236,186   | \$ 9,224,693   |

CONSENT CALENDAR

MARCH 12, 2024



Sophie Hahn  
 Councilmember, District 5  
 City of Berkeley  
 2180 Milvia Street  
 Berkeley, CA, 94704  
 (510) 981-7150 | [shahn@berkeleyca.gov](mailto:shahn@berkeleyca.gov)

To: Honorable Mayor and Members of the City Council  
 From: Councilmember Sophie Hahn  
 Subject: Creating **SHARE** BERKELEY - A Berkeley Public Library **Share Hub** for **Access**, **Resilience**, and **Equity**

RECOMMENDATION

1. Request that the Library Director work with Library Staff to develop a visionary plan to expand the Berkeley Public Library's Tool Lending Library into a comprehensive, full-service **SHARE** hub for the City of Berkeley, providing a one-stop center for community members to:
  - a. Borrow from an expanded portfolio of Library-based tools, supplies, equipment and other durable/reusable items;
  - b. Access comprehensive, up-to-date information and referrals about community-based opportunities for borrowing, renting, or obtaining free tools, supplies, equipment, bikes/vehicles, locations, and similar resources; and
  - c. Receive need-based financial assistance to support access to community-based share/rental resources.
2. Consider categories of items that might be appropriate for an expanded Berkeley Public Library (BPL) in-house Lending Library, and which categories would be best accessed through other community share/rental resources such as REI, AAA, bike and party rental services, and other organizations serving Berkeley.
3. Consider expanding BPL's in-house Lending Library beyond the [current portfolio](#) of carpentry, gardening, kitchen, and other traditional tools to potentially include categories such as toys and games; event furniture and supplies; sports and recreation-related equipment; irons, floor polishing machines, and other household tools; and other durable items typically used on a limited basis by members of the community.
4. Create a plan to establish, maintain, and administer a comprehensive, one-stop reference/resource service for all share/rental/free opportunities available to Berkeley residents, including but not limited to ensuring access to a searchable database of resources and offering assistance and advice to individuals seeking information on share/rental/free opportunities. Consider a partnership with existing platforms and applications such as the Buy Nothing Project to foster connections between neighbors and support the goals of the circular economy.

Internal

5. For items to be shared/rented through outside lending or rental services, explore possibilities for SHARE BERKELEY to offer and/or administer City-based or other vouchers/subsidies for low-income residents to access borrowed/rented items from non-Library vendors at reduced or no cost.
6. Consider and propose storage, maintenance, repair, customer service, and other operational and space needs for an expanded in-house Lending Library and to house and administer the Share Hub resource center.
7. Consider start-up and ongoing costs for the expanded in-house Lending Collection and to establish and administer the Share Hub resource center, including but not limited to costs for equipment, materials, software/technology, staffing, and facilities.
8. In the course of researching categories of items to potentially add to the Library's in-house Lending Collections and in considering other elements of the Share Hub concept, conduct robust outreach to individuals and groups of diverse backgrounds, ages, and abilities to ensure services, offerings, and facilities equitably represent and serve all members of the community.

### SUMMARY STATEMENT

Berkeley is committed to a carbon neutral, zero waste future. To meet its sustainability goals, the City must reduce its impact on the environment by scaling back overconsumption. Given that an average drill is used for just 13 minutes over its lifetime, the amount of plastic and material waste resulting from individual ownership is extremely impactful.<sup>1</sup>

BPL's Tool Lending Library (TLL) has long facilitated the reuse of construction and landscaping tools, cutting back on the need for residents to own items they may only use occasionally and producing meaningful environmental benefits.

From 2018 to 2019, BPL conducted a community survey which found that Berkeley residents were interested in having the TLL expand its hours and offerings to include kitchen appliances and utensils. In response, the Library has added a variety of culinary tools to its lending collection, including food dehydrators, Instant Pots, and ice cream makers.<sup>2</sup>

Providing access to borrow, obtain for free, and/or rent a significantly expanded array of "limited use" personal and household tools, equipment, and materials and other similar resources, either directly through the Berkeley Public Library or through other community organizations,

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<sup>1</sup> Ellen MacArthur Foundation, How tool sharing could become a public utility, December 1, 2021, <https://www.ellenmacarthurfoundation.org/circular-examples/how-tool-sharing-could-become-a-public-utility>.

<sup>2</sup> Warren, Elliot. Executive Summary of Berkeley Public Library's 2019 Community Survey, May 6, 2019. [https://www.berkeleypubliclibrary.org/sites/default/files/files/inline/bpl\\_2019\\_communitysurvey\\_executive\\_summary.pdf](https://www.berkeleypubliclibrary.org/sites/default/files/files/inline/bpl_2019_communitysurvey_executive_summary.pdf).



businesses, and services, would shape the Library into an even more environmentally impactful and equitable resource for the community.

Expanding the TLL's offerings, and turning the Berkeley Public Library into a one-stop "Share Hub" for the community, will reduce waste and support a necessary transition to a "share" and "circular" economy that de-emphasizes individual consumption and facilitates sharing, reusing, and regeneration. Expanded offerings can also save Berkeley households hundreds and possibly thousands of dollars each year, since nearly one in every four dollars a household spends goes toward resources that could be shared.<sup>3</sup>

Public Libraries are home to the original "share economy" and have sophisticated systems, developed over thousands of years, to obtain, store, maintain, manage, lend, and retrieve items of importance to the community - books and other media - that are often only used once by each individual. They are the perfect locus to house, administer, and facilitate publicly supported sharing of a much wider range of limited-use tools, equipment, materials and other items and resources.

With their existing infrastructure to support resource sharing and other needs and the public gathering spaces they provide, public libraries are already key resilience centers for the community. As staff gather feedback from community members around the kinds of resources they would like to be able to access they will learn more about additional ways to address and support community needs.

Businesses spawned by the internet's ability to match owners with borrowers have proliferated in the past twenty years, and seek to extract profit from renting goods and/or brokering transactions. Expanding the Berkeley Public Library's mandate as a Share Hub usurps efforts to privatize and monetize sharing and reinforces the critically important role of public entities in reducing waste generated by unnecessary consumption and increasing equitable access to tools, equipment, and materials that enhance community members' lives.

For all of these reasons, this item requests that the Berkeley Public Library study the opportunities, needs, costs, and benefits associated with significant expansion of the Library's sharing mandate, and return to the Board of Library Trustees - and share with the City Council and public - a proposal for the creation and funding of a comprehensive, equitable, and impactful Share Hub for Berkeley.

## BACKGROUND

The Berkeley Tool Lending Library, housed in the Tarea Hall Pittman South Branch of the Berkeley Public Library, was established in 1979 with a federal Community Development Block Grant. One of the first such libraries in the nation, the Tool Lending Library has grown to

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<sup>3</sup> Harris Steve, Mata Erika, Plepys Andrius, Katzeff Cecilia, "Sharing is daring, but is it sustainable? An assessment of sharing cars, electric tools and offices in Sweden," Resources, Conversation, and Recycling Volume 170 (July 2021), <https://www.sciencedirect.com/science/article/pii/S0921344921001920>.

become a beloved institution, offering Berkeley residents, age 18 and over, a selection of more than 3,500 gardening, home repair, and construction-grade tools for loan, offering frequent workshops on such topics as gardening, home maintenance, and DIY projects.

Similar innovations in library lending have proliferated across the United States.<sup>4</sup> Boston's Public Library system utilized COVID emergency funds to provide long-term access to Chromebooks and internet routers to empower residents.<sup>5</sup> Niagara Falls founded its own tool lending library in partnership with Habitat for Humanity.<sup>6</sup> Leadville, Colorado has framed its tool lending library as a way to keep the institution relevant and responsive to community needs.<sup>7</sup> Oakland and other libraries lend children's toys.<sup>8</sup> The Athens-Clarke County library in Georgia lends prom dresses.<sup>9</sup>

Public libraries represent a critical hub for sharing books, knowledge, and other items essential to community members. The "sharing economy" is not a new concept, and pooling resources on behalf of all citizens allows for items' temporary and sustainable use. Libraries have well-developed systems for purchasing, cataloging, repairing and storing the items they lend as well as encouraging their timely return.

Libraries are also in the business of providing reference materials to individuals seeking a wide variety of information. In addition to expanding the Library's own collection, the Share Hub is envisioned to also refer residents to useful information and resources for repairing their own tools and materials, and improving the sustainability of their projects.

The Berkeley Public Library currently takes responsibility for the repair and storage of books, audiovisual materials, and various culinary, gardening, construction, and landscaping tools held at the Tool Lending Library, as well as the new categories of materials such as air quality monitors and bike repair kits, recently added to the collection. Globally, libraries have also taken responsibility for items such as hobby supplies, sewing supplies, telescopes, bikes, scientific equipment, karaoke machines, exercise equipment, and hammocks.<sup>10</sup>

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<sup>4</sup> Free, Cathay. "Tools Are Costly and Take up Space. Tool Libraries Are Popping up so People Can Share." The Washington Post, January 5, 2022.

<https://www.washingtonpost.com/lifestyle/2022/01/05/tool-library-gift-economy/>.

<sup>5</sup> Boston Public Library. Long-Term Device Lending Program, <https://www.bpl.org/long-term-lending/>.

<sup>6</sup> Office of Mayor Robert Restaino, Niagara Falls Library to launch community tool lending library, October 21, 2022, <https://www.wnypapers.com/news/article/current/2022/10/21/152738/niagara-falls-library-to-launch-community-tool-lending-library>.

<sup>7</sup> Tasse, Elaine, "Libraries add museums, tool rentals and job centers to help meet community needs and stay relevant," CPR News, October 19, 2022, <https://www.cpr.org/2022/10/19/libraries-add-museums-tool-rentals-and-job-centers-to-help-meet-community-needs-and-stay-relevant/>

<sup>8</sup> Oakland Public Library, Toy Lending, <https://oaklandlibrary.org/toy-lending/>.

<sup>9</sup> Shearer, Andrew, "Why this year's resource for prom fashion might be the Athens-Clarke County Library," Athens Banner-Herald, February 1, 2022, <https://www.onlineathens.com/story/news/2022/02/01/acc-libraries-bling-your-prom-event-could-2022-fashion-source/9287902002/>.

<sup>10</sup> Shaw, Amy and Rosansky, Jaclyn. 50 Things You Can Borrow from Libraries Besides Books. ProQuest, September 9, 2015, <https://about.proquest.com/en/blog/blog-listing/>.

As the “mother of all” sharing resources, libraries have the scale to reshape consumer habits through public initiatives that build on their legacy as free, universal resources for community members. Berkeley’s residents would be well-served by a library that provides a wide variety of items either directly, or by referring patrons to other community resources, at no or low cost, eliminating the need for items to be *owned* but *seldom used* by thousands of individual households - with great environmental and economic consequences.<sup>11</sup>

Berkeley is a global leader in community responsibility and sustainability. Rather than allowing the “sharing economy” to be dominated by for-profit models, Berkeley should establish an innovative and comprehensive SHARE program that serves residents and provides a replicable model for other communities to follow. An expanded library will save residents money and enable a higher standard of living, reduce waste, and contribute to a necessary shift away from individualized and excessive consumption toward a society uplifted by the sharing of a wider array of communal resources.

Berkeley Public Library respects labor standards, allows community members to gain access to shared resources without proof of address or a government-issued ID, and has eliminated fines to equitably increase access. Berkeley’s library is therefore the perfect medium for expanding the sharing economy in ways that are efficient, equitable, and accessible.

### **The SHARE Berkeley Program Concept**

BPL as a Citywide one-stop Share Hub is envisioned to potentially include all of the following elements:

1. A traditional Lending Library, as currently configured, with an expanded portfolio of items to be lent directly by the BPL.
2. A clearinghouse for information about lending, rental, “free” and similar services in the community, to facilitate community access to borrowing/sharing/rental/free opportunities for a wide variety of goods, locations and services not lent directly by BPL.
3. Administration of a program to help low income-community members access community-based rental and sharing opportunities that charge for services, to ensure people at all income levels can access these opportunities and enjoy the many benefits of “not owning” - but having access to - things that are only periodically needed to support their lives and families.

BPL is requested to explore these and other ideas and propose a comprehensive plan for starting-up, funding, and long term operations for **SHARE BERKELEY** to the Board of Library Trustees. The plan should be as expansive and impactful as possible, offering a vision for a groundbreaking, first-in-kind, comprehensive program combining an in-house collection with referrals, resources and subsidies to equitably access items beyond BPL’s collection. While the full program may need to be phased-in, the goal is to produce a broad, comprehensive, visionary plan as a starting point for conversation, funding, and implementation. Success for this

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<sup>11</sup> Noria Corporation, “U.S. power/hand tool consumption to hit \$14.3B by 2011,” Reliable Planet, [https://www.reliableplant.com/Read/4854/us-powerh-tool-consumption-to-hit-\\$143b-by-2011](https://www.reliableplant.com/Read/4854/us-powerh-tool-consumption-to-hit-$143b-by-2011).

item is the successful delivery of the visionary plan, for consideration by the Board of Library Trustees.

City of Berkeley staff with relevant expertise should be made available by the City Manager for consultation with BPL in developing the proposal. The City Council would be interested in a presentation of the **SHARE BERKELEY** plan as well, for information purposes and to explore whether the City might partner with BPL in making **SHARE BERKELEY** available to the people of Berkeley.

#### REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES & LAWS

##### **Berkeley Tool Lending Library:**

Berkeley Public Library has operated a successful Tool Lending Library since 1979. In the early days, the TLL operated out of a trailer and lent out tools at a low cost – until the 1988 property-based library tax came into effect.

Currently, loan periods for tools are two, three, or seven days depending on demand, and borrowers agree to pay for the loss or damage of items. Renewals on borrowing can be made in person, and borrowers can place reserve requests on items that are currently unavailable.<sup>12</sup> The TLL is open 40 hours each week, with hours Tuesday through Saturday.<sup>13</sup>

##### BPL's offerings include:

- **Carpentry and Woodworking:** Awl, Butt Hinge Marker, Cabinet Scraper, Chalk Line, Draw Knife, Flat Bar, Hammers, Level, Mallet, Miter Box, Nail Puller, Nail Set, Planes, Plumb Bob, Prybars, Rasp, Router, Saws (Dovetail, Hand, Crosscut, Coping, Horses), Scribing Tools, Shavehook, Speed Square, Spokeshave, Squares, Stud Sensor, Surform Plane, T-Bevel, Tack Claw, Tack Hammer, Tape Measure, Utility Knife, Wood Chisels.
- **Clamps:** Pipe Clamps, Spring Clamps, C-Clamps, Handscrews, Bar Clamps, Handscrews, Bar Clamps, Vise Grip Clamps, Corner Clamps, Clamp Tool Guide.
- **Concrete and Masonry:** Brick Jointing Tools, Bull Float (Magnesium, Wood), Bull Float Handles, Cement Finishing Tools (Darby, Trowels, Edgers, Groovers), Cement Mixer, Cement Mixing Box, Chisels (brick, cold, bull point), Concrete Vibrator, Demolition Hammer, Float (Magnesium, Wood, Rubber), Grinder, Grout Float, House Jacks, Mortar Hoe, Mortar Mixing Box, Rebar Cutter/Bender, "Berkeley" Benders, Rotary Hammer Drills, SDS, Spline Drive, Rotary Hammer Bits.
- **Cooking:** mini muffin and cupcake pan 24 cup, muffin and cupcake pan 12 cup, elephant cake pan, my little pony cake pan, dinosaur cake pan, 3-d pony cake pan

<sup>12</sup> Berkeley Public Library, Borrowing Tools, <https://www.berkeleypubliclibrary.org/locations/tool-lending-library/borrowing-tools>

<sup>13</sup> Berkeley Public Library, Tool Lending Library - A Brief History, <https://www.berkeleypubliclibrary.org/locations/tool-lending-library/tool-lending-library-brief-history>.

Internal

10.5x12x2, Disney Frozen Elsa cake pan, dough press kit, tortilla press, apple peeler and corer, immersion blender, roasting pan with rack 16" x 13", donut baking pan 20 capacity, bundt pan 10 cup gold, bundt pan with handles 12 cup, bundt pan -brilliance 10-15 cup, bundt pan - heritage, springform pan 10 cup, canning kit and supplies, water bath canner, griddle, portable induction cooktop, induction cooktop with frypan and sauce pan, knife sharpener whetstone, pasta machine, electric grain mill, air fryer ninja, belgian waffle maker, mini-prep food processor, food processor 14 cup, ice cream maker 1.6 quart, food dehydrator, sous vide, cookie cutters (Valentines 25 pieces, Christmas 18 pieces, Hanukkah 3 pieces, Thanksgiving 7 pieces, animal cookie cutters 50 pieces, alphabet cookie cutters 101 pieces), electric fryer, Instant pot 9 in 1 8 quart, Cold Brew Coffee Maker, Vitamix blender, Hot air popcorn maker, Soft serve ice cream maker.

- **Electrical:** Bx Cable Cutter, Circuit Tester, Conduit Bender, Extension Cords, Fish Tape, Knock-Out Punch Set, Soldering Irons, Wire Stripper.
- **Floor and Wall:** Caulking Gun, Carpet Cutter, Carpet Edge Trimmer, Carpet Knee Kicker, Carpet, Power Stretcher, Carpet Seam Iron, Carpet Seam Roller, Carpet Stair Tool, Drywall (Mudknives, Corner Knife, Hand Sander, Pole Sander, Mud Pan, Screwgun, T-Square, Floor & Roof Scraper, Heat Gun, Paint Scraper, Plaster Darby, Plaster Hawk, Plasterer's Rod, Tile Cutter (Ceramic & Vinyl), Tile Nipper.
- **Gardening and Digging:** Bow Saw, Broad Fork, Cultivator, Digging Bar, Fence Post Driver, Garden Trowel, Grass Hook, Hedge Shear (Manual), Hedge Trimmer (Electric), Planter's Hoe, Lawn Mower, Leaf Blower, Lopping Shear, Picks (Railroad, Mattock, Hand), Pitchfork, Pole Pruner, Pole Pruner Ext Handle, Pole Saw, Post Hole Digger, Pruning Saw, Pruning Shear, Rake (leaf, bow, grading), Shovel, Soil Tamper, Spade, Garden, Spading Fork, Slate Bar, Street Broom, String Trimmer (WeedEater), Swing Sickle, Telegraph Bar, Trowels, Cultivators.
- **Ladders:** Extension, 16', 24', 28', Ladder Jacks, Orchard Ladder (8'), Step, 2', 4', 6', 8', 10', Roof Jacks.
- **Material Handling:** Piano dolly, Hand Trucks (Refrigerator, Delivery), Contractor's Wheelbarrow.
- **Mechanical Tools:** Bolt Cutter (Mini, 24"), Cable Cutters, Channellocks, Crimpers, Cutters (side & end), Impact Screwdriver, Grinder, Grommet Kit, Files, Sledge Hammer (3,4,8,10 lb), Hacksaw, Hex / Torx Key Set, Nut Drivers, Punches, Pliers, Pop Riveter, Saw (Abrasive Cut-Off), Screwdrivers, Tin Snips, Staple Gun, Swaging Tool, Vise Grips, Wrenches (Allen, Crescent, Metric, Standard).
- **Plumbing and Drain Cleaning:** Basin Wrench, Closet (toilet) Auger, Drain Snakes (Hand, Electric), Faucet Handle Puller, Faucet Seat Wrench, Garbage disp. Wrench, Gas Pressure Tester, Pipe Cutter (Cast Iron, Various), Pipe Reamer, Pipe Vise, Pipe

Internal

Wrenches, Pipe Threader (Die, Threader Handle), Tube Bender, Tubing Cutter, Shower Valve Sockets, Submersible Pump Test Plug, Water Meter Key, Water Pressure Tester.

- **Power Tools - Drills and Bits:** Cordless drill, Drill Motor, VSR, 1/2", Drill, Right Angle, 1/2" Drill Bit (Ship Auger, Bellhanger, Self-Feed, Extension), Hole Saw, (Various sizes, Mandrel), Impact driver.
- **Power Tools - Sanders and Grinders:** Angle Grinder, ( 4-1/2", 7", 9"), Belt Sander (3x21, 4x24), Disc Sander, 7", Random Orbit Sander (5" & 6"), Vibrating, 1/4, 1/2 Sheet.
- **Power Tools - Saws:** Circular (Skilsaw), Power Miter (Chop), Reciprocating (Sawzall), Saber (Jigsaw), Table (8").
- **Recent Additions:** Air Quality Monitors, Bike Repair Kit, iFixit Smartphone and Tablet Repair Kit.

### **Tool Lending Libraries Nationwide:**

Berkeley was one of the first, but there are now similar Lending Libraries throughout the United States. Some lending libraries have innovated by including a wider array of items than Berkeley's Lending Library. The following is a sampling of programs/items other Lending Libraries include. These and other examples are suggestive of the kinds of programs/items Berkeley may wish to explore adding to its collection. BPL is encouraged to be creative and consider going beyond these existing models as well!

- The Chicago Public Library lends backpacking backpacks, sleeping bags and pads, air mattresses, tents, and even fishing poles.
- The Napa County Public Library lends popular board games, jigsaw puzzles, blood pressure monitors, E-readers, and musical instruments.
- [The Sacramento Public Library](#) lends Prom Dresses and attire.
- [The San Francisco Public Library](#) lends children's toys.
- Maine's [Millinocket Memorial Library](#) rents mountain bikes, canoes, kayaks, paddleboards, cross-country skis, snowshoes, and fat-tire bikes
- The Altadena Public Library lends out telescopes, virtual reality headsets, sewing machines, and tarot card decks.
- The Bolivar County Library in Mississippi offers Santa suits.
- The Sherwood Public Library in Oregon has DSLR cameras, LEGO sets, hula hoops, therapy lights, and knitting needles.
- New York Public Library's Riverside Branch lends neck and bow ties, briefcases, and handbags.
- The Washington County Library offers metal detectors, backyard movie kits, playstation consoles, and turntables.

Many other examples can be identified and explored during the research phase of the referred study.



### **Overview of Rental/Share Economy Services available to Berkeley Residents:**

The following is a sampling of rental/share services currently available in the community. These are the kinds of services the Share Hub would be able to refer community members to, and for which the Library could administer subsidies for low income community members.

- REI – Rents backcountry snow gear, bear canisters, camping and hiking gear, snow shoes, climbing gear, cross country ski gear, cycling gear, downhill ski gear, and paddling gear.<sup>14</sup>
- Sports Basement – Rents skis, snowboards, snow packages, snow apparel, pickleball gear, tennis gear, bikes, backpacking, car camping and picnic equipment, stand up paddle boards, kayaks, surf and body boards.<sup>15</sup>
- Avis, Hertz, Enterprise, Zipcar, [Gig Share](#), and Turo – rent vehicles and moving vans.
- California Ski Company - rents skis and boots.
- Paper Plus Party (may be closing soon) – rents tables, chairs, snow cone machines, nacho cheese dispensers, popcorn poppers, and cotton candy carts.
- Swimply – Lists swimming pools for hourly rentals.
- Freecycle.org, Craig’s List and Facebook Marketplace – Free and low-cost items listed by owners for sale or reuse.

Many more rental and sharing resources exist for the Share Hub to identify and refer to patrons.

Another exciting opportunity that has come to light in consulting with outside organizations would be to increase local access to the Bay Area Seed Interchange Library (BASIL), which ensures the preservation of genetic diversity in our planet’s seed stock and would provide local gardeners and farmers access to a diverse collection of seeds, with the agreement they attempt to grow them and return some of the next generation at the end of the season.

Other partnership opportunities will no doubt be discovered through the outreach and exploration of creating the **SHARE BERKELEY** plan.

### **Voucher programs for rentals:**

Currently, the [Berkeley Rides for Seniors & the Disabled Program](#) provides up to \$720 of free scrip (temporary paper money) to pay for demand-response taxi transportation for older and disabled Berkeley residents. Similar voucher or subsidy programs for low income community members could support rental of items from outside vendors such as those listed above, significantly increasing access to items and resources that might otherwise be out of reach. For items that the BPL’s expanded TLL does not choose to furnish from its own collection, the referred study should consider parameters and potential funding sources beyond the Library Tax Fund for a program to subsidize rentals by lower income community members.

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<sup>14</sup> REI, Rental Pricing, <https://www.rei.com/stores/rentals/pricing>.

<sup>15</sup> Sports Basement, Rentals, <https://shop.sportsbasement.com/collections/rentals>.

ACTIONS/ALTERNATIVES CONSIDERED

The Berkeley Public Library could continue to operate the Tool Lending Library without exploring the expansion of its collection and role in Berkeley's share economy. Berkeley residents would still benefit from this, but the Library and City would miss out on an opportunity to explore options to support and lead on achievement of the city's GHG emission and zero waste goals, and the people of Berkeley would not have the benefit of a possible one-stop resource for sharing, renting, and free-cycling.

RATIONALE FOR RECOMMENDATION

Berkeley is an innovative City with a history of leadership on programs and policies that benefit the local community and serve as models for other jurisdictions to adopt. Expanding Berkeley's Tool Lending Library and providing a hub for information, resources, and subsidies to rent and share items offered by other organizations/businesses serves a number of important goals for our community.

Creating a comprehensive Share Hub at the Berkeley Public Library supports the achievement of Berkeley's Zero Waste goals by reducing the need for individual households to purchase rarely-used items – many of which are manufactured in distant locations, with raw and finished materials transported across the globe. In addition to the environmental impacts of creating and transporting these items, they are often transported and sold in impactful packaging.

A good [overview of the impacts of our society's addiction to "stuff"](#) is provided by The Story of Stuff, a Berkeley-based not for profit focused on reducing consumption and increasing sharing. The crux of the matter is that we produce and consume too much stuff – a lot of it toxic and most of it slow to decompose – and we don't share it very well. However, with a broadly expanded mandate and resources, the Berkeley Public Library can help advance the share economy and be a part of the movement to shift attitudes on consumption.

Additionally, while certain outlets such as REI and Sports Basement, both local businesses, rent out camping and recreational equipment, cost remains a barrier for low-income families. This is where the inclusion of sporting goods and other hobby equipment in the TLL could help bridge the gap. The same outcome could be achieved if the BPL decides providing vouchers is a better path forward.

CONSULTATION/OUTREACH OVERVIEW & RESULTS

Councilmember Hahn has had conversations with library staff on the subject of expanding the Tool Lending Library and was met with a positive response. The office has consulted with outside experts including the Ecology Center in Berkeley. Because this is a referral to do in depth consultation and research, broader consultation with the community is envisioned as an important outcome of the referral.

IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT

Berkeley Public Library staff has expressed interest in taking on this project and carrying it out from the initial planning stages through its eventual implementation. Library staff would be

responsible for exploring options for expansion including smaller-scale pilot approaches, consulting members of the community about their needs, and evaluating the cost of procuring additional equipment. BPL will work at their own pace but are requested to report to the Board of Library Trustees within two years, to share conclusions, and are invited to share their proposals with the City Council as well.

### FISCAL IMPACTS

The creation of **SHARE BERKELEY** is expected to require BPL to hire new staff and obtain new equipment, software, and facilities. BPL may also seek to involve the Berkeley Public Library Foundation and Friends of the Berkeley Public Library to provide an avenue for philanthropic contributions to **SHARE BERKELEY** - at its inception, and/or on an ongoing basis. On its website, the Chicago Public Library asks for donations to purchase specific items such as generators, folding chairs, utility carts, and canopies, among other things. Berkeley's generous community may take a strong interest in further supporting the establishment and operations of **SHARE BERKELEY**, given the strong correlation with the mission of the Berkeley Public Library, the environmental and social benefits to the community, and the fact that BPL already is formally designated as one of Berkeley's "Resilience Centers."

Further, Alameda County recently launched two new lending libraries, one with funding from the California State Library. Similarly, the Los Angeles County TLL is supported by the U.S. Institute of Museum and Library Services. BPL should look at the potential to apply for Library-oriented and environmental/zero-waste-oriented grants, and all other potential funding opportunities.

### ENVIRONMENTAL SUSTAINABILITY

Lending libraries encourage community members to borrow rather than buy, reducing the wasteful purchase of items rarely used and their environmental impact. Any efforts to reduce the production and purchase of plastic, metal - and any - materials will have a positive overall impact on our planet. According to the United Nations, resource extraction has more than tripled since 1970 and accounts for half of the world's carbon emissions and 80% of biodiversity loss.<sup>16</sup> Furthermore, the expansion of TLL signals the City's commitment to the share economy and will help facilitate a cultural shift in views on consumption.

Additionally, expanding the availability of garden equipment can promote community greening and locally-procured urban agriculture. Many items that might otherwise end up in a landfill can be diverted to the Lending Library for future use.<sup>17</sup> Insofar as this diversion happens and there is strong participation in borrowing, this initiative will help achieve the city's zero-waste and climate action goals.

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<sup>16</sup> Watts, Jonathan, "Resource extraction responsible for half the world's carbon emissions," The Guardian, March 12, 2019, <https://www.theguardian.com/environment/2019/mar/12/resource-extraction-carbon-emissions-biodiversity-loss>.

<sup>17</sup> Tabor, Neil, "Evaluating the Success of Tool-Lending Libraries and their Contributions to Community Sustainability," University of Nebraska-Lincoln Environmental Studies Program, August 2013, p. 20. <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1125&context=envstudtheses>.

## OUTCOMES & EVALUATION

As stated previously, the expected outcome of this recommendation is that BPL will create an innovative plan for **SHARE BERKELEY**. The plan should be as expansive and impactful as possible, offering a vision for a groundbreaking, first-in-kind, comprehensive program combining an in-house collection with referrals, resources and subsidies to equitably access items beyond BPL's collection. While the full program may need to be phased-in, the goal is to produce a broad, comprehensive, visionary plan as a starting point for conversation, funding, and implementation. Success for this item is the successful delivery of the visionary plan, for consideration by the Board of Library Trustees.

The intent of this item is to fully explore options for an expanded TLL and Share Hub at the Berkeley Public Library. One outcome of the study might be that the TLL/BPL is not the best space for the full spectrum of desired services, and other options are recommended. These might include partnerships with outside organizations such as Berkeley's Ecology Center, or centering some or all expanded services elsewhere within the City organization, such as in the office of Energy and Sustainable Development. It is hoped that the process of studying and exploring the benefits and opportunities for a comprehensive, public Share Hub for Berkeley will lead to recommendations for viable paths forward within the TLL/BPL, and/or suggestions for other means to achieve these important goals for the community.

The **SHARE BERKELEY** plan to be developed by BPL should include metrics to measure the success of the new initiative. For example, success could be evaluated on the basis of how many new items are lent relative to the expense of the expanded program. Qualitative impact measures can be explored that evaluate how the availability of expanded resources and the overall program positively address community needs and interests. Estimates of reductions in GHG emissions and plastic consumption, for example, and consumption of other toxic and impactful materials can also be estimated and folded into the City's metrics tracking progress on Climate and Zero Waste goals. High community participation in the expanded collections and resources will help guide the collection of new items. And the library could make use of volunteer focus groups, intercept interviews, or surveys to assess what items community members would be most interested in borrowing. Community feedback shared in the planning process will also inform expansion of the current collection. All of this is to be determined by BPL staff in developing and presenting the proposed program.

## CONTACT

Sophie Hahn, District 5, (510) 981-7150

*Special thanks to Aleks Wolan, Legislative Director District 5*

### Upcoming Worksessions and Special Meetings

*start time is 6:00 p.m. unless otherwise noted*

| Scheduled Dates |                                       |
|-----------------|---------------------------------------|
| Feb 27 (4:30pm) | 1. Berkeley Economic Dashboards (OED) |
| Mar 12 (4:00pm) | 1. BPD Annual Report                  |

### Unscheduled Workshops and Special Meetings

1. Ashby BART Transit Oriented Development & Berkeley – El Cerrito Corridor Access Plan
2. Inclusionary Housing In-Lieu Fee Feasibility Study

### Unscheduled Presentations (City Manager)

1. Draft Waterfront Specific Plan (October/November 2024)
2. Dispatch Needs Assessment Presentation
3. Presentation on Homelessness/Re-Housing/Thousand-Person Plan (TBD regular agenda)


|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | <b>City Council Referrals to the Agenda &amp; Rules Committee and Unfinished Business for Scheduling</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1. | <p><b>16. Dissolution of the Human Welfare and Community Action Commission and the Peace and Justice Commission; and, establishment of the Berkeley Community Action Agency Commission</b> (<i>Referred to the Agenda &amp; Rules Committee for scheduling on February 13, 2024.</i>)</p> <p><b>From: City Manager</b></p> <p><b>Recommendation:</b> Adopt first reading of an Ordinance to: 1. Repeal Chapter 3.68, Peace and Justice Commission; and, 2. Repeal Chapter 3.78, Human Welfare and Community Action Commission; and, 3. Establish the Berkeley Community Action Agency Commission with Chapter 3.70</p> <p><b>Financial Implications:</b> See report</p> <p>Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400</p> |



| CITY CLERK DEPARTMENT                                                       |                      |                       |                   |
|-----------------------------------------------------------------------------|----------------------|-----------------------|-------------------|
| WORKING CALENDAR FOR SCHEDULING LAND USE MATTERS<br>BEFORE THE CITY COUNCIL |                      |                       |                   |
| Address                                                                     | Board/<br>Commission | Appeal Period<br>Ends | Public<br>Hearing |
| <b>NOD – Notices of Decision</b>                                            |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
| <b>Public Hearings Scheduled</b>                                            |                      |                       |                   |
| 2924 Russell Street (install unenclosed hot tub)                            | ZAB                  |                       | 2/27/2024         |
| 2113-15 Kittredge Street (California Theater)                               | ZAB                  |                       | TBD               |
| 3000 Shattuck Avenue (construct 10-story mixed-use building)                | ZAB                  |                       | TBD               |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
| <b>Remanded to ZAB or LPC</b>                                               |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
| <b>Notes</b>                                                                |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |

2/21/2024





No Material  
Available for  
this Item

There is no material for this item.

**City Clerk Department**  
2180 Milvia Street  
Berkeley, CA 94704  
(510) 981-6900

**City of Berkeley City Council Agenda Index Webpage:**  
<https://berkeleyca.gov/your-government/city-council/city-council-agendas>





Open Government Commission

CONSENT CALENDAR  
February 27, 2024

To: Honorable Mayor and Members of the City Council  
From: Jim Hynes, Chair, Open Government Commission  
Submitted by: Samuel Harvey, Secretary, Open Government Commission  
Subject: Council Referral - Proposed Changes to Public Comment

RECOMMENDATION

City Council to review and implement suggested changes to the way public comment is given at City Council Meetings.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

At the March 14, 2023 City Council meeting, the Council passed a resolution to allow two periods of public comment on Action Items and voted to “Refer the suggestions regarding improvements to the meeting process to the Agenda & Rules Committee and the Open Government Commission for consideration.” The OGC reviewed the recording of this meeting, comments sent in prior to the meeting, and comments submitted by email or in person at Commission meetings and adopted the following recommendations at its September 21, 2023 meeting.

**Action:** M/S/C (Blome/O'Donnell) Motion to approve report to City Council with non-substantive edits

**Vote:** Ayes: O'Donnell, Saginor, Blome, Isselbacher, Hernandez; Noes: none; Abstain: none; Absent: Ching, Hynes.

BACKGROUND

The City Council asked the Open Government Commission (OGC) to explore improvements to the way City Council meetings offer opportunities for public comment. The OGC agrees with the resolution passed by City Council on March 14, 2023 that added an opportunity for public comment at the start of the Action Calendar and also maintained the opportunity to comment at the time each Action Item is discussed as this allows the public to hear comments, questions, and proposed changes from City

Councilmembers before making public comment. In addition to this change, the OGC proposes the following:

**A. For immediate implementation:**

| <b>Suggested Change</b>                                                                                                                                                                                                                                                             | <b>Intended Result</b>                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Continue to allow the public to participate remotely via videoconference.                                                                                                                                                                                                        | Removes barriers to participation, especially for those with disabilities.                                                                                                                                                                                                                                                                                                                                              |
| 2. Enable live transcription at all committee, board, and commission meetings with a videoconference component. Configure Zoom to permit saving of the transcription by the public.                                                                                                 | People joining remotely can better understand what is being said.                                                                                                                                                                                                                                                                                                                                                       |
| 3. Limit councilmember <b>initial</b> comments on action items to 5 minutes/person and enforce this rule.                                                                                                                                                                           | Bring practice more into alignment with City Council Rules of Procedure, Sec. V, Procedural Matters, Sub. G, Debate Limited, limits debate on any item to 20 minutes.                                                                                                                                                                                                                                                   |
| 4. Start the Consent Calendar with an acknowledgement that consent items are important but should be ready to pass without prolonged discussion. Minimize discussion of items on the Consent Calendar.                                                                              | Bring practice into alignment with City Council Rules of Procedure, Sec. IV, Conduct of Meeting, Sub. B, Consent Calendar, "It is the policy of the Council that the Mayor or Councilmembers wishing to ask questions concerning Consent Calendar items should ask questions of the contact person identified prior to the Council meeting so that the need for discussion of consent calendar items can be minimized." |
| 5. Amend City Council Rules of Procedure Section IV Conduct of Meeting, Sub B, Consent Calendar, last paragraph to add "If three or more Councilmembers object to a Consent item by expressing their intent to abstain or vote no, the item shall be moved from Consent to Action." | An item that is not going to pass does not fit the plain English definition of "consent." Such items properly belong in the Action calendar where members of the public may advocate for them and where Councilmembers may discuss their views.                                                                                                                                                                         |
| 6. Acknowledge and verbally summarize comments received via email.                                                                                                                                                                                                                  | Demonstrates that the Council is receptive to written correspondence and encourages more written comments that can be read ahead of time. This would require an amendment to City Council Rules of Procedure Section IV, Sub D, Written communications. (In the future, Council could consider implementing an on-line form that would automatically summarize how many comments are for and against a given item.)     |
| 7. Use Berkeley Considers more frequently, especially for controversial issues.                                                                                                                                                                                                     | Provides transparency in gauging public opinion.                                                                                                                                                                                                                                                                                                                                                                        |



|                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8. Endeavor to inform attendees of approximate time for high interest items, e.g. "Item 32 will not be heard before 9:30."                                                                                                                                                                                                               | Members of the public can determine when to join, stay, or leave in person or via zoom.                                                                               |
| 9. Endeavor to determine early if an item will be postponed, e.g. at 9:30 move to continue an item, instead of waiting until 10:50.                                                                                                                                                                                                      | Members of the public can determine whether to stay or leave in person or via zoom.                                                                                   |
| 10. Require that City Manager and staff publish supporting materials for Agenda items in advance of the Agenda Committee meeting.                                                                                                                                                                                                        | Allow time for the public and the Committee to vet for completeness, give feedback, and schedule accordingly. Diminishes the need for multiple or late supplementals. |
| 11. Amend City Council Rules of Procedure Section IV Conduct of Meeting, Sub B, Consent Calendar, last paragraph as follows: Consent Calendar items will be moved to the Action Calendar if requested by three councilmembers. by the Council. Action items may be reordered at the discretion of the Chair with the consent of Council. | Reflect and formalize current practice. Allows councilmembers to respond to public requests for further consideration of an item.                                     |

**B. For further consideration and/or research:**

| <b>Suggested Change</b>                                                                                                 | <b>Intended Result</b>                                          |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| 1. Schedule more meetings with fewer items on the agenda at each meeting                                                | Members of the public would wait less long to speak on an item. |
| 2. Schedule separate meetings for items that are controversial or attract especially high public interest.              | Avoid running overtime or having to continue long items.        |
| 3. Have separate meetings for City department reports and/or informational items that will take longer than 20 minutes. | Agenda items at these meetings would be at a prescribed time.   |
| 4. Limit to 20 minutes any City department reports included within a regular meeting.                                   | Department reports will not prolong meetings.                   |
| 5. Have Special Meetings on a different day from Regular Meetings.<br>OR                                                | Regular Meetings can start on time and end earlier.             |
| Schedule Special Meetings to have a hard stop fifteen minutes before the posted time of a Regular Meeting.              |                                                                 |

|                                                                                                                                                                                        |                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6. Strongly urge that supplemental materials be submitted earlier.                                                                                                                     | Allows councilmembers and the public to review materials before the meeting.                                                                                                            |
| 7. Change the minimum amount of time for a public comment to 90 seconds, with more time if ceded by others.                                                                            | Allows each speaker at minimum to express a well reasoned statement.                                                                                                                    |
| 8. After the meeting, provide a webpage link for transcriptions created by the captioners for any Council, Committee, Board or Commission meetings for which captioners were employed. | Improve access for members of the public to meetings they were unable to attend. Improves access for persons with hearing disabilities and allows keyword searching of meeting content. |
| 9. Provide virtual access to Board and Commission meetings which are now held in person.                                                                                               | Improve public access to these meetings.                                                                                                                                                |

### ALTERNATIVE ACTIONS CONSIDERED

#### **C. Suggestions proposed, but NOT recommended by the OGC**

| <b>Suggested Change</b>                                                                                                                                                             | <b>Reason to reject</b>                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 1. Limit the number of speakers at public comment                                                                                                                                   | Public comment is an integral part of our democracy.                                                                              |
| 2. Make all staff presentations "pre-reads" so that Council could open with questions and then public comment                                                                       | Not possible to require councilmembers and public to "pre-read."                                                                  |
| 3. Move the Consent Calendar to the end of the meeting                                                                                                                              | Moving an item from Consent to Action would require either a second Action section or deferring the item to a subsequent meeting. |
| 4. Canvass public members on which item(s) they've come to address and reorder agenda to place those items first.                                                                   | Impractical, especially with many joining on zoom.                                                                                |
| 5. Agendize items to "time certain" (a time, not just a date).                                                                                                                      | Length of items - including length of public - comment, cannot be predicted accurately                                            |
| 6. Evaluate the provision of an additional opportunity for public comment at the beginning of the Action calendar after that practice has been in use for some time and "sunset" it | Reconsideration as needed is recommended, but not a formal evaluation. Action to discontinue changes can be taken if needed.      |
| unless a decision is made to continue it.                                                                                                                                           |                                                                                                                                   |

|                                                                                                      |                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>7. Remove ceremonial matters from the agenda.</p>                                                 | <p>Ceremonial matters are a positive part of City Council Meetings and a way to acknowledge the positive things residents are doing for our community.</p>                                                                                                                                                                                                 |
| <p>8. Allow members of the public to move items from the consent calendar to the action calendar</p> | <p>The public has an opportunity during public comment to persuade three councilmembers to move an item from . the consent calendar to the action calendar. If councilmembers are not persuaded to do this, the item will fail. Especially with hybrid meetings, we have concerns that changing the current procedure could be abused. See Table A.11.</p> |

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

RATIONALE FOR RECOMMENDATION

The two main problems these recommendations aim to address are 1) that meetings run long, often ending late at night; and 2) long wait times make it difficult for members of the public to comment on issues being discussed, especially when substantive changes are proposed at the last minute.

The OGC plans to continue monitoring the situation to evaluate whether these changes produce the desired outcome of shorter meetings and shorter wait times for the public to speak.

CITY MANAGER

The City Manager is recommending this item be referred to the Agenda & Rules Committee given their current work on similar topics.

CONTACT PERSON

Jim Hynes, Chair, Open Government Commission, (510) 981-6998  
 Samuel Harvey, Commission Secretary, Open Government Commission (510) 981-6998





Kate Harrison  
Councilmember, District 4

CONSENT CALENDAR  
November 28, 2023

To: Honorable Mayor and Members of the City Council  
From: Councilmember Harrison (Author) and Vice Mayor Bartlett (Co-Sponsor)  
Subject: Amend Berkeley Municipal Code Chapter 3.78 To Expand Eligibility Requirements for Representatives of The Poor to Serve on The Human Welfare and Community Action Commission

RECOMMENDATION

Amend Berkeley Municipal Code Chapter 3.78 to expand eligibility requirements for Representatives of the Poor to serve on the Human Welfare and Community Action Commission, or any successor commission, to consider the current geographic formation of poverty in Berkeley.

CURRENT SITUATION AND RATIONALE FOR RECOMMENDATION

The Human Welfare and Community Action Commission is a body charged with addressing the social welfare of the Berkeley community, focusing on those experiencing poverty and financial hardship within our City. This commission, as defined by Section 3.78.010, consists of fifteen members, nine of which are appointed by each Councilmember and the Mayor and six of which are “Representatives of the Poor;” this refers to residents with incomes below the median area income or significant lived experience in poverty. As it stands, there are three districts (1, 2, and 3) that were identified by the 1988 Berkeley City Council, based on the 1980 census data, as having the most concentrated levels of poverty.<sup>1</sup> Currently, all six of the Representatives of the Poor must reside in these districts (two from each of the districts). Interestingly, despite the changing geographic landscape of poverty in Berkeley within the last 43 years, the ordinance language and participation criteria has remained largely unchanged. The requirement for service no longer accurately represents the different and changing image of poverty in Berkeley. By expanding inclusion requirements for Representatives of the Poor, the HWCA has more opportunity to secure necessary involvement and funding in addition to becoming a more representative decision-making body.

**Substantive revisions to Chapter 3.78:**

*B. Six of the members shall be representatives of the poor, who shall to be elected as individuals residing anywhere within City limits who earn*

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<sup>1</sup> “3.78.010 Creation of the Human Welfare and Community Action Commission.” Berkeley Municipal Code. Accessed October 23, 2023. <https://berkeley.municipal.codes/BMC/3.78.010>

~~*below the median area income or who have had significant lived experience in poverty. to be elected two from each of three districts as established by the City Council and shown on the map attached hereto, made a part hereof and marked "Exhibit A" (see Ch. 3.999).*~~

The section B revision seeks to maintain the focus on representing the economically marginalized, but recognizes that the distribution of poverty within the community has shifted. City and community led homelessness initiatives, investments in residence hotels, and increased RV dwellers are just a few of the many reasons why poverty is dispersed differently across the city than it was 43 years. Additionally, displacement and gentrification, which have acutely affected West and South Berkeley neighborhoods, have also contributed to changing demographics. This amendment suggests electing representatives of the poor from anywhere within the City, based on contemporary geographical considerations, as opposed to 1980 Census data.

~~*C. The community service block grant (CSBG) target area shall comprise the total area from which three election districts are drawn. Each district will have approximately equal numbers of poverty families utilizing data from the 1980 Census.*~~

The section C revision (amended to be section B) intends to concurrently address the issue of the changing landscape of poverty by eliminating the Community Services Block Grant (CSBG) target area. The HWAC Commission relies on CSBG funding to accomplish commission goals, but needs to fulfill certain participant criteria to be able to access the funding. Currently, because there is precarious membership, the HWAC commission’s funding and resources are threatened. The proposed change expands the target area to cover the entire City, ensuring section B revision’s feasibility. The CSBG target area is no longer limited to the former poverty districts drawn according to the 1980 census because the community of individuals in poverty are now spread into a wider area of the community as a result of placement of homeless individuals into residence hotels and RV parking, along with other programs, into other geographical areas.

These amendments to Berkeley Municipal Code Section 3.78.010 ensure that the Berkeley Human Welfare and Community Action Commission remains effective in addressing their goals. These revisions are crucial to be successful in representing a series of contemporary socio-economic developments and demonstrating the City's commitment to adapt to changing circumstances.

FISCAL IMPACTS OF RECOMMENDATION

No fiscal impacts.

ENVIRONMENTAL SUSTAINABILITY

This budget referral has no effect on environmental sustainability.

CONTACT PERSON



Amend Berkeley Municipal Code Chapter 3.78 To Expand Eligibility Requirements for Representatives of The Poor to Serve on The Human Welfare and Community Action Commission

CONSENT CALENDAR  
November 28, 2023

Councilmember Kate Harrison, (510) 981-7140

ATTACHMENTS

1. Revised BMC Chapter 3.78

ORDINANCE NO. –N.S.

AMENDING CHAPTER 3.78 TO THE BERKELEY MUNICIPAL CODE TO EXPAND  
ELIGIBILITY REQUIREMENTS FOR REPRESENTATIVES OF THE POOR

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 3.78.010 is amended to read as follows:

**3.78.010 Creation of the Human Welfare and Community Action Commission.**

A Berkeley Human Welfare and Community Action Commission is hereby created. The membership of such commission shall be fifteen:

A. Nine of the members shall be appointed by Berkeley City Councilmembers, in accordance with the Fair Representation Ordinance.

1. Four of the nine members of the commission appointed by the council shall be members or officials of business, industry, labor, religious, welfare, education, or major groups and interests in the community, as required by California Government Code Sections 12736(e), 12750(a)(2), and 12751, the language of which is incorporated herein by reference.

2. Representatives of private sector organizations shall be empowered to speak and act on behalf of the organizations they represent in connection with the board's business.

B. Six of the members shall be representatives of the poor, who shall to be elected as who shall be individuals residing anywhere within City limits who earn below the median area income or who have had significant lived experience in poverty. two from each of three districts as established by the City Council and shown on the map attached hereto, made a part hereof and marked "Exhibit A" (see Ch. 3.999).

C. The community service block grant (CSBG) target area shall comprise the total area from which three election districts are drawn. Each district will have approximately equal numbers of poverty families utilizing data from the 1980 Census.

~~1. Four of the nine members of the commission appointed by the council shall be members or officials of business, industry, labor, religious, welfare, education, or major groups and interests in the community, as required by California Government Code Sections 12736(e), 12750(a)(2), and 12751, the language of which is incorporated herein by reference.~~

~~2. Representatives of private sector organizations shall be empowered to speak and act on behalf of the organizations they represent in connection with the board's business.~~

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



## Agenda Committee 1/16/2024

### Item 10 - City Council Legislative Systems Redesign

#### Discussion Items - Part 1

#### Background:

The Agenda Committee presented materials and solicited input from the City Council during fall of 2023 regarding possible Legislative Systems Redesign options. The goal of Systems Redesign is to improve processes for developing, introducing, vetting, passing, funding, and implementation of Major Council Items and initiatives. Based on City Council input, the Agenda Committee has been tasked with proposing a new set of improvements to:

1. Consider possible refinements to the definition of Major Items
2. Make the Council Item Guidelines mandatory for Major Items (formerly referred to as "Policy Track Items")
3. Establish transparent deadlines for budget processes and clarity about what kind of "asks" can be submitted/considered at each budget cycle
4. Strengthen the Committee System to provide more in-depth review and vetting of Major Items
5. Clarify levels of input from Staff and City Attorney at all stages, from development to implementation
6. Clarify processes and timelines for implementation of items once passed and funded
7. Establish protocols for one-time vetting/disposition of currently backlogged items
8. Consider yearly prioritization processes in light of the intended outcome of fewer, more fully considered Major Items in the queue

To facilitate focused discussion, this memo only addresses proposals related to items 1, 2, and 3, above. Additional considerations will be discussed at subsequent meetings.

#### **1. Consider possible refinements to the definition of Major Items**

"Major Items" are items meeting the current definition of *Policy Committee Track Items*:

*"Moderate to significant administrative, operational, budgetary, resource, or programmatic impacts."*

Some Councilmembers expressed that the definition might be further clarified. After discussing a variety of options, and considering times when the definition might have

proved problematic, it was decided that no changes should be proposed; the definition appears to provide good guidance to members of the Agenda & Rules Committee and has not been a source of controversy to date.

Consideration was given to potentially require all Ordinance changes to be labeled Major Items, but on further discussion, it was concluded that only Ordinance changes/new Ordinances with “moderate to significant administrative, operations, budgetary, resources, or programmatic impacts” would be worthy of being considered as Major Items - thus reinforcing the appropriateness of the existing definition.

One possible improvement could be to add examples of items that may be considered Major Items, rather than to amend the rule:

*“Examples may include, but are not limited to Items that:*

- *Clarify or extend existing Plans, Programs, Policies and Laws in moderate to significantly impactful ways*
- *Change/Amend existing Plans, Programs, Policies and Laws in moderate to major ways*
- *Create a new and meaningful exception to existing Plans, Programs, Policies and Laws*
- *Reverse/change existing Plans, Programs, Policies and Laws in moderate to significant ways*
- *May require moderate to significant increases in funding or additional FTE for start-up and/or ongoing operations”*

**Recommendation:** Keep existing definition, add examples, and revisit should controversies occur.

## **2. Make the Council Item Guidelines mandatory for Major Items (formerly referred to as “Policy Track Items”)**

In discussing this seemingly straightforward concept, a number of considerations arose that are addressed in the following proposed path forward.

The Council Rules of Procedure and Order already include an outline of what is “required” for Council items, in Section XXX of the Rules. The Guidelines – suggested but not required and included in an Appendix to the Rules – were built from the Rules, providing more elaboration and specificity.



As suggested but not required, the Guidelines have not been “in conflict” with the Rules. However, adopting the Guidelines as requirements changes this equation; *the existing Rules and the Guidelines cannot both be simultaneously required*. The proposed path forward addresses the potential conflict that arises when the Guidelines are adopted as mandatory for Major Items.

In addition, if the Guidelines are mandatory only for Major Items, we must consider what will be mandatory for “all other” items – hereinafter referred to as “Standard Items.” The proposed path forward thus addresses both Major Item and Standard Item requirements.

Another consideration is how the Agenda Committee will evaluate whether an item - Major or Standard - is in compliance with mandatory requirements, and what the Agenda Committee must or may do if it finds an item falls short of the requirements. The following proposal addresses these issues as well.

Finally, the Guidelines were reviewed to identify any possible edits that might be suggested prior to adoption of the Guidelines as mandatory.

**Proposal:**

1. Make Edits to Guidelines:
  - a. Remove “preamble” language
  - b. Make light changes to the Guidelines and expand illustrative examples
  - c. *See Edited Version of the Guidelines*
  
2. Remove/eliminate existing Rules about how to present/write Items and adopt a two-tiered set of Rules for **Standard Items** and **Major Items**, based on the Guidelines.
  - a. For **Major Items**, make the full Guidelines MANDATORY
  - b. For **Standard Items**, make elements **1, 2, 3, 4, 5, 14 and 15** of the Guidelines MANDATORY, with other elements RECOMMENDED.
  - c. **Drafting Consideration** - Keep the Guidelines as an Appendix – incorporated by reference into the Rules – rather than “pasting” the full Guidelines directly into the Rules.

- d. **Clerk Templates** - the Clerk's Office will create updated, more user-friendly and easily accessible templates for Major and Standard Items, as well as for Supplemental, Late, and other Submissions.
  - e. For "**Speciality Items**" such as D13 Account grants, letters and resolutions in support of State or Federal Legislation, and other "special" Item types, the Clerk's Office will provide updated RECOMMENDED templates.
3. **For MANDATORY elements of both Major and Standard Items**, suggest adopting the following (or similar) standard for review by the Agenda Committee:

*If a Major or Standard Item, as submitted by the Primary Author, does not substantially and materially meet reasonably applicable Mandatory Elements of the Guidelines, the Agenda & Rules Committee shall request, and may require, that the Primary Author provide additional analysis and/or consultation to fulfill Guideline requirements.*

*If the Agenda & Rules Committee requests or requires the Primary Author to provide additional analysis or consultation, the Item may or shall be referred back to the Primary Author and may be resubmitted for a future Agenda.*

4. **For RECOMMENDED elements of Standard Items and Speciality Items**, authorize the Agenda Committee to do what it currently has the power to do under Rules Section (C)(1) (with some edits):

*Refer the item back to the Primary Author for adherence to ~~required~~ recommended form or for additional analysis as ~~required~~ recommended in Section III.B.2 (Primary Author may decline and request Policy Committee assignment).*

5. **For Emergency/Time Sensitive Items**, Items can bypass mandatory Guidelines requirements if the Agenda Committee makes the findings for a Time Critical Track Item (existing definition).

**Proposed Standard for allowing Emergency/Time Sensitive Items to go forward without fulfilling the Mandatory Guidelines:**

*The Agenda Committee may make an exception to Mandatory Guidelines requirements for a Major or Standard Item if the Item meets the definition of a Time Critical Track Item, as provided in Section (3)(g)(1) of the Rules, in which case the Item may go forward as submitted on the Action Calendar for the Agenda under consideration with a notation, added by the Clerk's Office, that additional materials have been requested by the Agenda Committee. The Primary Author shall submit such additional materials as a Supplemental 1 filing.*

**Time Critical Track Item Definition (existing, Section (3)(g)(1)):**

*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.*

**6. Appeals - provide a mechanism to appeal Agenda Committee decisions to the full Council?**

May be advisable to have a bypass mechanism - or not?

**3. Establish transparent deadlines for budget processes and clarity about what kind of "asks" can be submitted/considered at each budget cycle**

The Council did not support a single, yearly cycle for submitting Council items, but expressed a desire for clear deadlines to be established for submission/consideration of items for various budget processes. In addition, questions have arisen regarding what kinds of requests can/should be submitted for consideration at various junctures in the yearly/biennial budget cycle.

Overall, it was determined that *the Agenda Committee should formally ask the Budget Committee for guidance on these questions*, as they fall more squarely into the Budget Committee's purview.

- By when should Standard and Major Items with budgetary considerations be passed out from Council to be considered in the June budget adoption/update?
- Working back from that date, by when should a Major Item or Standard Item be submitted, to allow time for consideration by the appropriate

Policy Committee and/or the City Council? (This may be a question for Agenda & Rules Committee to determine, once B&F sets the deadline)

- What kinds of budget requests are allowed/appropriate for the June budget?
- Consider establishing deadlines for the City Manager to bring Budget Updates (Fall and Spring) to the City Council.
- With established deadlines for Budget Updates, work back to establish deadlines for Major and Standard items to be submitted for consideration at each Budget Update. (This may be a question for Agenda & Rules Committee to determine, once B&F sets the deadline)
- What kinds of budget requests will be considered at Fall and Spring updates - from both Council and from the City Manager/Staff?
- If only emergency/time sensitive requests will be considered (or, for example, expansions of existing programs but not new programs, etc.), how will excess funds, if any, be rolled over and made available for Council priorities at the next June budget?

## APPENDIX B. GUIDELINES FOR DEVELOPING AND WRITING COUNCIL AGENDA ITEMS

~~These guidelines are derived from the requirements for Agenda items listed in the Berkeley City Council Rules of Procedure and Order, Chapter III, Sections B(1) and (2), reproduced below. In addition, Chapter III Section C(1)(a) of the Rules of Procedure and Order allows the Agenda & Rules Committee to request that the Primary Author of an item provide “additional analysis” if the item as submitted evidences a “significant lack of background or supporting information” or “significant grammatical or readability issues.”~~

~~These guidelines provide a more detailed and comprehensive overview of elements of a complete Council item. These Guidelines are mandatory for all Major Items and strongly recommended for all other council reports Standard Items. While not all elements ~~would be~~ are applicable to every type of A agenda item, the Guidelines ~~are intended to~~ prompt Authors to consider important elements of a complete item and to present ~~presenting~~ items with as much relevant information and analysis as possible.~~

~~Chapter III, Sections (B)(1) and (2) of Council Rules of Procedure and Order:~~

- ~~2. Agenda items shall contain all relevant documentation, including the following as Applicable:~~
  - ~~a. A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested;~~
  - ~~b. Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information;~~
  - ~~c. Recommendation of the City Manager, if applicable (these provisions shall not apply to Mayor and Council items.);~~
  - ~~d. Fiscal impacts of the recommendation;~~
  - ~~e. A description of the current situation and its effects;~~
  - ~~f. Background information as needed;~~
  - ~~g. Rationale for recommendation;~~
  - ~~h. Alternative actions considered;~~
  - ~~i. For awards of contracts; the abstract of bids and the Affirmative Action Program of the low bidder in those cases where such is required (these provisions shall not apply to Mayor and Council items.);~~
  - ~~j. Person or persons to contact for further information, with telephone number. If the Primary Author of any report believes additional background information, beyond the basic report, is necessary to Council understanding of the subject, a separate compilation of such background information may be developed and copies will be available for Council and for public review in the City Clerk Department, and the City Clerk shall provide limited distribution of such background information depending upon quantity of pages to be~~

~~duplicate. In such case the agenda item distributed with the packet shall so indicate.~~

Guidelines for City Council Items:

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6. Review of Existing Plans, Programs, Policies and Laws
7. Actions/Alternatives Considered
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9. Rationale for Recommendation
10. Implementation, Administration and Enforcement
11. Environmental Sustainability
12. Fiscal ~~Impacts~~ [Considerations](#)
13. Outcomes and Evaluation
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15. Attachments/Supporting Materials

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A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested.

**2. Consent/Action/Information Calendar**

Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information.

**3. Recommendation**

Clear, succinct statement of action(s) to be taken. Recommendations can be further detailed within the item, by specific reference.

Common action options, that can be presented singularly or in combination with others, include:

- Adopt first reading of ordinance
- Adopt a resolution
- Referral to the City Manager (City Manager decides if it is a short term referral or is placed on the RRV ranking list)
- Direction to the City Manager (City Manager is directed to execute the recommendation right away, ~~it is not placed on any referral list~~)
- Referral to a Commission, ~~or to a Standing or Ad Hoc~~ Council [Policy Committee](#), or other Legislative Body



- Referral to the budget process
- Send letter of support
- Accept, Approve, Modify or Reject a recommendation from a Commission or Committee
- Designate members of the Council to perform some action

**4. Summary Statement/“Current situation and its effects”**

A short resume of the circumstances that give rise to the need for the recommended action(s).

- Briefly state the opportunity/problem/concern that has been identified, and the proposed solution.
- Example (fictional):  
*Winter rains are lasting longer than expected. Berkeley’s winter shelters are poised to close in three weeks, but forecasts suggest rain for another two months. If they do not remain open until the end of the rainy season, hundreds of people will be left in the rain 24/7. Therefore, this item seeks authorization to keep Berkeley’s winter shelters open until the end of April, and refers to the Budget Process \$40,000 to cover costs of an additional two months of shelter operations.*

**5. Background**

A full discussion of the history, circumstances and concerns to be addressed by the item.

- For the above fictional example, Background would include *information and data about the number and needs of homeless individuals in Berkeley, the number and availability of permanent shelter beds that meet their needs, the number of winter shelter beds that would be lost with closure, the impacts of such closure on this population, the weather forecasts, etc.*

**6. Review of Existing Plans, Programs, Policies and Laws**

Review, identify and discuss relevant/applicable Plans, Programs, Policies and Laws, and how the proposed actions conform with, compliment, are supported by, differ from or run contrary to them. What gaps were found that need to be filled? What existing policies, programs, plans and laws need to be changed/supplemented/improved/repealed? What is missing altogether that needs to be addressed?

Review of all pertinent/applicable sections of:

- The City Charter
- Berkeley Municipal Code
- Administrative Regulations
- Council Resolutions
- Staff training manuals

Review of all applicable City Plans:

- The General Plan
- Area Plans
- The Climate Action Plan
- Resilience Plan
- Equity Plan
- Capital Improvements Plan
- Zero Waste Plan
- Bike Plan
- Pedestrian Plan
- Other relevant precedents and plans

Review of the City's Strategic Plan

Review of similar legislation previously introduced/passed by Council

Review of County, State and Federal laws/policies/programs/plans, if applicable

## **7. Actions/Alternatives Considered**

- What solutions/measures have **other jurisdictions** adopted that serve as models/cautionary tales?
- What solutions/measures are recommended by **advocates, experts, organizations**?
- What is the range of actions considered, and what are some of their major pros and cons?
- Why were other solutions not as feasible/advisable?

## **8. Consultation/Outreach Overview and Results**

- Review/list external and internal stakeholders that were consulted, as relevant.
  - **External:** constituents, communities, neighborhood organizations, businesses and not for profits, advocates, people with lived experience, faith organizations, industry groups, people/groups that might have concerns about the item, etc.
  - **Internal:** staff who would implement policies, the City Manager and/or deputy CM, Department Heads, City Attorney, City Clerk, etc.
  - **Commissions:** what Commissions were or will be consulted and what were their recommendations/concerns/suggestions?
- What reports, articles, books, websites and other materials were consulted?
- What was learned from these sources?
- What changes or approaches did they advocate for that were accepted or rejected?

## **9. Rationale for Recommendation**

A clear and concise statement as to whether the item proposes actions that:

- Conform to, clarify or extend existing Plans, Programs, Policies and Laws

- Change/Amend existing Plans, Programs, Policies and Laws in **minor** ways
- Change/Amend existing Plans, Programs, Policies and Laws in **major** ways
- Create an exception to existing Plans, Programs, Policies and Laws
- Reverse/go contrary to or against existing Plans, Programs, Policies and Laws

Argument/summary of argument in support of recommended actions. The argument likely has already been made via the information and analysis already presented, but should be presented/restated/summarized. ~~Plus~~In addition, further elaboration of terms for recommendations, if any, should be spelled out with clarity.

- Example: Keeping winter shelters open for an extra three months extends the City's existing Winter Shelter program in a minor way. The shelters have been open during inclement weather every year for decades, and have been extended to accommodate extended rainy and cold seasons in previous years. Keeping winter shelters open through April ensures our homeless neighbors will continue to have a place to keep dry and warm and supports the City's strategic plan goal of providing services to those with critical needs in our community. All services associated with the Winter Shelter program, including but not limited to meal and storage services, are specifically included in the direction to extend the program.

#### **10. Implementation, Administration and Enforcement**

Discuss how the recommended action(s) would be implemented, administered and enforced. What staffing (internal or via contractors/consultants) and materials/facilities are likely required for implementation? Initial, high-level consultation with the City Manager and/or the City Attorney regarding implementation, administration, and enforcement is strongly recommended, but not required.

#### **11. Environmental Sustainability**

Discuss the impacts of the recommended action(s), if any, on the environment and the recommendation's positive and/or negative implications with respect to the City's Climate Action, Resilience, and other sustainability goals.

#### **12. Fiscal ~~Impacts~~ Considerations**

Review the recommended action's potential to generate funds or savings for the City in the short and long-term, as well as the potential direct and indirect costs and benefits. Initial, high-level consultation with the City Manager and/or the City Attorney regarding the fiscal impacts of the proposal is strongly recommended, but not required.

#### **13. Outcomes and Evaluation**

State the specific outcomes expected, if any.

- ~~(i.e., Example: “it is expected that 100-300 homeless people will be referred to housing every year able to access dry and warm shelter during the 3-month extension of the winter shelter program”)~~

Also state and what reporting or evaluation is recommended. \_

- Example: The shelter operator shall keep an accounting of the number and any available demographic information about individuals who use the shelter during the extension period and report to the City Council, through the City Manager, on success or challenges of the program extension).

#### **14. Contact Information**

#### **15. Attachments/Supporting Materials**

## **APPENDIX B. GUIDELINES FOR DEVELOPING AND WRITING COUNCIL AGENDA ITEMS**

These Guidelines are mandatory for all Major Items and strongly recommended for Standard Items. While not all elements are applicable to every type of agenda item, the Guidelines prompt Authors to consider important elements of a complete item and to present items with as much relevant information and analysis as possible.

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- Send letter of support
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- Designate members of the Council to perform some action

#### **4. Summary Statement**

A short resume of the circumstances that give rise to the need for the recommended action(s).

- Briefly state the opportunity/problem/concern that has been identified, and the proposed solution.
- Example (fictional):  
*Winter rains are lasting longer than expected. Berkeley's winter shelters are poised to close in three weeks, but forecasts suggest rain for another two months. If they do not remain open until the end of the rainy season, hundreds of people will be left in the rain 24/7. Therefore, this item seeks authorization to keep Berkeley's winter shelters open until the end of April, and refers to the Budget Process \$40,000 to cover costs of an additional two months of shelter operations.*

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A full discussion of the history, circumstances and concerns to be addressed by the item.

- For the above fictional example, Background would include *information and data about the number and needs of homeless individuals in Berkeley, the number and availability of permanent shelter beds that meet their needs, the number of winter shelter beds that would be lost with closure, the impacts of such closure on this population, the weather forecasts, etc.*

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- Other relevant precedents and plans

Review of the City's Strategic Plan

Review of similar legislation previously introduced/passed by Council

Review of County, State and Federal laws/policies/programs/plans, if applicable

## **7. Actions/Alternatives Considered**

- What solutions/measures have **other jurisdictions** adopted that serve as models/cautionary tales?
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- Why were other solutions not as feasible/advisable?

## **8. Consultation/Outreach Overview and Results**

- Review/list external and internal stakeholders that were consulted, as relevant.
  - **External:** constituents, communities, neighborhood organizations, businesses and not for profits, advocates, people with lived experience, faith organizations, industry groups, people/groups that might have concerns about the item, etc.
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  - **Commissions:** what Commissions were or will be consulted and what were their recommendations/concerns/suggestions?
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- What was learned from these sources?
- What changes or approaches did they advocate for that were accepted or rejected?

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- *Example: Keeping winter shelters open for an extra three months extends the City's existing Winter Shelter program in a minor way. The shelters have been open during inclement weather every year for decades, and have been extended to accommodate extended rainy and cold seasons in previous years. Keeping winter shelters open through April ensures our homeless neighbors will continue to have a place to keep dry and warm and supports the City's strategic plan goal of providing services to those with critical needs in our community. All services associated with the Winter Shelter program, including but not limited to meal and storage services, are specifically included in the direction to extend the program.*

### **10. Implementation, Administration and Enforcement**

Discuss how the recommended action(s) would be implemented, administered and enforced. What staffing (internal or via contractors/consultants) and materials/facilities are likely required for implementation? Initial, high-level consultation with the City Manager and/or the City Attorney regarding implementation, administration, and enforcement is strongly recommended, but not required.

### **11. Environmental Sustainability**

Discuss the impacts of the recommended action(s), if any, on the environment and the recommendation's positive and/or negative implications with respect to the City's Climate Action, Resilience, and other sustainability goals.

### **12. Fiscal Considerations**

Review the recommended action's potential to generate funds or savings for the City in the short and long-term, as well as the potential direct and indirect costs and benefits. Initial, high-level consultation with the City Manager and/or the City

Attorney regarding the fiscal impacts of the proposal is strongly recommended, but not required.

**13. Outcomes and Evaluation**

State the specific outcomes expected, if any.

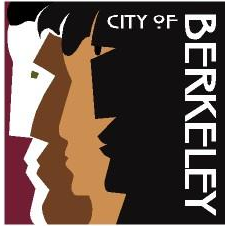
- Example: *“It is expected that 300 homeless people will be able to access dry and warm shelter during the 3-month extension of the winter shelter program.”*

Also state what reporting or evaluation is recommended.

- Example: *“The shelter operator shall keep an accounting of the number and any available demographic information about individuals who use the shelter during the extension period and report to the City Council, through the City Manager, on success or challenges of the program extension).”*

**14. Contact Information**

**15. Attachments/Supporting Materials**



Kate Harrison  
Councilmember District 4

## **SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet**

**Meeting Date:**       **October 10, 2023**

**Item Number:**       **1**

**Item Description:**   **City Council Legislative Systems Redesign**

**Submitted by:**       **Councilmembers Harrison, Robinson, and Taplin**

Refer to the Agenda Committee the elements contained in the “Alternative Legislative Alignment Process” as described in the background section.



Kate Harrison  
Councilmember District 4

ACTION CALENDAR  
October 10, 2023

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison (Author), Councilmember Robinson (Co-Sponsor), and Councilmember Taplin (Co-Sponsor)

Subject: Alternative Council Legislative Process

RECOMMENDATION

Refer to the Agenda Committee the elements contained in the “Alternative Legislative Alignment Process” as described below in the background section:

1. Incorporate positive elements of the Councilmember Hahn proposal, including mandatory Council memo guidelines, a formal process for City staff to provide conceptual input to authors, re-evaluating backlogged items for potential removal, and policy committees’ using a checklist to guide their analysis;<sup>1</sup>
2. Establish objective definitions and provide for comprehensive consideration of significant items;
3. Require referrals and budget requests over a given threshold to be considered first by a policy committee.
4. Preserve and formalize rolling deadlines for significant item submission;
5. Retain policy/budget judgement and prioritization to Council as a whole rather than policy committees, while tasking committees with role of ensuring items are drafted to form and sufficiently inform Council and the public’s consideration.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

At the October 2019 Council retreat, the Council and the City Manager discussed approaches to better align the legislative process to the budget and ensure implementation was feasible. In particular, many referrals to the City Manager were not well drafted and were not reviewed by policy committees before being referred. Many budget referrals were also not considered by policy committees despite their potential to have outsized impacts on staff and budgetary resources. Even with the referral ranking system, there remain a sizeable backlog of items that are not necessarily funded or considerate of staff resources. Councilmembers have not identified a sufficient number of lower-ranked items for removal from the list and may remain there for years.

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<sup>1</sup> Councilmember Hahn, Draft Proposal, p. 44., <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2023-09-18%20Agenda%20Packet%20-%20Agenda%20Committee.pdf>  
2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7140 • TDD: (510) 981-6903 • Fax: (510) 981-6903 E-Mail: KHarrison@cityofberkeley.info

## Alternative Council Legislative Process

These considerations merit Council consideration and possible action. At the same time, proposals dictating how often Council can submit legislation and overly complex rules for policy committees risks veering into limiting councilmembers' legislative authority, fails to respond to emerging circumstances, is unprecedented in comparable cities and risks violating the spirit if not the letter of the City Charter. This item finds that (1) policy committee system created in 2018 is fundamentally sound with certain enhancements, and (2) that the problem that needs to be addressed is ending the practice of allowing significant policy and budget referrals to bypass the policy committee system.

Before Council could consider the issue in depth, the COVID-19 pandemic occurred. During the first year of the COVID-19 pandemic, the Mayor and Council briefly suspended consideration of nearly all non-emergency Council legislation and meetings of committees and commissions. As the pandemic wore on, the reality of governing and the needs of the people, including the pressing need for street improvements, responses to our affordable housing crisis, the murder of George Floyd and socio-economic factors – some related and some not to the pandemic – made introducing no new policy infeasible, and Council began legislating anew.

On June 15, 2021 City Management proffered its “Systems Alignment Proposal” proposal to Council. The proposal recommended restricting the time period for submitting Council items (exempting Departments and the City Manager) to only four months per year, among other details, citing the need for more in depth budgetary and implementation analysis. However, the Council’s policy committees, created shortly before this time, were tasked with vetting items for any staffing impacts in light of vacancies and considering budget impacts Current rules provide that the policy committees are to:

- review items for completeness and alignment with Strategic Plan goals;
- ensure Council items include adequate discussion of budget implications, administrative feasibility, basic legal concerns, and staff resource demands to allow for informed consideration by the full Council;
- include a positive, qualified, or negative “Committee recommendation” based on these criteria.<sup>2</sup>

Many items improved significantly through the committee process.

Questions about the impact of the city management proposal on the City Charter were outlined in an alternative Council item submitted by Councilmember Harrison in June 2021.<sup>3</sup> Ultimately the City Manager’s proposal was not adopted by Council, and was

<sup>2</sup> Berkeley City Council Rules of Procedure, <https://berkeleyca.gov/sites/default/files/documents/City%20Council%20Rules%20of%20Procedure%20-%20July%2011%202023%20-%20FINAL.pdf>.

<sup>3</sup> Councilmember Harrison, “Comments and Alternative Systems Alignment Proposal,” June 15, 2021, <https://records.cityofberkeley.info/PublicAccess/api/Document/AemaKwyWOMW%C3%89OLzGWGj2m%C3%81pnQxBkfMC7W2S7PsoYWkE%C3%81c3kNbNXoWpsj%C3%891iLPosUUUV90e0sL0rH3HFNV2BEtmCo%3D/>.



## Alternative Council Legislative Process

instead referred to the Agenda Committee for consideration alongside alternative proposals. The City Manager has indicated that it would be inappropriate for the City Manager under the Charter to be recommending or determining how the Council makes policy decisions. Indeed, the policy and legislative function is firmly lodged under the Council per the Charter as was noted in Councilmember Harrison's 2021 alternative item.

Some of the elements of the City Manager's 2021 proposal have reemerged as part of a new proposal led by Councilmember Hahn through the Agenda Committee. According to the Agenda Committee record, Councilmember Hahn indicated that her proposal represents an understanding between the City Manager and City Clerk's office. The City Manager noted that "there are characteristics of my [the City Manager's] proposal woven into what you [Councilmember Hahn] will be providing [the Council]" but has indicated this is clearly a matter for Council to determine.

The Council's process is not fundamentally flawed, and does not require measures such as a nearly 300-day legislative process for "major items." The Council's Policy Committee and budget process systems are sound, and among other updates the main task before Council is to close outstanding loopholes to the committee process.

This alternative item builds upon the proposal submitted by Councilmember Harrison in 2021, comments directly to the positive and less positive elements of Councilmember Hahn's proposal, and offers an updated alternative proposal that better aligns the legislative process to the budget and staff implementation process without sacrificing Berkeley's democratic process, and directly deals with referrals and budget requests submitted without sufficient budget and implementation analysis.

Certain elements of the legislative processes that have largely bypassed the policy committee process include: (1) referrals to the City Manager, (2) departmental, City Manager, including some major policy items, and (3) departmental, City Manager and Council budget referrals. All of these can have an outsized impact on limited budget resources and staff time and should be incorporated in the policy committee process ahead of the respective budget process. The policy committees are where—before passing out an item—significant budgetary impacts and feasibility, in addition to the proposals merits, ought to be determined.

*We can fix the process without stripping the people's representatives of their Charter responsibility to respond to the public's needs and of due process to propose, debate, and consider legislation.*

## BACKGROUND

### ***Positive Aspects of the Councilmember Hahn Proposal***

## Alternative Council Legislative Process

- Council items are required to follow the guidelines already promulgated rather than leaving these guidelines as recommended only;<sup>4</sup>
- Formal process for City staff to provide high level conceptual input to authors before they submit proposals;<sup>5</sup>
- Process for addressing or re-prioritizing the “backlog” of unfunded items;<sup>6</sup>
- Major Items passed by Council but not funded are automatically rolled-over to future funding opportunities (this has already been implemented to a certain extent).<sup>7</sup>
- Policy Committees’ analysis is enhanced using a checklist (excluding Hahn proposal to rate items).<sup>8</sup>

**Concerns about the Councilmember Hahn Proposal**

- Does not clearly articulate the specific legislative problems it is trying to solve, or provide examples of how the current system is “[in]consistent[],” how it “overwhelm[s]” City staff, and how the current system fails to “[s]uccessfully implement state of the art and/or innovative programs and policies.”<sup>9</sup>
- Severely limits the public’s access to the democratic process and extends the legislative process for “Major Items” to nearly 300-days (September to July and beyond). This compares to the current expected 120-day timeline. Items can that quickly become stale or inadequate by the time they are finally implemented.<sup>10</sup> The proposal does not appreciate the September deadline artificially circumscribes Council’s ability to be responsive to public.<sup>11</sup> For example, if a Councilmember develops a non-time critical but nonetheless important piece of major legislation in October, the public will have to wait 11 months until September plus another nine months (July of the next year) before the item can be budgeted and implemented.
- Does not align with the fall budget process in which “excess equity” is considered and most council budget referrals are funded.
- Does not subject City Management’s “Major Items” to the same review. Neighboring cities such as Oakland require all non-time critical staff policy items to be routed through Policy Committees so all budgetary decisions (the purview of Council) are made against the same criteria.<sup>12</sup>
- Provides Agenda Committee with too much power to determine pick ‘winners and losers’ as to what constitutes a “Major Item” or time critical. Existing and proposed definition of “Major Item” and “Time Critical” are overly subjective.<sup>13</sup>
- Provides Policy Committees inappropriate authority to prioritize/score items they review. Currently, Policy Committees provide recommendations about individual

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<sup>4</sup> Councilmember Hahn Draft Proposal, p. 44.

<sup>5</sup> Id., p. 43.

<sup>6</sup> Id., p. 47.

<sup>7</sup> Id., p. 44.

<sup>8</sup> Id., p. 36.

<sup>9</sup> Id., p. 24.

<sup>10</sup> Id., p. 43.

<sup>11</sup> Id. p. 27.

<sup>12</sup> Oakland City Council Rules of Procedure, March 8, 2023, <https://www.oaklandcityattorney.org/wp-content/city-council/89588%20CMS.pdf>. See also Councilmember Hahn Draft Proposal, p. 27.

<sup>13</sup> Id., p. 44.

## Alternative Council Legislative Process

policies, and Council as a whole is rightly tasked with prioritizing and scoring items in terms of approval and budgeting.<sup>14</sup>

- Asserts that Policy Committees are a burden on staff and the Council, when in fact they have been shown to benefit the legislative process and reduce discussion at full Council. The Council's policy committees would only be allowed to meet to consider major legislation during less than six months of the year (down from the current nine months).<sup>15</sup>
- Requires Council to score items as part of the budget process through opaque and non-public processes, rather than through the current deliberative Council meeting process, Budget Committee, and Mayoral budget process provided for in Charter.<sup>16</sup>
- Creates an implementation team that includes the Councilmember author after it is passed by a policy committee. The stated goal is to "establish clarity of intentions, sketch timelines, discuss opportunities, ideas, challenges, etc." These are functions that the policy committees are tasked to do. The role for the Councilmember should be circumscribed as to prevent inappropriate meddling in administrative matters that are assigned to the City Manager under the Charter.<sup>17</sup>

### ***Alternative Council Legislation Alignment Proposal***

From the perspective of the authors of this item, a workable and sensible democratic process proposal should include the following:

#### Incorporate Positive Elements of Councilmember Hahn Proposal

- The positive elements listed above under "Positive Aspects of the Councilmember Hahn Proposal."

#### Establish Objective Definitions and Comprehensive Consideration of Significant Items

- Establish *objective* definitions for items with "significant" or "insignificant" budgetary or staffing implications, e.g., a dollar figure threshold, number of FTE needed, or requirement for consultant work. The current system fails to define "moderate to significant" and leaves subjective discretion to the Agenda Committee. This would ensure fairness amongst all Councilmembers. Alternatively, items could be referred directly to Policy Committees for such determination bypassing the Agenda Committee, unless deemed time critical.

Under this proposal, significant items would be subject to the normal maximum 120-day Policy Committee review timeline and include some of the enhancements offered by Councilmember Hahn. Items with insignificant impacts could be routed directly to Council or be provided a more streamlined maximum 90-day timeline and a less intensive review. In the case that items referred under

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<sup>14</sup> Id.

<sup>15</sup> Id., p. 26.

<sup>16</sup> Id.

<sup>17</sup> Id., p. 45

## Alternative Council Legislative Process

the 90-day timeline are found by the Policy Committee to have more significant impacts, a committee would be empowered to extend the item to 120 days for enhanced review.

- Ensure that all items submitted as referrals to the City Manager or budget referrals over the threshold are thoroughly vetted by Policy Committees and include estimates of all budget and staffing implications before coming out of the committee process so that they can be properly routed to the budget process.
- Ensure that policy items from City Management and Departments (other than time critical contracts and strictly administrative matters) are routed to policy committees as in Oakland and San Francisco.

#### Preserve and Formalizing Rolling Deadlines for Significant Item Submission

- Provide rolling submission deadlines ahead of applicable biennial (July), annual adjustment (July), and annual appropriation ordinance budget processes (fall/spring). The Council and City Manager may strive to encourage Councilmembers to submit the bulk of their items to the biennial and AAO #1 processes, but circumstances and community demands may warrant submission and consideration at other budget process periods. The Council, Mayor, and Budget Committee should, as in the past, continue to defer items or not fund items with significant budgetary or staffing implications as appropriate. There does not need to be an artificial deadline imposed on items.

#### Retain Policy/Budget Judgement and Prioritization to Council as a Body, While Tasking Committees with Ensuring Items Are Drafted to Form and Sufficiently Inform Council and Public Consideration

- Pursuant to the Council's historic rules of procedures, *subjective judgements* of legislation are appropriately the purview of the Council as a whole, not Committees.

This alternative proposal would achieve the important goal of aligning Council items with significant budget and staff impacts with legislation in an objective way that is not detrimental to the Council's obligations under the Charter and the public's right to representative democracy.

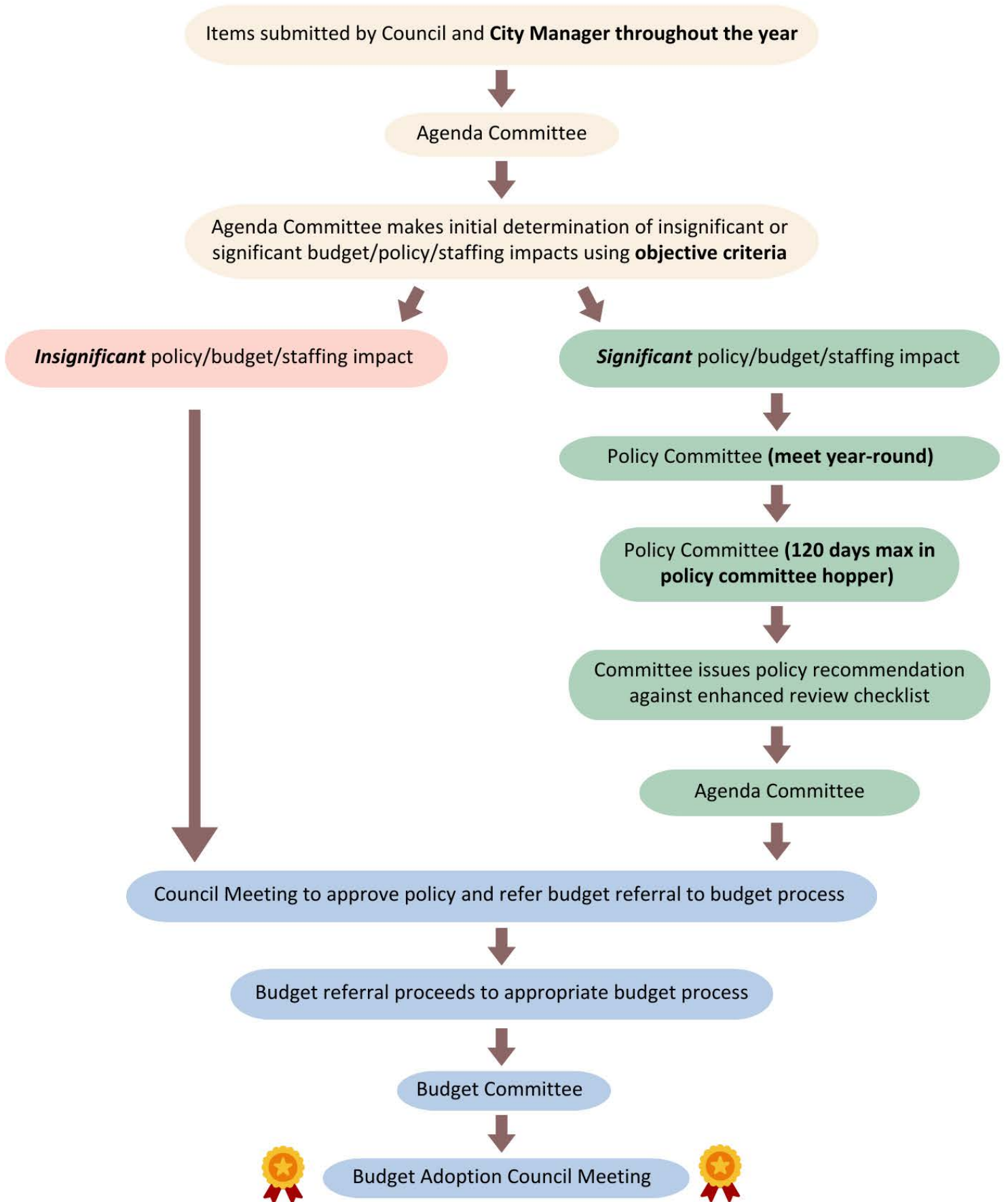
#### CONTACT

Councilmember Kate Harrison  
kharrison@cityofberkeley.info | 510-981-7140

#### ATTACHMENTS:

1. Flowchart of Alternative Systems Alignment Proposal

## Alternative Council Legislative Process Proposal





Office of the Mayor

WORKSESSION  
October 10, 2023

To: Honorable Members of the City Council  
From: Mayor Jesse Arreguín  
Subject: City Council Legislative Systems Redesign

**BACKGROUND**

On February 8, 2021, at the direction of City Council during a retreat, the City Manager presented a Systems Alignment Proposal to the Agenda and Rules Committee. Following discussion, the Systems Alignment proposal was calendared for a future Council meeting.

On April 26, 2021 the Systems Alignment proposal was presented to All Council.

Councilmember Droste submitted a response to the Systems Alignment proposal at the May 18, 2021 meeting followed by Councilmembers Hahn and Harrison at the June 15, 2021 meeting. During the June 15, 2023 Council engaged in discussion and referred the Systems Alignment proposal to the Agenda and Rules Committee for further consideration.

On March 14, 2023, Councilmembers Robinson and Wengraf presented Reforms to Public Comment Procedures at meetings of the City Council for discussion and action.

At the Agenda & Rules Committee Councilmember Hahn, in collaboration with the City Clerk and other staff, presented "Major Item Legislative, Budgeting & Implementation Systems Redesign". Upon deliberation, the Agenda & Rules Committee set a worksession for full council discussion on October 10, 2023.

In order to assist Council in understanding the various recommendations from previous meetings, Mayor Arreguin directed his staff, with assistance from Councilmember Wengraf's staff, to create a matrix of all the proposals and responses from City Councilmembers at the relevant meetings which was reviewed at the September 26, 2023 Agenda and Rules Committee meeting.

**CONTACT PERSON**

Mayor Jesse Arreguín      510-981-7100

City Council Legislative Systems Redesign

WORKSESSION  
October 10, 2023

**Attachments:**

- 1: PowerPoint Presentation
- 2: Council Rules of Procedure – Appendix B
- 3: Comparison Matrix
- 4: Background Materials



# MAJOR ITEM

## Submission, Review, Approval, Funding, & Implementation

### PROCESS SKETCH FOR DISCUSSION

Presented to Berkeley City Council  
by the Agenda & Rules Committee

October ##, 2023

# TERMINOLOGY

## MAJOR ITEM

Is an Item meeting the current/existing definition of a **Policy Committee Track Item**:

*Moderate to significant administrative, operational, budgetary, resource, or programmatic impacts*

# BIG IDEAS

**COUNCIL/MAYOR** - Successfully develop and implement State of The Art/ Innovative Programs and Policies to serve Berkeley, and to model best practices

**CITY CLERK** - Consistency in process for Major Item Development, Budgeting and implementation

**CITY ATTORNEY** – Ensure legal and drafting compliance

**CITY MANAGER** - Help the Organization deliver without overwhelm; help staff be successful in their work

# YEARLY CYCLE

Built around **JUNE 30** Budget Adoption/Update

July – September

**COUNCIL**

Finalize Y2 Items

**CITY MANAGER**

Implement Y1 Items

October – March

**COMMITTEE  
SEASON**

April – June

**COUNCIL + BUDGET  
SEASON**

# LEGISLATIVE SESSION

## One Cycle - Benefits

- **Every Year, opportunity to submit** and have Council review/vote on and fund Major Items
- **Four Subject Matter Committees** only meet during a Committee Season (except if emergency or special circumstance)
- Staff can **focus on implementation** during the “off season,” and Councilmembers can finalize the next year’s items
- Significantly **reduce gap between approval and implementation**

# MAJOR ITEM DEVELOPMENT & SUBMISSION

*All Year* → *End of September*

- Must use **Major Item Guidelines** format  
(Appendix B to Council Rules of Procedure & Order)
- September 30 **Submission Deadline**
- Major Items **can be submitted prior** to September 30 and reviewed by Agenda & Rules for **compliance with guidelines**
- Timeline allows for Councilmembers to **work all year** on items, with **concentrated opportunity** July-September
- **Staff input** at Pre-submission = high level/conceptual; early vetting of concepts with **City Attorney** to identify legal & drafting inputs

# AGENDA COMMITTEE

## OCTOBER

*Review & Assign Major Items to Committees*

- Early October **Special Meeting(s)**
- Review Major Items for **compliance with Guidelines**
- Assign *compliant* Major Items to Policy Committees
- Send *non-compliant* Major Items back to Authors for resubmission by End of October



# POLICY COMMITTEES

## OCTOBER - MARCH

- Organizing Meeting(s) Mid-October – Plan Committee Session/Schedule Hearings
- Major Items reviewed by Committee and move out on Rolling Basis, November - March
- [Committees may also prioritize/score items they review]
- All Major Items OUT of Policy Committees by March 30

# CITY COUNCIL

## APRIL

- Vote on all Major Items by **April 30**
- May require special meeting(s) in April
- **City Attorney** sign-off on **drafting and legal conformity** of Ordinances, Resolutions, and Formal Policies
- Approved items sent to **Budget Committee**

# PRIORITIZATION OF MAJOR ITEMS\* EARLY MAY

- All **Major Items** that have been passed by Council, both NEW and PENDING/previously unfunded, to be prioritized by Councilmembers
- Prioritization due Second Friday in May (process TBD)

*\* Not the same as All-Item prioritization*

# BUDGET COMMITTEE

## MAY - JUNE

- Council [and Committee?] Prioritizations provided to Budget Committee as guides, but **not binding**
- Budget Committee makes **Recommendations** to Full Council
- Budget passed; Major Items funded move forward to **Implementation**
- ROLLOVER: Major Items passed by Council but not funded get **automatically rolled-over** to future funding opportunities

# IMPLEMENTATION

## JULY +

- **Implementation Lead** assigned by **City Manager**
- **Implementation Team** assembled by **Lead + CM**
- Meet with **Author(s)** to clarify intentions, sketch timelines, discuss opportunities, ideas, challenges
- **Implementation Team** prepares
  - **Launch Plan**
  - **Operating Plan**
- Program/Policy is **Launched + Implemented**

# OVERRIDE

## for Time Critical Items

### SPECIAL TOPIC # 1

- Rules of Procedure and Order already provide Override:  
*An item that would otherwise be assigned to a Policy Committee may bypass Policy Review if the Agenda Committee deems it Time Critical. Agenda & Rules Committee retains discretion to decide the Time Critical nature of an item*
- Time Critical definition - may need to be reviewed/amended
- May still go to a Policy Committee or directly to Council, per A&R
- [**Possible Add:** Council-level override/appeal if Author doesn't agree with the A&R decision on Time Critical nature of a Major Item].

# PRE-SUBMISSION DETAILS

## SPECIAL TOPIC # 2

- **Guidelines Format Mandatory** for all Major Items
- **Only Authors (no Co-Sponsors) allowed** at Pre-Submission and Committee stages, to reduce Brown Act issues
- Available: **Pre-Submission Consult with City Manager** to recommend internal subject matter experts for high-level input
- Required: **Pre-Submission Consult with City Attorney** to identify legal and drafting considerations
- *Consider role for **COMMISSIONS** in Pre-Submission Phase*



# STRENGTHEN COMMITTEE REVIEW

## SPECIAL TOPIC # 3

### DEVELOP STANDARDS for review of Major Items:

- Relevance to Strategic Priorities or current needs/events
- Added value of program/policy
- Potential benefits/costs of program/policy to Community and COB
- Alternative means to achieve same or similar goals
- Phasing/timelines for implementation
- Staffing and Resources needed to Launch and Operate
- Evaluation/Metrics/Enforcement
- [Rate/Rank Major Items at end of Committee Session?]
- [Increase options re: positive and negative recommendations?]
- Other?

# STRENGTHEN COMMITTEE REVIEW

## SPECIAL TOPIC # 3

### Public, Staff, City Attorney, Commission Inputs

- Active Outreach to all identifiable Stakeholders
- Multiple Hearings to allow for robust community, Staff, and City Attorney inputs + Discussion
- ENHANCE/EMPOWER City Attorney & Staff participation to ensure meaningful input, without requirement for formal reports
- Committee Schedule (set early October) will help ensure the right staff/attorneys are present for each item
- *Consider how to obtain/integrate input from Commissions*

# PRIORITIZATION – SPECIAL *BACKLOGGED QUEUE*

Need a one-time process to “clear the backlog” of Major Items *currently* in queue. Suggest sending all pending (but not initiated) items to Policy Committees for review to suggest:

- Merging items and/or Updating Referrals
- Re-approval of items “as is”
- Recommendation to Sunset/Remove moot items
- Recommend disposition of all items, ranked By Lead Department
- Council reviews and approves Committee recommendations for consolidation, removal, restatement, and re-support of items
- May need some criteria - to ensure all council members get at least some of their priorities addressed
- May also include consideration of an RRV- or other kind of prioritization by full Council, organized by Lead Department and/or holistically

# PRIORITIZATION – REGULAR

## *YEARLY QUEUE*

- Enhanced Committee process should result in fewer or no backlogs and items implemented in a reasonable timeframe
- Prioritization becomes less of a BIG ISSUE

### **Prioritization in a rationalized system:**

- More fully conceived and vetted items
- Committee scoring and/or ranking of items at end of Committee Season
- Council Ranking of items by Lead Department and Overall

# Need Process & Criteria for funding Items at AA01 and AA02

## *High Level Suggestions – need input from Budget & Finance*

- Only Time Critical and Rollover (previously approved but unfunded) items considered - *same rule for Council and City Manager items*
- Not all extra funds (if any) get allocated - reservation for the annual budget process so funds are available for Council initiatives going through yearly legislative process
- AA01 and 02 only for one-time and/or time sensitive needs, except special circumstances

# IMPLEMENTATION

Once Major Item is passed + funded, move to Implementation

- **Implementation Lead** is assigned by City Manager – *Single Individual* Responsible for managing and ensuring implementation
- **Implementation Team** assembled by Lead + City Manager
- **Consult with Author(s)** to clarify intentions, sketch timelines, discuss opportunities, ideas, challenges
- Implementation Team prepares **LAUNCH** and **OPERATING** Plans
  - **LAUNCH** elements + Timeline
  - **OPERATING** Plan
- Long term/ongoing operation of program/policy

# DISCUSSION + QUESTIONS



## APPENDIX B. GUIDELINES FOR DEVELOPING AND WRITING COUNCIL AGENDA ITEMS

These guidelines are derived from the requirements for Agenda items listed in the Berkeley City Council Rules of Procedure and Order, Chapter III, Sections B(1) and (2), reproduced below. In addition, Chapter III Section C(1)(a) of the Rules of Procedure and Order allows the Agenda & Rules Committee to request that the Primary Author of an item provide “additional analysis” if the item as submitted evidences a “significant lack of background or supporting information” or “significant grammatical or readability issues.”

These guidelines provide a more detailed and comprehensive overview of elements of a complete Council item. While not all elements would be applicable to every type of Agenda item, they are intended to prompt Authors to consider presenting items with as much relevant information and analysis as possible.

Chapter III, Sections (B)(1) and (2) of Council Rules of Procedure and Order:

2. Agenda items shall contain all relevant documentation, including the following as Applicable:
  - a. A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested;
  - b. Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information;
  - c. Recommendation of the City Manager, if applicable (these provisions shall not apply to Mayor and Council items.);
  - d. Fiscal impacts of the recommendation;
  - e. A description of the current situation and its effects;
  - f. Background information as needed;
  - g. Rationale for recommendation;
  - h. Alternative actions considered;
  - i. For awards of contracts; the abstract of bids and the Affirmative Action Program of the low bidder in those cases where such is required (these provisions shall not apply to Mayor and Council items.);
  - j. Person or persons to contact for further information, with telephone number. If the Primary Author of any report believes additional background information, beyond the basic report, is necessary to Council understanding of the subject, a separate compilation of such background information may be developed and copies will be available for Council and for public review in the City Clerk Department, and the City Clerk shall provide limited distribution of such background information depending upon quantity of pages to be duplicated. In such case the agenda item distributed with the packet shall so indicate.

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Guidelines for City Council Items:

1. Title
  2. Consent/Action/Information Calendar
  3. Recommendation
  4. Summary Statement/Current situation and its effects
  5. Background
  6. Review of Existing Plans, Programs, Policies and Laws
  7. Actions/Alternatives Considered
  8. Consultation/Outreach Overview and Results
  9. Rationale for Recommendation
  10. Implementation, Administration and Enforcement
  11. Environmental Sustainability
  12. Fiscal Impacts
  13. Outcomes and Evaluation
  14. Contact Information
  15. Attachments/Supporting Materials
- 

**1. Title**

A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested.

**2. Consent/Action/Information Calendar**

Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information.

**3. Recommendation**

Clear, succinct statement of action(s) to be taken. Recommendations can be further detailed within the item, by specific reference.

Common action options include:

- Adopt first reading of ordinance
  - Adopt a resolution
  - Referral to the City Manager (City Manager decides if it is a short term referral or is placed on the RRV ranking list)
  - Direction to the City Manager (City Manager is directed to execute the recommendation right away, it is not placed on any referral list)
  - Referral to a Commission or to a Standing or Ad Hoc Council Committee
  - Referral to the budget process
  - Send letter of support
  - Accept, Approve, Modify or Reject a recommendation from a Commission or Committee
  - Designate members of the Council to perform some action
-

**4. Summary Statement/ “Current situation and its effects”**

A short resume of the circumstances that give rise to the need for the recommended action(s).

- Briefly state the opportunity/problem/concern that has been identified, and the proposed solution.
- Example (fictional):  
*Winter rains are lasting longer than expected. Berkeley’s winter shelters are poised to close in three weeks, but forecasts suggest rain for another two months. If they do not remain open until the end of the rainy season, hundreds of people will be left in the rain 24/7. Therefore, this item seeks authorization to keep Berkeley’s winter shelters open until the end of April, and refers to the Budget Process \$40,000 to cover costs of an additional two months of shelter operations.*

**5. Background**

A full discussion of the history, circumstances and concerns to be addressed by the item.

- For the above fictional example, Background would include *information and data about the number and needs of homeless individuals in Berkeley, the number and availability of permanent shelter beds that meet their needs, the number of winter shelter beds that would be lost with closure, the impacts of such closure on this population, the weather forecasts, etc.*

**6. Review of Existing Plans, Programs, Policies and Laws**

Review, identify and discuss relevant/applicable Plans, Programs, Policies and Laws, and how the proposed actions conform with, compliment, are supported by, differ from or run contrary to them. What gaps were found that need to be filled? What existing policies, programs, plans and laws need to be changed/supplemented/improved/repealed? What is missing altogether that needs to be addressed?

Review of all pertinent/applicable sections of:

- The City Charter
- Berkeley Municipal Code
- Administrative Regulations
- Council Resolutions
- Staff training manuals

Review of all applicable City Plans:

- The General Plan
- Area Plans
- The Climate Action Plan
- Resilience Plan
- Equity Plan

- Capital Improvements Plan
- Zero Waste Plan
- Bike Plan
- Pedestrian Plan
- Other relevant precedents and plans

Review of the City's Strategic Plan

Review of similar legislation previously introduced/passed by Council

Review of County, State and Federal laws/policies/programs/plans, if applicable

## 7. Actions/Alternatives Considered

- What solutions/measures have **other jurisdictions** adopted that serve as models/cautionary tales?
- What solutions/measures are recommended by **advocates, experts, organizations**?
- What is the range of actions considered, and what are some of their major pros and cons?
- Why were other solutions not as feasible/advisable?

## 8. Consultation/Outreach Overview and Results

- Review/list external and internal stakeholders that were consulted
  - **External:** constituents, communities, neighborhood organizations, businesses and not for profits, advocates, people with lived experience, faith organizations, industry groups, people/groups that might have concerns about the item, etc.
  - **Internal:** staff who would implement policies, the City Manager and/or deputy CM, Department Heads, City Attorney, Clerk, etc.
- What reports, articles, books, websites and other materials were consulted?
- What was learned from these sources?
- What changes or approaches did they advocate for that were accepted or rejected?

## 9. Rationale for Recommendation

A clear and concise statement as to whether the item proposes actions that:

- Conform to, clarify or extend existing Plans, Programs, Policies and Laws
- Change/Amend existing Plans, Programs, Policies and Laws in **minor** ways
- Change/Amend existing Plans, Programs, Policies and Laws in **major** ways
- Create an exception to existing Plans, Programs, Policies and Laws
- Reverse/go contrary to or against existing Plans, Programs, Policies and Laws

Argument/summary of argument in support of recommended actions. The argument likely has already been made via the information and analysis already presented,

but should be presented/restated/summarized. Plus, further elaboration of terms for recommendations, if any.

**10. Implementation, Administration and Enforcement**

Discuss how the recommended action(s) would be implemented, administered and enforced. What staffing (internal or via contractors/consultants) and materials/facilities are likely required for implementation?

**11. Environmental Sustainability**

Discuss the impacts of the recommended action(s), if any, on the environment and the recommendation's positive and/or negative implications with respect to the City's Climate Action, Resilience, and other sustainability goals.

**12. Fiscal Impacts**

Review the recommended action's potential to generate funds or savings for the City in the short and long-term, as well as the potential direct and indirect costs.

**13. Outcomes and Evaluation**

State the specific outcomes expected, if any (i.e., "*it is expected that 100 homeless people will be referred to housing every year*") and what reporting or evaluation is recommended.

**14. Contact Information**

**15. Attachments/Supporting Materials**

Systems Realignment Matrix - Updated 10-3-2023

| Item Date                        | JM                                                                                                                                                                                                                                                                                                                                                                            | LM                                                                                                                                                                                                                          | LM                                                                                                                                                                                                                                                                                              | JM                                                                                                                                                                                                                                                                                                                                                                                                                           | LM                                                                                                                             | LM                                                                                                                                                                                                                                                                                                                                                     | JM                                                                                                                                                                                                                                                                            | JM                                                                                                                                                                                                                                                              |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  | City Manager's System's Realignment Proposal<br>4/26/2021                                                                                                                                                                                                                                                                                                                     | Droste Response<br>5/18/2021                                                                                                                                                                                                | Council Feedback from Work Session<br>5/18/2021                                                                                                                                                                                                                                                 | Hahn Proposal<br>6/15/2021                                                                                                                                                                                                                                                                                                                                                                                                   | Harrison Proposal<br>6/15/2021                                                                                                 | 2021 Council Feedback<br>6/15/2021                                                                                                                                                                                                                                                                                                                     | Droste BERIPE Plan<br>3/14/2023                                                                                                                                                                                                                                               | Hahn/City Clerk Proposal to A & R<br>10/10/2023                                                                                                                                                                                                                 |
| <b>Item Summary</b>              |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                 | Thesis: Legislative process should support Council in passing legislation of important local concerns and value-based issues with impact locally and more broadly. New legislation should be thoroughly researched, revised and vetted with input from stakeholders, the public, City Staff and Council colleagues. City staff contribute with increased levels of input and participation as the legislation moves forward. |                                                                                                                                | Thesis: Council recommendation was to review the proposal for systems alignment and provide edits and suggestions in order to compile Council feedback for the purpose of drafting a revised proposal for adoption. Sent back to A&R to prepare a new proposal and Council voices. No Councilmembers commented on the Consent Item during the meeting. |                                                                                                                                                                                                                                                                               | Thesis: Align with budget process, create consistency in process and proposal writing; ramp-up staff engagement as proposal moves through process. Create "seasons" (specific annual timeframes for development, policy committee, council and budget approval) |
| <b>Decisions/ Actions Taken</b>  | Thesis: Councilmembers to return with thoughts/proposals                                                                                                                                                                                                                                                                                                                      | Thesis: Supports CM Proposal. Recommends template adjustments to increase effectiveness and clarify reason for proposal and its recommendations and increase effectiveness.                                                 | Thesis: Mayor proposed and Council approved continuing the item to the June 15, 2021 regular meeting to allow Councilmembers to submit written comments for the public record.                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                 |
| <b>Process for Council Items</b> | A & R determines if Major Item<br>If not major, agendaized for Council meeting                                                                                                                                                                                                                                                                                                | Council Agenda Item Template recommended adjustments:<br>- add: Define the Problem<br>-Include Criteria Considered &<br>-Rationale for Recommendation<br>-Make Equity its own category<br>Sample red-lined template in item | Some Councilmembers expressed concern about the yearly April deadline for Major items because it would create stale items and/or limit ability to respond to the concerns of the moment. CM reminded public and Council that this process is just for the 15 -20 Major items drafted each year. | Guideline Format drives development of Council, City Manager or Commission proposals<br>All Major Items, regardless of where originated follow the prescribed process<br>Council is encouraged to consult with staff during proposal development but may wait until during the Committee process<br>CAO must provide preliminary review prior to initial submittal                                                           | Council Streamlines Existing Backlog of staff involved items through Policy Committees' review and recommendations to Council. | N/A                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                               | Built around June Budget Adoption<br>Divided into Seasons with deadlines for each phase                                                                                                                                                                         |
| <b>Major Item Definition</b>     | - Cannot be operationalized over time with existing resources<br>- Displaces an existing prioritized item<br>- Not implementable with existing resources<br>- Unable to sustain enforcement activities<br>- Subject to legal challenge and/or pre-emption<br>- Additional/new FTE on a temporary or permanent basis<br>- Additional or new infrastructure or technology costs |                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                 | Any law, program, or policy that represents a significant change or addition to existing law, program, or policy and/or is likely to call for or elicit significant study, analysis, or input from the community, staff or Council colleagues, and/or is likely to require significant new resources or staffing to implement.                                                                                               |                                                                                                                                | N/A                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                               | Definition required                                                                                                                                                                                                                                             |
| <b>Major Item Determination</b>  | A & R in consultation with CM<br>EXCEPTIONS:<br>- Grant deadlines<br>- Public Safety Issues<br>- Declared local emergencies<br>If exceptions granted, projects "in process" must be identified and delayed                                                                                                                                                                    | Major Item Determination Checklist<br>recommended adjustments:<br>Define "smaller" and "less impactful" and state how that is determined.                                                                                   |                                                                                                                                                                                                                                                                                                 | (see definition above)<br>Can originate from Councilmembers, City Manager (often as referral responses) or Commissions<br>A & R makes determination if a submittal is a Major Item - can be sent back to originator for more information and compliance with Guidelines                                                                                                                                                      | Should be determined by Policy Committees, not Agenda Committee, via objective determination. No determination criteria given. | N/A                                                                                                                                                                                                                                                                                                                                                    | N/A                                                                                                                                                                                                                                                                           | Submittal Season: Year round submittal September 30 cut off for consideration through process<br>Submittals reviewed by A & R for Major Item Determination and compliance with Guidelines                                                                       |
| <b>Major Item Deadline</b>       | A & R agenda prior to April 30 to be considered in legislative year<br>Agendaized at A & R on rolling basis                                                                                                                                                                                                                                                                   | none provided                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                 | none provided                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                | N/A                                                                                                                                                                                                                                                                                                                                                    | LIMITS NUMBER OF MAYOR ITEM SUBMITTALS<br>Councilmember limited to submitting 1 major legislative item or set of amendments to existing ordinances/yr<br>Mayor limited to submitting 2 major legislative items or set of amendments to existing ordinances/yr<br>DEADLINE TBD | September 30 for next fiscal year consideration                                                                                                                                                                                                                 |

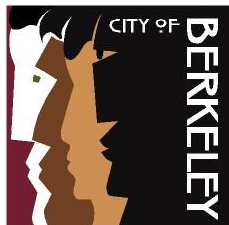
Systems Realignment Matrix - Updated 10-3-2023

| Item Date                 | JM                                                        | LM                                                                                                                                                                                                                                                                                     | LM                                                                                                                                                                                                                                | JM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | LM                                                                                                                                                                                                                              | LM                                                                                                                                              | JM                              | JM                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                   |
|---------------------------|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           | City Manager's System's Realignment Proposal<br>4/26/2021 | Droste Response<br>5/18/2021                                                                                                                                                                                                                                                           | Council Feedback from Work Session<br>5/18/2021                                                                                                                                                                                   | Hahn Proposal<br>6/15/2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Harrison Proposal<br>6/15/2021                                                                                                                                                                                                  | 2021 Council Feedback<br>6/15/2021                                                                                                              | Droste BERIPE Plan<br>3/14/2023 | Hahn/City Clerk Proposal to A & R<br>10/10/2023                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                   |
| Item Distinction/ Process | <b>Policy Committee Review</b>                            | Referred by A & R Reviewed for completeness and alignment with Strategic Plan goals. Commission review. Once approved for consideration moves to Implementation Conference                                                                                                             | Policy Committee Ranking Form recommended adjustments: -Use score rather than rank NOTE: CM presentation no longer recommends using the Ranking Form                                                                              | A & R makes determination if a proposal meets information in Guidelines prior to sending on to Committees - Author has right to appeal Committees plan a timeline for hearing over multiple meetings and identify stakeholders and experts to provide input. Committee meetings to discuss proposal should be taken in order of the required components of the Guidelines Staff agendized to engage in every discussion and provides budget resources needs for Launch and                                                                                                       | Policy Committees send their recommendation and finalized Implementation report to A & R for scheduling at Council.                                                                                                             | N/A                                                                                                                                             | N/A                             | Committee Season: October 1 - March 1 A & R - October: will require special meetings. determines completeness based on Major Items Guidelines edits must be completed by 3rd Friday in October in order to move to Committees Committees determine order of hearings, create calendar, group like items together, understand staffing impacts, follow Enhanced Review Process                                                                                              |                                                                                                                                                                   |
|                           | <b>Implementation Conference</b>                          | CM or designee, CAO, Department Head or designee Collaborate with author to detail fiscal and operational impacts. Implementation Conference outcomes to be incorporated into Concil Report (see detail in 4.26.21 proposal, p3)                                                       | Implementation Conference Worksheet recommended adjustments: -Reduce amount of redundant components and specify what impact means. -Include similar additions as Council Item Template. -See sample redlined template in the item | Timing for conference: Earlier timing, perhaps just after referred to policy committee, before the Committee takes it up.<br><br>Staff analysis: Former Auditor in her 2018 presentation talked about importance of Council needing a staff analysis, resource analysis and opportunity costs in their items. Councilmember noted incredible importance for Council to have this info before passing items. At the same time, don't want staff to spend too much time on an item that doesn't pass. Tension here.<br><br>Definitions: Council needs to be comfortable with them. | The Policy Committee would facilitate an Implementation Conference hearing(s) with City staff, the author, and Committee members in order to prepare an Implementation Report. This happens during the Policy Committee Review. | N/A                                                                                                                                             | N/A                             | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                   |
|                           | <b>Implementation Conference Deadline</b>                 | August 31                                                                                                                                                                                                                                                                              | No calendar deadline                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | No calendar deadline                                                                                                                                                                                                            | No calendar deadline. Rolling basis.                                                                                                            | N/A                             | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | N/A                                                                                                                                                               |
|                           | <b>Initial Prioritization</b>                             | July 31. Policy Committees make recs Submitted to City Council                                                                                                                                                                                                                         | Sunset current RRV process Committee to "score" each proposal                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                 | Prioritized on rolling basis. Upon Council adoption, the budget aspect of the item would proceed to either the June or November budget process. | N/A                             | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | ONE TIME clearing of backlog on current list of projects                                                                                                          |
|                           | <b>Council Approval and Final Prioritization</b>          | October Council Calendar Council approval, prioritization, assign fiscal year for implementation, identify removal of items that new initiatives will replace If Council does not approve, item can be reintroduced the following year November 30 deadline for all major item actions | Sunset current RRV process Committee to "score" each proposal                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Author revises proposal to include required changes/clarifications and resources required for Launch and Implementation                                                                                                         | Council approves before item goes through budget process.                                                                                       | N/A                             | Council prioritizes all new legislative submittals through RRV process. Year 1 ONLY: Combine new legislative submittals and outstanding/incomplete items for prioritization through RRV process. Council and staff should determine what can be reasonably accomplished by staff based on RRV outcome and delete those projects that did not rise to top of priorities and cannot be accomplished. Year 2 and ongoing: Only new legislative submittals will be prioritized | Council Season: Feb 1 - April 30 CAO must confirm compliance with Ordinances<br><br>Prioritization: Council and Committee prioritize and send to Budget Committee |



Systems Realignment Matrix - Updated 10-3-2023

| Item Date                              | JM                                                                                                                                                                                                                                                                       | LM                                 | LM                                              | JM                                                                                                               | LM                                                         | LM                                 | JM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | JM                                                                                                                                                                                                                                                                                   |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        | City Manager's System's Realignment Proposal<br>4/26/2021                                                                                                                                                                                                                | Droste Response<br>5/18/2021       | Council Feedback from Work Session<br>5/18/2021 | Hahn Proposal<br>6/15/2021                                                                                       | Harrison Proposal<br>6/15/2021                             | 2021 Council Feedback<br>6/15/2021 | Droste BERIPE Plan<br>3/14/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Hahn/City Clerk Proposal to A & R<br>10/10/2023                                                                                                                                                                                                                                      |
| <b>Budget &amp; Strategic Planning</b> | December/January<br>Staff to incorporate approved items into Budget/workplan ranked by priority<br><b>January - March</b><br>Council and Staff revise the budget based on department presentations to BC<br><b>May/June</b><br>Budget hearings, adjustments and adoption |                                    |                                                 | Budget Implementation Conference: approves moving toward implementation or implementation is declined to proceed | Council approved items go through the next budget process. | N/A                                | (see note above)<br>Budget referrals and allocations must be explicitly tied to previously established or approved policy program, planning/strategy document and/or external funding opportunity related to one of these.<br><br>No budget referral can directly fund a specific organization or event. Organizations receiving City funding must submit application that includes civic goals/purposes, previous funding history and quantitative/qualitative results/outcomes. Funding greater than \$20,000 must include data on number of persons served and other outcomes. | Budget Season: May 1 - June 30<br>Council prioritization to Budget committee not binding. Budget Committee makes recommendations to full Council<br>Funded Council approved items move to Implementation<br>Unfunded Council approved items rollover to future funding opportunities |
| <b>Implementation</b>                  |                                                                                                                                                                                                                                                                          |                                    |                                                 |                                                                                                                  |                                                            | N/A                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | July (Month 1 of new fiscal year)<br>Implementation Lead and Team assigned<br>Meeting with Authors for clarity, timelines, challenges<br>Implementation Team prepared Launch and Operational Plans                                                                                   |
| <b>Tools</b>                           | Council Item template outlining required information<br>Major Item checklist<br>Implementation Conference Worksheet<br>Major Item Deadline: April 30                                                                                                                     | Major Item Determination Checklist | Policy Committee Ranking Form                   | Guidelines for Proposals/Council Items                                                                           | Alternate Systems Alignment Proposal flowchart.            | N/A                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Major Items Guidelines Format<br>Enhanced Review Process                                                                                                                                                                                                                             |
| <b>Consolidated Yearly Cycle</b>       | <b>Implementation Conference</b><br>Deadline: August 31<br><b>Council Prioritization</b><br>Deadline: July 31<br><b>Council Approval Deadline:</b><br>November 30<br><b>Budget Cycle:</b> January -                                                                      | none addressed                     | N/A                                             | none addressed                                                                                                   | Rolling basis rather than yearly cycle.                    | N/A                                | Based on "to be established" deadline to align with RRV process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Submittal Season:</b> Year round with August 1 deadline for next fiscal year consideration<br><b>Committee Season:</b> Sept 1 - January 30<br><b>A &amp; R and council committee review</b><br><b>Council Season:</b> Feb 1 - April 30<br><b>Budget Season:</b> May 1 - June 30   |
| <b>Recommendations</b>                 | 1 - Staff input in legislative drafting is important                                                                                                                                                                                                                     |                                    |                                                 |                                                                                                                  |                                                            |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                      |
| <b>Consensus</b>                       | 1 - Different timelines for different types of items (some staggered, some ongoing)                                                                                                                                                                                      |                                    |                                                 |                                                                                                                  |                                                            |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                      |
| <b>Variable Differences</b>            | 1 - What impact does this have on the RPP process? What needs to change? What limits revisions to a systems redesign process?                                                                                                                                            |                                    |                                                 |                                                                                                                  |                                                            |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                      |
| <b>Outstanding Questions</b>           |                                                                                                                                                                                                                                                                          |                                    |                                                 |                                                                                                                  |                                                            |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                      |



Office of the City Manager

## BACKGROUND MATERIAL

The following documents were previously submitted to the City Council for consideration, and are being provided with this item as background material.

The City Manager has removed staff's Systems Alignment Proposal from consideration. It is included in this attachment for reference and context.

Attachments:

### March 14, 2023 Council Meeting

1. Bureaucratic Effectiveness and Referral Improvement and Prioritization Effort (BE RIPE)
  - a. Report – Submitted by Councilmember Droste

### June 15, 2021 Council Meeting

2. Systems Alignment Proposal
  - a. Supplemental Material – Submitted by Councilmember Hahn
  - b. Supplemental Material – Submitted by Councilmember Harrison
  - c. Report – Submitted by City Manager

### May 18, 2021 Council Meeting

3. Systems Alignment Proposal
  - a. Supplemental Material – Submitted by Councilmember Droste
  - b. Presentation – Submitted by City Manager
  - c. Report – Submitted by City Manager



Lori Droste  
Councilmember, District 8

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Action Calendar  
March 14, 2023

**To:** Honorable Mayor Jesse Arreguín and Members of the City Council

**From:** Councilmember Lori Droste

**Subject:** Bureaucratic Effectiveness and Referral Improvement and Prioritization Effort (BE RIPE)

### **Recommendation**

In order to ensure that the City focuses on high-priority issues, projects, and goals and affords them the resources and funding such civic efforts deserve, the City Council should consult with the City Manager's Office to develop and adopt a suite of revisions to the City Council Rules of Procedure and Order that would implement the following provisions:

1. Beginning in 2023, Councilmembers shall submit no more than one major legislative proposal or set of amendments to any existing ordinance per year, with the Mayor permitted to submit two major proposals, for a maximum of ten major Council items per year.
2. In 2023 and all future years, Councilmembers shall be required to submit major items before an established deadline. Council shall then prioritize any new legislative items as well as any incomplete major items from the previous year using the Reweighted Range Voting (RRV) process. This will help establish clear priorities for staff time, funding, and scheduling Council work sessions and meetings. For 2023 alone, the RRV process should include outstanding/incomplete Council items from all previous years. In 2024 and thereafter, the RRV process should only incorporate outstanding/incomplete major items from the prior year. However, Councilmembers may choose to renominate an incomplete major policy item from an earlier year as their single major item.
3. During deliberations at a special worksession, Council retreat, and/or departmental budget presentations, Council and the City Manager should develop a work plan that establishes reasonable expectations about what can be accomplished by staff given the list of priorities as ranked by RRV. Council should also consult with the City Manager and department heads, particularly the City Attorney's office, Planning Department, and Public Works Department on workload challenges (mandates outside Council priorities, etc.), impacts, reasonable staff output expectations, and potential corrective actions to ensure that mandated deadlines are met, basic services are provided, and policy proposals are effectively implemented.
4. Budget referrals and allocations from City Council must be explicitly related to a previously established or passed policy/program, planning/strategy document, and/or an external funding opportunity related to one of these. As a good government practice, councilmembers and the Mayor may **not** submit budget referrals which direct funds to a

specific organization or event. Organizations which receive City funding must submit at least annually an application detailing, at a minimum: the civic goal(s)/purpose(s) for which City funds are used, the amount of City funding received for each of the preceding five years, and quantitative or qualitative accounting of the results/outcomes for the projects that made use of those City funds. Organizations receiving more than \$20,000 in City funds should be required to provide quantitative data regarding the number of individuals served and other outcomes.

5. Ensuring that any exceptions to these provisions are designed to ensure flexibility in the face of an emergency, disaster, or urgent legal issue/liability and narrowly tailored to be consistent with the goals of enhanced efficiency, effectiveness, fairness, and focus.

### **Policy Committee Recommendation**

On February 14, 2023, the Agenda and Rules Committee adopted the following action: M/S/C (Hahn/Arreguin) to send the item to the City Council with a Qualified Positive Recommendation to refer the relevant concepts of the original item to the Agenda & Rules Committee for consideration under the existing committee agenda item regarding enhancements to the City's legislative process. Vote: All Ayes.

### **Current Situation and Its Effects**

Over the past few years (excluding the COVID-19 state of emergency), City Council has grappled with potential options to reduce the legislative workload on the City of Berkeley staff. While a significant portion of this workload is generated from non-legislative matters and staffing vacancies, it is important to recognize that staff also continue to struggle to keep up with Council directives while still accomplishing the City's core mission or providing high quality public infrastructure and services.

### **Background and Rationale**

Berkeley faces an enormous staffing crisis due in part to workload concerns; as such, Council should take steps to hone its focus on legislative priorities. [November 2022's Public Works Off-Agenda Memo](#) offers a benchmark for problems faced by City departments. Public Works staff struggles to complete its top strategic plan projects, respond to audit findings, and provide basic services, in addition to fulfilling legislative priorities by Council. While the "Top Goals and Priorities" outlined by Public Works is tied to 130+ directives by the City Council, it is not reasonable to assume that all will be implemented.

The challenges faced by the Public Works department are not an anomaly. Other departments share the same challenges. In addition to needing to ensure that the City can adopt a compliant state-mandated Housing Element, process permits, secure new grant funding, mitigate seismic risks, and advance our Climate Action Plan, Planning Department staff have been tasked with addressing multiple policy proposals from the City Council. The sheer number of referrals also impacts the ability of staff in the City Attorney's office to vet all ordinances, protect the City's interests, participate in litigation, and address the City's other various legal needs.

### **Best Practices**

A number of nearby, similarly-sized cities were contacted to request information about how these cities approach Councilmember referrals and prioritizations processes. Cities contacted

included Richmond, Vallejo, Santa Clara, Concord, and Sunnyvale. Of these cities, Santa Clara, Concord, and Sunnyvale replied.

### **Santa Clara**

Overall, Santa Clara staff indicated that—similar to Berkeley—the Council referrals and prioritization process is not especially formalized, with additional referrals being made outside of the prioritization process.

Each year, the Council holds an annual priority setting session at which the Council examines and updates priorities from the previous year and considers what progress was made toward those priorities. The prioritization process takes place in February so that any priorities that rise to the top may be considered for funding ahead of the budget process. In any given year, some priorities may go unfunded and even holding those priorities over to a second year is not necessarily a guarantee of funding.

Despite conducting this annual prioritization exercise, Councilmembers in Santa Clara often still do bring forward additional referrals outside of this process. Part of this less restricted approach in Santa Clara's 030 ("zero thirty") policy, which allows members of the the City Council to add items to the Council agenda with sufficient notice and even allows members of the public to petition to have items added to a special section of the Council agenda.

Despite the overall looseness of Santa Clara's approach. Council members still rely upon staff to provide direction with respect to what priorities are or are not feasible based upon available funding and staff bandwidth.

### **Concord**

According to Concord City staff, although Concord—like Berkeley and Santa Clara—does have a process for Councilmembers to request items be added to Council agendas, Councilmembers generally agree not to add referrals outside of the formal priority-setting process.

Concord City staff only work on "new" items/policies that are mandated by law, recommended by the City Manager, and have been recommended for review/work of some kind by a majority (three of the five members) of the City Council.

In general, Councilmembers agree to not add work items outside of the Council's formal priority setting process. The Concord City Council has a once-a-year goal setting workshop each spring where the City plans its Tier 1 and Tier 2 priorities for the year (or sometimes for a 2-year cycle). Most Councilmembers abide by this process and refrain from bringing forward additional items. However any Councilmember may put forward a referral outside of the process and use the method outlined below.

Outside of the prioritization process, Councilmembers can request that their colleagues (under Council reports at any Council meeting) support placing an item on a future Council meeting agenda for a discussion. The Concord City Attorney has advised councilmembers that they can make a three sentence statement, e.g. "I would like my colleagues' support to agendize [insert item]" or "to send [insert item] to a Council standing committee for discussion." Followed by: "This is an important item to me or a timely item for the Council because [insert reasoning]. Do I have your support?" The other Councilmembers then cannot engage in any detailed discussion or follow up, but may only vote yes or no to agendizing the item.

If two of the Councilmember's colleagues (for a total of 3 out of 5) agree to the request to have the item agendized for a more detailed discussion by Council, then the item will be added to a future agenda for fuller consideration. An additional referral outside the prioritization process is suggested perhaps once every month in Concord, but the Concord City Council usually does not provide the majority vote to agendize these additional items.

### **Sunnyvale**

Of all the cities surveyed, Sunnyvale has the most structured approach for selecting, rating, and focusing on City Council priorities. "Study issues" require support from multiple councilmembers before being included in the annual priority setting, and then must go through a relatively rigorous process to rise to the top as Council priorities. And, perhaps most importantly, policy changes *must* go through the priority setting process to be considered. The Sunnyvale City Council's Policy 7.3.26 Study Issues reads, in part:

*Any substantive policy change (large or relatively small) is subject to the study issues process (i.e. evaluated for ranking at the Council Study Issues Workshop).*

*Policy related issues include such items as proposed ordinances, new or expanded service delivery programs, changes to existing Council policy, and/or amendments to the General Plan. Exceptions to this approach include emergency issues, and urgent policy issues that must be completed in the short term to avoid serious negative consequences to the City, subject to a majority vote of Council.*

If a study issue receives the support of at least two Councilmembers, the issue will go to staff for the preparation of a study issue paper. Council-generated study issues must be submitted to staff at least three weeks ahead of the priority-setting session, with an exception for study issues raised by the public and carried by at least two Councilmembers, if the study issues hearing takes place less than three weeks before the priority setting.

At the Annual Study Issues Workshop, the Council votes whether to rank, defer, or drop study issues. If a majority votes to drop the issue, it may not return the following year; if the issue is deferred, it returns at the following year's workshop; and if a majority votes to rank an issue, it proceeds to the ranking process. Sunnyvale's process uses "forced ranking" for "departments" with ten or fewer issues and "choice ranking" for departments with eleven or more issues. (The meaning of "departments" and the process for determining the number of issues per department are not elucidated within the policy.) Forced ranking involves assigning a ranking to every policy within a given subset, while choice ranking only assigns a ranking to a third of policies within a given subset, with the others going unranked.

After the Council determines which study issues will be moving forward for the year based on the rankings, the City Manager advises Council of staff's capacity for completing ranked issues. However, if the Council provides additional funding, the number of study issues addressed may be increased.

In 2022, Sunnyvale had 24 study issues (including 17 from previous years and only 7 new ones) and **zero** budget proposals. Although Sunnyvale does consider urgency items outside the prioritization process, this generally happens only 1 to 3 times per year and usually pertains to highly urgent items, such as gun violence.

### **Status Quo and Its Effects**

Council currently uses a reweighted range proportional representation voting method to determine which priorities represent both a) a consensus and b) district/neighborhood concerns. This process allows Council to coalesce around a particular common area of concern; but if there is a specific neighborhood or district issue that is not addressed by Council consensus, it also allows for that district's councilmember's top priority to be elevated in the ratings even without broad consensus, so long as there are not multiple items designated as that councilmember's "top" item. More information about this process can be found [here](#). This [system was established](#) in 2016 due to the sheer amount of referrals by Council and the lack of cohesive direction on which of the 100+ referrals the City Manager should act upon.

Subsequent to this effort, Council created a "short-term referral" pool which was intended to be light-lift referrals that could be accomplished in less than 90 days. However, that designation was always intended to be determined by the City Manager, not Council, with respect to what was operationally feasible in terms of the 90 day window. The challenge with Council determining what is a short-term referral is that it is not always realistic given other duties that the staff has to attend to and inappropriate determinations can stymie work on other long term priorities if staff have to drop everything they are doing to attend to an "short-term" or "emergency" referral.

An added challenge is that the City Auditor [reported in 2018](#) that the City of Berkeley's Code Enforcement Unit (CEU) had insufficient capacity to enforce various Municipal Code provisions. This was due to multiple factors, including understaffing—some of which have since improved. Nevertheless, the City Auditor wrote,

*"Council passes some ordinances without fully analyzing the resources needed for enforcement and without understanding current staffing capacity. In order to enforce new ordinances, the CEU must take time away from other enforcement areas. This increases the risk of significant health and safety code violations going unaddressed. It also leads to disgruntled community members who believe that the City is failing to meet its obligations. This does not suggest that the new ordinances are not of value and needed. Council passes policy to address community concerns. However, it does mean that the City Council routinely approves policy that may never result in the intended change or protections."*

Subsequent to that report, [an update](#) was published in September of 2022. A staffing and resource analysis for Code Enforcement is still needed to ensure that the laws Council passes can be implemented.

### **Fiscal Impacts**

These reforms are likely to result in significant direct savings related to reduced staff time/overtime as well as potential decreases to costs associated with the recruitment/retention of staff.

### **Alternatives Considered**

Alternatives were considered using effectiveness and efficiency as the evaluative criteria for referrals. One missing criterion that will be necessary in developing this process will be operational considerations so the City of Berkeley can continue to deliver basic services in an efficient manner.



*All-Council determination*

Council could vote *as a body* on the top 10 legislative priorities. The drawback of this method is that it, by default, eliminates any remaining priorities that have been passed by Council. It also eliminates “minority” voices which may disproportionately impact neighborhood-specific concerns as the remainder of the Council may not value district-specific concerns outside of their council district.

*Councilmember parameters*

Councilmembers could select their top two legislative priorities (as a primary author) for the year and the Mayor could select four legislative priorities for the year for a total of 10 legislative priorities per year. These “legislative priorities” would not include resolutions of support, budget referrals for infrastructure or traffic mitigations or other non-substantive policy items.....

*Status Quo Sans Short-Term Referrals*

The status quo of rating referrals is the fairest and most equitable if Council wishes to continue to pass the same quantity of referrals; however, it does not address the overall volume and that certain legislative items skip the prioritization queue due to popularity or perceived community support. Council enacts ordinances that fall outside of the priority setting process and designates items as short-term referrals. This loophole has made this process a bit more challenging. One potential option is to continue the prioritization process but eliminate the short-term referral option unless it is undeniably and categorically an emergency or time-sensitive issue.

**Contact Person**

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**Attachments**

Update on Public Works’ Goals, Projects, Measures, and Challenges



Office of the City Manager

November 15, 2022

To: Honorable Mayor and Members of the City Council  
 From: *DWR* Dee Williams-Ridley, City Manager  
 Re: Update on Public Works' Goals, Projects, Measures, and Challenges

This memo shares an update on the department's *Performance Measures* and *FY 2023 Top Goals and Projects*, and identifies the department's highest priority challenge. I am proud of this department's work, its efforts to align its work with City Council's goals, and the department's dedication to improving project and program delivery.

#### *Performance Measures*

The department's performance measures were first placed on the department's website (<https://berkeleyca.gov/your-government/about-us/departments/public-works>) in 2020. They are updated annually in April. Progress continues in preventing trash from reaching the Bay, reducing waste, increasing bike lane miles, reducing the City fleet's reliance on gas, increasing City-owned electric chargers, expanding acres treated by green infrastructure, and reducing the sidewalk repair backlog. Challenges remain with the City's street condition and safety.

#### *Top Goals and Projects*

Public Works' top goals and projects are also on the department's website (<https://berkeleyca.gov/your-government/about-us/departments/public-works>). Department goals are developed annually. This year, after reviewing the 130+ directives from open City Council referrals, FY 2023 adopted budget referrals, audit findings, and strategic plan projects, staff matched existing resources with City Council's direction and the ability to deliver on this direction while ensuring continuity in baseline services.

The *FY 2023 Top Goals and Projects* is staff's projection of the work that the department has the capacity to advance this fiscal year. This list is intended to be both realistic and a stretch to achieve. More than three-quarters of the work on the *FY 2023 Top Goals and Projects* is tied to the existing 130+ directives from City Council referrals, budget referrals, audit findings, and strategic plan projects. The remainder are initiatives internal to the department aimed at increasing effectiveness and/or improving baseline services.

Public Works conducts quarterly monitoring of progress on the goals and projects, and status updates are shared on the department's website using a simple status reporting

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November 15, 2022

Re: Update on Public Works' Goals, Projects, Measures, and Challenges

procedure. Each goal or project is coded green, yellow, or red. A project coded green is either already completed or is on track and on budget. A project in yellow is at risk of being off track or over budget. A project in red either will not meet its milestone for this fiscal year or is significantly off track or off-budget. Where a project or goal has multiple sub-parts, an overall status is color-coded for the numbered goal and/or project, and exceptions within the subparts are identified by color-coding. Quarter 1's status update is [here](#). The 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarter results will be posted at the same location.

### *Challenge*

Besides the volume of direction, the most significant challenge in delivering on City Council's directions is the department's high vacancy rate. The Public Works Department is responsible for staff retention and serves as the hiring manager in the recruitment and selection process. Both retention and hiring contribute to the department's vacancy rate, and the department collaborates closely with the Human Resources Department to reduce the rate. Over the last year, the vacancy rate has ranged from 12% to 18%, and some divisions, such as Equipment Maintenance (Fleet), Transportation,<sup>1</sup> and Engineering, have exceeded 20%. While the overall vacancy rate is lower than in Oakland and San Francisco, it is higher than in Public Works Departments in Alameda, Albany, Emeryville, and San Leandro.

The high vacancy rate obviously reduces the number of services and projects that staff can deliver. It leaves little room for new direction through the course of the fiscal year and can lead to delays and diminished quality. It also detracts from staff morale as existing staff are left to juggle multiple job responsibilities over long periods with little relief. The department's last two annual staff surveys show that employee morale is in the lowest quarter of comparable public agencies and the vacancy rate is a key driver of morale.

Attachment 1 offers an excerpted list of programs and projects that the department is unable to complete or address in this fiscal year due to the elevated vacancy rate and/or the volume of directives.

Attachment 1: Selected list of program, project, referral, and audit finding impacts

cc: Paul Buddenhagen, Deputy City Manager  
 LaTanya Bellow, Deputy City Manager  
 Jenny Wong, City Auditor  
 Mark Numainville, City Clerk  
 Matthai Chakko, Assistant to the City Manager

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<sup>1</sup> Three of the City's five transportation planner positions will be vacant by December 3. Before January 1, 2023, the City Manager will share an off agenda memo that explains the impact of transportation-specific vacancies on existing projects and programs.

## **Attachment 1: Selected list of program, project, referral, and audit finding impacts**

### *Project and Program Impacts*

- Major infrastructure planning processes are 6+ months behind schedule, including comprehensive planning related to the City's Zero Waste goal, bicycle, stormwater/watershed, sewer, and streetlight infrastructure.
- Some flashing beacon installations have been delayed for more than 18 months, new traffic maintenance requests can take 2+ months to resolve, and the backlog of neighborhood traffic calming requests stretches to 2019.
- The City may lose its accreditation status by the American Public Works Association because of a lack of capacity to gain re-accreditation.
- Some regular inspections and enforcement of traffic control plans for the City's and others' work in the right of way are missed.
- Residents experience missed waste and compost pickups as drivers and workers cover unfamiliar routes and temporary assignments.
- Illegal dumping, ongoing encampment, and RV-related cleanups are sometimes missed or delayed.
- The backlog of parking citation appeals has increased.
- Invoice and contracting approvals can face months-long delays.
- The Janitorial Unit has reduced service levels and increased complaints.
- Maintenance of the City's fleet has declined, with preventative maintenance happening infrequently, longer repair response times, and key vehicles being unavailable during significant weather events.

### *Prior Direction Deferred or Delayed*

- Referral: Expansion of Paid Parking (DMND0003994)
- Referral: Long-Term Zero Waste Strategy (DMND0001282)
- Referral: Residential Permit Parking (PRJ0016358)
- Referral: Parking Benefits District at Marina (DMND0003997)
- Referral: Prioritizing pedestrians at intersections (DMND0002584)
- Referral: Parking Districts on Lorin and Gilman (DMND0003998)
- Budget Referral: Durant/Telegraph Plaza, 12/14/2021
- Referral: Traffic Calming Policy Revision (PRJ0012444)
- Referral: Public Realm Pedestrianization Opportunities (PRJ0019832)
- Referral: Long-Term Resurfacing Plan (PRJ0033877)
- Referral: Street Sweeping Improvement Plan (DMND0002583)
- Audit: Leases: Conflicting Directives Hinder Contract Oversight (2009)
- Audit: Underfunded Mandate: Resources, Strategic Plan, and Communication Needed to Continue Progress Toward the Year 2020 Zero Waste Goal (2014)
- Audit: Unified Vision of Zero Waste Activities Will Help Align Service Levels with Billing and Ensure Customer Equity (2016)



**SOPHIE HAHN**

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## **SUPPLEMENTAL AGENDA MATERIAL**

### **for Supplemental Packet 2**

**Meeting Date:** June 15, 2021

**Item Number:** 3

**Item Description:** Systems Alignment Proposal

**Submitted by:** Councilmember Sophie Hahn

This Supplemental offers suggestions for a legislative process better aligned with the goal of creating and supporting meaningful and effective change. Our current system is strengthened by (1) supporting the completeness of Major Items as introduced by Authors by requiring adherence to the existing Guidelines, and (2) significantly strengthening the Committee process - to support robust analysis and community/stakeholder consultation and ensure items moving forward to Council include realistic estimates of resources required related to launch and implement new programs and policies.



**SOPHIE HAHN**

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CONSENT CALENDAR

June 15, 2021

To: Honorable Mayor and Members of the City Council  
From: Councilmember Sophie Hahn (Author)  
Subject: Systems Alignment Proposal

COMMENTS ON SYSTEMS REALIGNMENT

**My Frame for Systems Realignment: *Systems Aligned to Support Change***

We are in a time of rapid change both locally and globally. The impacts of climate change, globalization, and inequality; growing threats to democracy; and the rise of a new generation of leaders illustrate that change is both a fact and an imperative.

Berkeley has been and should continue to be on the cutting edge of that change, and our legislative processes as well as our City organization must be designed to do more than just manage the status quo, with change viewed as a threat, cost, or nuisance. *Our systems must be aligned to stimulate, support, and implement meaningful change across all sectors - quickly.*

With that framing in mind, I believe the legislative process in Berkeley should be designed to support Councilmembers and the Mayor in producing and passing legislation that addresses important local concerns as well as value-based issues with both local and broader impact. Some legislation may simply strengthen the City of Berkeley as an organization - improving the basic functions and services we provide to our community. Other legislation is designed to address city, community, regional, national, and sometimes global needs, values and priorities.

Because of the City's commitment to progressive and democratic principles and its role as a leader and innovator across many sectors, legislation will often push the envelope, which I believe requires a nimble, can-do City organization. While logistics, staffing, costs and other elements of feasibility and implementation are key to the ultimate success of any new policy or program, I view the exploration of these questions as a supporting rather than driving force for legislation; internal feasibility under the status quo should not be an end unto itself.



**Systems Aligned to Support Excellence and Effectiveness in Change:**

While I believe change is an imperative and innovation should be core to our City systems, I also know that not every idea brought forward is ultimately optimal, relevant, or feasible. We are much more than an incubator for ideas and concepts - we serve a real community and must balance a wide variety of needs and viewpoints with every decision we make. I believe our systems must therefore be aligned to ensure new programs and policies are thoroughly researched, revised, and vetted for Berkeley - to meet the needs of our community without overwhelming the City organization. If the Council has priorities for which funds or capacity are not currently available, we must identify resources to build capacity.

To achieve these goals in this frame, I envision a process wherein major items of legislation that begin with the well-researched and articulated proposals of one or a few councilmember/mayor-authors are progressively reviewed and improved with input from stakeholders, members of the public, City staff and Council colleagues.

The end result should be high quality, relevant, thoughtfully tailored and right-sized programs and policies accompanied by realistic assessments of the resources required for successful launch and implementation. City staff, with their subject matter expertise and knowledge of operations play a uniquely important role in contributing to legislative success, and should actively partner throughout the process, *with progressively increased levels of input and participation as legislation is moved forward.*

The adoption of Guidelines for legislative items and the implementation of the Committee system provide a good foundation. By clarifying expectations and improving the value we derive from our existing processes we can avoid bogging things down with too many steps.

The following are my suggestions for a legislative process better aligned with the goal of creating and supporting meaningful and effective change. Our current system is strengthened by (1) supporting the completeness of Major Items as introduced by Authors by requiring adherence to the existing Guidelines, and (2) significantly strengthening the Committee process - to support robust analysis and community/stakeholder consultation and ensure items moving forward to Council include realistic estimates of resources required related to launch and implement new programs and policies.

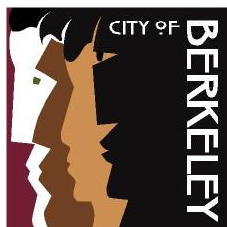
## Proposed Systems Alignment Improvements for Major Items:

| PROCESS ELEMENT                                                             | CONTENT                                                                                                                                                                                                                                                                                                                           | NOTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MAJOR ITEM SUBMISSION</b>                                                | <b><i>Strongly encourage Authors to present Major Items in the full Guidelines format, which prompts for deep research, analysis and consultation</i></b>                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Define Major Item</b>                                                    | Any law, program, or policy that represents a significant change or addition to existing law, program, or policy, and/or is likely to call for or elicit significant study, analysis, or input from the community, staff, or Council colleagues, and/or is likely to require significant new resources or staffing to implement . | Major items are, essentially, “Policy Committee Track” items (see Rules) that are routed to a Policy Committee because they are substantial. <i>The adoption of a definition for Major Items clarifies a practice that is already in place.</i><br><br>Some items are not “Major” because they propose less significant changes or additions to existing law, programs or policies. In addition, some Major Items may be routed directly to the City Council due to urgency (“Time Critical Track”). <i>All of this is already reflected in the Rules governing Policy Committees.</i> |
| <b>Major Item Routing</b>                                                   | Major items may originate with Councilmembers, the City Manager (often as referral responses), or Commissions. Major Items generally should be routed to a Committee to be reviewed by Committee members and, if necessary, revised, with input from stakeholders, the public, and City staff.                                    | Currently, only Councilmember/Mayor items are subject to review by Policy Committees. <i>The Rules should be amended to require all Major Items, regardless of where they originated, to be reviewed in Committee</i> unless they fall under the Time Critical Track or another exception.                                                                                                                                                                                                                                                                                             |
| <b>Make Guidelines Mandatory</b> for presentation of Major Items for review | Council/Mayor and Commission authors of Major Items should present their items in accordance with the Guidelines at Appendix B of the City Council Rules of Procedure and Order. Authors should make a good faith effort to undertake the research, analysis and consultation necessary to complete all sections in substance.    | Need to specify format for “non-Major” items.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Staff Consultation is encouraged, but not required</b> at the initial    | Councilmembers and the Mayor are encouraged to consult with Staff before presenting Major Items, but may choose to engage with staff later, through the Committee process.                                                                                                                                                        | Staff should keep confidential and seek to support the positive development of ideas and initiatives of electeds who reach out for initial                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                   |
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| development of a legislative item.                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                          | input. Concerns, if any, should be addressed with a problem-solving lens.                                                                                                                                                                                                                                                         |
| <b>City Attorney Consultation</b>                                                                                                                                               | Authors should submit Major Items for preliminary review by the City Attorney to determine if there are any legal implications - which may need to be addressed before the item is submitted or could be developed/addressed later. The author should state in the section on consultation that the City Attorney has been consulted.                                                                                    | Not all items have legal implications. The City Attorney's role at this juncture would be to identify whether there are legal considerations, or not. If there are, the Author can work with the City Attorney's office to determine if the issues can be avoided/addressed, or if the legislation may not be possible/advisable. |
| <b>Agenda Committee makes an initial determination</b> of whether an Item is "Major" and will be referred to a Committee, with input from the Author(s).                        | <i>This tracks the current practice</i> - except that with an adopted definition of a Major Item the determination to send an item to Committee will be made according to more clearly articulated, objective standards.                                                                                                                                                                                                 | Per the existing rules, proclamations, sponsorships, ceremonial and similar items; Time Critical Items; and "Policy Track" items that are complete and have minimal impacts are currently <i>not</i> referred to Committees. <i>This practice will be unchanged.</i>                                                              |
| The Agenda Committee may <b>require a Major Item not presented and/or fully rendered according to the Guidelines to be more amply developed</b> before being sent to Committee. | <p>Authors of Major Items should do substantial research, analysis, and consultation before sending them to a Committee for further input and development.</p> <p>The Agenda Committee should be authorized to request that a major item not presented according to the Guidelines, or not substantially meeting the requirements, be further developed by the Author(s) before being sent to Committee.</p>             | Analysis should go beyond diagnosing the problem to be solved and focus on explaining and understanding the specific solutions/policies/programs being proposed, as well as alternatives considered.                                                                                                                              |
| <b>Appeal/Override</b> of Agenda Committee recommendation to revise Major Item before submission to a Committee                                                                 | Authors should be offered the opportunity to discuss an Agenda Committee recommendation to rework a Major Item at the time the recommendation is made. If, after discussion, the lead author disagrees with the Agenda Committee's request for further elaboration according to the Guidelines, the item may be referred to a Committee "as is" with a note that the Agenda Committee had requested the item be revised. | Authors should have a means to appeal a decision of the Agenda Committee to send an item back to the author for revision/expanded research, analysis or consultation and still move their items forward if they disagree with the request.                                                                                        |
| <b>Major Items that are Complete</b> go to Committee (or items that are incomplete but subject to an override)                                                                  | <i>Per existing rules</i> , Major Items will be routed to a policy committee unless an exception applies.                                                                                                                                                                                                                                                                                                                | Exceptions are already listed in the Rules.                                                                                                                                                                                                                                                                                       |

| MAJOR ITEM COMMITTEE REVIEW                                                                                | <b><i>Clarify and significantly improve process and substance of Major Item review @ Committee, including development of a preliminary launch and implementation plan and associated costs</i></b>                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Committee hears Major Item more than once</b> - First hearing includes development of a plan for review | As a general matter, Committees should plan to schedule Major Items to be heard more than once. At the first hearing, the Committee should discuss the level of analysis and consultation envisioned, identify specific stakeholders and questions Committee members would like to explore, and sketch a process for moving the item forward over several Committee meetings.                                                                                                                                             | Depending on how complex and significant the Major Item appears to be, the Committee can plan out its process of review and consultation.                                                                                                                                                                                              |
| <b>Committee reviews specific elements</b> of the proposed Major Item                                      | <p>The Guidelines require, under bullets 5-9, (5) full background on the problem/issue to be addressed, (6) the existing regulatory/legal framework, (7) potential alternative solutions to address the identified concern, (8) consultation with stakeholders, and (9) a rationale for the recommendation.</p> <p>Each of these sections should be specifically agendized for discussion (can all be same day, but should be individually considered) to ensure robust consideration of the legislation as proposed.</p> | By requiring the Committee to focus on each of these elements as a baseline review, Committee members are encouraged to do a deep dive into the basis, rationales and alternatives for the Major Item.                                                                                                                                 |
| <b>Committee identifies and does specific outreach to Stakeholders and Experts</b>                         | <p>The “public” is always welcome at Committee Meetings. In addition to general public notice, the Committee in its first meeting to review a Major Item should identify stakeholders and experts who may have valuable input. If needed, those individuals/groups should be invited by the Committee to share their perspectives.</p> <p>Staff can support outreach to ensure identified stakeholders and experts are aware of the opportunity to comment.</p>                                                           | Sectors/individuals that are supported or otherwise impacted by new policies and programs are well positioned to provide useful comments and input for the Committee. Subject matter experts may also be helpful to hear from.                                                                                                         |
| <b>Staff input is agendized and includes preliminary review of Launch and Implementation</b>               | <p>Staff is encouraged to provide input and answer questions throughout the Committee process. Staff should be encouraged to volunteer comments and Committee Chairs should call on staff to ensure time is provided for their comments throughout the process. <i>In addition, a specific time for staff input should be agendized.</i></p> <p>The Staff presentation should include <i>preliminary review of staffing and budget/resource needs for both Launch and Implementation.</i></p>                             | Launching a new program or policy and running it are two different undertakings. Staff should specify what will need to be in place to LAUNCH (development of regulations, preparation of informational mailings, website updates, back-end systems, funding, etc. ) and to RUN/IMPLEMENT new programs and policies over the long run. |

|                                                                  |                                                                                                                                                                                                                                 |                                                                                                                                                                                                                         |
|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Manage/reduce <b>Staffing of Committees</b></p>               | <p>With a better articulated “plan” for Committee review of Major Items, staffing of meetings can be more closely managed to reduce waiting time for staff members/City Attorney when not needed for one or another matter.</p> | <p>Only need Clerk + Staff Lead - Chair can work with Staff Lead to bring other Staff into discussions on as-needed basis. The City Attorney may be able to be on standby for advice when presence is not required.</p> |
| <p>Major Item moves forward to Council (all recommendations)</p> | <p>Lead Author must revise/update item to include information about resources required for Launch and Implementation of the Major Item, and to reflect any other changes, before submission to City Council.</p>                |                                                                                                                                                                                                                         |
| <p>Major Item gets <b>passed by Council</b></p>                  | <p>Goes to Budget Implementation Conference, or vote no and it's over</p>                                                                                                                                                       |                                                                                                                                                                                                                         |



Kate Harrison  
Councilmember District 4

## REVISED AGENDA MATERIAL for Supplemental Packet 2

**Meeting Date:** June 15, 2021

**Item Number:** 3

**Item Description:** Systems Alignment Proposal

**Submitted by:** Councilmember Harrison

The attached item includes Councilmember Harrison's comments about the proposed Systems Alignment Proposal as well as an alternative proposal.

It is in the public interest that the Council consider this alternative proposal as part of the Mayor's development of a revised proposal for discussion and adoption at a later date.



Kate Harrison  
Councilmember District 4

CONSENT CALENDAR

June 15, 2021

To: Honorable Mayor and Members of the City Council  
From: Councilmember Harrison  
Subject: Comments and Alternative Systems Alignment Proposal

COMMENTS AND ALTERNATIVE PROPOSAL

At the October 2019 Council retreat, the Council and the City Manager discussed various approaches to better align the legislative process to budget and implementation resources. These considerations are important and merit Council consideration and possible action. However, the proposed solution from the City Manager would also limit the voice of the public and the Council by restricting the time period for Council referrals to only four months per year.

At a Worksession on May 18, 2021 dedicated to the Systems Alignment proposal, the Council heard overwhelming public comment strongly opposed to such an approach.

A better solution lies in reexamining and modifying certain elements of the Policy Committee process as opposed to overhauling fundamental elements of Council duties.

This Supplemental discusses the shortcomings of the proposal in greater detail and advances an alternative and simpler approach to “Systems Alignment” achieving the original objective of the October 2019 retreat without sacrificing and abdicating fundamental values and responsibilities.

**A. The Proposed Systems Alignment Proposal Unduly Limits Council Duties and Responsibilities Under the City Charter**

The City Charter provides that the City Council is the “governing body of the municipality” and “shall exercise the corporate powers of the City, and... be vested with all powers of legislation in municipal affairs adequate to a complete system of local government.”

However, the proposal subjects “new significant legislation” to a labyrinth of new bureaucratic processes that will invariably and unduly limit the democratic organ of city government—the City Council—which is directly answerable to the will of the people.



## Comments and Alternative Systems Alignment Proposal

The following list provides a non-comprehensive overview/discussion of the ways the current Systems Alignment Proposal could violate the letter and spirit of the Charter:

- The proposal limits Council from submitting “new significant legislation” to four months out of the year, effectively making the Council only responsive to the people’s “significant” needs on a part-time basis as any legislation that misses the deadline is inactive for the remainder of the year. Not only does this violate the necessity of providing the Council with “all powers of legislation in municipal affairs,” but it appears to contradict the voter’s will pursuant to Measure JJ, wherein they reaffirmed the scope and appropriate remuneration of Council’s myriad legislative and oversight responsibilities.
- The determination of which legislation will be subject to additional scrutiny and processes is based on *subjective* findings by the Agenda Committee in consultation with the City Manager. This is in contrast to alternative approaches, such as those adopted in other cities, which rely upon *objective* measures such as the consideration of a piece of legislation’s budgetary or staffing implications informed by thorough discussion and investigation by Policy Committees. Furthermore, pursuant to the Council’s historic rules of procedures, *subjective judgements* of legislation are appropriately the purview of the Council as a whole, not subcommittees. The current proposal adopts an inherently conservative and subjective framework that judges all legislation by whether it “represents a significant change or addition to existing law, program, or policy, or is likely to call for or elicit significant study, analysis, or input from staff.” Legislation meeting that definition is then subjected to lengthy bureaucratic processes of more than a year.

In short, the proposed framework stands in contrast to the current Policy Committee system, whereby subcommittees are tasked with improving the quality, thoroughness and comprehension of legislation, as opposed to a subjective consideration and determination of whether a given policy change is merited largely within the narrow confines of considering limited budget and staff resources.

- Under the Charter, the Council is responsible for adopting a biannual budget. However, the proposal limits Council’s ability to adopt significant new legislation with budget implications at only one of the two primary budget processes per year.
- Legislative consultation with City staff is absolutely necessary. But the proposal encourages authors to “initially consult[] with the City Manager or city staff regarding their proposed Major Item and [note] the substance of those conversations, and initial staff input” before the item is even introduced. This system could potentially create an inappropriate layer of staff power over Council legislative prerogative, a division that the Charter is very clear about.
- The proposal requires that items align with Strategic Plan goals. While these goals are important and represent a snapshot of Council and City Staff’s vision for the city, they do not necessarily represent the totality of the people’s will as expressed

through their elected representatives at any given time.

- The Council is artificially constrained from acting upon legislation receiving an unfavorable review at the Policy Committee level. Council is reduced to a choice between proceeding through the next phase, or to vetoing a matter for the remainder of the legislative calendar if a policy committee forwards a negative recommendation. Currently, under the committee system, items not acted upon in committee within 120 days are forwarded to the Council. In this way, the proposal violates the Charter by imposing unreasonable hurdles to the exercise of “all powers of legislation in municipal affairs adequate to a complete system of local government.”
- The proposal states that all significant legislation must be submitted by April 30, and City Council Policy Committees must complete review of all Major Items assigned to them no later than June 30 of each year. This raises the question of what the Council is engaged in for the majority of the year?
- Implementation Conferences, while a good idea, are currently crafted in a way that they will delay items unnecessarily and remove discussion of budgetary impacts from the substantive discussion by policy committees. Furthermore, the proposal imposes an artificial limit with respect to holding Implementation Conferences to once per year, which will further constrain the Council’s legislative obligations.
- After the implementation conference, Policy Committees are required to provide an additional subjective consideration of major items through prioritization. This is late in the life of an item. Additionally, under this proposal, the Council is expected to once again rank significant items as part of the RRV process (behind closed doors), despite the items having already endured the lengthy Systems Alignment process and final Council approval.
- When an item fails to receive Council approval, the author is barred from resubmitting it until the following year.

## **B. Alternative Systems Alignment Proposal**

This item presents a simpler and less disruptive Systems Alignment proposal that conforms to the existing Council and Policy Committee processes and prioritizes research and investigation of items with significant budgetary and staff implications in order to better inform Council’s decision-making process as opposed to hard limits on legislation:

1. To address the backlog of outstanding items that may impact staff resources and availability to implement Council and other citywide priorities, the Council should immediately direct Policy Committees to review all such referrals and items in staff’s queue for which implementation work has not yet begun.

## Comments and Alternative Systems Alignment Proposal

Upon this review, Policy Committees would be tasked with making a recommendation to the full Council to modify or reconsider certain items in the queue.

Next, the Council should schedule worksessions (outside of the RRV process) to consider Policy Committee recommendations in a public forum and prepare a Resolution potentially dispensing with and/or reprioritizing items in the queue.

In totality, this process would contribute to streamlining the existing queue, and facilitate staff resources for implementation and development of other new and existing legislative items. In sum, through revisiting the existing queue, Council can continue to conduct substantial legislative work throughout the year.

2. The Council should revise Policy Committee process with respect to the budget and legislative implementation.

Specifically, to address potential incongruity between Council items with significant budget implications, the Council should modify its Rules of Procedure to task Policy Committees (not the Agenda Committee) with making an initial and objective determination of whether a prospective item has significant budget and/or staffing impacts (**See Attachment 1** for a detailed flowchart of the Alternative Proposal):

- Upon an insignificant budget determination, the item and any related budget referral would proceed through the normal Policy Committee track process on a maximum 90-day timeline.
- Upon a significant determination, the item would be placed on a different Policy Committee track such that the Policy Committee would have a maximum of 120 days to research and investigate the budget and staffing implications of the item, any related budget referral, and policy implications, in order to *inform* Council's ultimate consideration. As part of the 120 day process, the Committee would facilitate an Implementation Conference hearing(s) with City staff, the author, and Committee members in order to prepare an Implementation Report.
- Once the Committee has made its policy recommendation and finalized its Implementation Report, the item would proceed to the Agenda Committee for scheduling at Council.
- Upon Council adoption of items with either significant or insignificant budget/staffing implications, the budget aspect of the item would proceed to either the June or November budget process pursuant to Council-established deadlines for consideration of budget items. For example, the

Comments and Alternative Systems Alignment Proposal

Council could establish deadlines of May and October for the respective budget processes. Therefore, the Budget Committee would only consider budget items that were passed ahead of the respective deadlines. Those that miss the deadline or are ultimately unfunded would be automatically carried over to the next budget process.

This alternative proposal would achieve the important goal of aligning Council items with significant budget and staff impacts with legislation in an objective way that is not detrimental to the Council's obligations under the Charter.

It is in the public interest that the Council consider this alternative proposal as part of the Mayor's development of a revised proposal for discussion and adoption at a later date.

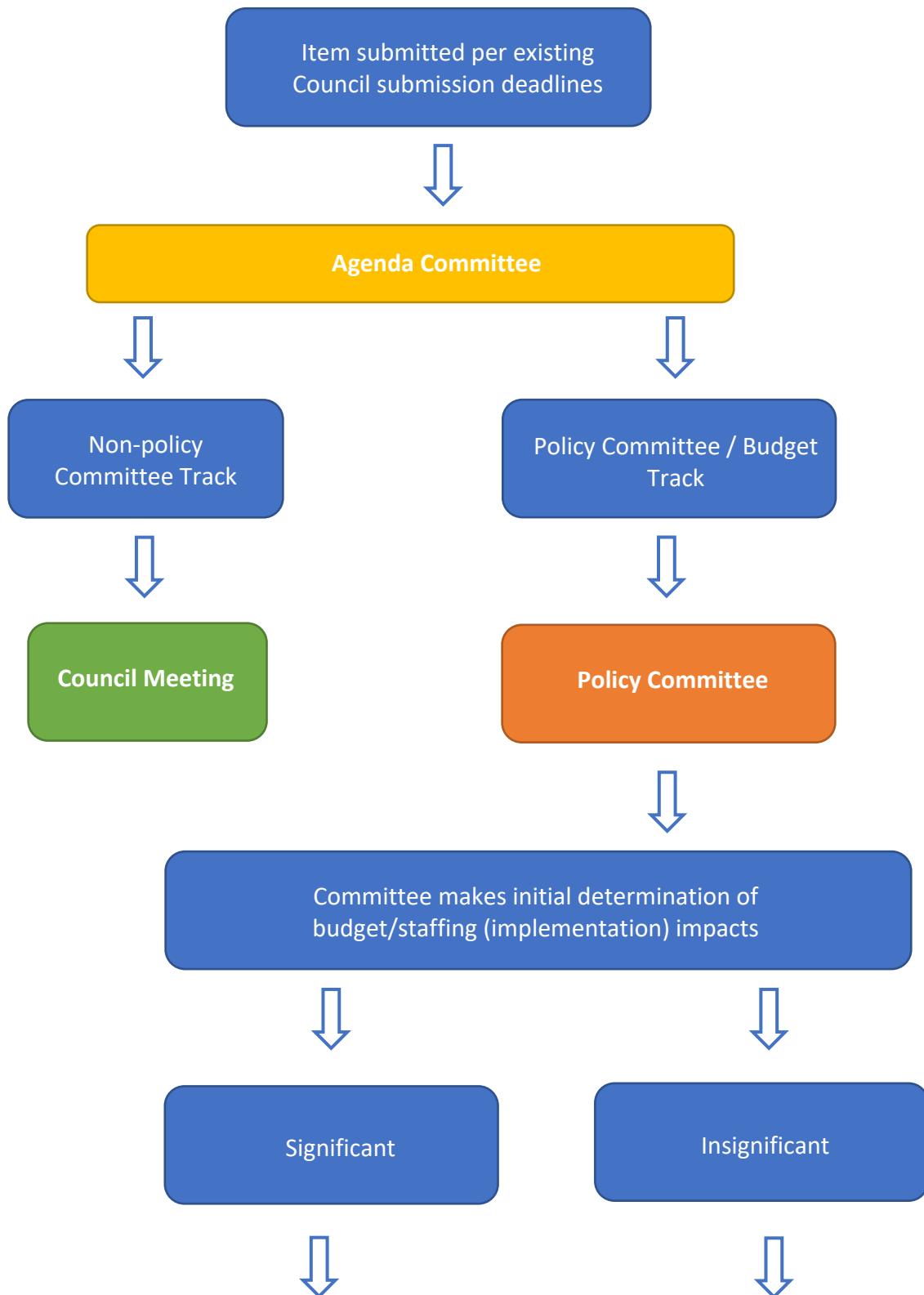
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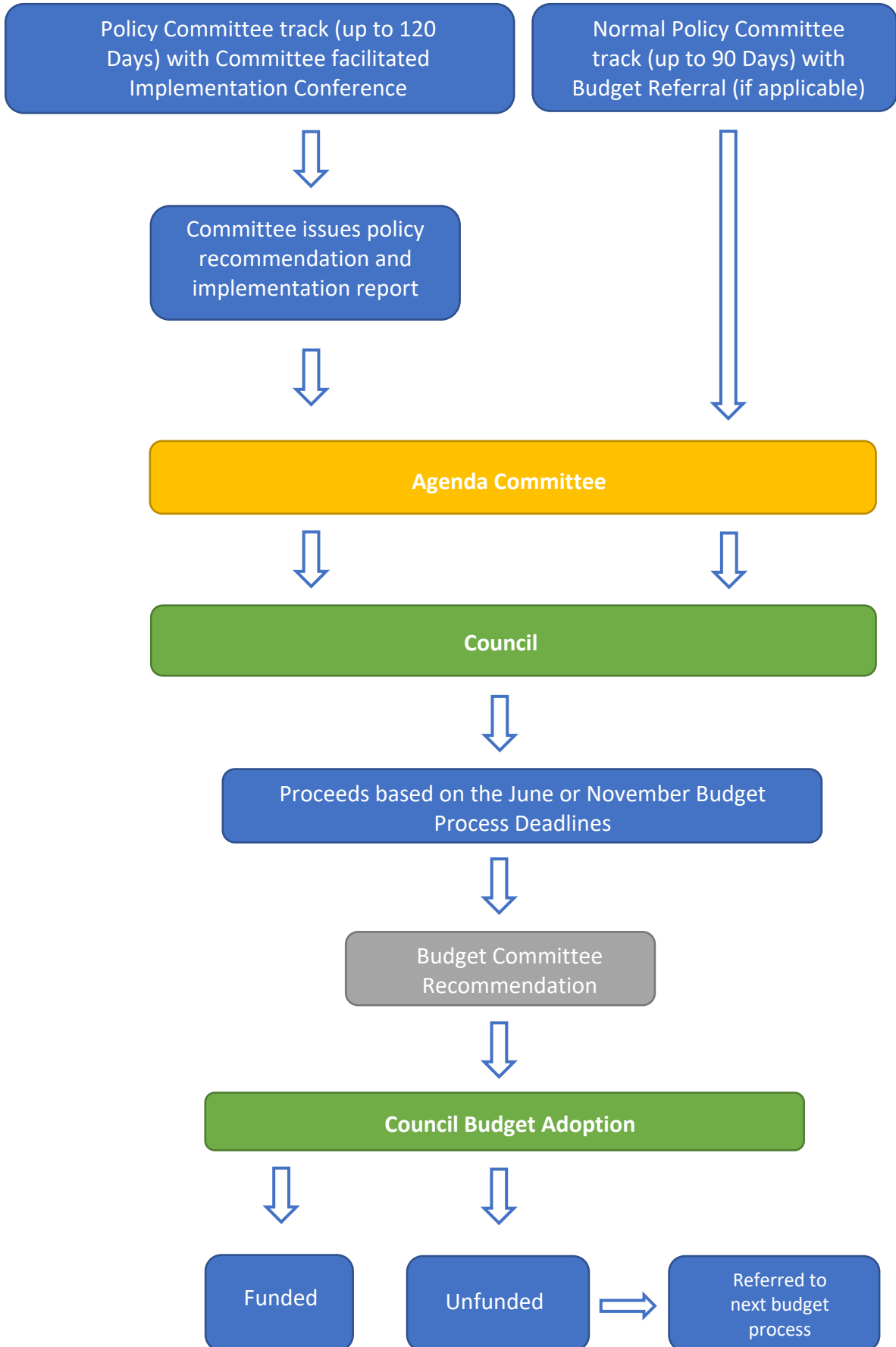
Councilmember Kate Harrison  
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ATTACHMENTS:

1. Flowchart of Alternative Systems Alignment Proposal

### Alternative Systems Alignment Proposal







Office of the City Manager

CONSENT CALENDAR

June 15, 2021

*(continued from May 18, 2021)*

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: David White, Deputy City Manager

Subject: Systems Alignment Proposal

RECOMMENDATION

Review the proposal for systems alignment and provide edits and suggestions in order to compile Council feedback for the purpose of drafting a revised proposal for adoption.

SUMMARY

The City Council discussed the Systems Alignment proposal at a Worksession on May 18, 2021. The item was continued to June 15 to allow Councilmembers to submit suggestions and changes to the original plan. The Mayor will consolidate the input from the Council and the public and return with a revised proposal for discussion and adoption at a later date.

FISCAL IMPACTS OF RECOMMENDATION

While the recommendation of this report would not entail fiscal impacts, if adopted, the proposal would have budgetary effects. Broadly speaking, the proposal is designed to better ensure adequate financial and staffing resources are identified and approved with any adopted significant legislation<sup>1</sup> (Major Item).

CURRENT SITUATION AND ITS EFFECTS

This report proposes a process to integrate various systems (e.g., budget, Strategic Plan, prioritization of referrals, etc.) to ensure that resources are appropriately allocated, to focus the organization and employees on those priorities established by the City Council and City Manager, and to enhance legislative and budget processes. Ultimately, aligning systems will help ensure our community's values as reflected in the policies of our City Council are implemented completely and efficiently, with increased fiscal prudence, while supporting more meaningful service delivery. In light of the economic and financial impacts of COVID-19 and resource constraints, it is imperative to improve

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<sup>1</sup> New significant legislation is defined, with some explicit exceptions, as "any law, program, or policy that represents a significant change or addition to existing law, program, or policy, or is likely to call for or elicit significant study, analysis, or input from staff, Councilmembers or members of the public". See Council Rules of Procedure, [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_City\\_Council/City%20Council%20Rules%20of%20Procedure.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_City_Council/City%20Council%20Rules%20of%20Procedure.pdf).



vetting and costing of new projects and legislative initiatives to ensure success. In addition, the purpose of this proposal will align our work with the budget process.

The proposed changes outlined in this memorandum will better guide and inform budget development, clarify tradeoffs by identifying operational impacts, and develop a more effective and time-efficient path to implementation. These changes support a clear and full realizing of City Council policies, programs, and vision. The major features of the proposal are:

- Changing the order of the legislative process to ensure that Major Items (defined below) passed by Council are funded, as well as folded into staff workplans and staffing capacity,
- Making the City Council Rules of Procedure Appendix B guidelines mandatory,
- Ensuring that Major Items that are adopted by City Council are vetted and clearly identify the resources needed for implementation,
- Consolidating and simplifying reporting and tracking of Major Items, and
- Creating a deadline for each year's Major Items that allows for alignment with prioritization, the Strategic Plan, and the budget process.

Additionally, the proposed Systems Alignment would advance the City's Strategic Plan goal to provide an efficient and financially-health City government.

## **PROPOSED PROCESS**

The proposed process outlined in this memorandum replaces the current system of referrals (short and long term, as well as Commission referrals), directives, and new proposed ordinances, that is, all Major Items, regardless of "type" or origin will be subject to this process.

### **Step 1: Major Item Determination**

The systems alignment proposal outlines a process for Major Items.

#### ***Defined in Council Rules of Procedure***

Major Items are "new significant legislation" as defined in Appendix D of the [City Council Rules of Procedure](#):

Except as provided below, "new significant legislation" is defined as any law, program, or policy that represents a significant change or addition to existing law, program, or policy, or is likely to call for or elicit significant study, analysis, or input from staff, Councilmembers or members of the public.

The exceptions to the definition of new significant legislation and process state:

New significant legislation originating from the Council, Commissions, or Staff related to the City's COVID-19 response<sup>2</sup>, including but not limited to health and

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<sup>2</sup> If this proposal is adopted, "COVID-19" should be replaced with "declared emergency response" in the exception language.

economic impacts of the pandemic or recovery, or addressing other health and safety concerns, the City Budget process, or other essential or ongoing City processes or business will be allowed to move forward, as well as legislative items that are urgent, time sensitive, smaller, or less impactful.

The Agenda & Rules Committee, in consultation with the City Manager, will make the initial determination of whether something is a Major Item, using the Major Item Determination Checklist (see attachment 1). At any time in the process, if evidence demonstrates that the initial determination of the proposal as a Major Item proves incorrect, then it is no longer subject to this process. Additionally, if any legislation it originally deemed not to be a Major Item, the author or City Manager may appeal to the Agenda and Rules Committee or to the full Council and present evidence to the contrary.

### ***Required Conformance and Consultation***

All Major Items must use the agenda guidelines in Appendix B of the Council Rules, which require more detailed background information and analysis. The Agenda and Rules Committee can send the item back to the author if it is not complete and/or does not include all of the information required in Appendix B. The author must make a good faith effort to ensure all the guideline prompts are completed in substance not just in form.

Major Items must include a section noting whether the author has initially consulted with the City Manager or city staff regarding their proposed Major Item and the substance of those conversations, and initial staff input.

### ***Required Submission Date***

A Major Item must be submitted in time to appear on the agenda of an Agenda & Rules Committee meeting occurring no later than April 30 of every year. Any item submitted after that deadline, that does not meet an exemption, will be continued to the following year's legislative process.

Major Items will be referred by the Agenda & Rules committee on a rolling basis.

### **Step 2: Policy Committee Review**

A Major Item, once introduced and deemed complete and in conformance by the Agenda and Rules Committee, will be referred to one of City Council's Policy Committees (i.e., Health, Life Enrichment, Equity and Community, Public Safety, etc.), for review, recommendation, and high-level discussion of implementation (i.e., ideas, rough cost estimates, benefits, etc.). Per the [\*Council Rules of Procedure\*](#),<sup>3</sup> the Policy

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<sup>3</sup> [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_City\\_Council/City%20Council%20Rules%20of%20Procedure%20-%20Feb%2011%202020%20-%20FINAL.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_City_Council/City%20Council%20Rules%20of%20Procedure%20-%20Feb%2011%202020%20-%20FINAL.pdf)

Committee will review the Major Item and the completed Major Item Determination Checklist to confirm Agenda & Rules initial determination that the Major Item is complete in accordance with Section III.B.2 and aligns with Strategic Plan goals. If the Major Item receives a positive or qualified positive recommendation, then it will go to an Implementation Conference (See step 3, Vetting and Costing).

If the Major Item receives a negative or qualified negative recommendation, then it will be returned to the Agenda and Rules Committee to be placed on a City Council Agenda. When heard at a City Council meeting, the author can advocate for the Major Item to be sent to an Implementation Conference. If the Major Item does not receive a vote by the majority of City Council at this step, it becomes inactive for that year's legislative calendar but may be reintroduced for the next year's calendar.

City Council Policy Committees must complete review of all Major Items assigned to them no later than June 30 of each year.

### **Step 3: Implementation Conference (Vetting and Costing)**

At an Implementation Conference, the primary author will meet with the City Manager or designee, City Manager-selected staff subject matter experts, and the City Attorney or designee.

#### ***Identifying Fiscal, Operational and Implementation Impacts***

The intended outcome of an Implementation Conference is a strong analysis containing all of the considerations and resources necessary to support implementation should Council choose to approve the Major Item.

The Implementation Conference is an informal meeting where the primary author can collaborate with the City Manager, City Attorney, and staff to better define the Major Item and identify more detailed fiscal and operational impacts, as well as implementation considerations. The information discussed during the Implementation Conference will be summarized in the Council Report as part of newly required sections (see attachment 2), in conformance with Appendix B:

- *Initial Consultation*, which
  - Lists internal and external stakeholders that were consulted, including whether item was concurrently submitted to a Commission for input,
  - Summarizes and confirms what was learned from consultation,
  - Confirms legal review addressing any legal or pre-emption issues, ensuring legal form,<sup>4</sup>
- *Implementation, Administration, and Enforcement*, which
  - Identifies internal and external benefits and impacts, and

---

<sup>4</sup> While consultation with the City Attorney is mentioned in Appendix B, the legal review and "confirmations" recommended in this proposal is a more specific and robust requirement.

- Considers equity implications, launch/initiation of Major Item and its ongoing administration, and
- *Fiscal & Operational Impacts*, which
  - Summarizes any operational impacts,
  - Identifies necessary resources, including specific staff resources needed and costs.<sup>5</sup>

As part of the Implementation Conference, staff will provide a high level work plan, indicating major deliverables/milestones and dates. This information can be collected and recorded using the Implementation Conference Worksheet (see attachment 2).

Implementation Conferences will be date certain meetings held in July.

### ***Revising the Major Item***

After the Major Item's author revises the original Council Report based on information from the Implementation Conference, the Major Item will be submitted to the Council agenda process. If additional full time equivalent employee(s) (FTE) or fiscal resources are needed, the Major Item must include a referral to the budget process and identify the amount for implementation of the policy or program.

### **Step 4: Initial Prioritization**

At their first meetings in September, Policy Committees must complete the ranking of the Major Items which were referred to them and also completed the Implementation Conference. The Policy Committees will provide these rankings in the form of a recommendation to the City Council. The Policy Committees prioritization will use the Policy Committee Ranking Form (see attachment 3) to standardize consideration of Major Items across Policy Committees. The Policy Committee priority rankings will be submitted to the City Council when the Council is considering items to move forward in the budget and Strategic Plan process.

### **Step 5: City Council Approval and Final Prioritization**

Under this proposal, all Major Items that the City Council considers for approved prioritization must have:

1. Received a City Council Policy Committee review and recommendation,
2. Received a City Council Policy Committee prioritization,
3. Completed the Implementation Conference, and
4. Been placed on the Agenda for a regular or special Council meeting in October for approval and inclusion in the RRV process.

---

<sup>5</sup> Appendix B does require a Fiscal Impacts section, but the inclusion of operational impacts and specific noting of required staff resources and costs recommended in this proposal is a more specific and robust requirement.

At the designated Council meeting in October, staff will provide the Council with a list of all approved Major Items, including the initial prioritization by Policy Committee. The Council will consider each Major Item for approval. All approved Major Items then will be added to the RRV process (i.e., with other items, referrals, etc) and ranked. The RRV ranking will begin in late October. These rankings will be adopted by Council and used to inform the development of the draft budget. Approved and ranked Major Items have multiple opportunities to be approved for funding, when the biennial budget or mid-cycle budget is adopted in June or when the Annual Appropriations Ordinances are adopted in May and November.

If a Major Item *does not receive the endorsement* of City Council at this step, it becomes inactive for that year's legislative calendar and may be reintroduced for the next year's calendar.

City Council must complete its Major Items approval, and RRV process no later than the final meeting in December of each year.<sup>6</sup> This ensures that staff is able to develop the budget starting from and based on Council priorities.

#### **Step 6: Budget & Strategic Plan Process**

The Council's rankings are also forwarded to the Budget and Finance Committee for consideration as part of budget development. If the proposal is not ultimately funded in the biennial budget, mid-cycle budget or the Annual Appropriations Ordinance (mid-year budget amendment), then it does not move forward that year and will be added to a list of unfunded proposals for the future budget process.

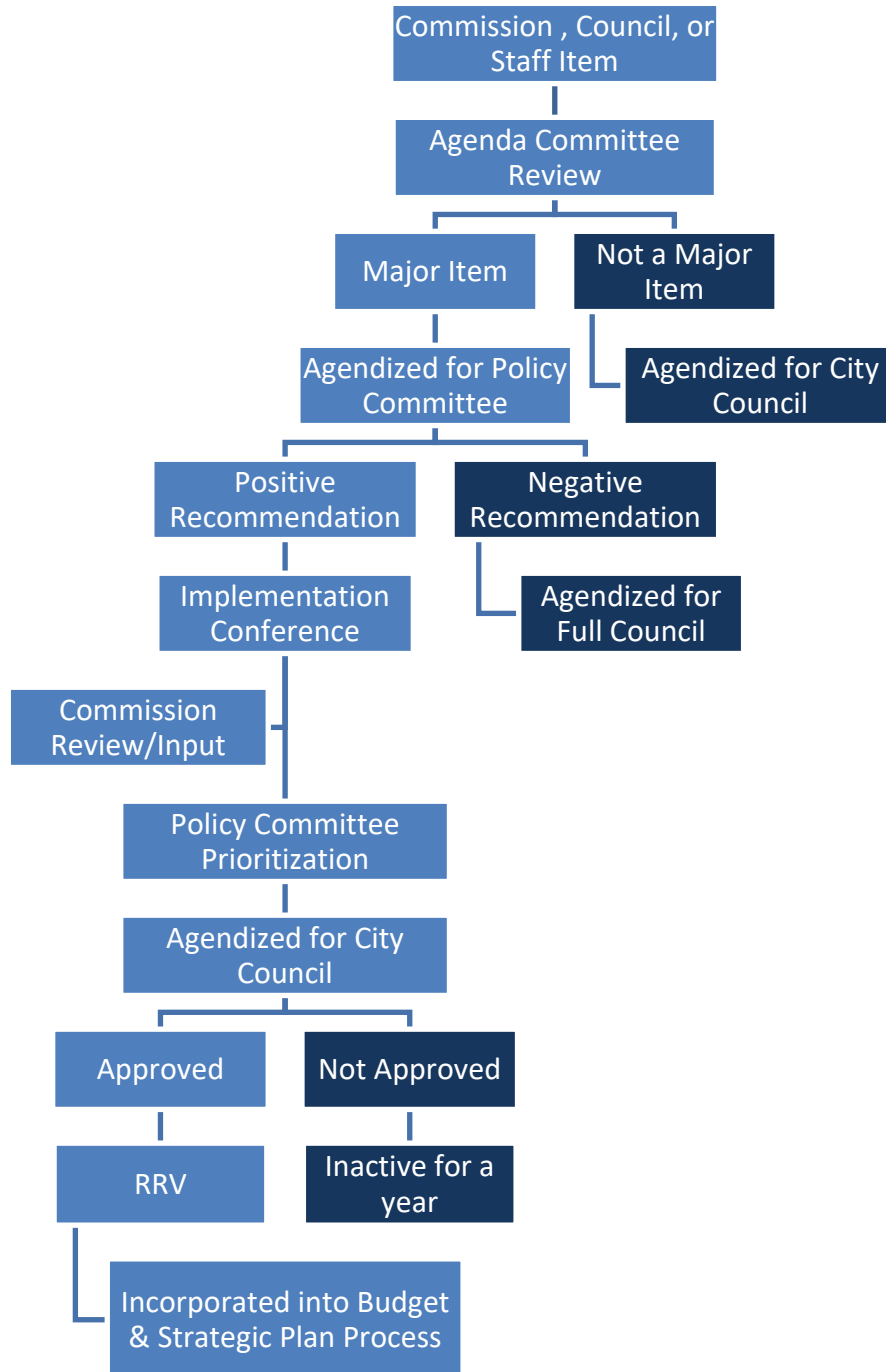
During December and January, city staff will prepare budget proposals that incorporate the ranked City Council Major Items, Strategic Plan, and work plan development. In the late winter/early spring, the City Manager and Budget Office will present the draft budget to Council. This will be followed by department presentations to the Budget and Finance Policy Committee. From late March and through early May, Council and staff will refine the budget. Council will hold budget hearings in May and June, with adoption of the budget by June 30. Although the legislative process (i.e., Policy Committee review, Implementation Conference, Prioritization) is annual, staff recommends the budget process remain biennial. A significant mid-cycle budget update can easily accommodate additions to or changes in priorities arising through the legislative process.

The proposed process is depicted in Figure 1 and the proposed launch calendar in Figure 2.

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<sup>6</sup> Due to noticing requirements, an RRV process completed by November 30 may not appear on a City Council Agenda for adoption until January.

Figure 1, Proposed Process<sup>7</sup>

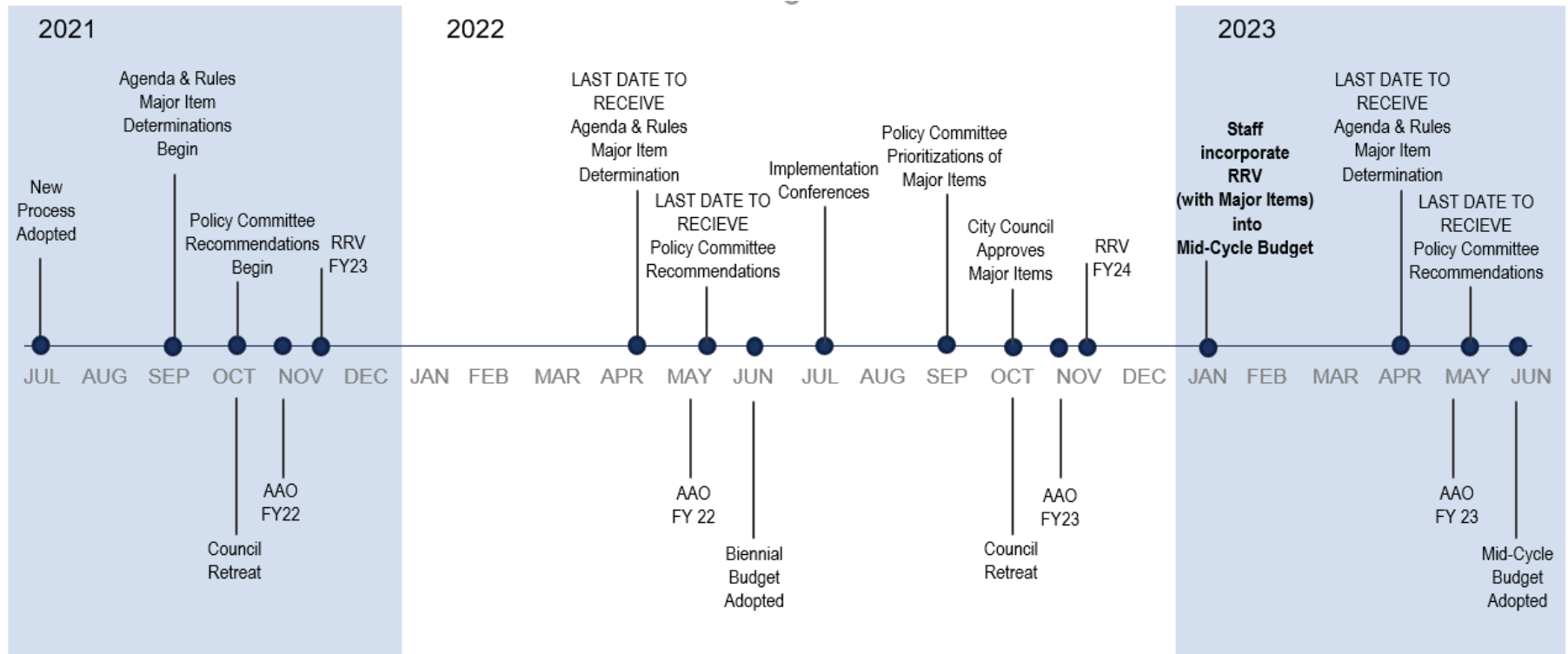


<sup>7</sup> Major Items that are ordinances will need to be examined on a case-by-case basis. Once adopted, ranked, and, if requiring resources, budgeted, the ordinance will need to be given an effective date and scheduled for first and second readings at Council.



Office of the City Manager

Figure 2, Proposed Launch







Office of the City Manager

### **Next Steps**

Staff will reach out to legislative aides for input and the City Manager will meet individually with Councilmembers to discuss this proposal. Staff will incorporate Council input from the worksession, and from subsequent input into a resolution and return to Council with a final Systems Alignment item for adoption by July 2021.

### **Benefits**

The addition of an Implementation Conference will ensure that Major Items considered by Council are properly resourced, improving our City's responsible management of fiscal resources. Analysis from the Implementation Conference will help Council to balance and consider each Major Item within the context of related programs and potential impacts (positive and negative). When considered holistically, new policy implementation can be supportive of existing work and service delivery.

Since the proposed process places the City Council prioritization of Major Items immediately before budget preparation, the Prioritization will guide and inform budget development, including components such as the Strategic Plan and work plans. Fixing the sequencing of the process is a key benefit. Currently, with prioritization occurring in May and June, the budget process is nearing completion when City Council's priorities are finally decided. This leads to inconsistencies between adopted priorities and budgeting for those priorities.

Under the current process, an idea may go into prioritization, proceed to the short term referral list or referred to the budget process. However, the resulting Major Item may not have addressed operational considerations. Adding such items to a department's work at any given time of the year may lead to staff stopping or slowing work on other prioritized projects in order to develop and implement new Major Items. Also, it may be difficult for staff to prioritize their projects: is stopping/slowing of work that is already underway in order to address new items the preference of the full Council?

Also, because consideration of implementation currently occurs after the adoption of a Major Item, features of the adopted language may unintentionally constrain effective implementation, complicating and slowing progress on the Major Item and hindering the effectiveness of the new program or regulation.

With the proposed process, a Major Item does not go through prioritization until there is an opportunity for staff to identify operational considerations. Finally, since implementation only occurs after operational considerations are reported, and funds are

allocated, the resulting Major Item should move more quickly from idea to successful completion.

### BACKGROUND

In October 2019, City Council held a half-day worksession to discuss systems realignment and provide direction on potential changes to the city's legislative process. The purpose of the meeting was to develop recommendations for how various systems (e.g., budget, Strategic Plan, RRV, etc) could better work together to ensure that the organization is able to focus on the priorities established by the City Council. The City Manager took direction from that meeting and worked with department directors and the Budget Office to create this proposal.

### ENVIRONMENTAL SUSTAINABILITY

By improving efficiency, ensuring adequate resources, and strengthening implementation, this proposal would increase the speed and full adoption of new significant legislation, including sustainability work.

### RATIONALE FOR RECOMMENDATION

The City of Berkeley is unique in comparison to many cities. It considers and approves many more policies, often at the cutting edge, than a typical city and especially for a city of its size. This proposal is a hybrid, incorporating city processes while mirroring State and Federal legislative processes which accommodate a larger number of policies and items in a given cycle. The disadvantage of this proposal is that it introduces additional steps, such as the implementation conference. The advantages of this proposal, are:

- Ensuring adopted legislation is adequately resourced, in terms of both staffing and budget;
- Providing adequate context for Council to balance and consider items in relation to potential positive and negative impacts; and
- Strengthening the effectiveness and efficiency of policy implementation.

### ALTERNATIVE ACTIONS CONSIDERED

At the Council retreat in October 2019, a variety of approaches and ideas were discussed and considered. Additionally, the original version of this proposal was substantively revised through the Policy Committee process.

If the Council takes no action on this item, the existing process will continue to result in inadequately resourced adopted legislation and inefficient and complicated implementation.

### CONTACT PERSON

David White, Deputy City Manager, (510) 981-7012

Attachments:

- 1: Major Item Determination Checklist
- 2: Council Report Template and Implementation Conference Worksheet
- 3: Policy Committee Ranking Form
- 4: Vice Mayor Droste Supplemental



# Major Item Determination Checklist

**Item Name:**

**Item Author:**

**Is this a Major Item?**

- |                          |                          |                                                                                                                                |
|--------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Yes                      | No                       |                                                                                                                                |
| <input type="checkbox"/> | <input type="checkbox"/> | Item represents a significant change to existing law, program, or policy.                                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Item represents a significant addition to existing law, program, or policy.                                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is likely to call for or elicit significant study, analysis or input from staff, Councilmembers, or members of the public |

**Is this eligible for an Exemption?**

- |                          |                          |                                                                     |
|--------------------------|--------------------------|---------------------------------------------------------------------|
| Yes                      | No                       |                                                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is related the City's COVID-19 response.                       |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is related to the City Budget process.                         |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is related to essential or ongoing City processes or business. |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is urgent.                                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is time-sensitive.                                             |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is smaller.                                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is less impactful.                                             |

**Agenda Committee Determination:**

Major Item  Exempted

Indicate name and date below.

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

**Policy Committee Confirmation:**

Determination Confirmed  Sent back to be agendized for full Council consideration

Indicate name and date below.

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_



[First Lastname]  
Councilmember District [District No.]

[CONSENT OR ACTION]  
CALENDAR  
[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council

From: [Councilmember (lastname)]

Subject: [Brief Report Title (No underline and not all caps.)]

RECOMMENDATION

Adopt a Resolution...  
or Support ...  
or write a letter to \_\_\_ in support of \_\_\_\_\_...  
or other recommendation....

FINANCIAL-FISCAL & OPERATIONAL IMPACTS IMPLICATIONS

*This section must include operational impacts, identify any staff resources (full time exempt employee/FTE) required, and financial costs.*

IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT

*This section must describe benefits and impacts to both internal and external stakeholders. It should also consider equity; the launch or initiation of the item; and its ongoing administration once implemented.*

CURRENT SITUATION AND ITS EFFECTS

*For items that relate to one of the Strategic Plan goals, include a standard sentence in the Current Situation and Effects or Background section:*

[Insert project name] is a Strategic Plan Priority Project, advancing our goal to [pick one:]

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.
- provide an efficient and financially-health City government.
- foster a dynamic, sustainable, and locally-based economy.
- create affordable housing and housing support service for our most vulnerable community members.
- create a resilient, safe, connected, and prepared city.
- champion and demonstrate social and racial equity.
- be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

[Title of Report]

CALENDAR

Macrobutton NoMacro [Meeting Date (MM dd, yyyy)]

- be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.
- attract and retain a talented and diverse City government workforce.

BACKGROUND

INITIAL CONSULTATION

*This section should list the external and internal stakeholders, indicate whether the item was submitted to a commission for input, and summarize what was learned from consulting with stakeholders.*

ENVIRONMENTAL SUSTAINABILITY

CONTACT PERSON

Councilmember [First Lastname] Council District [District No.] 510-981-[XXXX]

Attachments: [Delete if there are NO Attachments]

1: Resolution

Exhibit A: [Title or Description of Exhibit]

Exhibit B: [Title or Description of Exhibit]

2: [Title or Description of Attachment]

3: [Title or Description of Attachment]

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

SHORT TITLE OF RESOLUTION HERE

WHEREAS, (Whereas' are necessary when an explanation or legislative history is required); and

WHEREAS, (Insert Additional 'Whereas Clauses' as needed); and

WHEREAS, enter text here; and

WHEREAS, enter text here; and

WHEREAS, (The last "Whereas" paragraph should contain a period (.).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that (Action to be taken) - ends in a period (.).

BE IT FURTHER RESOLVED that (for further action if needed; if not delete) - ends in a period (.).

Exhibits **[Delete if there are NO exhibits]**

A: Title of the Exhibit

B: Title of the Exhibit





## Implementation Conference Worksheet

**Item Name:**

**Item Author:**

### AUTHOR SECTION

The author of the item may complete this section to help record required information for the report.

|                                                                               |
|-------------------------------------------------------------------------------|
| Descriptive title:                                                            |
| Is this for Consent, Action, or Information Calendar?                         |
| Recommendation:                                                               |
| Summary statement:                                                            |
| Background (history, circumstances and concerns to be addressed by the item): |
| Plans, programs, policies and/or laws were taken into consideration:          |
| Actions/alternatives considered:                                              |
| Internal stakeholders consulted:                                              |
| Name/date of Commission(s) item submitted to for input:                       |
| List of external stakeholders consulted:                                      |

|                                                                                       |
|---------------------------------------------------------------------------------------|
| Summary of what was learned from consulting stakeholders:                             |
| Rationale for recommendation:                                                         |
| Internal Benefits of Implementation:                                                  |
| Internal Impacts of Implementation:                                                   |
| External Benefits of Implementation:                                                  |
| External Impacts of Implementation:                                                   |
| Equity Considerations:                                                                |
| Launch and Implementation Milestones (see staff section)                              |
| Environmental Impacts:                                                                |
| Operational Impacts:                                                                  |
| Staff Resources Needed:<br><br>Number of FTE/hours:<br>Type of staff resource needed: |
| Costs:<br><br>Amount(s):<br>Funding Source:                                           |

**STAFF SECTION**

Staff may complete section to provide required information for the report.

|                                                            |                    |
|------------------------------------------------------------|--------------------|
| <b>Estimated Launch/implementation Deliverables/Dates:</b> |                    |
| <i>Month/Year</i>                                          | <i>Deliverable</i> |
| <b>Estimated Administration Deliverables/Dates:</b>        |                    |
| <i>Month/Year</i>                                          | <i>Deliverable</i> |

**Legal Consultation:**

Confirmed

Name/Date \_\_\_\_\_

**Staff Consultation:**

Confirmed

Name(s)/Date(s) \_\_\_\_\_





Lori Droste  
Vice Mayor District 8

## **SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 3**

**Meeting Date:** May 18, 2021

**Item Number:** 2

**Item Description:** Systems Realignment

**Submitted by:** Vice Mayor Lori Droste

**Subject:** Comments on Systems Realignment



Lori Droste  
Vice Mayor District 8

To: Mayor and Council  
From: Vice Mayor Lori Droste  
Subject: Comments on the Systems Realignment

P. 13- what is “smaller” and “less impactful” and how is that determined?

P. 14- the council item template should include a problem definition and frontload the evidence (background, consultation, review) and include criteria considered. Strategic plan alignment, fiscal and operational impacts, environmental sustainability can be embedded under this heading. I would also argue that “Benefit” or “Effectiveness” should be included in Criteria Considered. Also, equity and administrative feasibility are separate criteria to be considered. Council is not involved in enforcement so I recommend that it be eliminated. Furthermore, as currently written the Current Situation and Its Effects describes the Strategic Plan goals and not the status quo situation.

General Template Outline:

- 1) Recommendation
- 2) Problem Statement
- 3) Background and Consultation
- 4) Current Situation and Its Effects
- 5) Criteria Considered (*new heading*)
  - a) Benefit or Effectiveness (*new*)
  - b) Fiscal Considerations
  - c) Strategic Plan Alignment (pick a goal)
  - d) Environmental Sustainability
  - e) Equity
  - f) Operational and Administrative Considerations (*moved operational considerations to a separate category*)
- 6) Rationale for Recommendation (*new*)

P. 15 Implementation Conference Worksheet

I recommend reducing the amount of redundant components in the implementation conference worksheet and specifying what “impact” means. Does it mean benefit? Does it mean tradeoff? In either case, I believe it is covered by other elements of this worksheet.

P. 19- There is no description of *how* policy committee members' rankings will be aggregated. Furthermore, the "ranking" is orthogonal and could be completely contradictory to the staffing, benefit, and costs. Scoring legislative items instead of ranking them will allow for easier prioritization. A cardinal voting system like this is more expressive, accurate and easier to understand. It also lessens vote splitting.



[CONSENT OR ACTION] CALENDAR [Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council From: [Councilmember (lastname)]

Subject: [Brief Report Title (No underline and not all caps.)]

RECOMMENDATION Adopt a Resolution... or Support ... or write a letter to \_\_\_ in support of \_\_\_\_\_... or other recommendation....

### **PROBLEM STATEMENT**

**This section should identify the problem with specifics and enough context to explain why it merits public amelioration.**

*(Background and Evidence Should be Provided At the Beginning)*

BACKGROUND **AND** INITIAL CONSULTATION This section should list the external and internal stakeholders, indicate whether the item was submitted to a commission for input, and summarize what was learned from consulting with stakeholders.

### **CURRENT SITUATION AND ITS EFFECTS**

This section should explain the status quo and how it attempts to address the defined problem.

### **CRITERIA CONSIDERED**

- FINANCIAL FISCAL & OPERATIONAL IMPACTS IMPLICATIONS This section must include operational impacts, identify any staff resources (full time exempt employee/FTE) required, and financial costs.

~~IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT This section must describe benefits and impacts to both internal and external stakeholders. It should also consider equity; the launch or initiation of the item; and its ongoing administration once implemented. Equity should be a standalone category separate from administrative feasibility. Rename this section Operational and Administrative Considerations~~

- ~~CURRENT SITUATION AND ITS EFFECTS~~ For items that relate to one of the Strategic Plan goals, include a standard sentence in the Current Situation and Effects or Background section: [Insert project name] is a Strategic Plan **Alignment** Priority Project, advancing our goal to [pick one:]
  - provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.
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  - champion and demonstrate social and racial equity.

- be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.
- be a customer-focused organization that provides excellent, timely, easily accessible service and information to the community.
- attract and retain a talented and diverse City government workforce.
- ENVIRONMENTAL SUSTAINABILITY

### **RATIONALE FOR RECOMMENDATION**

This section should describe how the author landed on the recommendation using the criteria considered. This section can also describe other alternatives considered.

### CONTACT PERSON

Councilmember [First Last Name] Council District [District No.] 510-981-[XXXX]

Attachments: [Delete if there are NO Attachments]

1: Resolution Exhibit A: [Title or Description of Exhibit] Exhibit B: [Title or Description of Exhibit]

2: [Title or Description of Attachment]

3: [Title or Description of Attachment]

## Implementation Conference Worksheet

|                                                                                    |
|------------------------------------------------------------------------------------|
| Descriptive Title                                                                  |
| Consent Action or Information                                                      |
| Recommendation                                                                     |
| <b><u>Problem Statement</u></b>                                                    |
| Background, etc                                                                    |
| Plans, etc.                                                                        |
| <b><u>Current Situation and Its Effects</u></b>                                    |
| Actions/Alternatives Considered                                                    |
| <b><u>Stakeholders Consultation and Results</u></b>                                |
| Internal Stakeholders Consulted                                                    |
| Name/date of Commission(s) item submitted to for input                             |
| List of external stakeholders consulted                                            |
| Summary of what was learned from consulting stakeholders                           |
| Rationale for Recommendation <i>should go at the end after evaluative criteria</i> |
| <b><u>Policy Benefit</u></b>                                                       |
| Internal Benefits of Implementation:                                               |
| Internal Impacts of Implementation:                                                |
| External Benefits of Implementation:                                               |
| External Impacts of Implementation:                                                |
| Equity Considerations                                                              |
| Environmental Considerations                                                       |
| Operational Impacts                                                                |
| <b><u>Strategic Plan Goal Alignment</u></b>                                        |
| Staff Resources Needed (Number of FTE/hours, Type of staff resource needed):       |
| Costs (Amount(s), Funding Source):                                                 |
| <b><u>Rationale for Recommendation</u></b> <i>(after analysis)</i>                 |





Lori Droste  
Vice Mayor District 8

## **SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 3**

**Meeting Date:** May 18, 2021

**Item Number:** 2

**Item Description:** Systems Realignment

**Submitted by:** Vice Mayor Lori Droste

**Subject:** Comments on Systems Realignment



Lori Droste  
Vice Mayor District 8

To: Mayor and Council  
From: Vice Mayor Lori Droste  
Subject: Comments on the Systems Realignment

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[CONSENT OR ACTION] CALENDAR [Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council From: [Councilmember (lastname)]

Subject: [Brief Report Title (No underline and not all caps.)]

RECOMMENDATION Adopt a Resolution... or Support ... or write a letter to \_\_\_ in support of \_\_\_\_\_... or other recommendation....

### **PROBLEM STATEMENT**

**This section should identify the problem with specifics and enough context to explain why it merits public amelioration.**

*(Background and Evidence Should be Provided At the Beginning)*

BACKGROUND **AND** INITIAL CONSULTATION This section should list the external and internal stakeholders, indicate whether the item was submitted to a commission for input, and summarize what was learned from consulting with stakeholders.

### **CURRENT SITUATION AND ITS EFFECTS**

This section should explain the status quo and how it attempts to address the defined problem.

### **CRITERIA CONSIDERED**

- FINANCIAL FISCAL & OPERATIONAL IMPACTS IMPLICATIONS This section must include operational impacts, identify any staff resources (full time exempt employee/FTE) required, and financial costs.

~~IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT This section must describe benefits and impacts to both internal and external stakeholders. It should also consider equity; the launch or initiation of the item; and its ongoing administration once implemented. Equity should be a standalone category separate from administrative feasibility. Rename this section Operational and Administrative Considerations~~

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- ENVIRONMENTAL SUSTAINABILITY

### **RATIONALE FOR RECOMMENDATION**

This section should describe how the author landed on the recommendation using the criteria considered. This section can also describe other alternatives considered.

### CONTACT PERSON

Councilmember [First Last Name] Council District [District No.] 510-981-[XXXX]

Attachments: [Delete if there are NO Attachments]

1: Resolution Exhibit A: [Title or Description of Exhibit] Exhibit B: [Title or Description of Exhibit]

2: [Title or Description of Attachment]

3: [Title or Description of Attachment]

## Implementation Conference Worksheet

|                                                                                    |
|------------------------------------------------------------------------------------|
| Descriptive Title                                                                  |
| Consent Action or Information                                                      |
| Recommendation                                                                     |
| <b><u>Problem Statement</u></b>                                                    |
| Background, etc                                                                    |
| Plans, etc.                                                                        |
| <b><u>Current Situation and Its Effects</u></b>                                    |
| Actions/Alternatives Considered                                                    |
| <b><u>Stakeholders Consultation and Results</u></b>                                |
| Internal Stakeholders Consulted                                                    |
| Name/date of Commission(s) item submitted to for input                             |
| List of external stakeholders consulted                                            |
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| Rationale for Recommendation <i>should go at the end after evaluative criteria</i> |
| <b><u>Policy Benefit</u></b>                                                       |
| Internal Benefits of Implementation:                                               |
| Internal Impacts of Implementation:                                                |
| External Benefits of Implementation:                                               |
| External Impacts of Implementation:                                                |
| Equity Considerations                                                              |
| Environmental Considerations                                                       |
| Operational Impacts                                                                |
| <b><u>Strategic Plan Goal Alignment</u></b>                                        |
| Staff Resources Needed (Number of FTE/hours, Type of staff resource needed):       |
| Costs (Amount(s), Funding Source):                                                 |
| <b><u>Rationale for Recommendation</u></b> <i>(after analysis)</i>                 |

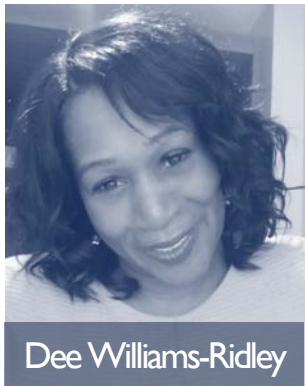


# SYSTEMS ALIGNMENT

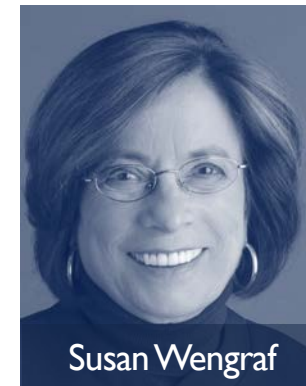
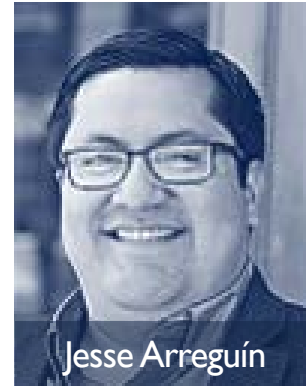
PROCESS PROPOSAL FOR VETTING & PRIORITIZING MAJOR ITEMS



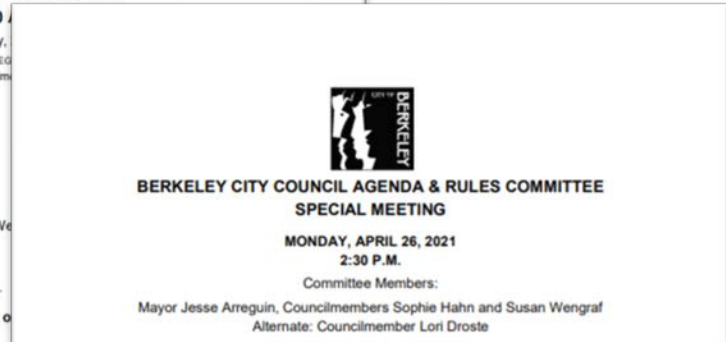
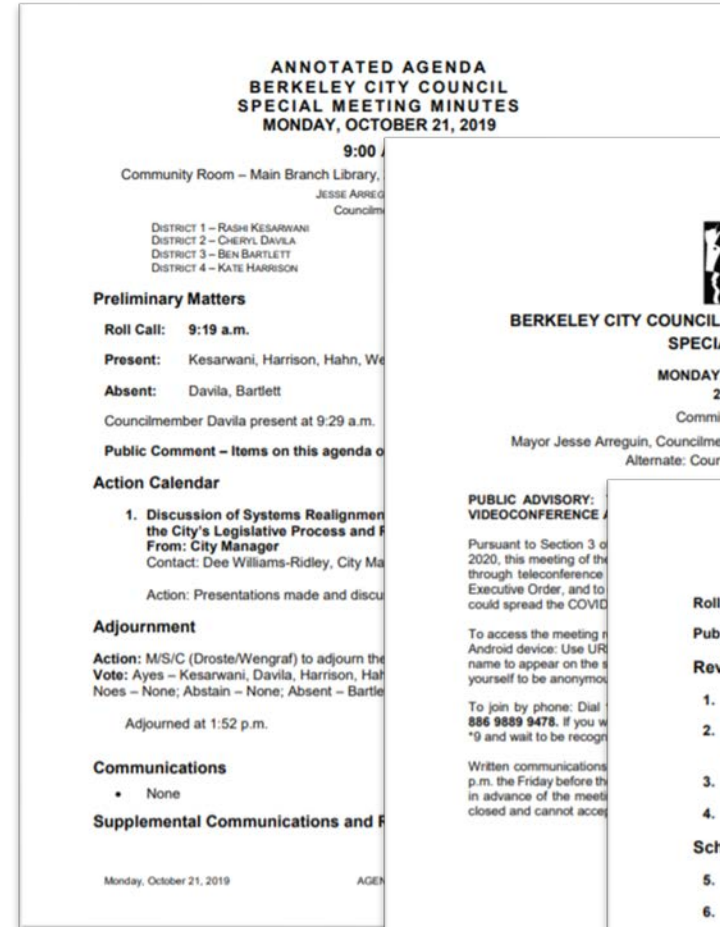
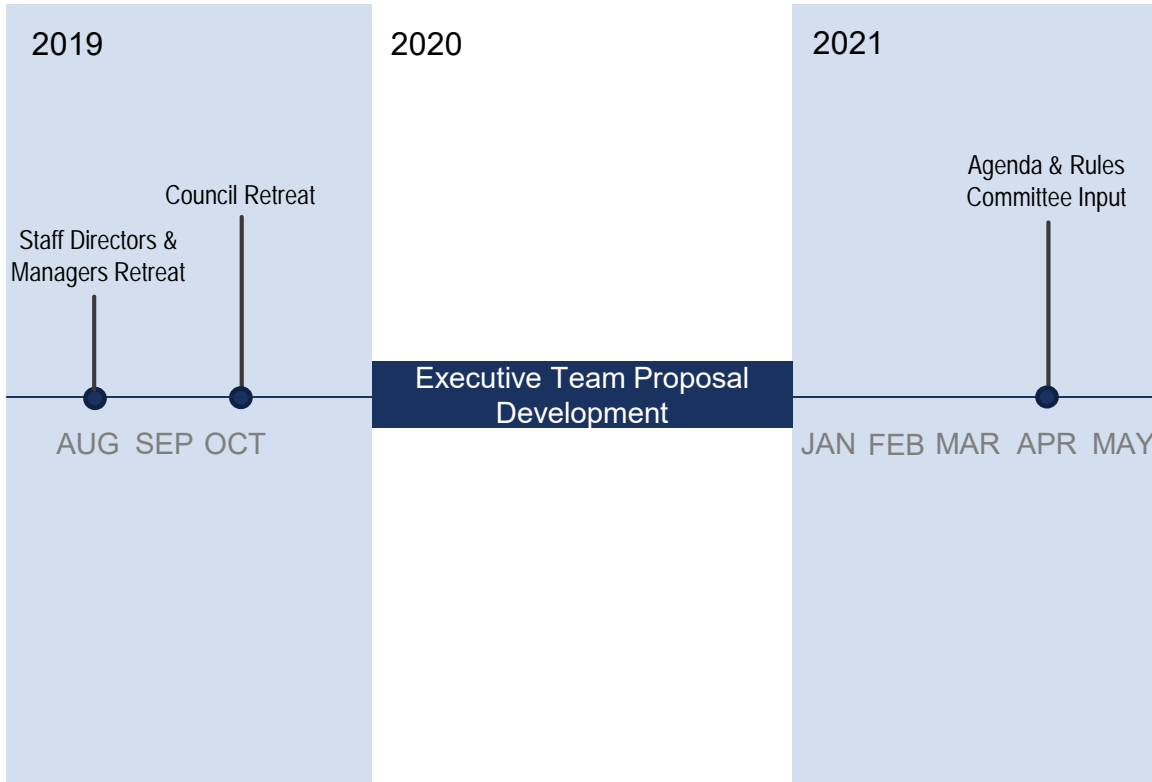
# THE TEAM



## AGENDA & RULES COMMITTEE



# BACKGROUND



**PUBLIC ADVISORY:  
VIDEOCONFERENCE /**

Pursuant to Section 3 of the City Charter, on Monday, April 26, 2021, this meeting of the Berkeley City Council will be held through teleconference in accordance with Executive Order, and to protect public health and safety could spread the COVID-19 virus.

To access the meeting on a mobile device: Use URL: <https://www.berkeleyca.gov/teleconference> and enter the meeting ID: 886 9889 9478. If you wish to appear on the meeting, please call yourself to be anonymous.

To join by phone: Dial 886 9889 9478. If you wish to appear on the meeting, please call yourself to be anonymous.

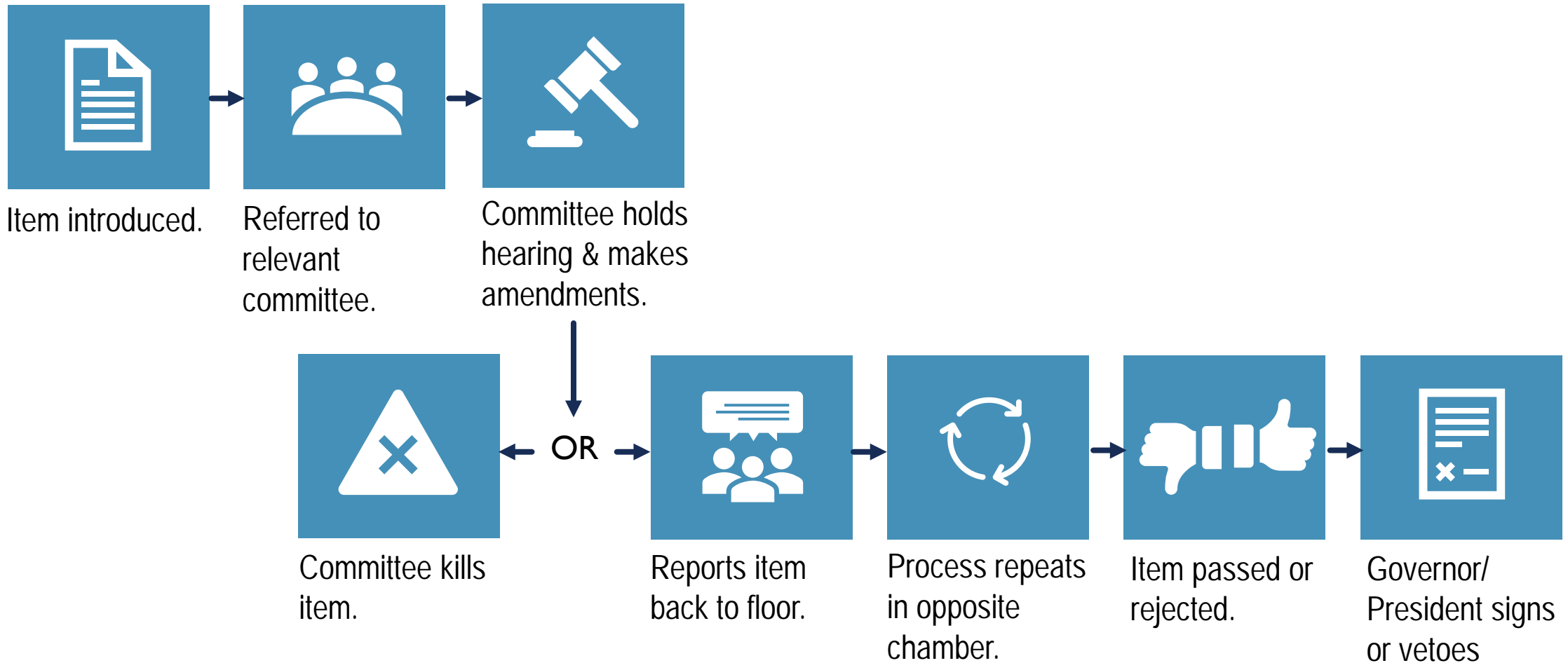
Written communications should be submitted in advance of the meeting. Written communications received after the meeting is closed and cannot accept

- AGENDA**
- Roll Call**
  - Public Comment**
  - Review of Agendas**
    - Approval of Minutes: April 12, 2021**
    - Review and Approve Draft Agenda:**
      - 5/11/21 – 6:00 p.m. Regular City Council Meeting
    - Selection of Item for the Berkeley Considers Online Engagement Portal**
    - Adjournments In Memory**
  - Scheduling**
    - Council Worksessions Schedule**
    - Council Referrals to Agenda Committee for Scheduling**
    - Land Use Calendar**
  - Referred Items for Review**
    - Discussion Regarding Impact of COVID-19 (novel coronavirus) on Meetings**

# OBJECTIVES

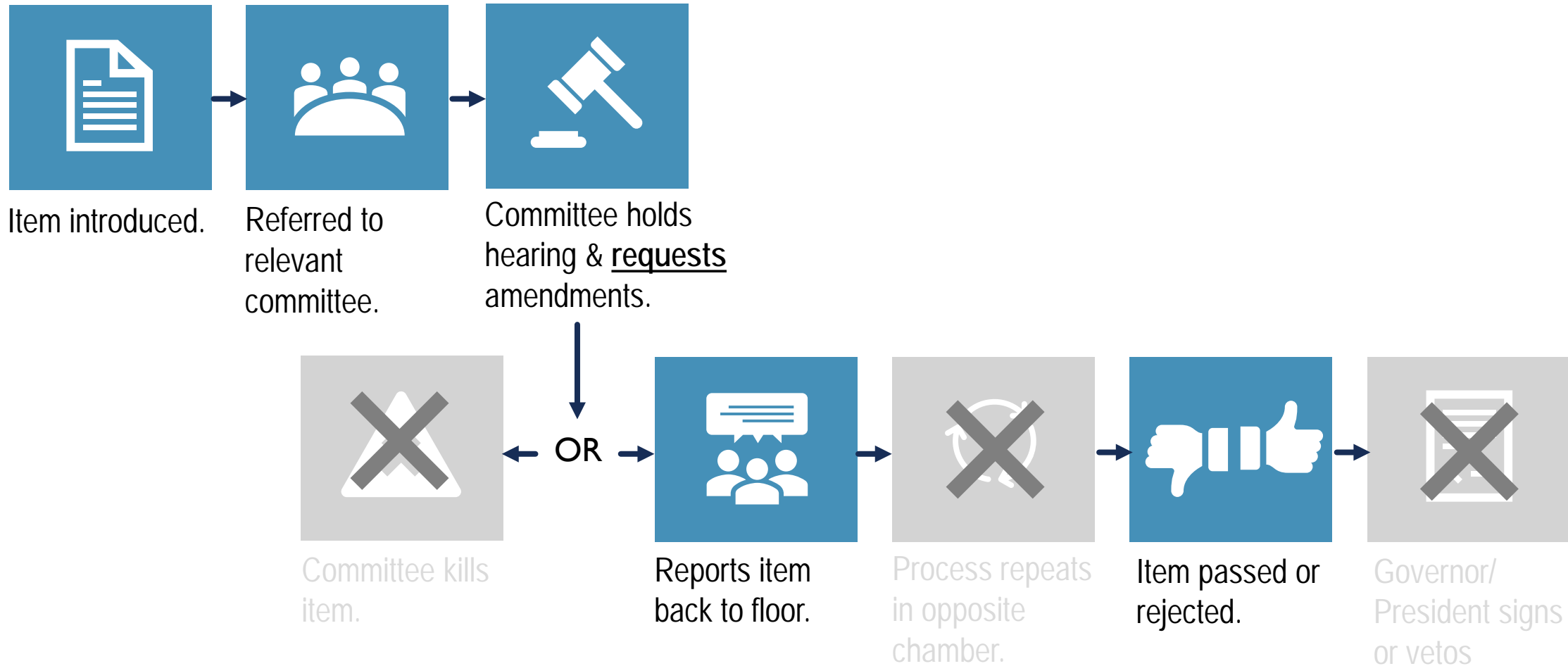
- Align timing of Council approval and resource (budget) allocation
- Communicate resource needs (and any tradeoffs) well
- Ensure Council priorities are resourced and implemented

# STATE OR FEDERAL MODEL

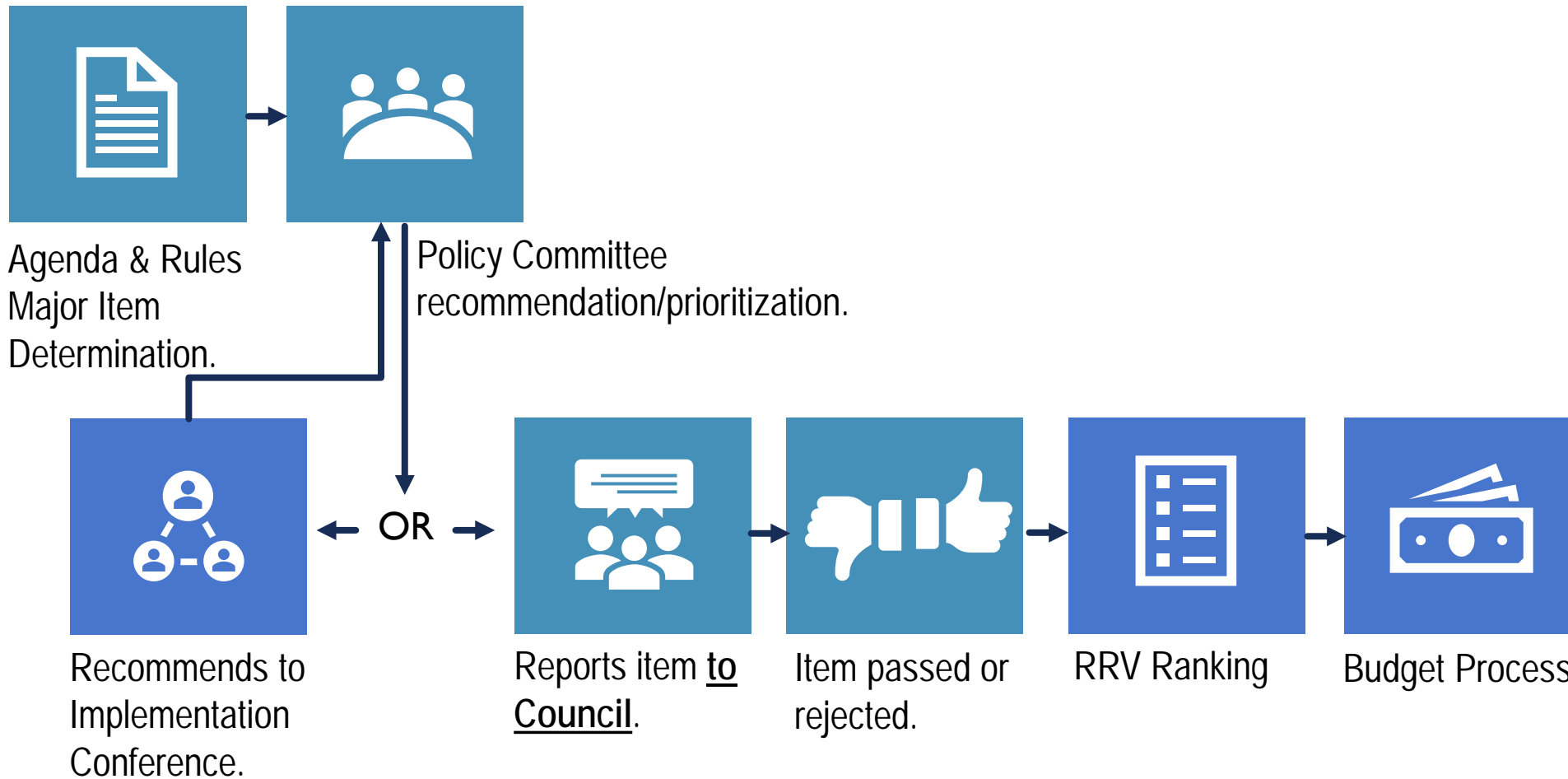




# HYBRID MODEL



# PROPOSED MODEL



# IMPLEMENTATION CONFERENCE?

- What: Strong analysis and collaborative consultation
  - Identify costs\benefits
  - Identify resource needs
  - Outline high level work plan
- Who:
  - Commission Input (e.g, Chair or Vice Chair)
  - Staff & Legal
  - External Stakeholders
- How:
  - Ensure you've done your due diligence with the above
  - Meet with staff/legal



# VETTING IS TIME WELL SPENT!

## Cousin Janice

- Researched online, in magazines
- Talked to friends, designer, contractor
- Obtained supplies
- Contractor starts work
- Moved out for **weeks**
- **Loves** the result

## Friend Cathy

- Talked to contractor
- Contractor starts work
- Waited for supplies → Contractor stops work
- Supplies arrive → Contractor restarts work
- Moved out for **months**
- **Still refining** the result

# WHY PRIORITIZE AT POLICY COMMITTEE

**NOT RECOMMENDED**

- Agenda & Rules Committee

- Appointees:

- Jesse Arreguin, [Mayor](#)
- Sophie Hahn, [Councilmember, District 5](#)
- Susan Wengraf, [Councilmember, District 6](#)

- Alternate: Lori Droste, [Councilmember, District 7](#)

- Budget & Finance Committee

- Appointees:

- Jesse Arreguin, [Mayor](#)
- Kate Harrison, [Councilmember, District 4](#)
- Rigel Robinson, [Councilmember, District 7](#)
- Susan Wengraf, [Councilmember, District 6](#)

- Health, Transportation, Environment & Sustainability Committee

- Appointees:

- Terry Taplin, [Councilmember, District 2](#)
- Kate Harrison, [Councilmember, District 4](#)
- Rigel Robinson, [Councilmember, District 7](#)

- Alternate: Sophie Hahn, [Councilmember, District 5](#)

- Government, Equity & Community Committee

- Appointees:

- Rashi Kesarwani, [Councilmember, District 1](#)
- Terry Taplin, [Councilmember, District 2](#)
- Ben Bartlett, [Councilmember, District 3](#)

- Alternate: Rigel Robinson, [Councilmember, District 7](#)

- Land Use, Housing & Economic Development Committee

- Appointees:

- Sophie Hahn, [Councilmember, District 5](#)
- Rigel Robinson, [Councilmember, District 7](#)
- Lori Droste, [Councilmember, District 8](#)

- Alternate: Ben Bartlett, [Councilmember, District 3](#)

- Public Safety Committee

- Appointees:

- Rashi Kesarwani, [Councilmember, District 1](#)
- Ben Bartlett, [Councilmember, District 3](#)
- Susan Wengraf, [Councilmember, District 6](#)

- Alternate: Terry Taplin, [Councilmember, District 2](#)



# A QUICK NOTE ON FORMS

- Major Item Determination Checklist
- Implementation Conference Worksheet
- Policy Committee Ranking Form
- Revised Report Template



### Major Item Determination Checklist

**Item Name:**

**Item Author:**

**Is this a Major Item?**

Yes No

- Item represents a significant change to existing law, program, or policy.
- Item represents a significant addition to existing law, program, or policy.
- Item is likely to call for or elicit significant study, analysis or input from staff, Councilmembers, or members of the public

**Is this eligible for an Exemption?**

Yes No

- Item is related the City's COVID-19 response.
- Item is related to the City Budget process.
- Item is related to essential or ongoing City processes or business.
- Item is urgent.
- Item is time-sensitive.
- Item is smaller.
- Item is less impactful.

**Agenda Committee Determination:**

Major Item  Exempted

Indicate name and date below.

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

**Policy Committee Confirmation:**

Determination Confirmed  Sent back to be agendized for full Council consideration

Indicate name and date below.

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_



## Implementation Conference Worksheet

**Item Name:**

**Item Author:**

### AUTHOR SECTION

Use this section to help record required information

|                                                                |
|----------------------------------------------------------------|
| Descriptive title:                                             |
| Is this for Consent, Action, or Information Calendar?          |
| Recommendation:                                                |
| Summary statement:                                             |
| Background (history, circumstances and context)                |
| Plans, programs, policies and/or laws were taken into account: |
| Actions/alternatives considered:                               |
| Internal stakeholders consulted:                               |
| Name/date of Commission(s) item submitted to:                  |
| List of external stakeholders consulted:                       |

Summary of what was learned from consultation:

Rationale for recommendation:

Internal Benefits of Implementation:

Internal Impacts of Implementation:

External Benefits of Implementation:

External Impacts of Implementation:

Launch and Implementation Milestones (see Environmental Impacts):

Operational Impacts:

Staff Resources Needed:

### STAFF SECTION

Use this section to provide required information for the report.

|                                                     |                    |
|-----------------------------------------------------|--------------------|
| Estimated Launch/implementation Deliverables/Dates: |                    |
| <i>Month/Year</i>                                   | <i>Deliverable</i> |
| Estimated Administration Deliverables/Dates:        |                    |
| <i>Month/Year</i>                                   | <i>Deliverable</i> |

**Legal Consultation:**

Confirmed

Name/Date \_\_\_\_\_

**Staff Consultation:**

Confirmed







[First Lastname]  
Councilmember District [District No.]

[CONSENT OR ACTION]  
CALENDAR  
[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council  
From: [Councilmember (lastname)]  
Subject: [Brief Report Title (No underline and not all caps.)]

RECOMMENDATION

Adopt a Resolution...  
or Support ...  
or write a letter to \_\_\_ in support of \_\_\_\_\_...  
of other recommendation....

FISCAL IMPACTS

*This section must include operational impacts, identify any staff resources (full time exempt employee/FTE) required, and financial costs.*

IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT

*This section must describe benefits and impacts to both internal and external stakeholders. It should also describe the launch or initiation of the item, as well as its ongoing administration once implemented.*

CURRENT SITUATION AND ITS EFFECTS

*For items that relate to one of the Strategic Plan goals, include a standard sentence in the Current Situation and Effects or Background section:*

[Insert project name] is a Strategic Plan Priority Project, advancing our goal to [pick one:]

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.
- provide an efficient and financially-health City government.
- foster a dynamic, sustainable, and locally-based economy.
- create affordable housing and housing support service for our most vulnerable community members.
- create a resilient, safe, connected, and prepared city.
- champion and demonstrate social and racial equity.
- be a global leader in addressing climate change, advancing environmental

[Title of Report]

CALENDAR

- attract and retain a talented and diverse City government workforce.

BACKGROUND

CONSULTATION OVERVIEW

*This section should list the external and internal stakeholders, indicate whether the item was submitted to a commission for input, and summarize what was learned from consulting with stakeholders.*

ENVIRONMENTAL SUSTAINABILITY

CONTACT PERSON

Councilmember [First Lastname] Council District [District No.] 510-981-[XXXX]

Attachments: [Delete if there are NO Attachments]

- 1: Resolution
  - Exhibit A: [Title or Description of Exhibit]
  - Exhibit B: [Title or Description of Exhibit]
- 2: [Title or Description of Attachment]
- 3: [Title or Description of Attachment]

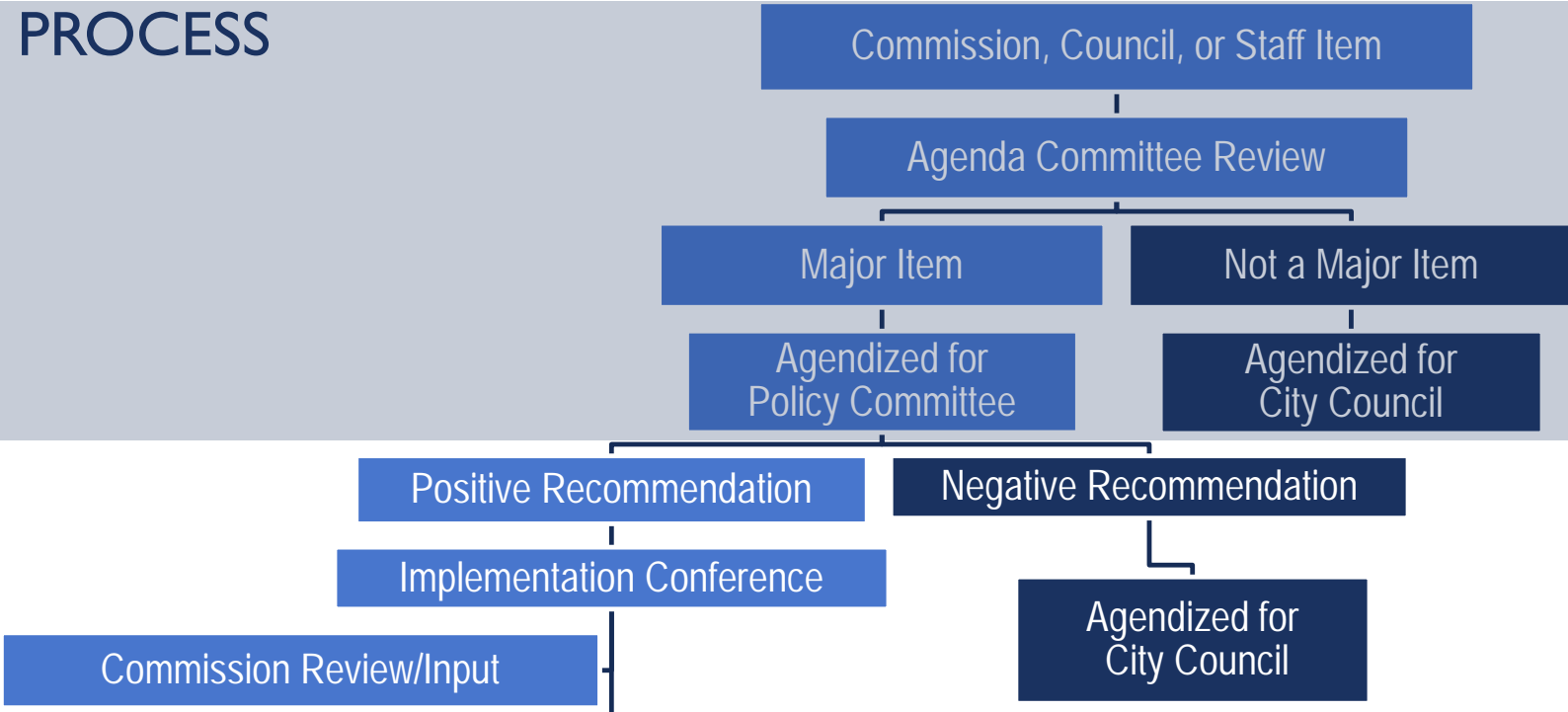
# PROPOSED PROCESS

FLOW CHART



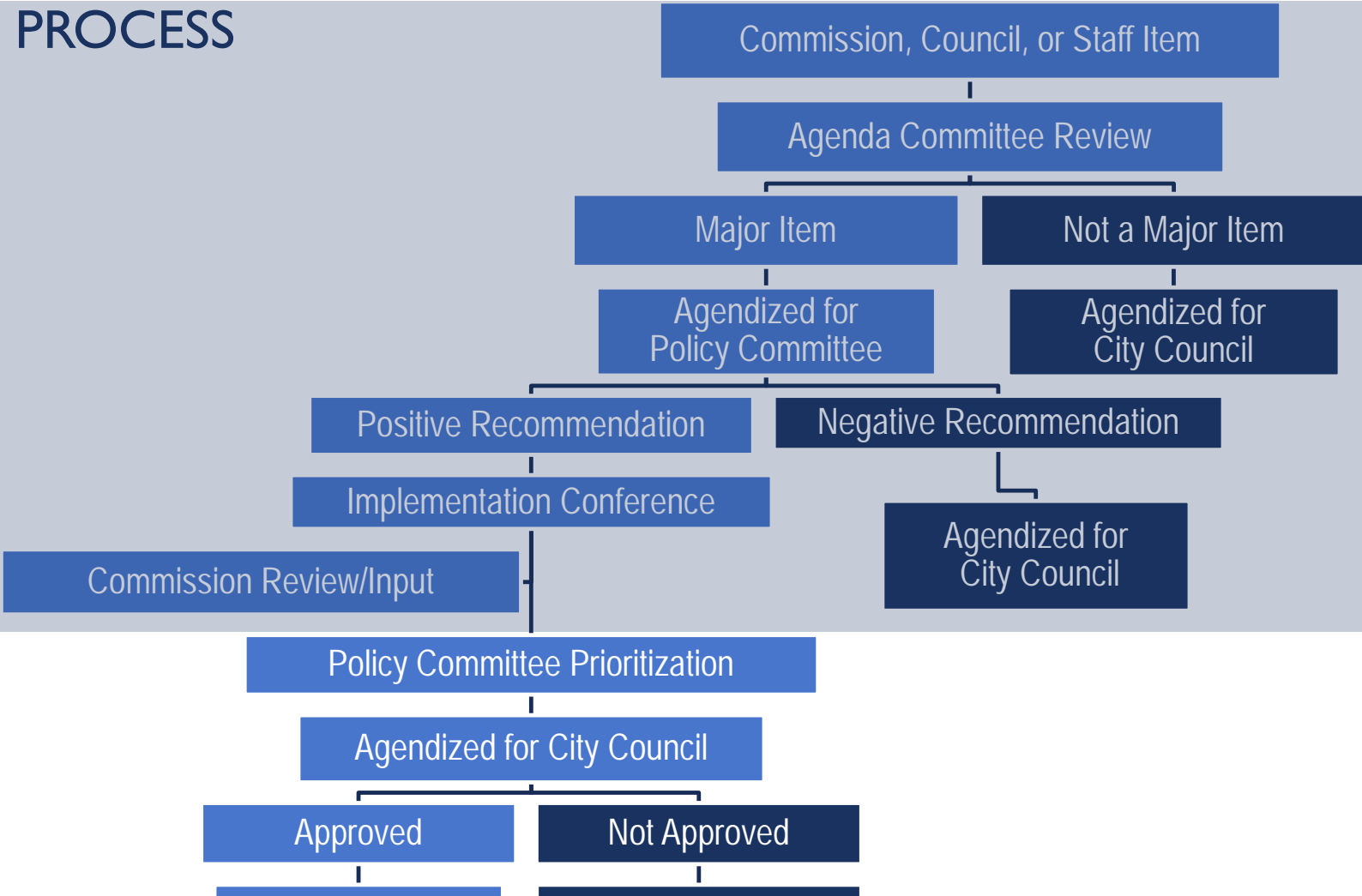
# PROPOSED PROCESS

FLOW CHART



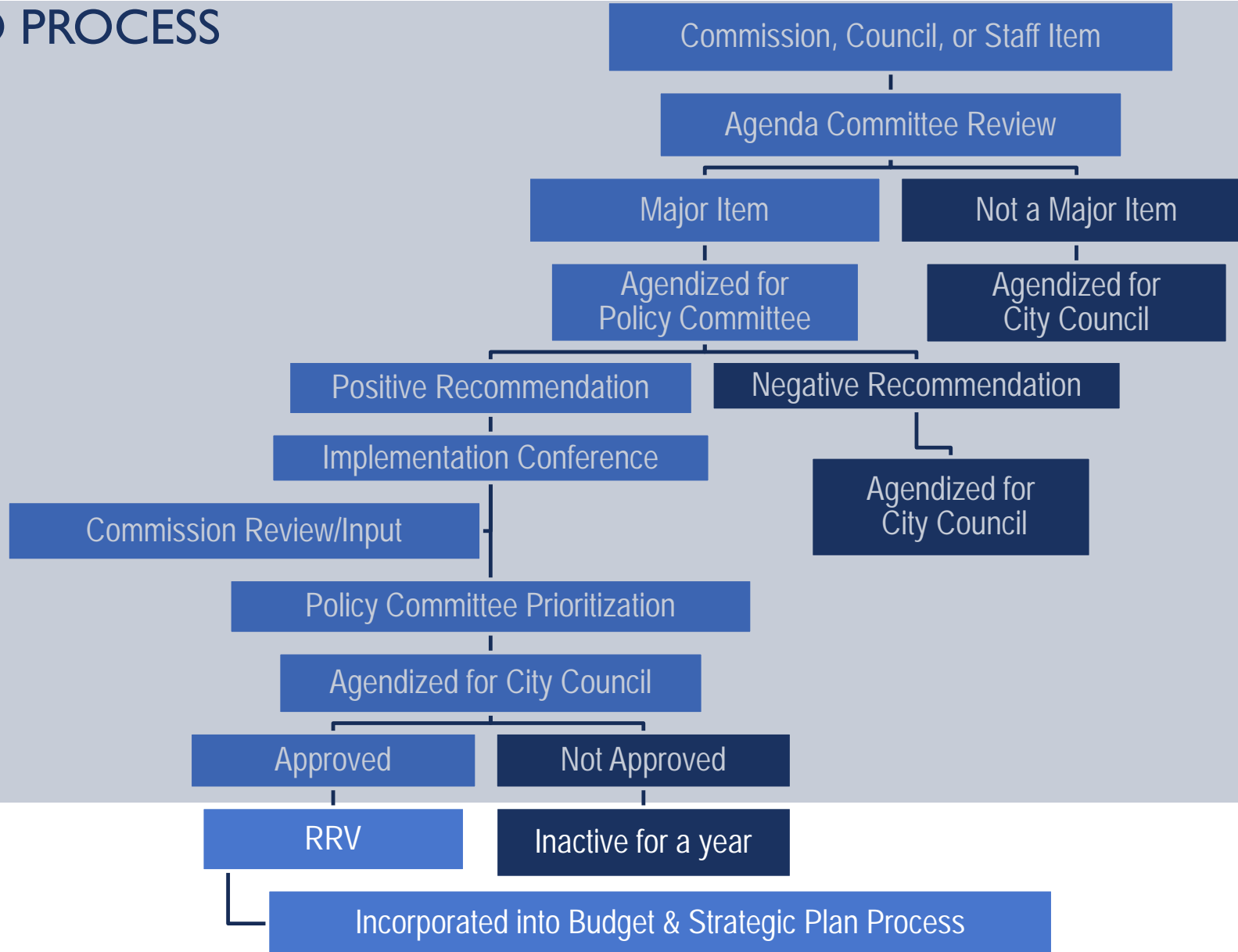
# PROPOSED PROCESS

FLOW CHART



# PROPOSED PROCESS

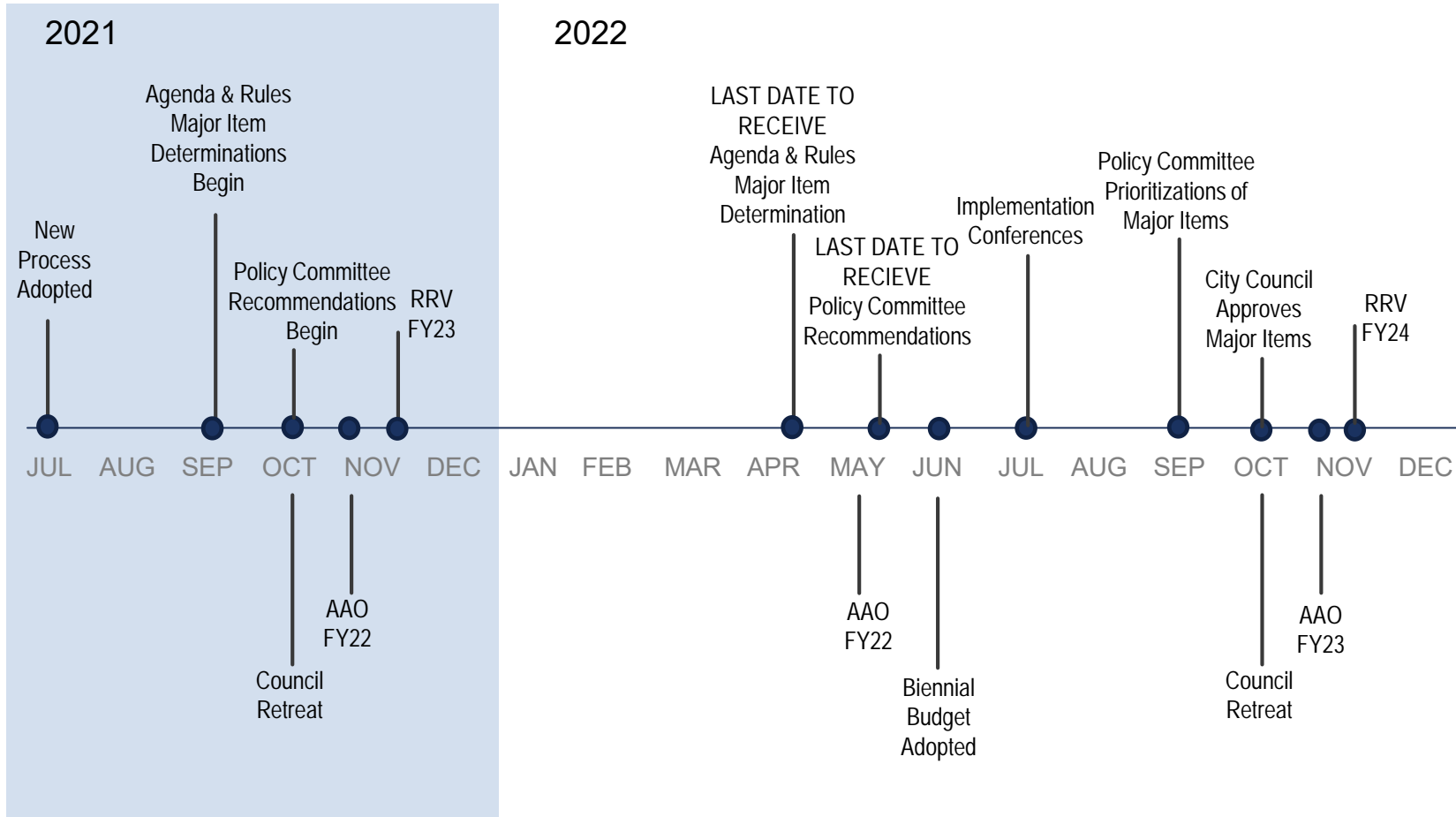
FLOW CHART





# PROPOSED IMPLEMENTATION

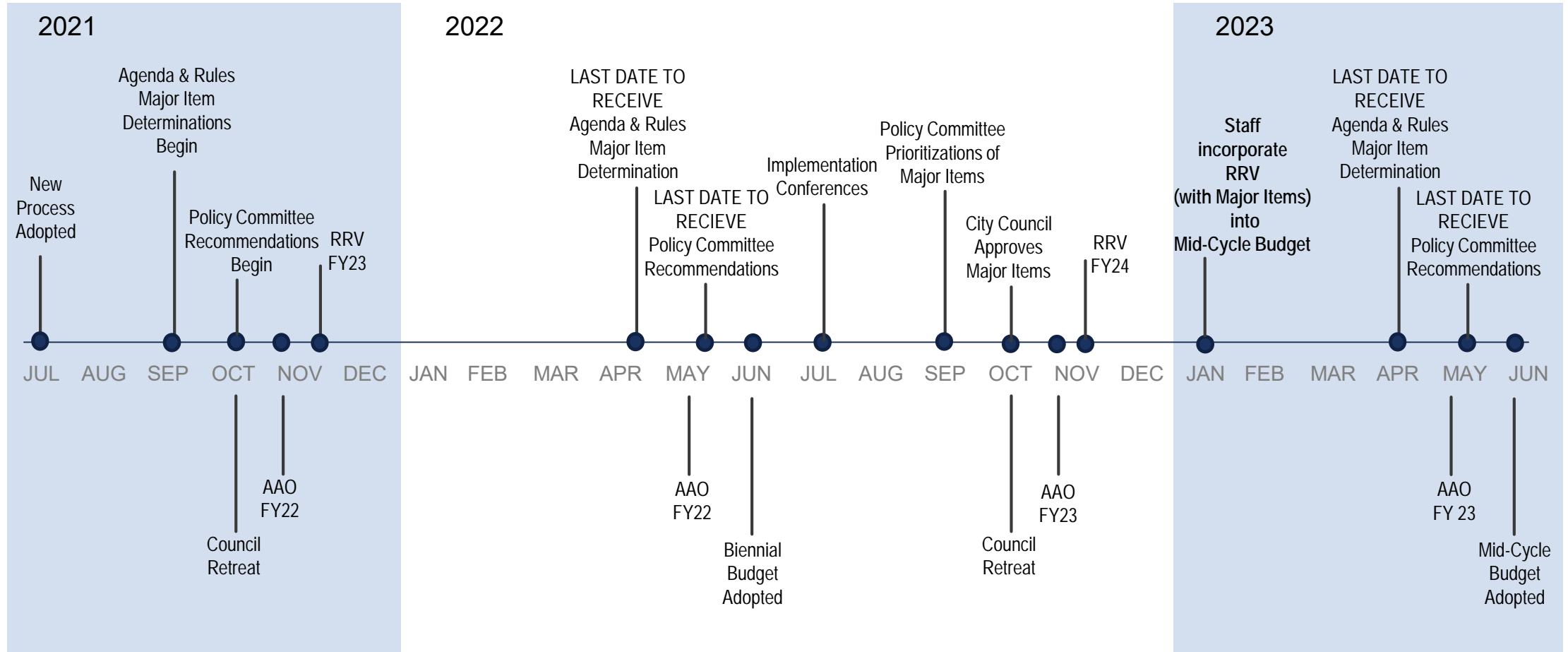
PHASE-IN OF SYSTEMS ALIGNMENT



# PROPOSED IMPLEMENTATION

PHASE-IN OF SYSTEMS ALIGNMENT





# PROPOSED IMPLEMENTATION

PHASE-IN OF SYSTEMS ALIGNMENT

# SEQUENCING & TIMING

## Existing

1. Idea
2. Committee Consideration
3. Council Approval
4. Costing
5. Budget development
6. RRV



Uncertain Timeline

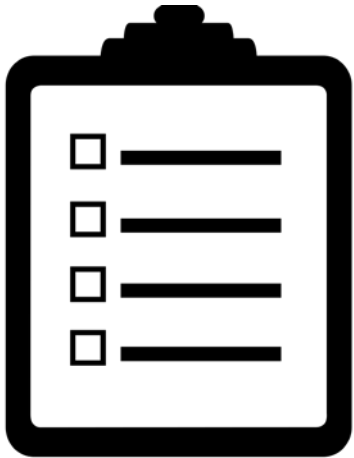
## Proposed

1. Idea
2. Committee Consideration
3. Vetting & Costing
4. Council Approval
5. RRV
6. Budget development



Certain Timeline

# WHAT'S DIFFERENT



Mandatory Guidelines

Implementation Conferences

Policy Committee Prioritization

Moving the RRV process

New required forms and processes

APPENDIX B. GUIDELINES FOR DEVELOPING AND WRITING COUNCIL AGENDA ITEMS

## APPENDIX B. GUIDELINES FOR DEVELOPING AND WRITING COUNCIL AGENDA ITEMS

These guidelines are derived from the requirements for Agenda items listed in the Berkeley City Council Rules of Procedure and Order, Chapter III, Sections B(1) and (2), reproduced below. In addition, Chapter III Section C(1)(a) of the Rules of Procedure and Order allows the Agenda & Rules Committee to request that the Primary Author of an item provide "additional analysis" if the item as submitted evidences a "significant lack of background or supporting information" or "significant grammatical or readability issues."

These guidelines provide a more detailed and comprehensive overview of elements of a complete Council item. While not all elements would be applicable to every type of Agenda item, they are intended to prompt Authors to consider presenting items with as much relevant information and analysis as possible.

Chapter III, Sections (B)(1) and (2) of Council Rules of Procedure and Order:

2. Agenda items shall contain all relevant documentation, including the following as Applicable:
  - a. A descriptive title that adequately informs the public of the subject matter and general nature of the item or report and action requested;
  - b. Whether the matter is to be presented on the Consent Calendar or the Action Calendar or as a Report for Information;
  - c. Recommendation of the City Manager, if applicable (these provisions shall not apply to Mayor and Council items.);
  - d. Fiscal impacts of the recommendation;
  - e. A description of the current situation and its effects;
  - f. Background information as needed;
  - g. Rationale for recommendation;
  - h. Alternative actions considered;
  - i. For awards of contracts; the abstract of bids and the Affirmative Action Program of the low bidder in those cases where such is required (these provisions shall not apply to Mayor and Council items.);
  - j. Person or persons to contact for further information, with telephone number. If the Primary Author of any report believes additional background information, beyond the basic report, is necessary to Council understanding of the subject, a separate compilation of such background information may be developed and copies will be available for Council and for public review in the City Clerk Department, and the City Clerk shall provide limited distribution of such background information depending upon quantity of pages to be duplicated. In such case the agenda item distributed with the packet shall so indicate.

## SO, HOW DO WE MAKE THIS HAPPEN?

- Adopting aligned timeline and new process
  - Incorporating vetting and costing (i.e., implementation conferences)
  - Prioritizing vetted Major Items (prioritize, assign fiscal year, identify projects to remove to accommodate new Major Items)
  - Revising City Council Rules of Procedure and Order
- Making Appendix B guidelines mandatory
- Addressing adopted, open referrals
- Addressing Council items under consideration

## BENEFITS



Ensures **continuous improvements**



Provides adequate context and impacts of items to **enhance Council decision-making**



Identifies appropriate and necessary resources so that **adopted items are adequately resourced**

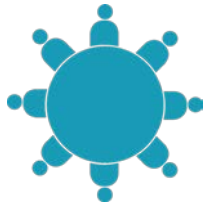


Aligns processes to **ensure efficient implementation/realization of Council items**



**Increases collaboration** among and between stakeholders

## NEXT STEPS



Legislative aide roundtable



City Manager and Councilmember One-on-Ones



Revise and return item in July

THANK YOU.



Office of the City Manager

01

Worksession Item

WORKSESSION

May 18, 2021

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: David White, Deputy City Manager

Subject: Systems Alignment Proposal

RECOMMENDATION

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

SUMMARY

This report proposes a process to integrate various systems (e.g., budget, Strategic Plan, prioritization of referrals, etc.) to ensure that resources are appropriately allocated, to focus the organization and employees on those priorities established by the City Council and City Manager, and to enhance legislative and budget processes. Ultimately, aligning systems will help ensure our community's values as reflected in the policies of our City Council are implemented completely and efficiently, with increased fiscal prudence, while supporting more meaningful service delivery. In light of the economic and financial impacts of COVID-19 and resource constraints, it is imperative to improve vetting and costing of new projects and legislative initiatives to ensure success. In addition, the purpose of this proposal will align our work with the budget process.

FISCAL IMPACTS OF RECOMMENDATION

While the recommendation of this report would not entail fiscal impacts, if adopted, the proposal would have budgetary effects. Broadly speaking, the proposal is designed to better ensure adequate financial and staffing resources are identified and approved with any adopted significant legislation<sup>1</sup> (Major Item).

CURRENT SITUATION AND ITS EFFECTS

The proposed changes outlined in this memorandum will better guide and inform budget development, clarify tradeoffs by identifying operational impacts, and develop a more effective and time-efficient path to implementation. These changes support a clear and

---

<sup>1</sup> New significant legislation is defined, with some explicit exceptions, as "any law, program, or policy that represents a significant change or addition to existing law, program, or policy, or is likely to call for or elicit significant study, analysis, or input from staff, Councilmembers or members of the public". See Council Rules of Procedure, [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_City\\_Council/City%20Council%20Rules%20of%20Procedure.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_City_Council/City%20Council%20Rules%20of%20Procedure.pdf).



full realizing of City Council policies, programs, and vision. The major features of the proposal are:

- Changing the order of the legislative process to ensure that Major Items (defined below) passed by Council are funded, as well as folded into staff workplans and staffing capacity,
- Making the City Council Rules of Procedure Appendix B guidelines mandatory,
- Ensuring that Major Items that are adopted by City Council are vetted and clearly identify the resources needed for implementation,
- Consolidating and simplifying reporting and tracking of Major Items, and
- Creating a deadline for each year's Major Items that allows for alignment with prioritization, the Strategic Plan, and the budget process.

Additionally, the proposed Systems Alignment would advance the City's Strategic Plan goal to provide an efficient and financially-health City government.

## **PROPOSED PROCESS**

The proposed process outlined in this memorandum replaces the current system of referrals (short and long term, as well as Commission referrals), directives, and new proposed ordinances, that is, all Major Items, regardless of "type" or origin will be subject to this process.

### **Step 1: Major Item Determination**

The systems alignment proposal outlines a process for Major Items.

#### ***Defined in Council Rules of Procedure***

Major Items are "new significant legislation" as defined in Appendix D of the [City Council Rules of Procedure](#):

Except as provided below, "new significant legislation" is defined as any law, program, or policy that represents a significant change or addition to existing law, program, or policy, or is likely to call for or elicit significant study, analysis, or input from staff, Councilmembers or members of the public.

The exceptions to the definition of new significant legislation and process state:

New significant legislation originating from the Council, Commissions, or Staff related to the City's COVID-19 response<sup>2</sup>, including but not limited to health and economic impacts of the pandemic or recovery, or addressing other health and safety concerns, the City Budget process, or other essential or ongoing City processes or business will be allowed to move forward, as well as legislative items that are urgent, time sensitive, smaller, or less impactful.

---

<sup>2</sup> If this proposal is adopted, "COVID-19" should be replaced with "declared emergency response" in the exception language.

The Agenda & Rules Committee, in consultation with the City Manager, will make the initial determination of whether something is a Major Item, using the Major Item Determination Checklist (see attachment 1). At any time in the process, if evidence demonstrates that the initial determination of the proposal as a Major Item proves incorrect, then it is no longer subject to this process. Additionally, if any legislation it originally deemed not to be a Major Item, the author or City Manager may appeal to the Agenda and Rules Committee or to the full Council and present evidence to the contrary.

### ***Required Conformance and Consultation***

All Major Items must use the agenda guidelines in Appendix B of the Council Rules, which require more detailed background information and analysis. The Agenda and Rules Committee can send the item back to the author if it is not complete and/or does not include all of the information required in Appendix B. The author must make a good faith effort to ensure all the guideline prompts are completed in substance not just in form.

Major Items must include a section noting whether the author has initially consulted with the City Manager or city staff regarding their proposed Major Item and the substance of those conversations, and initial staff input.

### ***Required Submission Date***

A Major Item must be submitted in time to appear on the agenda of an Agenda & Rules Committee meeting occurring no later than April 30 of every year. Any item submitted after that deadline, that does not meet an exemption, will be continued to the following year's legislative process.

Major Items will be referred by the Agenda & Rules committee on a rolling basis.

### **Step 2: Policy Committee Review**

A Major Item, once introduced and deemed complete and in conformance by the Agenda and Rules Committee, will be referred to one of City Council's Policy Committees (i.e., Health, Life Enrichment, Equity and Community, Public Safety, etc.), for review, recommendation, and high-level discussion of implementation (i.e., ideas, rough cost estimates, benefits, etc.). Per the [\*Council Rules of Procedure\*](#),<sup>3</sup> the Policy Committee will review the Major Item and the completed Major Item Determination Checklist to confirm Agenda & Rules initial determination that the Major Item is complete in accordance with Section III.B.2 and aligns with Strategic Plan goals. If the Major Item receives a positive or qualified positive recommendation, then it will go to an Implementation Conference (See step 3, Vetting and Costing).

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<sup>3</sup> [https://www.cityofberkeley.info/uploadedFiles/Clerk/Level\\_3\\_-\\_City\\_Council/City%20Council%20Rules%20of%20Procedure%20-%20Feb%2011%202020%20-%20FINAL.pdf](https://www.cityofberkeley.info/uploadedFiles/Clerk/Level_3_-_City_Council/City%20Council%20Rules%20of%20Procedure%20-%20Feb%2011%202020%20-%20FINAL.pdf)

If the Major Item receives a negative or qualified negative recommendation, then it will be returned to the Agenda and Rules Committee to be placed on a City Council Agenda. When heard at a City Council meeting, the author can advocate for the Major Item to be sent to an Implementation Conference. If the Major Item does not receive a vote by the majority of City Council at this step, it becomes inactive for that year's legislative calendar but may be reintroduced for the next year's calendar.

City Council Policy Committees must complete review of all Major Items assigned to them no later than June 30 of each year.

### **Step 3: Implementation Conference (Vetting and Costing)**

At an Implementation Conference, the primary author will meet with the City Manager or designee, City Manager-selected staff subject matter experts, and the City Attorney or designee.

#### ***Identifying Fiscal, Operational and Implementation Impacts***

The intended outcome of an Implementation Conference is a strong analysis containing all of the considerations and resources necessary to support implementation should Council choose to approve the Major Item.

The Implementation Conference is an informal meeting where the primary author can collaborate with the City Manager, City Attorney, and staff to better define the Major Item and identify more detailed fiscal and operational impacts, as well as implementation considerations. The information discussed during the Implementation Conference will be summarized in the Council Report as part of newly required sections (see attachment 2), in conformance with Appendix B:

- *Initial Consultation*, which
  - Lists internal and external stakeholders that were consulted, including whether item was concurrently submitted to a Commission for input,
  - Summarizes and confirms what was learned from consultation,
  - Confirms legal review addressing any legal or pre-emption issues, ensuring legal form,<sup>4</sup>
- *Implementation, Administration, and Enforcement*, which
  - Identifies internal and external benefits and impacts, and
  - Considers equity implications, launch/initiation of Major Item and its ongoing administration, and
- *Fiscal & Operational Impacts*, which
  - Summarizes any operational impacts,

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<sup>4</sup> While consultation with the City Attorney is mentioned in Appendix B, the legal review and "confirmations" recommended in this proposal is a more specific and robust requirement.

- Identifies necessary resources, including specific staff resources needed and costs.<sup>5</sup>

As part of the Implementation Conference, staff will provide a high level work plan, indicating major deliverables/milestones and dates. This information can be collected and recorded using the Implementation Conference Worksheet (see attachment 2).

Implementation Conferences will be date certain meetings held in July.

### ***Revising the Major Item***

After the Major Item's author revises the original Council Report based on information from the Implementation Conference, the Major Item will be submitted to the Council agenda process. If additional full time equivalent employee(s) (FTE) or fiscal resources are needed, the Major Item must include a referral to the budget process and identify the amount for implementation of the policy or program.

### **Step 4: Initial Prioritization**

At their first meetings in September, Policy Committees must complete the ranking of the Major Items which were referred to them and also completed the Implementation Conference. The Policy Committees will provide these rankings in the form of a recommendation to the City Council. The Policy Committees prioritization will use the Policy Committee Ranking Form (see attachment 3) to standardize consideration of Major Items across Policy Committees. The Policy Committee priority rankings will be submitted to the City Council when the Council is considering items to move forward in the budget and Strategic Plan process.

### **Step 5: City Council Approval and Final Prioritization**

Under this proposal, all Major Items that the City Council considers for approved prioritization must have:

1. Received a City Council Policy Committee review and recommendation,
2. Received a City Council Policy Committee prioritization,
3. Completed the Implementation Conference, and
4. Been placed on the Agenda for a regular or special Council meeting in October for approval and inclusion in the RRV process.

At the designated Council meeting in October, staff will provide the Council with a list of all approved Major Items, including the initial prioritization by Policy Committee. The Council will consider each Major Item for approval. All approved Major Items then will be added to the RRV process (i.e., with other items, referrals, etc) and ranked. The RRV ranking will begin in late October. These rankings will be adopted by Council and

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<sup>5</sup> Appendix B does require a Fiscal Impacts section, but the inclusion of operational impacts and specific noting of required staff resources and costs recommended in this proposal is a more specific and robust requirement.

used to inform the development of the draft budget. Approved and ranked Major Items have multiple opportunities to be approved for funding, when the biennial budget or mid-cycle budget is adopted in June or when the Annual Appropriations Ordinances are adopted in May and November.

If a Major Item *does not receive the endorsement* of City Council at this step, it becomes inactive for that year's legislative calendar and may be reintroduced for the next year's calendar.

City Council must complete its Major Items approval, and RRV process no later than the final meeting in December of each year.<sup>6</sup> This ensures that staff is able to develop the budget starting from and based on Council priorities.

### ***Step 6: Budget & Strategic Plan Process***

The Council's rankings are also forwarded to the Budget and Finance Committee for consideration as part of budget development. If the proposal is not ultimately funded in the biennial budget, mid-cycle budget or the Annual Appropriations Ordinance (mid-year budget amendment), then it does not move forward that year and will be added to a list of unfunded proposals for the future budget process.

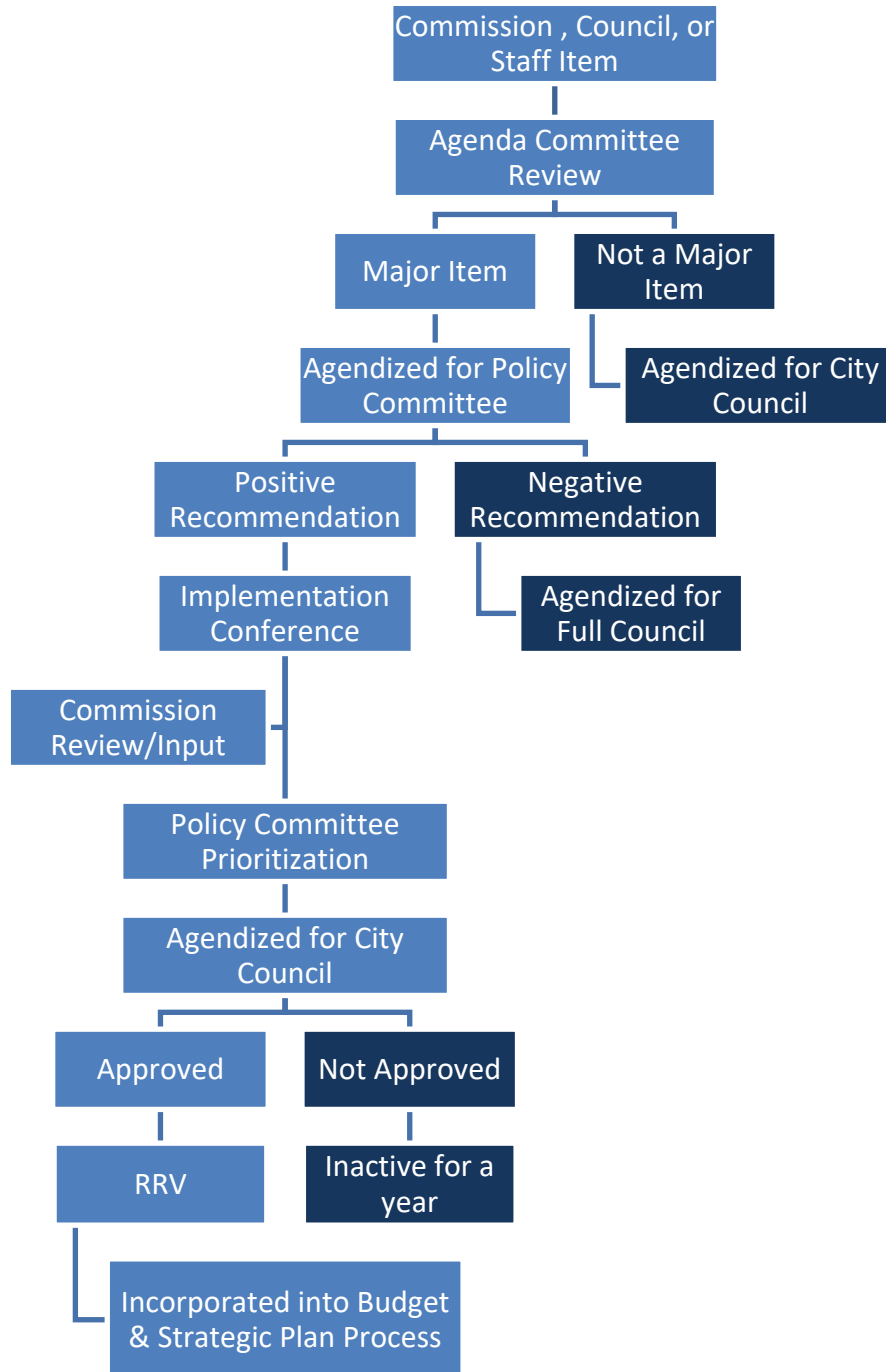
During December and January, city staff will prepare budget proposals that incorporate the ranked City Council Major Items, Strategic Plan, and work plan development. In the late winter/early spring, the City Manager and Budget Office will present the draft budget to Council. This will be followed by department presentations to the Budget and Finance Policy Committee. From late March and through early May, Council and staff will refine the budget. Council will hold budget hearings in May and June, with adoption of the budget by June 30. Although the legislative process (i.e., Policy Committee review, Implementation Conference, Prioritization) is annual, staff recommends the budget process remain biennial. A significant mid-cycle budget update can easily accommodate additions to or changes in priorities arising through the legislative process.

The proposed process is depicted in Figure 1 and the proposed launch calendar in Figure 2.

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<sup>6</sup> Due to noticing requirements, an RRV process completed by November 30 may not appear on a City Council Agenda for adoption until January.

Figure 1, Proposed Process<sup>7</sup>

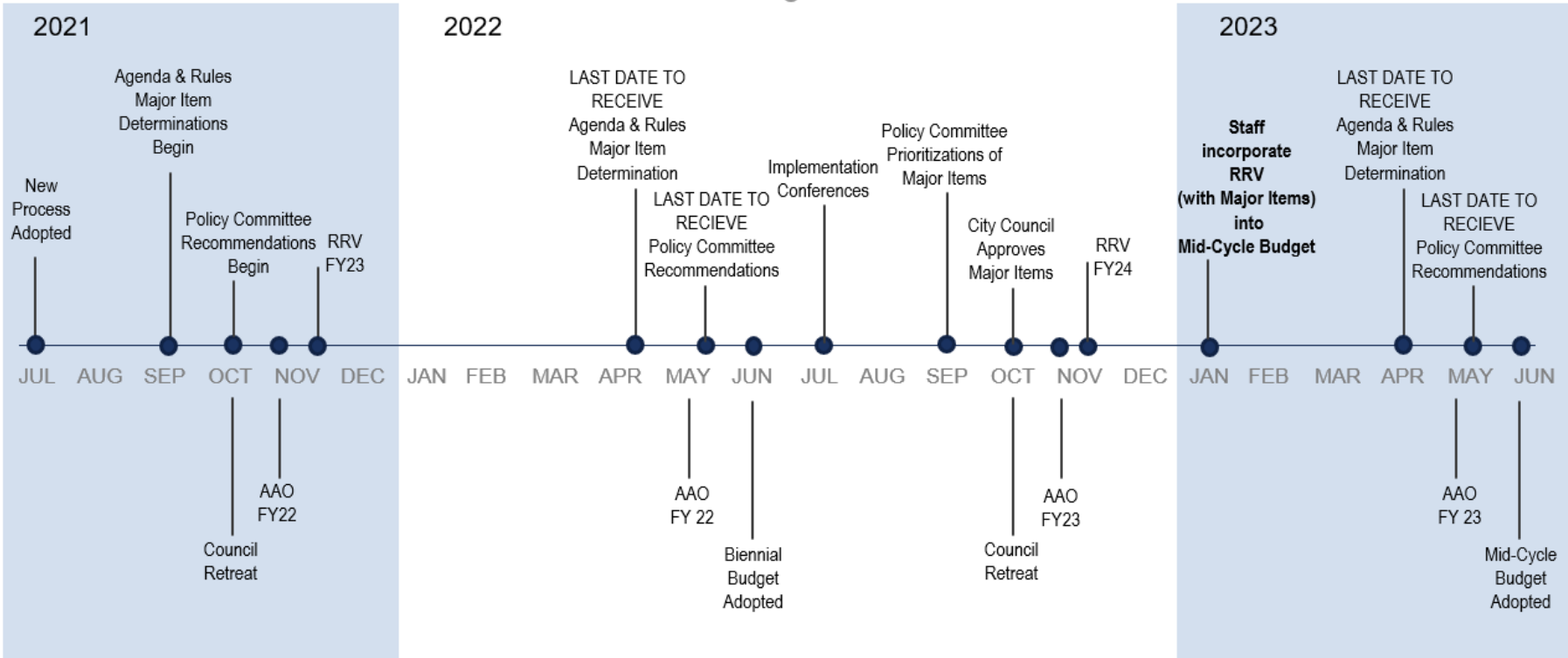


<sup>7</sup> Major Items that are ordinances will need to be examined on a case-by-case basis. Once adopted, ranked, and, if requiring resources, budgeted, the ordinance will need to be given an effective date and scheduled for first and second readings at Council.



Office of the City Manager

Figure 2, Proposed Launch





Office of the City Manager

### **Next Steps**

Staff will reach out to legislative aides for input and the City Manager will meet individually with Councilmembers to discuss this proposal. Staff will incorporate Council input from the worksession, and from subsequent input into a resolution and return to Council with a final Systems Alignment item for adoption by July 2021.

### **Benefits**

The addition of an Implementation Conference will ensure that Major Items considered by Council are properly resourced, improving our City's responsible management of fiscal resources. Analysis from the Implementation Conference will help Council to balance and consider each Major Item within the context of related programs and potential impacts (positive and negative). When considered holistically, new policy implementation can be supportive of existing work and service delivery.

Since the proposed process places the City Council prioritization of Major Items immediately before budget preparation, the Prioritization will guide and inform budget development, including components such as the Strategic Plan and work plans. Fixing the sequencing of the process is a key benefit. Currently, with prioritization occurring in May and June, the budget process is nearing completion when City Council's priorities are finally decided. This leads to inconsistencies between adopted priorities and budgeting for those priorities.

Under the current process, an idea may go into prioritization, proceed to the short term referral list or referred to the budget process. However, the resulting Major Item may not have addressed operational considerations. Adding such items to a department's work at any given time of the year may lead to staff stopping or slowing work on other prioritized projects in order to develop and implement new Major Items. Also, it may be difficult for staff to prioritize their projects: is stopping/slowing of work that is already underway in order to address new items the preference of the full Council?

Also, because consideration of implementation currently occurs after the adoption of a Major Item, features of the adopted language may unintentionally constrain effective implementation, complicating and slowing progress on the Major Item and hindering the effectiveness of the new program or regulation.

With the proposed process, a Major Item does not go through prioritization until there is an opportunity for staff to identify operational considerations. Finally, since implementation only occurs after operational considerations are reported, and funds are



allocated, the resulting Major Item should move more quickly from idea to successful completion.

### BACKGROUND

In October 2019, City Council held a half-day worksession to discuss systems realignment and provide direction on potential changes to the city's legislative process. The purpose of the meeting was to develop recommendations for how various systems (e.g., budget, Strategic Plan, RRV, etc) could better work together to ensure that the organization is able to focus on the priorities established by the City Council. The City Manager took direction from that meeting and worked with department directors and the Budget Office to create this proposal.

### ENVIRONMENTAL SUSTAINABILITY

By improving efficiency, ensuring adequate resources, and strengthening implementation, this proposal would increase the speed and full adoption of new significant legislation, including sustainability work.

### RATIONALE FOR RECOMMENDATION

The City of Berkeley is unique in comparison to many cities. It considers and approves many more policies, often at the cutting edge, than a typical city and especially for a city of its size. This proposal is a hybrid, incorporating city processes while mirroring State and Federal legislative processes which accommodate a larger number of policies and items in a given cycle. The disadvantage of this proposal is that it introduces additional steps, such as the implementation conference. The advantages of this proposal, are:

- Ensuring adopted legislation is adequately resourced, in terms of both staffing and budget;
- Providing adequate context for Council to balance and consider items in relation to potential positive and negative impacts; and
- Strengthening the effectiveness and efficiency of policy implementation.

### ALTERNATIVE ACTIONS CONSIDERED

At the Council retreat in October 2019, a variety of approaches and ideas were discussed and considered. Additionally, the original version of this proposal was substantively revised through the Policy Committee process.

If the Council takes no action on this item, the existing process will continue to result in inadequately resourced adopted legislation and inefficient and complicated implementation.

### CONTACT PERSON

David White, Deputy City Manager, 510-981-7012

Attachments:

- 1: Major Item Determination Checklist
- 2: Council Report Template and Implementation Conference Worksheet
- 3: Policy Committee Ranking Form



# Major Item Determination Checklist

**Item Name:**

**Item Author:**

**Is this a Major Item?**

- |                          |                          |                                                                                                                                |
|--------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Yes                      | No                       |                                                                                                                                |
| <input type="checkbox"/> | <input type="checkbox"/> | Item represents a significant change to existing law, program, or policy.                                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Item represents a significant addition to existing law, program, or policy.                                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is likely to call for or elicit significant study, analysis or input from staff, Councilmembers, or members of the public |

**Is this eligible for an Exemption?**

- |                          |                          |                                                                     |
|--------------------------|--------------------------|---------------------------------------------------------------------|
| Yes                      | No                       |                                                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is related the City's COVID-19 response.                       |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is related to the City Budget process.                         |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is related to essential or ongoing City processes or business. |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is urgent.                                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is time-sensitive.                                             |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is smaller.                                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Item is less impactful.                                             |

**Agenda Committee Determination:**

Major Item  Exempted

Indicate name and date below.

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

**Policy Committee Confirmation:**

Determination Confirmed  Sent back to be agendized for full Council consideration

Indicate name and date below.

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_

Per Committee Member \_\_\_\_\_



[First Lastname]  
Councilmember District [District No.]

[CONSENT OR ACTION]  
CALENDAR  
[Meeting Date (MM dd, yyyy)]

To: Honorable Mayor and Members of the City Council

From: [Councilmember (lastname)]

Subject: [Brief Report Title (No underline and not all caps.)]

RECOMMENDATION

Adopt a Resolution...  
or Support ...  
or write a letter to \_\_\_ in support of \_\_\_\_\_...  
or other recommendation....

FINANCIAL-FISCAL & OPERATIONAL IMPACTS IMPLICATIONS

*This section must include operational impacts, identify any staff resources (full time exempt employee/FTE) required, and financial costs.*

IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT

*This section must describe benefits and impacts to both internal and external stakeholders. It should also consider equity; the launch or initiation of the item; and its ongoing administration once implemented.*

CURRENT SITUATION AND ITS EFFECTS

*For items that relate to one of the Strategic Plan goals, include a standard sentence in the Current Situation and Effects or Background section:*

[Insert project name] is a Strategic Plan Priority Project, advancing our goal to [pick one:]

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.
- provide an efficient and financially-health City government.
- foster a dynamic, sustainable, and locally-based economy.
- create affordable housing and housing support service for our most vulnerable community members.
- create a resilient, safe, connected, and prepared city.
- champion and demonstrate social and racial equity.
- be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

[Title of Report]

CALENDAR

Macrobutton NoMacro [Meeting Date (MM dd, yyyy)]

- be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.
- attract and retain a talented and diverse City government workforce.

BACKGROUND

INITIAL CONSULTATION

*This section should list the external and internal stakeholders, indicate whether the item was submitted to a commission for input, and summarize what was learned from consulting with stakeholders.*

ENVIRONMENTAL SUSTAINABILITY

CONTACT PERSON

Councilmember [First Lastname] Council District [District No.] 510-981-[XXXX]

Attachments: [Delete if there are NO Attachments]

1: Resolution

Exhibit A: [Title or Description of Exhibit]

Exhibit B: [Title or Description of Exhibit]

2: [Title or Description of Attachment]

3: [Title or Description of Attachment]

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

SHORT TITLE OF RESOLUTION HERE

WHEREAS, (Whereas' are necessary when an explanation or legislative history is required); and

WHEREAS, (Insert Additional 'Whereas Clauses' as needed); and

WHEREAS, enter text here; and

WHEREAS, enter text here; and

WHEREAS, (The last "Whereas" paragraph should contain a period (.).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that (Action to be taken) - ends in a period (.).

BE IT FURTHER RESOLVED that (for further action if needed; if not delete) - ends in a period (.).

Exhibits **[Delete if there are NO exhibits]**

A: Title of the Exhibit

B: Title of the Exhibit



## Implementation Conference Worksheet

**Item Name:**

**Item Author:**

### AUTHOR SECTION

The author of the item may complete this section to help record required information for the report.

|                                                                               |
|-------------------------------------------------------------------------------|
| Descriptive title:                                                            |
| Is this for Consent, Action, or Information Calendar?                         |
| Recommendation:                                                               |
| Summary statement:                                                            |
| Background (history, circumstances and concerns to be addressed by the item): |
| Plans, programs, policies and/or laws were taken into consideration:          |
| Actions/alternatives considered:                                              |
| Internal stakeholders consulted:                                              |
| Name/date of Commission(s) item submitted to for input:                       |
| List of external stakeholders consulted:                                      |

|                                                                                       |
|---------------------------------------------------------------------------------------|
| Summary of what was learned from consulting stakeholders:                             |
| Rationale for recommendation:                                                         |
| Internal Benefits of Implementation:                                                  |
| Internal Impacts of Implementation:                                                   |
| External Benefits of Implementation:                                                  |
| External Impacts of Implementation:                                                   |
| Equity Considerations:                                                                |
| Launch and Implementation Milestones (see staff section)                              |
| Environmental Impacts:                                                                |
| Operational Impacts:                                                                  |
| Staff Resources Needed:<br><br>Number of FTE/hours:<br>Type of staff resource needed: |
| Costs:<br><br>Amount(s):<br>Funding Source:                                           |



**STAFF SECTION**

Staff may complete section to provide required information for the report.

|                                                            |                    |
|------------------------------------------------------------|--------------------|
| <b>Estimated Launch/implementation Deliverables/Dates:</b> |                    |
| <i>Month/Year</i>                                          | <i>Deliverable</i> |
| <b>Estimated Administration Deliverables/Dates:</b>        |                    |
| <i>Month/Year</i>                                          | <i>Deliverable</i> |

**Legal Consultation:**

Confirmed

Name/Date \_\_\_\_\_

**Staff Consultation:**

Confirmed

Name(s)/Date(s) \_\_\_\_\_



## Policy Committee Ranking Form

Starting on the right, think about and then indicate whether each consideration is high (H), medium (M) or low (L). Then rank the list of priorities. The highest priority would be “1”, the next highest “2” and so on.

| Priority<br>1 is highest | Major Item Name | Major Item Author | Considerations<br>H high M medium L low |      |                      |
|--------------------------|-----------------|-------------------|-----------------------------------------|------|----------------------|
|                          |                 |                   | Staff Resources                         | Cost | Benefits/<br>Savings |
|                          |                 |                   |                                         |      |                      |
|                          |                 |                   |                                         |      |                      |
|                          |                 |                   |                                         |      |                      |
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|                          |                 |                   |                                         |      |                      |
|                          |                 |                   |                                         |      |                      |
|                          |                 |                   |                                         |      |                      |

### Policy Committee Determination:

Indicate name and date below.

- Per Committee Member \_\_\_\_\_
- Per Committee Member \_\_\_\_\_
- Per Committee Member \_\_\_\_\_



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BERKELEY SPECIAL MEETING

TUESDAY, OCTOBER 10, 2023

# Unofficial Text File

>> GOOD AFTERNOON.

THANK YOU FOR WAITING PAITENTLY.

I WOULD NOW LIKE TO CALL TO ORDER THE SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL FOR TUESDAY, OCTOBER 10<sup>TH</sup>, 2023 AT 4 P.M..  
IF THE CITY CLERK CAN PLEASE CALL THE ROLL.

[ROLL CALL]

>> CLERK: COUNCILMEMBER KESARWANI.

>> R. KESARWANI: HERE.

>> CLERK: TAPLIN.

>> T. TAPLIN: PRESENT.

>> CLERK: BARTLETT.

>> B. BARTLETT: HERE.

>> CLERK: HARRISON.

>> K HARRISON: HERE.

>> CLERK: HAHN.

>> S. HAHN: PRESENT.

>> CLERK: WENGRAF.

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>> S. WENGRAF: PRESENT.

>> CLERK: ROBINSON.

>> R. ROBINSON: PRESENT.

>> CLERK: HUMBERT.

>> M. HUMBERT: PRESENT.

>> CLERK: AND MAYOR ARREGUIN.

>> MAYOR J. ARREGUIN: PRESENT.

>> CLERK: OKAY.

>> MAYOR J. ARREGUIN: OKAY.

ALL MEMBERS ARE PRESENT.

THANK YOU VERY MUCH.

SO THIS IS A SPECIAL CITY COUNCIL MEETING TO HOLD A WORK SESSION TO POTENTIAL PROPOSALS FOR THE REDESIGN OF OUR CITY COUNCIL'S LEGISLATIVE PROCESS.

AND I JUST WANT TO PROVIDE SOME INTRODUCTORY COMMENTS AND THEN TURN IT OVER TO COUNCILMEMBER HAHN, WHO IS GOING TO GO THROUGH PRESENTING THE PROPOSED FRAMEWORK THAT WE WANTED COUNCIL INPUT ON.

AND THEN, I'LL GIVE COUNCILMEMBER HARRISON AN OPPORTUNITY TO PRESENT ON HER CONCEPTS AS WELL.

SO AS THE COUNCIL KNOWS, WE HAVE BEEN DISCUSSING A REDESIGN OF OUR LEGISLATIVE SYSTEM FOR SEVERAL YEARS NOW.

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ADD OUR RETREAT IN OCTOBER, 2019, WE HAD I THINK A VERY EXCELLENT DISCUSSION AROUND POTENTIAL CHANGES TO THE PROCESS IN WHICH WE INTRODUCE AND REVIEW AND APPROVE LEGISLATION AT THE CITY COUNCIL LEVEL.

AND THERE WERE SEVERAL GOALS WE WANTED TO ACHIEVE. ONE, WE WANTED TO MAKE SURE THAT THERE WAS ALIGNMENT OF OUR LEGISLATIVE PROCESS WITH THE BUDGET PROCESS.

BECAUSE WHILE WE MAY ADOPT LAWS OR PROPOSED COUNCIL REFERRALS, IF THOSE LAWS OR PROGRAMS ARE NOT FUNDED, AND WE DON'T HAVE STAFF RESOURCES OR FUNDING ALLOCATED, THEN THEIR IMPLEMENTATION WILL NOT BE EFFECTUATED, IT WILL BE DELAYED.

IN ORDER TO FULLY REALIZE THE IMPACT OF THE LEGISLATION WE ADOPT WE WANTED TO ALIGN THE ADOPTION OF MAJOR ITEMS IN LEGISLATION WITH OUR BUDGET PROCESS TO MAKE SURE WE CAN CONSIDER THE BUDGET NEEDS, TO MAKE SURE WE CAN SET ASIDE FUNDING IN THE BUDGET FOR CITY STAFF AND IMPLEMENTATION.

ANOTHER AREA WAS LOOKING AT HOW CAN WE ENSURE MORE THOROUGH REVIEW OF ITEMS.

TO MAKE SURE THAT THEY HAVE COMPLETE INFORMATION AND ARE LOOKING AT PHYSICAL IMPACTS.

ANOTHER ISSUE WAS LOOKING AT WHAT WOULD BE AN EFFECTIVE PROCESS FOR THESE ITEMS IT BE CONSIDERED TO ALIGN WITH OUR BUDGET PROCESS, TO ALIGN WITH THE A.A.O.

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AND ON TOP OF THAT WE HAD A PRIORITIZATION PROCESS.

WHAT IS THE RELATIONSHIP TO THE PRIORITIZATION PROCESS AND THIS PROCESS.

SO WE HAD A LOT OF GOOD DISCUSSION WITH THE CITY MANAGER CAME FORWARD AFTER THAT WITH A PROPOSAL THAT WE DISCUSSED IN 2021.

AND/OR THE CITY MANAGER PUT THAT FORWARD TO STIMULATE DISCUSSION.

SHE SAID TO THE AGENDA COMMITTEE SHE HAS WITHDRAWN THAT PROPOSAL.

SO THAT IS NOT, SHE'S NOT PRESENTING THAT FOR ACTION AT THE PRESENT TIME BY COUNCIL.

BUT THAT DID SPARK A LOT OF REALLY GOOD IDEAS THAT HAD BEEN BROUGHT FORWARD THE LAST SEVERAL YEARS, ALL OF WHICH WERE INCLUDED IN THE PACKET.

WE WANT TODAY MAKE SURE THE PROPOSALS AND IDEAS THAT COUNCILMEMBERS CURRENTLY PROPOSED AROUND HOW TO IMPROVE AND STREAMLINE THE LEGISLATIVE PROCESS.

THOSE WERE INCLUDED SO WE CAN LOOK AT THE COMPREHENSIVE RECORD.

AND SO, THE AGENDA RULES COMMITTEE TASKED BY THE CITY COUNCIL TO NOT JUST APPROVE THE DRAFT AGENDA BUT TO ALSO REVIEW AND MAKE RECOMMENDATIONS ON CHANGES TO OUR COUNCIL RULES.

HAS BEEN DISCUSSING FOR SEVERAL YEARS NOW THE CHANGES TO OUR LEGISLATIVE PROCESS.

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AND OUT OF THAT, COUNCILMEMBER HAHN HAS BEEN WORKING WITH, I THINK THE CITY CLERK DEPARTMENT, THE CITY MANAGER'S OFFICE AND OTHERS TO COME UP WITH A CONCEPTUAL FRAMEWORK TO PRESENT SOME IDEAS FOR COUNCIL CONSIDERATION.

SO THAT WE CAN GATHER INPUT AND COME BACK WITH A PROPOSAL SO WE CAN FINALLY MOVE THIS CONVERSATION FORWARD.

THE PURPOSE OF TONIGHT'S WORK SESSION IS NOT TO TAKE ACTION BUT TO HEAR THE WHOLE COUNCIL'S INPUT.

BECAUSE THE AGENDA AND RULES COMMITTEE THERE ARE ONLY THREE MEMBERS THAT SIT ON THAT COMMITTEE, WE CANNOT ASK FOR YOUR IDEAS, UNFORTUNATELY.

SO REALLY, THIS IS WE'RE THE AGENDA RULES COMMITTEE PUTTING THIS FORWARD TO HEAR THE WHOLE COUNCIL'S IDEAS, SO WE CAN TAKE BACK THAT INPUT AND COME FORWARD WITH A RECOMMENDATION IN THE COMING MONTHS.

SO I REALLY APPRECIATE COUNCILMEMBER HAHN COMING FORWARD WITH A CONCEPTUAL, THOUGHTFUL FAKE WORK.

THE COMMITTEE DID NOT APPROVE THIS, I WANT TO CLARIFY.

WE WANT TO SEND IT FORWARD TO ALL COUNCIL, SO THE WHOLE COUNCIL CAN PROVIDE ITS FEEDBACK AND WE CAN TAKE THAT INTO CONSIDERATION AS WE'RE DELIBERATING ON IT.

I APPRECIATE COUNCILMEMBER HARRISON AND ROBINSON AND TAPLIN'S INPUT.



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THERE MAY BE OTHER IDEAS WE HEAR TONIGHT.

THIS IS INTENDED TO BE A DISCUSSION, AN OPPORTUNITY FOR COUNCIL INPUT AND OUR GOAL IS TO TAKE ALL THESE GOOD IDEAS, AND TO COME BACK WITH A PROCESS THAT WORKS FOR OUR CITY COUNCIL, OUR STAFF AND COMMUNITY, FOR OUR COMMISSIONS.

AND SO, WITH THE GOAL OF TRYING TO HAVE A PROCESS THAT HELPS REALIZE THE IMPACTS OF THE LEGISLATION WE'RE ADOPTED FOR THE BENEFIT OF THE PEOPLE OF BERKELEY.

AND I THINK AN IMPORTANT PART IS OUR BOARDS AND COMMISSIONS AND THE ROLE THEY PLAY ALSO IN REVIEWING A MAJOR LEGISLATION.

SO WITH THAT INTRODUCTION IN MIND, WITH THE UNDERSTANDING WE'RE NOT TAKING ACTION TONIGHT BUT INTENDED FOR DISCUSSION.

I WANT TO TURN IT OVER TO COUNCILMEMBER HAHN WHO WILL PRESENT ON THE SORT OF THE PROPOSED FRAMEWORK THAT WAS PRESENTED AT THE AGENDA RULES COMMITTEE AND THEN COUNCILMEMBER HARRISON THEREAFTER.

>> S. HAHN: THANK YOU SO MUCH, MAYOR.

SOME PRELIMINARY REMARKS.

AND I'LL ASK THE CITY CLERK IF THEY CAN GO AHEAD AND PUT UP THE FIRST PAGE.

FIRST OF ALL, I WANT TO CLARIFY THAT THE AGENDA COMMITTEE WAS WE WERE DELEGATED THE TASK OF COMING BACK TO COUNCIL WITH SOMETHING.

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AND AS YOU ALL KNOW FROM YOUR OWN COMMITTEES YOU CANNOT WORK TWO PEOPLE ON A COMMITTEE CANNOT WORK TOGETHER BEHIND THE SCENES. I WAS DESIGNATED AS A PERSON WHO WOULD WORK ON BRINGING SOMETHING FORWARD.

AND I DID I WAS ABLE TO WORK WITH THE CITY MANAGER AND THE CITY CLERK'S OFFICE, NOT JUST TO GET THEIR INPUT BUT BECAUSE I NEEDED BUDDIES TO HELP DEVELOP THIS AND HAD NO OPPORTUNITY TO WORK WITH MY COLLEAGUES.

I ALSO JUST WANT TO BE REALLY CLEAR, I'M EXTREMELY PROUD OF THE WORK PRODUCT BEING BROUGHT FORWARD AS A THOUGHT EXERCISE HERE TODAY.

BUT THIS IS NOT MY PROPOSAL.

THE PACKET HAS MY PROPOSAL.

MY PROPOSAL IS ON PAGE 43 OF THE PACKET.

AND IF ANYONE WANTS TO KNOW WHAT MY PROPOSAL IS, THAT IS IT.

I AM HAPPY TO TAKE CREDIT FOR HAVING LISTENED TO MANY DIFFERENT STAKEHOLDERS AND LOOKED AT MANY DIFFERENT PROPOSALS THAT ARE HERE IN THE RECORD.

AND TO HAVE WORKED, TO PUT SOMETHING TOGETHER THAT HOPEFULLY REFLECTS AN AMALGAMATION OF MANY DIFFERENT IDEAS AND THAT PROVIDES A CONVERSATION OPPORTUNITY FOR THE WHOLE COUNCIL, WHICH IS WHAT WAS ALWAYS INTENDED.

SO I JUST, I DO THINK THERE HAS BEEN A LITTLE CONFUSION.

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AND I WANTED TO CLARIFY WHILE I'M PROUD TO HAVE DONE WORK ON THIS, THIS IS NOT MY PROPOSAL.

MY PROPOSAL IS ELSEWHERE IN THE PACKET.

I ALSO WANTED TO JUST BRING YOUR ATTENTION TO THIS FIRST PAGE. PROCESS SKETCH FOR DISCUSSION.

WE NAMED IT THAT FOR A REASON.

IT'S ACTUALLY NOT A PROPOSAL.

IT IS A SKETCH OF A POTENTIAL PROCESS.

THAT IS INTENDED TO SPARK CONVERSATION.

IT'S NOT A PROPOSAL.

I WANTED TO MAKE THAT CLEAR AS WELL.

GIVEN THE VARIETY OF WORK PRODUCT THAT WE HAD TO GO BACK AND LOOK AT, AND TO KIND OF DIGEST AND PULL TOGETHER, IT'S NOT POSSIBLE FOR A SINGLE SKETCH TO INCLUDE ABSOLUTELY ALL THE IDEAS AT ONCE.

AND I THINK AS THE REASON WHY WE AS THE AGENDA COMMITTEE DID NOT APPROVE THIS AS A BODY IS BECAUSE WE WANT YOUR INPUT.

WHAT WE MIGHT FINALLY BRING FORWARD MAYBE VERY DIFFERENT FROM THIS.

BUT YOU HAVE TO START SOMEWHERE WITH A CONVERSATION.

AND I REALLY WANT TO MAKE SURE THAT ANY MISCHARACTERIZATION OF WHAT IS HERE IS CLEARED UP.

ALL RIGHT.

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SO LET'S GO THROUGH THIS SKETCH.

AND THE PURPOSE TODAY IS FOR US TO GET ALL YOUR IDEAS AND INPUT.

AND THERE IS NO DECISION POINT TODAY.

I ALSO WANT TO SAY THAT AS WE WERE GOING THROUGH THIS, IT'S ACTUALLY VERY COMPLEX.

AND THERE IS A LOT OF MOVING PIECES AND THERE IS A LOT OF PLACES WHERE YOU WANT TO STEP INTO A MORE COMPLICATED CORNER AND GO DOWN THAT LITTLE RABBIT HOLE.

THE WAY IT'S ORGANIZED THERE IS KIND OF AN OVERVIEW AND WE ACTUALLY DID A LITTLE WAYS DOWN A FEW RABBIT HOLES TO SORT OF SUGGEST SOME OF THE CONSIDERATIONS IN EACH OF THOSE SPECIAL TOPICS.

BUT IT IS OUR INTENT THAT WITH AN OVER-- CLEAR WITH THE OVERVIEW WE WOULD THEN TOGETHER DEVELOP AND REFINE SOME OF THE SPECIAL TOPICS.

>> MAYOR J. ARREGUIN: CAN I ADD ONE THING, COUNCILMEMBER HAHN, IF I MAY.

I FORGOT TO MENTION THAT WHAT WE INCLUDED IN THE PACKETS WAS A MATRIX, WHICH SUMMARIZED ALL THE DIFFERENT PROPOSALS THAT HAVE BEEN PUT FORWARD IN THE LAST WHAT THREE OR FOUR YEARS, INCLUDING THE MOST RECENT PROPOSAL THAT COUNCILMEMBER HAHN IS ABOUT TO PRESENT.

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AND KIND OF REALLY BROKE IT DOWN BY SORT OF ISSUE AREA, MAJOR  
ITEM DEFINITION PROCESS.

SO YOU CAN SEE ACROSS WHERE EACH PROPOSAL HAPPENED AND -- LANDED  
AND THE EVOLUTION THAT LED TO THIS PROPOSAL THAT COUNCILMEMBER  
HAHN WILL PRESENT.

I WANT TO THANK MY STAFF, JACQUELINE MCCORMICK AND LAURIE, AND  
COUNCILMEMBER WENGRAF'S OFFICE WHO WORKED QUICKLY TO PUT THIS  
TOGETHER SO WE HAD SOMETHING TO LOOK AT FOR COMPARATIVE  
PURPOSES.

BACK TO YOU.

>> S. HAHN: THANK YOU.

I ALSO WANT TO ACKNOWLEDGE AND THAT CAN THEM.

AS YOU CAN SEE BY LOOKING AT THE MATRIX, IT WAS VERY FORGET  
COMPLICATED.

AND THERE WERE A LOT OF DIFFERENT IDEAS THAT HAD BEEN FLOATED  
OVER TIME.

AND AGAIN, THIS SKETCH IS ONE OF MANY POTENTIAL PATHS FORWARD.

LET'S GO AHEAD AND WALK DOWN THE SKETCH PATH.

HOPEFULLY, THAT WILL TRIGGER MANY IDEAS AND INPUTS.

SO FIRST OF ALL, LET'S GO TO THE -- WELL, LET ME START HERE BY  
SAYING THIS IS BY MAJOR ITEMS.

SO VERY QUICKLY, YOU HAVE TO IMAGINE THAT THERE IS LOTS OF ITEMS  
THAT ARE NOT INCLUDED THAT ARE NOT BEING DISCUSSED.

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WHAT IS A MAJOR ITEM?

CURRENTLY, WE HAVE A DEFINITION.

SO IT'S NOT -- WE CALL IT A POLICY COMMITTEE TRACK ITEM.

THAT WAS TOO MUCH A MOUTHFUL.

WE'LL CALL THEM MAJOR ITEMS.

BUT IT IS THE SAME DEFINITION THAT WE HAVE CURRENTLY.

THIS IS NOT A NEW DEFINITION.

THIS IS THE OPERATIVE DEFINITION IN OUR COUNCIL RULES AND PROCEDURE AND ORDER, AND I HAVE NOT HEARD ANY CONCERNS ABOUT THE DEFINITION TO DATE.

IT IS THE ONE WE'VE BEEN USING FOR A COUPLE OF YEARS.

HOWEVER, AS WITH EVERYTHING THAT WE'RE LOOKING AT TODAY, IT'S ENTIRELY POSSIBLE FOR US TO ADJUST THE DEFINITION.

SO THAT'S NOT SET IN STONE.

IT'S JUST TO EXPLAIN WHERE WE GOT THAT TERMINOLOGY FROM.

WE CAN GO TO THE NEXT SLIDE.

THESE BIG IDEAS YOU CAN EACH BRING YOUR OWN TO THIS.

THIS WAS SORT OF THE BIG IDEAS, AGAIN, I WASN'T ABLE TO WORK TOGETHER WITH ANY OTHER COMMITTEE MEMBERS.

SO THE BIG IDEA FOR COUNCIL THAT CAME FROM MYSELF, SUCCESSFULLY DEVELOP AND IMPLEMENT STATE OF THE ART AND INNOVATIVE PROGRAM AND POLICIES TO SERVE BERKELEY AND MODEL BEST PRACTICES FOR OTHER JURISDICTIONS.

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THE CITY CLERK'S BIG IDEA WAS CONSISTENCY IN PROCESS FOR MAJOR ITEM DEVELOPMENT, BUDGETING AND IMPLEMENTATION.

OBVIOUSLY, CITY ATTORNEY IS INTERESTED IN ENSURING LEGAL AND DRAFTING COMPLIANCE.

AND THE CITY MANAGER'S BIG IDEA WAS TO HELP THE ORGANIZATION DELIVER WITHOUT OVERWHELM, AND HELP STAFF BE SUCCESSFUL IN THEIR WORK.

AND I THINK THAT EVEN THOUGH THOSE ARE COME FROM ONE INDIVIDUAL EACH, I THINK THEY ACTUALLY REALLY REFLECT WHAT THESE DIFFERENT ROLES MIGHT HAVE TOP OF MIND.

BUT OBVIOUSLY, YOU ALL MAY HAVE YOUR OWN RENDITIONS OF THIS AS WELL.

GOING TO THE NEXT SLIDE.

SO OBVIOUSLY, THIS IS A BIG POTENTIAL CHANGE.

BUT NOT AT ALL NECESSARY.

BUT THE IDEA OF YEARLY CYCLE REALLY I WOULD SAY IS BUILT BACKWARDS FROM THE IDEA THAT WE WANT TO GET TO A PLACE WHERE WE DON'T HAVE BACKLOGS, WHERE ITEMS WE PASS AND EVEN THAT WE FUND DON'T GET IMPLEMENTED FOR YEARS.

AND WE'RE -- THERE IS KIND OF A TIGHTER AND LOGICAL PROGRESSION FROM PROPOSALS TO BEING VET, TO BEING ELIGIBLE FOR FUNDING, TO RECEIVING FUNDING, TO HOPEFULLY BEING IMPLEMENTED PRETTY MUCH IMMEDIATELY AFTER.

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SO THAT THE CONVERSATION ABOUT IMPLEMENTATION BEGINS ESSENTIALLY AFTER THE ITEM IS FUNDED.

SO WHILE IT COULD ENTAIL A LONGER TIMELINE BEFORE AN ITEM IS PASSED AND BUDGETED, IT IS INTENDED TO SIGNIFICANTLY REDUCE THE AMOUNT OF TIME THAT IT TAKES FROM APPROVAL OR BUDGET TO IMPLEMENTATION.

AND THERE ARE OTHER WAYS TO ACHIEVE THIS.

AND PEOPLE MAY WISH TO FRONT LOAD THE WEIGHT OR BACK LOAD THE WEIGHT OR DISTRIBUTE IT DIFFERENTLY.

BUT -- I DID WANT TO EXPLAIN WHY THE IDEA OF A YEARLY CYCLE SEEMED LIKE SOMETHING WE MIGHT WANT TO PUT FORWARD.

SO, IF THERE WAS A YEARLY CYCLE, AGAIN ALL OF THESE DATES CAN BE CHANGED.

LOOKING AT IT WITH THE CITY MANAGER AND THE CITY CLERK, AND TRYING TO UNDERSTAND SORT OF THE DEADLINES BY WHICH THE BUDGET COMMITTEE NEEDS THINGS AND OTHER CONSIDERATIONS, WE CAME TO THE IDEA THAT JULY THROUGH SEPTEMBER COUNCIL WOULD BE FINALIZING ITEMS, NOW JUST TO BE CLEAR, THEY COULD DEVELOP AND SUBMIT THEM AT ANY TIME DURING THE YEAR.

BUT THERE WOULD BE FOUR MONTHS WHERE -- THREE MONTHS WHERE YOU COULD REALLY FOCUS ON THAT.



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DURING THAT TIME, THE CITY MANAGER WOULD BE FOCUSED ON STARTING TO IMPLEMENT ITEMS FROM THE PREVIOUS YEAR THAT HAD JUST BEEN FUNDED.

OCTOBER TO MARCH WOULD BE COMMITTEE SEASON.

RECOGNIZING THAT THERE IS PROBABLY A PRETTY BIG GAP IN DECEMBER.

AND THERE MIGHT BE QUITE A FEW ITEMS AND THE COMMITTEES WOULD BE DOING ROBUST REVIEWS AND WOULD NEED TO HEAR ITEMS MORE THAN ONCE.

AND THEN, APRIL THROUGH JUNE WOULD BE THE TIME WHEN COUNCIL WOULD REVIEW AND APPROVE ITEMS AND THE BUDGET WOULD FUND THOSE ITEMS THAT COUNCIL DEEMED READY TO FUND THAT YEAR.

SO IT'S BUILT BACK FROM THAT JUNE 30 BUDGET ADOPTION.

THE NEXT SLIDE.

SO SOME OF THE BENEFITS WERE WRITTEN HERE.

OBVIOUSLY, THERE IS DOWN SIDES AS WELL.

EVERYTHING CHOICE WE ME, INCLUDING THE CHOICE WE HAVE RIGHT NOW HAS UP SIDES AND DOWN SIDES.

BUT IN INTRODUCING A NEW IDEA, WE THOUGHT WE WOULD SHARE WHAT SOME OF THE BENEFITS MIGHT BE.

A YEARLY OPPORTUNITY.

THE FOUR SUBJECT MATTER COMMITTEES WOULD HAVE MORE OF A SEASON.

ALTHOUGH, THEY ABSOLUTELY COULD MEET AT ANY TIME.

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STAFF WOULD HAVE A PERIOD OF TIME WHEN THEY COULD FOCUS IN A MUCH MORE ROBUST WAY THAN THEY DO NOW.

ON IMPLEMENTATION AND COUNCILMEMBER SAID DURING THAT TIME WOULD ALSO HAVE SORT OF MORE FREE TIME, QUOTE/UNQUOTE, WITHOUT COMMITTEE MEETINGS TO FINALIZE ITEMS THEY WANTED TO SUBMIT BY THE DEADLINE.

AND AGAIN, THE IDEA BEING TO REDUCE THE GAP BETWEEN APPROVAL AND IMPLEMENTATION.

AND JUST TO BE CLEAR, WE DON'T REALLY HAVE EXPLICIT DEADLINES FOR ITEMS.

BULT BECAUSE WE HAVE A BUDGET CYCLE, THERE IS A DEADLINE, THERE IS A DATE AFTER WHICH AN ITEM CAN NO LONGER BE CONSIDERED FOR THAT BUDGET CYCLE.

EXACTLY.

SO WE DON'T HAVE THOSE DEADLINES DELINEATED VERY CLEARLY RIGHT NOW.

AND I THINK THAT CAN BE A PROBLEM.

BECAUSE PEOPLE DON'T REALLY KNOW HOW MUCH TIME THEY HAVE TO SUBMIT AN ITEM THAT MIGHT HAVE TO GO TO COUNCIL.

AND THEY DON'T KNOW IF THEY WILL MISS BEING CONSIDERED FOR ONE OR ANOTHER BUDGET CYCLE.

BY CLARIFYING, IT WOULD BE VERY FAIR AND EVERYONE WOULD BE ON NOTICE.

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THIS IS THE DATE BY WHICH YOUR ITEMS HAVE BEEN TO BE IN IN ORDER  
TO BE CONSIDERED FOR THIS CYCLE.

THERE IS OBVIOUSLY DOWN SIDES AS WELL, TRADEOFFS.

AND I THINK IT'S SOMETHING FOR EVERYONE HERE TO CONSIDER.

SO LET'S GO TO THE NEXT SLIDE.

MAJOR ITEM DEVELOPMENT AND SUBMISSION.

AGAIN, YOU WOULD HAVE ALL YEAR TO SUBMIT.

IT'S NOT THAT YOU WOULD ONLY BE ABLE TO SUBMIT DURING A THREE-  
MONTH PERIOD.

BUT THAT YOU WOULD HAVE LESS OTHER RESPONSIBILITIES DURING THAT  
TIME AND YOU COULD FOCUS MORE.

SO FIRST THE MAJOR ITEM GUIDELINES WOULD BECOME MANDATORY.

RIGHT NOW THEY ARE RECOMMENDED AND I THINK A LOT OF PEOPLE DON'T  
REALIZE THEY ARE RECOMMENDED.

AND THE AGENDA COMMITTEE HAS NOT NECESSARILY BEEN CONSISTENT AND  
APPLYING THAT.

FIRST IDEA WOULD BE MAJOR ITEM GUIDELINES.

WHY?

BECAUSE THEY REQUIRE ROBUST RESEARCH AND CONSULTATION.

AND THAT WOULD MEAN THAT ITEMS CAME TO US AS A COUNCIL MORE  
FULLY FORMED.

THEN THE SEPTEMBER 30 SUBMISSION DEADLINE.

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BUT ITEMS CAN BE SUBMITTED PRIOR AND THEY COULD BE REVIEWED BY THE AGENDA AND RULES COMMITTEE JUST FOR THE QUESTION OF DO THEY COMPLY WITH THE GUIDELINES.

TIMELINE ALLOWS FOR COUNCILMEMBERS TO WORK ALL YEAR WITH CONCENTRATED OPPORTUNITY JULY THROUGH SEPTEMBER.

AND ALSO STAFF INPUT AT THE PRESUBMISSION LEVEL AND INPUT FROM THE CITY ATTORNEY WOULD BE MORE FORMALIZED.

RATHER THAN SORT OF CATCH US IF YOU CAN AND SOMETIMES A DEPARTMENT HEAD HAS TIME TO WORK WITH YOU AND SOMETIMES THEY DON'T.

IT WOULD BE EXPLICIT, THE LEVEL OF INPUT AND CONSULTATION AVAILABLE TO COUNCILMEMBERS AS THEY ARE DEVELOPING THEIR ITEMS.

WE CAN GO TO THE NEXT SLIDE.

SO IN OCTOBER, AGAIN, MAYBE OCTOBER, IT'S ALL UP TO YOUR COMMENT.

WE WOULD HAVE THE AGENDA COMMITTEE WOULD REVIEW ALL MAJOR ITEMS THAT CAME IN TOWARDS THE DEADLINE FOR COMPLIANCE WITH THE GUIDELINES.

COMPLIANT MAJOR ITEMS WOULD GO TO COMMITTEES.

IF AN ITEM WAS NONCOMPLIANT THERE WOULD BE AN OPPORTUNITY FOR THE AUTHOR TO RESUBMIT AND STILL CATCH THAT CYCLE.

NEXT SLIDE.

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OCTOBER THROUGH MARCH, THE POLICY COMMITTEES WOULD ORGANIZE THEMSELVES.

MID OCTOBER THEY WOULD PLAN THEIR SESSION.

MAYBE THERE ARE SEVERAL ITEMS ON A SIMILAR TOPIC AND IT MAKES MORE SENSE TO HEAR THEM TOGETHER.

MAYBE THERE ARE ITEMS THAT THEY FEEL ARE GOING TO REQUIRE VERY SIGNIFICANT OUTREACH AND THEY WANT TO SCHEDULE THEM IN THAT WAY. AND THIS OF COURSE IS HOW IT IS DONE IN COMMITTEES, COMMITTEE SYSTEMS THAT HAVE AN ANNUAL CYCLE AT THE STATE LEVEL AND IN OTHER CITIES.

AND IT'S NOT UNCOMMON THAT THERE IS A TIME WHEN THE COMMITTEE IS ESSENTIALLY PLANS OUT THEIR HEARINGS.

THE MAJOR ITEMS WOULD BE REVIEWED ON A ROLLING BASIS.

AND ALL THE ITEMS WOULD BE OUT OF THE POLICY COMMITTEE BY MARCH 30.

THIS BULLET POINT WITH COMMITTEES MAY PRIORITIZE OR SCORE ITEMS THEY REVIEW.

THE REASON IT'S IN BRACKETS BECAUSE IT'S A BIG QUESTION MARK.

SO MAYBE THEY WOULD MAYBE THEY WOULDN'T.

BUT THAT IS IN BRACKETS BECAUSE IT'S REALLY A QUESTION MARK HERE.

NEXT SLIDE.

SO, IN APRIL ALL MAJOR ITEMS WOULD HAVE BEEN VOTED ON.

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THEY ARE NOT ALL VOTED ON IN APRIL.

BUT THEY WOULD ALL BE VOTED ON BY APRIL 30.

MAY MIGHT REQUIRE US, IT MIGHT REQUIRE A SPECIAL MEETING IN APRIL.

THERE WERE A WHOLE LOT OF THEM.

THE CITY ATTORNEY WOULD SIGN OFF ON THE DRAFTING AND LEGAL CONFORMITY OF THE ORDINANCE AS RESOLUTIONS AND FORMAL POLICIES. AND APPROVE ITEMS WOULD GO TO THE BUDGET COMMITTEE.

AND THEN NEXT SLIDE.

AND THEN, POSSIBLY, AGAIN, POSSIBLY MAJOR ITEMS.

AND JUST TO BE CLEAR, THAT'S NOT THE SAME AS ALL ITEMS PRIORITIZATION, BUT POSSIBLY THERE WOULD BE A PROCESS OF TAKING ALL THOSE MAJOR ITEMS FROM THAT CYCLE AND HAVING A PRIORITIZATION OF THEM.

AND SENDING THAT IN BY THE MIDDLE OF MAY.

AND THAT WOULD BE GOING TO THE BUDGET COMMITTEE.

BUT NOT BE BINDING.

IT WOULD BE A NONBINDING PRIORITIZATION.

AND NEXT SLIDE.

THEN THE BUDGET COMMITTEE WOULD HAVE ALL THESE.

THE PRIORITIZATIONS AGAIN IN BRACKETS AND COMMITTEE WITH A QUESTION MARK WOULD GO TO THE BUDGET COMMITTEE AS GUIDES BUT NOT BE BINDING.

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BUT THE BUDGET COMMITTEE WOULD ALREADY HAVE AN IDEA OF WHAT THE COUNCIL THOUGHT WHERE THE PRIORITIZATIONS.

THE BUDGET COMMITTEE WOULD DO NORMAL RECOMMENDATION TO THE FULL COUNCIL.

THE BUDGET WOULD GET PASSED.

MAJOR ITEMS THAT WERE FUNDED WOULD MOVE FORWARD TO IMPLEMENTATION.

THAT MEANS IMMEDIATE IMPLEMENTATION.

AND THAT IS ONE OF THE BIG CHANGES THAT THIS KIND OF A SET UP HOPEFULLY WOULD ALLOW.

AS WE ALL KNOW, RIGHT NOW MAJOR ITEMS THAT ARE PASSED AND FUNDED GO INTO A BIG BUCKET AND OFTEN TIMES ARE NOT BROUGHT FORWARD TO FRUITION FOR MANY YEARS, SOMETIMES 10 YEARS.

WE HAVE SEEN THINGS LIKE THAT.

ITEMS PASSED BY COUNCIL BUT NOT FUNDED WOULD GET AN AUTOMATIC ROLL OVER TO BE CONSIDERED AT FUTURE FUNDING OPPORTUNITIES.

TO BE CLEAR, THAT ISN'T THE NEXT YEAR.

THAT'S NOT 12 MONTHS LATER.

IT WOULD BE A FUTURE FUNDING OPPORTUNITIES THROUGHOUT THE YEAR.

NEXT SLIDE.

THIS IS REALLY, I THINK REALLY THE DOMAIN OF THE CITY MANAGER.

AND THIS SLIDE REFLECTS I THINK AND CITY MANAGER PLEASE STEP IN IF I DON'T PRESENT THIS CORRECTLY.

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BUT THIS REFLECTS HER THINKING.

AND I THINK WE ALL KNOW THAT SHE HAS BEEN VERY FOCUSED ON IMPLEMENTATION.

SHE WANTS THE WORK THAT WE DO TO BE SUCCESSFUL.

AND IT IS HER DREAM THAT WE ARE ABLE TO CLEAR OUR BACKLOGS AND THAT WE ACTUALLY START IMPLEMENTING RIGHT AWAY.

AND THAT THESE PROGRAMS AND POLICIES SEE THE LIGHT OF DAY SOON AFTER THEY ARE APPROVED AND FUNDED.

SO THE IDEA WOULD BE THAT THE CITY MANAGER WOULD ASSIGN A SINGLE IMPLEMENTATION LEAD, THAT THE LEAD AND CITY MANAGER WOULD ASSEMBLE THEIR TEAM, THAT MIGHT BE A COUPLE OF DIFFERENT DEPARTMENT HEADS.

THAT THEY MIGHT MEET WITH THE AUTHORS TO CLARIFY ANY INTENTIONS OR TO SKETCH TIMELINES OR DISCUSS OPPORTUNITIES, IDEAS OR CHALLENGES.

AND LET ME BE CLEAR, THOSE ARE AROUND IMPLEMENTATION.

NOT CHALLENGES WITH THE LEGISLATION ITSELF.

WHEN YOU SIT DOWN TO ACTUALLY DO AN IMPLEMENTATION PLAN, IT'S VERY DIFFERENT FROM KIND OF THE HIGH LEVEL THINKING ABOUT IMPLEMENTATION THAT OBVIOUSLY HAS TO HAPPEN BEFORE THE ITEM IS APPROVED.

THE IMPLEMENTATION TEAM HAS PREPARED TWO SEPARATE THINGS.

ONE IS A LAUNCH PLAN AND ONE IS AN OPERATING PLAN.



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AND THAT IS THE CITY MANAGER REALLY RECOGNIZING THAT LAUNCHING SOMETHING AND RUNNING IT ARE TWO DIFFERENT THINGS.

BUILDING A STRUCTURE AND KEEPING IT FUNCTIONING OVER TIME ARE DIFFERENT THINGS.

PUTTING IN A GARDEN AND KEEPING IT GOING OVER TIME ARE TWO DIFFERENT THINGS.

AND SO BOTH OF THOSE WOULD BE DEVELOPED AND THEN AS SOON AS POSSIBLE, THE PROGRAM OR POLICY WOULD BE LAUNCHED AND IMPLEMENTED.

SO LET'S GO TO THE NEXT SLIDE.

SO THAT IS, THAT WAS IT FOR THE OVERVIEW OF WHAT A WHOLE CYCLE MIGHT LOOK LIKE.

NOW, WE'RE GOING INTO WHAT I CALL SPECIAL TOPICS.

THESE ARE SOME OF THOSE THINGS THAT WE CAME UPON AS WE WERE THINKING THESE THINGS THROUGH.

THAT WOULD BE QUESTIONS WE PROBABLY WOULD WANT TO MAKE SURE WE HAD COVERED.

AND BY THE WAY, OUR SPECIAL TOPICS ARE NOT DEFINITIVE.

THERE ARE MANY MORE.

WE CHOOSE TO JUST GIVE YOU A LITTLE BIT OF A NIBBLE AND HAVE YOU UNDERSTAND THAT WE DIDN'T NOT THINK ABOUT THESE THINGS.

SO THE FIRST OBVIOUSLY IMPORTANT THING IS WHAT DID YOU DO IF THERE ARE A TIME CRITICAL MAJOR ITEM?

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IF WE'RE STUCK IN A CYCLE WHAT DO WE DO IF THERE IS AN URGENT NEED AND WHAT COMES TO MIND FOR ME IS AFTER GEORGE FLOYD WAS MURDERED, THERE WAS A VERY, VERY INTENSE DESIRE ON THE PART OF THE COMMUNITY AND OUR COUNCIL TO BE ABLE TO BE RESPONSIVE VERY QUICKLY WITH PRETTY COMPREHENSIVE IDEAS THAT WERE PUT FORWARD. I DON'T THINK ANY OF US WOULD WANT SOMETHING LIKE THAT TO HAVE TO SIT AND WAIT FOR SEVERAL MONTHS TO BE SENT TO A COMMITTEE OR TO BE CONSIDERED.

SO THE OVERRIDE FOR TIME CRITICAL ITEMS IS A CRITICAL COMPONENT OF THIS.

WE ALREADY HAVE SOME TERMS FOR OVERRIDE IN OUR COUNCIL RULES AND PROCEDURE AND ORDER.

AN ITEM THAT WOULD OTHERWISE BE ASSIGNED TO A POLICY COMMITTEE MAY BY-PASS, IF IT'S DEEMED TIME CRITICAL.

AND THE AGENDA AND RULES COMMITTEE DETERMINES WHETHER IT IS TIME CRITICAL.

LIKE EVERY THING WE COULD EXPAND THIS, WE COULD REWRITE IT, WE COULD MAKE IT HAVE MORE SPECIFICITY.

BUT THE IDEA THAT WE WOULD HAVE A SAFETY VALVE FOR TIME CRITICAL ITEMS IS VERY IMPORTANT.

AND I THINK BECOMES MORE IMPORTANT IF WE'RE GOING TO HAVE A PROCESS THAT IS A YEARLY PROCESS.

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ANOTHER IDEA THAT I THINK IS IMPORTANT FOR US TO CONSIDER, IS THAT IF THE AGENDA COMMITTEE GETS TO MAKE THESE DECISIONS WE MAY ACTUALLY WANT TO HAVE AN OVER RIDE THAT TAKES THAT DETERMINATION TO THE FULL COUNCIL.

SO LET'S SAY A COUNCILMEMBER BRINGS SOMETHING FORWARD, THEY THINK IT'S TIME CRITICAL, THE AGENDA AND RULES COMMITTEE DOESN'T AGREE.

THEY COULD THEN BRING THAT DECISION TO THE FULL COUNCIL AND THE FULL COUNCIL WOULD BE ABLE TO WEIGH IN ON WHETHER THAT ITEM WAS TIME CRITICAL.

ALL RIGHTY.

NEXT TOPIC.

MOVING TO ANOTHER SPECIAL TOPIC.

THE DETAILS OF PRE SUBMISSION.

THE GUIDELINES FORMAT WOULD BE MANDATORY.

ANOTHER SUGGESTION IS THAT AT THIS STAGE THERE WOULD ONLY BE AUTHORS AND NO CO-SPONSORS AND THAT WOULD HELP WITH BROWN ACT ISSUES AS THINGS MOVE THROUGH COMMITTEE.

THAT A PRE-SUBMISSION CONSULTATION WITH THE CITY MANAGER WOULD BE AVAILABLE.

EXPLICITLY AVAILABLE SO THAT PEOPLE DON'T FEEL LIKE THEY ARE KIND OF BUGGING SOMEBODY BY REACHING OUT AND ASKING FOR HELP OR ADVICE ON SOMETHING THEY ARE THINKING OF DEVELOPING.

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AND THEN A REQUIRED PRE-SUBMISSION CONSULTATION WITH THE CITY ATTORNEY SO HER OFFICE HAS THE OPPORTUNITY TO IDENTIFY POTENTIAL LEGAL AND DRAFTING CONSIDERATIONS VERY EARLY IN THE PROCESS. I THINK IT'S PROBABLY A GOOD IDEA FOR THE CITY ATTORNEY TO DECIDE IF THERE ARE ISSUES.

AND THIS WOULD PROVIDE NOT JUST OPPORTUNITY BUT A REQUIREMENT TO RUN THINGS BY THE CITY ATTORNEY'S OFFICE.

THE LAST BULLET POINT IS VERY IMPORTANT.

HOW DO WE FOLD IN COMMISSIONS.

THIS IS SOMETHING BIG THAT THE AGENDA AND RULES COMMITTEE MEMBERS FELT VERY STRONGLY ABOUT.

I HAVE TO SAY THAT JUST TRYING TO HARNESS A SKETCH FOR THE COUNCIL PROCESS WAS A LOT.

BUT WE'RE VERY CLEAR THAT WHATEVER PROCESS WE STICK WITH OR MOVE TOWARDS, WE HAVE TO HAVE MORE EXPLICIT ABOUT HOW OUR COMMISSIONS ARE CONSULTED AND HOW WE GET THEIR IMPORTANT ADVICE AND REVIEW AND HOW THAT GETS WOVEN IN.

WE THOUGHT THERE MIGHT BE AN IMPORTANT ROLE FOR THAT IN THE PRE SUBMISSION PHASE.

LET'S SAY YOU START DEVELOPING SOMETHING EARLY IN THE CYCLE, IT'S POSSIBLE THAT IT COULD GO TO A COMMISSION BEFORE YOU EVEN SUBMIT IT.

THERE MIGHT BE OTHER WAYS AND OTHER TIMES IN THE PROCESS.

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BUT I REALLY WANT TO HIGHLIGHT THAT AS WE GO THROUGH THIS, THE AGENDA AND RULES COMMITTEE WAS VERY CONCERNED THAT THE COMMISSIONS NOT BE SIDE LINED AND ON THE CONTRARY, THAT WE FIND EXPLICIT WAYS FOR THEIR CONTRIBUTIONS AND THOUGHTS AND OPINIONS TO BE INTEGRAL TO THE PROCESS OF MOVING LEGISLATION FORWARD.

OKAY.

NEXT SLIDE.

STRENGTHENING THE COMMITTEE REVIEW.

LOTS OF IDEAS FOR HOW TO DO THAT.

AND I'M SURE THERE IS GOING TO BE A LOT MORE.

BUT SOME OF THE IDEAS OBVIOUSLY WOULD BE THAT FOR EVERY ITEM THERE IS A WHOLE SERIES OF QUESTIONS, A CHECKLIST IF YOU WANT TO CALL IT.

BUT A SERIES OF INQUIRIES THE COMMITTEE IS REQUIRED TO MAKE SO EVERY ITEM OF LEGISLATION IN COMMITTEE AND ACROSS COMMITTEES IS GETTING THE SAME SCRUTINY AND SAME OPPORTUNITY FOR INPUT.

ONE IDEA IS RELEVANCE TO STRATEGIC PRIORITIES.

ADDED VALUE OF THE PROGRAM OR POLICY.

BENEFITS AND COSTS OF THE PROGRAM OR POLICY TO THE COMMUNITY AND THE CITY.

POTENTIAL ALTERNATIVE MEANS TO ACHIEVE THE SAME OR SIMILAR GOALS THAT MIGHT BE MORE FRUITFUL OR MORE QUICK OR LESS EXPENSIVE.

PHASING IN TIMELINES FOR IMPLEMENTATION.

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STAFFING AND RESOURCES NEEDED.

HOW THE PROGRAM OR POLICY WOULD BE EVALUATED.

HOW IT WILL BE ENFORCED.

AND THEN AGAIN, IN BRACKETS ARE THINGS WITH A REAL QUESTION MARK.

WOULD THE COMMITTEE DO SOME KIND OF RATING OR RANKING, YES OR NO, POSSIBLY.

SHOULD WE INCREASE THE OPTIONS AROUND THE POSITIVE AND NEGATIVE RECOMMENDATIONS.

I THINK YOU ARE ALL FAMILIAR.

WE HAVE ONLY FOUR OPTIONS.

WHEN WE SEND SOMETHING TO CITY COUNCIL, MAYBE THERE IS SOME ROOM TO CHANGE OR REFINE THINGS THERE.

OTHER WITH A QUESTION MARK.

THIS QUESTION OF STRENGTHENING COMMITTEES REGARDLESS OF OUR OVERALL PROGRAM IS A SPECIAL TOPIC THAT WE ARE GOING TO HAVE TO ADDRESS AS A COUNCIL.

GOING TO THE NEXT SLIDE.

CONTINUING ON THE STRENGTHENING COMMITTEES IDEA, WE WOULD ALSO NEED TO CONSIDER HOW ARE WE GOING TO GET THE INPUTS WE NEED FROM THE PUBLIC, FROM STAFF, FROM CITY ATTORNEY.

THE COMMITTEES WOULD NEED TO DO ACTIVE OUTREACH WITH STAFF SUPPORT.

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ACTUALLY IDENTIFY STAKEHOLDERS THAT WOULD EITHER BE IMPACTED OR WOULD NEED TO TAKE ACTION ON ONE OR ANOTHER PRIORITY AND DO ACTIVE OUTREACH, NOT JUST HOPE THAT THEY MIGHT HAPPEN UPON AN AGENDA SOMEWHERE.

MULTIPLE HEARINGS TO ALLOW FOR A BEST COMMUNITY STAFF AND CITY ATTORNEY INPUTS AND DISCUSSION.

ENHANCE AND EMPOWER THE CITY ATTORNEY AND STAFF PARTICIPATION. SO THAT THEY COULD GIVE MEANINGFUL VERBAL INPUT WITHOUT THE REQUIREMENT FOR A FORMAL REPORT.

AND I KNOW THAT BOTH THE CITY ATTORNEY'S OFFICE AND THE CITY MANAGER ARE VERY HESITANT TO GIVE US AND HAVE THEIR STAFF GIVE US SORT OF PRELIMINARY ADVICE THAT DOES NOT REFLECT FULL AND DEEP CONSIDERATION.

AND I THINK THIS WILL BE SOMETHING FOR THE CITY ATTORNEY'S OFFICE AND THE CITY MANAGER'S OFFICE TO THINK ABOUT WHAT KIND OF INPUT THEIR STAFF COULD PROVIDE THEY WOULD FEEL COMFORTABLE WITH THAT WOULD BE SUBSTANTIAL AND MOVE THINGS ALONG.

THE COMMITTEE SCHEDULE.

HAVING A SCHEDULE AHEAD OF TIME COULD HELP THE CITY ATTORNEY AND THE CITY MANAGER SEND THE RIGHT PEOPLE TO EACH MEETING.

KNOWING AHEAD OF TIME WHAT ITEMS ARE GOING TO BE CONSIDERED AT DIFFERENT TIMES, I THINK COULD ALLOW US TO HAVE THE RIGHT PEOPLE THERE AND MORE ROBUST INPUT FROM OUR IMPORTANT PARTNERS.

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AND THEN, AGAIN CONSIDER HOW TO ATTAIN AND INTEGRATE INPUT FROM COMMISSIONS.

AGAIN, WE DID NOT GO DEEP THERE.

BUT WE IDENTIFIED IT AS SOMETHING CRITICALLY IMPORTANT.

NEXT SLIDE.

SO ANOTHER SPECIAL TOPIC.

PRIORITIZATION.

AND WHEN WE TALKED ABOUT THIS A LOT, BUT IN DISCUSSING THIS WITH THE CITY MANAGER, I THINK WE CAME TO UNDERSTAND THAT THERE IS KIND OF TWO ISSUES.

ONE IS THAT WE WHILE REDUCED, WE STILL HAVE THE BACKLOG NOW.

WE HAVE A BIG BACK LOG.

AND SO WE NEED TO FIGURE OUT SORT OF AN END GAME FOR HOW WE'RE GOING TO DEAL WITH THOSE BACKLOG ITEMS.

AND THE END GAME MIGHT BE THAT WE SORT OF FIGURE OUT WHAT TO DO.

THE SECOND TOPIC AROUND PRIORITIZATION IS ASSUMING THE DREAM OF A SYSTEM THAT HAS NO BACKLOGS, WE STILL WOULD HAVE TO DO

PRIORITIZATION.

SO LOOKING AT THE BACKLOG QUEUE, ONE IDEA WAS A ONE TIME PROCESS FOR MAJOR ITEMS THAT ARE CURRENTLY IN THE QUEUE THAT ALL PENDING BUT NOT INITIATED ITEMS EXPONENTIALLY WOULD GO BACK TO THE POLICY COMMITTEES FOR LIKE A REREVIEW.



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AND THE POLICY COMMITTEES WOULD LOOK AT THEM AND CONSIDER  
MERGING ITEMS OR UPDATING REFERRALS IN CASE THEY ARE STALE OR  
OTHER INITIATIVES THAT COME FORWARD THAT MAYBE MAKE THEM, MAKE  
IT WORTH CHANGING THEM A LITTLE BIT.  
REAPPROVAL OF ITEMS AS IS.

RECOMMENDATIONS TO SUNSET OR REMOVE ITEMS THAT HAVE BEEN  
SUPERSEDED MAYBE BY STATE LAW, MAYBE BY SOMETHING ELSE THE CITY  
HAS DONE.

RECOMMEND DISPOSITION OF ALL THE ITEMS.

POTENTIALLY RANKED BY LEAD DEPARTMENT.

AND BRING ALL THOSE RECOMMENDATIONS FROM EACH COMMITTEE TO THE  
COUNCIL FOR US TO DECIDE WHAT WE WANT TO CONSOLIDATE, WHAT WE  
WANT TO REMOVE, WHAT DO WE WANT TO RESTATE AND WHAT DO WE WANT  
TO RESUPPORT.

WE MIGHT NEED SOME CRITERIA.

WE MIGHT NEED SOME KIND OF R.R.V.

THE POINT HERE IS WE WOULD HAVE TO DEAL WITH A BACKLOG IN ORDER  
TO GET TO THAT BEAUTIFUL DAY WHERE EVERY YEAR, THE ITEMS THAT  
WERE APPROVED AND FUNDED COULD BE IMPLEMENTED OR THE  
IMPLEMENTATION COULD BEGIN RIGHT AWAY.

SO NEXT SPECIAL TOPIC.

IS THE PRIORITIZATION ON AN ONGOING BASIS OF A YEARLY QUEUE WITH  
THE DREAM OF THE BACKLOG HAVING BEEN CLEARED.

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FIRST OF ALL, IT IS HOPED THE ENHANCED COMMITTEE PROCESS WOULD RESULT IN FEWER BACKLOGS, AND THAT ITEMS WOULD BE IMPLEMENTED IN A REASONABLE TIMEFRAME.

AND THEREFORE, PRIORITIZATION WOULD BECOME LESS OF AN ISSUE. OBVIOUSLY WHEN YOU HAVE 150 ITEMS YOU HAVE TO PRIORITIZE.

IF YOU HAVE 10 OR 15, IT'S MUCH LESS OF A CHALLENGE.

BUT IN A RATIONALIZED SYSTEM, ONE, YOU WOULD HAVE MORE FULLY CONCEIVED AND VETTED ITEMS.

MAYBE YOU WOULD HAVE COMMITTEE SCORING AND/OR RANKING.

AND THEN, COUNCIL RANKING.

AND IT IS SUGGESTED THAT WOULD BE EITHER BY LEAD DEPARTMENT OR OVERALL.

I THINK WE'VE ALL SEEN A SITUATION WHERE WE RANK EVERYTHING TOGETHER.

AND IT TURNS OUT THE FIRST 15 ITEMS ARE FOR PUBLIC WORKS OR PLANNING.

AND THEN OTHER DEPARTMENTS THEIR ITEMS ARE SPRINKLED IN THE QUEUE.

WE MAY WANT TO LOOK AT RANKING BY DEPARTMENT RATHER THAN JUST DOING THE UNIVERSAL RANKING.

AND AGAIN, THESE ARE ALL IDEAS.

IT'S BIG.

THERE WAS A LOT FOR US TO COVER.

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ALL RIGHT.

NEXT SPECIAL TOPIC.

WE WOULD NEED A PROCESS AT THE MIDYEAR BUDGET OPPORTUNITIES.

HERE YOU SEE IN BLUE VERY HIGH-LEVEL SUGGESTIONS.

WE'LL FELT THIS WOULD BE A TOPIC THAT WOULD HAVE TO GO TO

BUDGET AND FINANCE.

ONE IDEA WAS THAT ONLY TIME CRITICAL AND ROLL OVER ITEMS

PREVIOUSLY APPROVED BUT UNFUNDED WOULD BE CONSIDERED.

NOT JUST FOR COUNCIL ITEMS BUT ALSO FOR CITY MANAGER ITEMS.

ANOTHER WOULD BE THAT NOT ALL THE EXTRA FUNDS WOULD GET

ALLOCATED AND MORE FUNDS WOULD BE AVAILABLE FOR THE ANNUAL

BUDGET PROCESS FOR COUNCIL INITIATIVE SAID THAT GO THROUGH THE

YEAR PROCESS.

AND POSSIBLY THAT A.A.O.1 AND 2 ARE ONE TIME OR SENSITIVE NEEDS,

EXCEPT IN SPECIAL CIRCUMSTANCES.

REALLY WE FELT THIS SHOULD GO TO BUDGET AND FINANCE TO THINK

ABOUT SHOULD WE ADOPT SOMETHING LIKE A YEARLY PROCESS.

BUT WITH ANY PROCESS, THESE THINGS WOULD NEED TO BE CLARIFIED.

ALL RIGHT, NEXT SPECIAL TOPIC.

IMPLEMENTATION.

WE ALREADY SAW WHAT THAT LOOKS LIKE.

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BUT I THINK THE CITY MANAGER REALLY WOULD WANT TO WORK ON FILLING OUT WITH MORE DETAIL WHAT THE IMPLEMENTATION PROCESS WOULD LOOK LIKE.

AND I KNOW SHE'S VERY COMMITTED TO HAVING A LEAD SO THAT EVERYBODY KNOWS WHO SAID RESPONSIBLE FOR MAKING SOMETHING HAPPEN.

BUT ALSO, HAVING A TEAM AND ALSO MAKING SURE THAT THERE IS CLARITY ABOUT INTENTIONS AND OFTEN TIMES AN AUTHOR WILL HAVE THOUGHT ABOUT IMPLEMENTATION.

AND HAVE SOME GOOD IDEAS.

WE'LL HAVE CONSULTED WITH STAKEHOLDERS AND THE COMMUNITY AND MAY HAVE SOME ADDITIONAL HELPFUL IDEAS BUT ULTIMATELY, IT'S UP TO THE CITY MANAGER TO DETERMINE IMPLEMENTATION, THAT CONSULTATION IS OBVIOUSLY A COURTESY, WHICH I THINK SHE IS VERY GENEROUSLY INTERESTED IN EXTENDING.

AND I CAN'T REMEMBER DO WE HAVE ONE MORE SPECIAL TOPIC?

NO.

WE DON'T.

THAT'S IT.

SO THANK YOU VERY MUCH.

>> MAYOR J. ARREGUIN: THE LAST PIECE ON IMPLEMENTS, THAT HAS BEEN HOW WE HAVE DONE -- IMPLEMENTATION, IMPLEMENTATION OF MAJOR NEW LAWS.

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IS AFTER WE WHILE WE'RE DEVELOPING IT AND WE GET INPUT ON OPERATIONAL IMPACTS, IMPLEMENTATION, THEN WE REFER TO THE CITY MANAGER DEVELOP IMPLEMENTATION PLAN, RESOURCE THAT AND THEN IMPLEMENTATION.

SO I THINK IT'S OPERATIONALIZING THE KIND OF AD HOC PRACTICE THAT WE'VE IMPLEMENTED.

I WANT TO TURN IT OVER TO COUNCILMEMBER HARRISON.

>> K HARRISON: FIRST OF ALL, I WANT TO THANK YOU COUNCILMEMBER HAHN FOR HER HARD WORK.

IT IS NOT EASY TO TACKLE SUCH A BROAD TOPICKISM SOMEONE HAS TO START.

IF YOU DON'T START YOU NEVER GET ANYWHERE.

SO THANK YOU VERY MUCH FOR THAT.

I REALLY COMMEND YOU FOR LEADING THIS EFFORT.

SINCE WE FIRST DISCUSSED IT IN 2021, AND THE CITY MANAGER CONTRIBUTION AND DEFERRING TO COUNCIL FOR THE SHAPE ANY CHANGES TAKE.

I HEARD HER SAY A COUPLE OF TIMES, IT IS NOT HER PROPOSAL.

I WANT TO MAKE THAT STATEMENT.

I'M NOT ON THE AGENDA COMMITTEE.

AND AS YOU NOTED, I WASN'T ABLE TO WORK WITH YOU, BUT I WORKED WITH COUNCILMEMBERS ROBINSON AND TAPLIN.

THANK YOU TO BOTH.

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AND I THINK COUNCILMEMBER BARTLETT IS INTERESTED IN THE PROPOSAL ABOUT TO DISCUSS, TO UPDATE AND BUILD ON IT.

I SUBMITTED AN ALTERNATIVE.

THIS IS NOT AN ALTERNATIVE TO COUNCIL HAHN, IT WAS AN ALTERNATIVE TO THEN COUNCILMEMBER DROSTE'S PROPOSAL IN 2021.

WHICH WAS MUCH MORE CONVEIN STRAINING OF US.

CONSTRAINING OF US.

I UPDATED TO RESPOND TO COUNCILMEMBER HAHN.

IT'S MEANT TO BE TAKEN CONSIDERATION HERE AND THE PUBLIC AND COUNCIL AND THE AGENDA COMMITTEE.

THERE IS REALLY POSITIVE ASPECTS OF COUNCILMEMBER HAHN'S PROPOSAL I WANT TO HIGHLIGHT.

AND I THINK WE SHOULD MOVE AHEAD.

COUNCIL ITEMS SHOULD FOLLOW THE GUIDELINES ALREADY PROMULGATED RATHER THAN USING THEM AS RECOMMENDATIONS.

WE GET THINGS IN VERY DIFFERENT FORMAT SAID IN COMMITTEES.

AND IT MEANS WE DON'T HAVE FAIR CRITERIA AGAINST WHICH THINGS ARE EVALUATED.

I THINK WE NEED TO ADOPT THESE AS BEING MANDATORY.

I LIKE THE IDEA OF A FORMAL PROCESS FOR CITY STAFF TO PROVIDE HIGH LEVEL CONCEPTUAL INPUT TO AUTHORS BEFORE SUBMITTING PROPOSALS.

I ALWAYS DO THAT.

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I PROBABLY NEVER SUBMIT ANYTHING WITHOUT FIRST TALKING TO THE DEPARTMENTS AND THE CITY ATTORNEY'S OFFICE.

I THINK THIS IS GOOD PRACTICE AND WE'RE PROBABLY ALL DOING IT.

I LIKE THE PROCESS FOR ADDRESSING THE BACKLOG OF UNFUNDED ITEMS.

I DON'T THINK IT SHOULD BE IN THE POLICY COMMITTEE.

I'LL EXPLAIN MORE IN A MINUTE.

I LIKE THE ENHANCED CHECKLIST FOR THE POLICY COMMITTEE.

I THINK WE NEED THAT.

WE OFTEN STRUGGLING, AS CHAIR OF ONE OF THEM.

EXCLUDING THE PROPOSAL THAT WE RATE ITEMS.

I DON'T WANT TO RANK ITEMS.

I'M IN A THREE PERSON COMMITTEE.

WE ALL BRING THINGS FORWARD.

I DON'T WANT TO SAY, I'M GOING TO RANK MINE AHEAD OF

COUNCILMEMBER TAPLIN.

THAT IS AWKWARD.

IT'S THE JOB OF THE FULL COUNCIL TO DO THE RANKING.

AND I DO LIKE THE IDEA OF SOMEHOW GETTING BETTER INPUT FROM

COMMISSIONS.

BUT I DON'T WANT TO DO BEFORE AN ITEM GOES BEFORE COUNCIL.

WE DON'T WORK FOR THE COMMISSION.

THAT STRUCK ME AS A LITTLE ODD, THERE ARE TIMES I HAVE WRITTEN

LEGISLATION, ASKED THEM TO HOLD HEARINGS, WHICH IS SOMETHING WE

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CAN CONSIDER DOING IF IT'S COMPLICATED AND WE BENEFIT FROM A LOT OF MORE HEARINGS THAN WE'RE ABLE TO HAVE.

BUT I DON'T WANT IT TO BE MANDATORY ANYWAY.

AND I GUESS MY MAJOR CONCERN ABOUT PROPOSALS, I'M A REALLY STRONG SUPPORTER OF THE POLICY COMMITTEE SYSTEM.

THAT COUNCILMEMBER HAHN ACTUALLY PROPOSED.

AND I DON'T BELIEVE OUR CENTRAL PROCESS IS FUNDAMENTALLY FLAWED ON MAJOR ITEMS.

I THINK WE'RE DOING A GOOD JOB ON THAT.

I'M GOING TO DESCRIBE IN A MINUTE WHY THE PROCESS WILL GO THROUGH A LENGTHY PROCESS AND DELAY US GETTING THINGS DONE.

I THINK THE MAIN THINGS WE'RE NOT DOING AS GOOD A JOB ON ARE REFERRALS AND BUDGET REQUESTS.

AND WHAT I SEE EMBEDDED IN BUDGET REQUESTS, BEING ON THE BUDGET COMMITTEE IS A LOT OF POLICY QUESTIONS NOBODY ANSWERED YET.

AND THAT REALLY CONCERNED ME.

IF WE CAN'T REALLY DISCUSS THE MONEY UNTIL WE KNOW HOW IT WILL WORK.

I'M HOPING YOUR INTENTION WAS TO INCLUDE IN THE GROUP OF ITEMS ORDINANCES WE WRITE NOW, REFERRALS, AND BUDGET REQUESTS OVER A CERTAIN DOLLAR AMOUNT.

I'M GOING TO MAKE A PROPOSAL HOW TO DO THAT.

I DON'T WANT TO SEE BUDGET REFERRALS JUST GO THROUGH.



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I THINK THAT'S NOT GOOD EITHER WHEN THEY ENTAIL A LOT OF BUDGETARY, POLICY ASPECTS.

A COUNTER EXAMPLE.

RECENTLY COUNCILMEMBER KESARWANI RECOMMENDED PUTTING MORE MONEY IN PAVING.

THAT DIDN'T NEED TO GO TO A POLICY COMMITTEE BECAUSE IT WASN'T CHANGING THE PAVING PLAN ANY WAY.

IT WAS SAYING PUT MORE MONEY IN.

IT WAS STRICTLY A BUDGET THING.

I'M NOT SURE WHY WE HAD IT AT OUR COMMITTEE.

OTHER TIMES WE HAVE THINGS THAT HAVE A LOT OF POLICY IMPLICATIONS BUT NOT MUCH MONEY AND GOING STRAIGHT TO BUDGET AND WE'RE LEFT AT BUDGET SAYING HOW ARE WE GOING TO DO THIS.

I THINK THAT IS THE WRONG PLACE TO ASK THOSE QUESTIONS.

I THINK THAT SHOULD GET WORKED OUT IN ADVANCE.

SOME OF THE MY CONCERNS ABOUT THE PROPOSAL I HAVE I AM GRATEFUL FOR, I THINK IT'S SIGNIFICANTLY LIMITS ACCESS TO THE LEGISLATIVE PROCESS BY EXTENDING TIMELINES.

RIGHT NOW, MAJOR ITEMS CAN BE SUBJECT TO NEARLY 300 DAYS.

THIS COMPARES THE CURRENT 120 DAYS IN COMMITTEE.

THAT HAPPENS BECAUSE OF THE SEPTEMBER DEADLINE.

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IF YOU TURN SOMETHING IN IN OCTOBER THAT IS NOT TIME CRITICAL BUT NONETHELESS IMPORTANT TO THE COMMUNITY IT WILL SIT THERE UNTIL NEXT YEAR.

AND THEN IT WILL SIT THERE UNTIL THE JUNE BUDGET PROCESS, THE WAY I READ IT NOW.

WE COULD BE LOOKING AT 18 MONTHS.

I DON'T THINK WE NEED TO BUILD IN EXTRA TIME.

SO I'M GOING TO SUGGEST WAYS TO NOT DO THAT.

IT ALSO DOESN'T ALIGN TIMELY LEGISLATIVE ITEMS WITH THE FALL BUDGET PROCESS.

THIS HAS BEEN A HUGE CONFUSION.

I HEARD THIS IN TWO DIFFERENT DIRECTIONS FROM THE CITY MANAGER.

ONE, SHE WOULD LIKE US TO GET ALL OF OUR PROPOSALS IN BEFORE THE JUNE BUDGET.

BUT TWO, ALSO SHE WOULD LIKE US TO NOT SUBMIT ANYTHING EXCEPT FOR THE A.A.O.

THAT'S WHEN WE KNOW MORE ABOUT REVENUES.

WE NEED A DEFINITIVE ANSWER ABOUT THE BEST PROCESS.

BUT I DO NOT WANT TO ASSUME THE BUDGET PROCESS.

I PERSONALLY THINK WE CAN HAVE TWO CYCLES.

ONE OF WHICH IS TO JUNE AND ONE OF WHICH IS TO A.A.O.

I THINK I'M RECOMMENDING WE DO THAT.

THAT WILL GET THINGS THROUGH MORE QUICKLY.

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I REALLY DON'T WANT POLICY COMMITTEES TO PRIORITIZE AS I'VE  
ALREADY DISCUSSED.

AND I THINK THAT IS REALLY A COUNCIL JOB.

ALSO, THERE IS SOMEWHERE IN HERE AN IMPLICATION THE POLICY  
COMMITTEES ARE A TIME COMMITMENT BURDEN. ON STAFF AND THE  
COUNCIL.

I THINK IT'S THE OPPOSITE.

PERSONALLY FOR ME THE STUFF WE GET AT COUNCIL IS SO MUCH BETTER  
BECAUSE OF YOUR SYSTEM, COUNCILMEMBER HAHN, OF SETTING OF THESE  
COMMITTEES AND REVIEW IT GOES THROUGH THAT I THINK THE STAFF  
BURDEN IS LESS.

AND SO THE BURDEN ON THE PUBLIC VERY CONFUSING PROPOSALS IS  
LESS.

THINGS ARE BETTER BECAUSE THEY HAVE GONE THROUGH THESE  
COMMITTEES.

SO I REALLY DON'T THINK WE SHOULD BE LIMITING THE COMMITTEES TO  
OPERATING SIX MONTHS OF THE YEAR.

WHEN WE DON'T HAVE SOMETHING TO DO.

I THINK IT'S OKAY TO KEEP THEM OPERATING DURING THE ENTIRE TIME  
THE COUNCILMEMBER IS MEETING AND TAKE THINGS UP AS THEY COME  
ALONG.

I'M GOING TO PROPOSE THAT.

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AND THEN FINALLY, I DON'T LIKE THE IMPLEMENTATION TEAM AT THE  
END AFTER THE ITEM HAS GONE OUT OF THE COMMITTEE, INCLUDING THE  
COUNCILMEMBER.

IT FEELS LIKE, BECAUSE IT INDICATES THEY WOULD BE ESTABLISHING  
CLARITY OF INTENTIONS, TIMELINES, OPPORTUNITIES, IDEAS AND  
CHALLENGES.

THAT SHOULD ALL HAPPEN AT THE COMMITTEE PROCESS.

IF WE HAVEN'T FIGURED OUT TIMELINES AND OPPORTUNITIES THEN, I  
DON'T THINK I'M COMFORTABLE WITH ONE COUNCILMEMBER BEING IN  
CHARGE OF THAT.

EVEN WHEN IT'S MINE, I DON'T THINK I LIKE THAT.

THAT I'M NOW I'M NEEDING TO FIGURE OUT HOW WE'RE REALLY GOING TO  
DO IT.

THAT SHOULD HAVE ALL BEEN TALKED ABOUT UP FRONT IN A COMMITTEE  
PROCESS.

SO I HAVE A FLOW CHART THAT TRIES TO SHOW WHERE THE DIFFERENCES  
ARE.

BUILDING OCOUNCILMEMBER HAHN'S EXCELLENT WORK.

GIVE ME ONE SECOND.

I'M ALWAYS TERRIBLE AT THIS.

I DON'T KNOW HOW TO SHARE A SCREEN.

HOLD ON A MINUTE PLEASE.

YOU WILL LAUGH AT ME BECAUSE I'M NOT GOOD AT THIS.

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I JUST FOUND IT.

THANK YOU, MR. MAYOR.

I SO APPRECIATE THAT.

HERE'S MY FLOW CHART, WHICH TRIES TO SHOW WHERE THERE ARE DIFFERENCES BETWEEN THE TWO PROPOSALS.

I'M PROPOSING THAT WE STILL SUBMIT ITEMS THROUGHOUT THE YEAR.

I THINK YOU SAID YOU WERE INTENDING FOR THE COUNCIL TO DO THAT.

A BIG DISTINCTION FOR ME IS ANOTHER THING THAT DOESN'T GO THROUGH THIS RIGOROUS ANALYSIS YOU ARE CALLING FOR ARE CITY MANAGER ITEMS.

AND I WOULD LIKE THOSE TO ALL GO THE COMMITTEE PROCESS.

THAT'S HOW THEY DO IT IN ON THE GROUND AND SAN FRANCISCO.

MY STAFF SPEND TIME LOOKING AT THOSE RULES.

IF IT'S A SIGNIFICANT THING, IT SHOULD BE USING THE SAME PROCESS THAT WE USE FOR OUR THINGS.

WE ARE THE BODY, WE APPROVE THE BUDGET AND THE ITEMS.

SO I WANT MAJOR ITEMS FROM THE CITY MANAGER TO ALSO GO TO THESE COMMITTEES.

AND I WANT TO DO IT ALL YEAR.

I ALSO WANT SOME OBJECTIVE CRITERIA FOR DETERMINING FROM THE AGENDA COMMITTEE, WHAT IS MAJOR.

I THINK RIGHT NOW THE LANGUAGE NEEDS TO BE TIGHTENED UP BUT IT IS A GOOD START.

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I THINK WE NEED TO IS SAY BUDGET ITEMS MORE THAN "X" DOLLAR.

BUDGET ITEMS THE DOLLARS THAT CAUSE OPERATIONAL DIFFERENCES OR SOMETHING.

BUT WE NEED SOME CRITERIA IN THERE.

AND I WOULD HAVE THE POLICY COMMITTEES CONTINUE TO MEET DURING THE ENTIRE PERIOD.

AND AGAIN, KEEP THINGS FOR 120 DAYS MAXIMUM IN THE POLICY COMMITTEE HOPPER.

ALTHOUGH I THINK THE MAYOR WAS THINKING WE WANT TO EXTEND THAT TIME.

I THINK WE START WITH THE 120 AND IF WE NEED TO EXTEND, WE CAN ALWAYS GET ACCOMMODATIONS FROM OUR COLLEAGUES ON THAT.

ISSUING THE POLICY RECOMMENDATIONS AGAINST THE ENHANCED REVIEW CHECKLIST, WHICH IS I THINK IS REALLY CRITICAL.

GOES BACK TO THE AGENDA COMMITTEE.

THEN IT GOES TO COUNCIL MEETING.

THEN IT GOES TO ONE OR THE OTHER OF THE BUDGET PROCESSES

DEPENDING ON WHAT TIME OF YEAR YOU ARE IN THROUGH THE BUDGET COMMITTEE.

AND THEN IT'S ADOPTED AS PART OF THE BUDGET.

A COUPLE OF OTHER COMMENTS I WANTED TO MAKE.

I'M NOT CERTAIN I THINK ALL BUDGET PROPOSALS SHOULD AUTOMATICALLY ROLL TO THE NEXT PERIOD.

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THE MAYOR HAS A UNIQUE AND DIFFERENT ROLE IN OUR GOVERNMENT.

WE DO HAVE A STRONG CITY MANAGER FORM OF GOVERNMENT.

AND WE DO HAVE A COLLABORATIVE COUNCIL IN WHICH HE SITS.

BUT THE CHARTER IS REALLY CLEAR THE MAYOR PRESENTS A BUDGET.

IF HE DOESN'T LIKE SOMETHING OR THINKS IT SHOULD NEVER BE

BUDGETED, I WANT HIM TO HAVE THAT OPPORTUNITY.

I'VE ACTUALLY NEVER SEEN YOU DO THAT.

BUT THERE COULD COME A TIME WHEN IT COULD HAPPEN.

AND SO I THINK THAT TAKING THAT AWAY FROM YOU IS NOT A GOOD

THING.

I DON'T THINK EVERYTHING SHOULD ROLL.

I THINK WE CAN HAVE A WORKING EXPECTATION THINGS WILL ROLL OVER

BUT I DON'T WANT EVERYTHING TO ROLL.

BECAUSE YOU MIGHT HAVE SOMETHING THAT ISN'T YOU THINK IS NOT A

GREAT IDEA OR THE CITY MANAGER MIGHT SAY THAT IS NEVER GOING TO

WORK BUDGETARILY SO DON'T DO THAT.

AND WE WANT TO MOVE ON WITH IT.

I ALSO FEEL WE HAVE TO VERY CLEARLY ESTABLISH THESE CRITERIA FOR

WHAT IS A SIGNIFICANT ITEM.

AND AGAIN IT SHOULD APPLY TO EVERYTHING FROM THE CITY MANAGER

AND FROM US.

AND ORDINANCES, REFERRALS AND BUDGET REQUESTS.

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MOST OF THE PROBLEMS I'VE SEEN IN MY COMMITTEE ARE NOT  
ORDINANCES.

WE ALREADY HAVE A GOOD PROCESS ON ORDINANCES.

THE PROBLEM ARE REFERRALS.

AND I WOULD BE PANICKED IF I WERE YOU I SAW THAT LONG LIST LIKE  
OH, MY GOD.

I JUST CAN'T GET THROUGH IT.

SO WE DO NEED, AND I SHOULD HAVE SAID THIS IN A POSITIVE ASPECT  
PARTS.

WE NEED AN ACTIVE PROCESS FOR GETTING RID OF REFERRALS.

AND I'M GOING TO SAY ON MY OWN BEHALF, I'M THE ONLY ONE IN THE  
LAST THREE CYCLES THAT HAS IDENTIFIED OTHER PEOPLE'S REFERRALS  
TO GET RID OF OTHER THAN MY OWN OR MY PREDECESSORS.

AND YOU KNOW WHAT, WE'VE SEEN THE ENEMY, AND IT IS US.

WE KEEP PUSH STUFF FORWARD.

WE DON'T WANT TO SAY NO TO EACH OTHER.

OUR PROBLEM IS US.

AND I THINK WE HAVE TO BE BRAVER IN SAYING I DON'T WANT TO  
PRIORITIZE THIS AT ALL.

I DON'T CARE IF IT COMES IN 43.

I REALLY DON'T THINK WE SHOULD BE DOING THIS THING OR 43 FITS  
WITH 22.



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BECAUSE NOW I'M "D" AND I HAVE 43 ITEMS AND I'M NEVER GOING TO DO 43.

OKAY. IT'S NEVER GOING TO HAPPEN BUT IT IS STILL THERE.

SOMEBODY IS STILL GOING TO CALL AND SAY WHAT THE HECK HAPPENED TO THAT THING WITH THE REFRIGERATORS FOR THE HOMELESS, WHICH I NOTICED WAS STILL ON THE LIST LAST YEAR.

SO YOU KNOW, WE SHOULD KILL IT.

IF WE DON'T LIKE IT, LET'S GET RID OF IT.

LET'S BE BRAVE HERE, PEOPLE.

LET'S DO OUR JOB SO DEE CAN DO HERS.

I THINK THAT'S KIND OF ONE OF MY BASIC PREMISES HERE.

I WANT US TO BE A LOT OF MORE SYSTEMATIC ABOUT THAT REFERRAL LIST.

AND I THINK WITH THOSE CHANGES, I THINK THAT I LIKE THIS GENERAL FLOW.

AGAIN, A FEW THINGS I DON'T WANT POLICY COMMITTEES DOING A COUPLE THINGS I WANT BETTER DEFINED.

AND I DON'T WANT THIS LONG TIMELINE.

I THINK IT'S WAY TOO LONG.

WE CAN DO MORE WORK THAN THIS.

WE'VE BEEN DOING MORE WORK THAN THIS.

AND I THINK WOULD BE KEEP IT UP WITH SOME BETTER STANDARDS AND FORMS.

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SO THANK YOU, COUNCILMEMBER HAHN.

>> MAYOR J. ARREGUIN: OKAY, THANK YOU VERY MUCH.

WE'LL GO TO COUNCILMEMBER HUMBERT.

>> M. HUMBERT: YES, THANK YOU, MR. MAYOR.

THOSE TWO PRESENTATIONS ARE HARD ACTS TO FOLLOW CERTAINLY.

I WANT TO SAY HOW MUCH I APPRECIATE ALL OF THE WORK THAT AGENDA AND RULES COMMITTEE DID TO REVIEW AND SUMMARIZE THE PROPOSALS CURRENTLY ON THE TABLE.

AND TO ESPECIALLY THANK THE MAYOR, COUNCILMEMBER WENGRAF AND THEIR STAFF FOR THE WORK THEY DID TO CREATE THE MATRIX.

IT WAS A LOT OF MATERIAL.

THE MATRIX TO ME WAS REALLY HELPFUL IN BEING ABLE TO DO A MORE APPLES TO APPLE COMPARISON BETWEEN THE PROPOSALS THAT HAVE COME DOWN DURING A SIGNIFICANT PERIOD OF HISTORY.

AND HOW THEY WOULD POTENTIALLY IMPACT VARIOUS COMPONENTS OF THE LEGISLATIVE PROCESS.

I ALSO WANT TO DEEPLY THANK COUNCILMEMBER HAHN FOR HER WORK IN PRESENTING A MORE STRUCTURED PROCESS THAT IMPLEMENTED WOULD CERTAINLY HELP ENSURE THE DETAILS AND POLICIES AND PROPOSALS ARE DRILLED INTO WELL BEFORE THEY REACH THE COUNCIL STAGE.

I ALSO WANT TO THANK COUNCILMEMBER HARRISON, ALONG WITH COUNCILMEMBERS TAPLIN AND ROBINSON FOR THEIR WORK TO PUT FORWARD AN ALTERNATIVE LEGISLATIVE CYCLE APPROACH.

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I APPRECIATE HAVING DIFFERENT OPTIONS TO CONSIDER.

AND I THINK THIS ALTERNATIVE HAS SOME ADDITIONAL POSITIVE CHARACTERISTICS.

INCLUDING SIMPLICITY THAT MERIT STRONG CONSIDERATION.

OVERALL THOUGH I HAVE TO AGREE, ALTHOUGH I AGREE THAT PROPOSALS SOMETIMES NEED MORE WORK BEFORE COMING TO COUNCIL, BASED ON MY LIMITED EXPERIENCE ON COUNCIL, I DON'T NECESSARILY FEEL THAT A LACK OF COMPLETENESS IS THE BIGGEST PROBLEM WE FACE IN TERMS OF COUNCIL'S APPROACH TO MAJOR ITEMS.

I THINK THAT OUR EXISTING COMMITTEE APPROACH AND EXTREMELY CAPABLE STAFF ALREADY DO A PRETTY GOOD JOB OF ENSURING ITEMS EITHER GET TO COUNCIL OR COME OUT OF COUNCIL IN DESCENT SHAPE. AND THERE IS ALSO THE FACT THAT COUNCIL WAS A POLICY SETTING BODY WITH IMPLEMENTATION AND OPERATIONS BEING THE PROVINCE OF STAFF.

I DON'T KNOW THAT COUNCIL AND COUNCIL COMMITTEES GETTING EVEN MORE INTO THE WEEDS ON MINUTE DETAILS IS NECESSARILY GOING TO HELP STAFF DO THEIR JOBS.

IT MIGHT EVEN HAVE THE OPPOSITE EFFECT FOR POLICIES AND PROGRAMS AND HAVE LESS FLEXIBILITY.

THIS BRINGS ME TO WHAT I THINK IS THE FUNDAMENTAL PROBLEM WITH OUR APPROACH TO LEGISLATING, WE DO TOO MUCH OF IT.

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I THINK THE CITY MANAGER HAS BEEN JUST ABOUT AS CLEAR AS SHE CAN BE IN TELLING US WE NEED TO SLOW OUR GENERATION OF REFERRALS WHEN IT COMES TO THE MAJOR POLICIES AND PROGRAMS COMING OFF OF THIS DAIS.

AND I JUST DON'T FEEL A LEGISLATIVE SEASON APPROACH REALLY TACKLES THE FUNDAMENTAL ISSUE.

THAT'S WHY I LEAN STRONGLY TOWARD USING MY PREDECESSOR FORMER COUNCILMEMBER DROSTE BE RIGHT PROPOSAL AS A STARTING POINT WORKING OUT FROM THERE.

IN GENERAL, I'M RELUCTANT TO SUPPORT A LEGISLATIVE OVER HAUL WITHOUT LIMITS ON COUNCIL ITEMS OR TIME OUR REWEIGHTED RANGE VOTING PRIORITIZATION EXERCISE TO TAKE PLACE BEFORE STAFF AND COMMITTEES REALLY DIVE INTO THE DETAILS OF PROPOSALS THAT COULD CLEAR OUT SOME OF THE ITEMS EFFICIENTLY.

THIS LEGISLATIVE SEASON APPROACH SEEMS POISED TO RESEARCH OUTREACH AND NATIONAL BURDENS ASSOCIATED WITH ANY GIVEN ITEM, BOTH FOR COUNCIL STAFF AND POTENTIALLY OTHER CITY STAFF.

WITHOUT SOME LIMITS ON COUNCIL ITEMS THIS PROPOSAL SEEMS LIKELY TO INCREASE THE COMPLEXITY AND WORKLOAD ASSOCIATED WITH ITEMS COMING FROM COUNCIL.

IN ADDITION, BECAUSE ALL MAJOR ITEMS WOULD BE HELD TO THE SAME TIMELINE OR SAME TIMELINES THESE INCREASED NEEDS FOR REVIEW

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HEARINGS, AND ANALYSIS SEEM LIBEL TO EXACERBATE CRUNCH TIMES DURING THE YEAR AND POSSIBLY EVEN CREATE NEW ONES.

I THINK THAT THE HARRISON, TAPLIN, ROBINSON PROPOSAL IS BETTER THAT WOULD REDUCE STAFF EFFORTS AND AVOID GIVING COMMITTEES AN APPROPRIATE VETO POWER OVER COUNCIL REFERRALS.

AGAIN, THAT SAID, I STILL THINK THIS ALTERNATIVE ALSO GIVES SHORT SHIFT TO THE FUNDAMENTAL ISSUE, THE SHEER VOLUME OF COMPLEX AND WORK INTENSIVE POLICY AND PROGRAMS COMING OUT OF COUNCIL.

THIS REMAINS THE NUMBER ONE ISSUE TO ME.

AND THIS FEELS CONSISTENT WITH WHAT WE HEARD FROM THE CITY MANAGER.

I'M NOT GOING TO SUGGEST A MORATORIUM ON NEW MAJOR NONEMERGENCY ITEMS WOULD BE IN ORDER.

I'M SURE I WOULDN'T FIND SUPPORT AND MAYBE IT DOESN'T MAKE SENSE BUT A CAP OF SOME SORTED AND PERHAPS A TEMPORARY NUMERICAL CAP IS WHAT WE SHOULD AIM FOR.

I DON'T FEEL LIKE IN SUPPORT ANY PROPOSAL THAT DOESN'T SET A FIRM LIMIT ON MAJOR COUNCIL ITEMS.

BUT I DO WANT TO THANK EVERYBODY FOR ALL THE REALLY COMPLICATED AND HARD WORK THAT THEY PUT IN ON THIS.

AND I'VE SPENT A LOT OF TIME LOOKING AT THESE PROPOSALS.

AND THANK YOU SO MUCH.

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>> MAYOR J. ARREGUIN: OKAY.

COUNCILMEMBER HAHN WANT TO MAKE A CLARIFYING COMMENT.

AND THEN, ARE THERE ANY OTHER CITY COUNCIL MEMBERS THAT HAVE COMMENTS?

WE NEED TO TAKE PUBLIC COMMENTS AS WELL.

>> S. HAHN: THANK YOU.

COUNCILMEMBER HARRISON, I WANT TO BETTER UNDERSTAND.

I COMPLETELY AGREE WITH YOU THAT CITY MANAGER ITEMS WOULD ALSO BENEFIT FROM THE SAME REVIEW.

BUT I'M TRYING TO UNDERSTAND WHERE THAT COMES UP, BECAUSE MOST OF WHAT THEY BRING TO US ARE REFERRAL RESPONSES.

AND I WAS TRYING TO REMEMBER A TIME WHEN THE CITY MANAGER SORT OF BROUGHT US SOMETHING NEW THAT HADN'T BEEN REFERRED BY THE CITY COUNCIL.

THE ONLY THING I CAN THINK OF WAS THE KIOSKS IS WHEN THE REFERRAL RESPONSE COMES BACK THAT RESPONSE SHOULD THEN BE VETTED BY A COMMITTEE?

IF YOU COULD CLARIFY WHAT YOU MEAN BY THAT.

>> K HARRISON: YES, MANY PAST REFERRALS WERE SO VAGUE THAT WE, AND WE HAD COMPLETELY DIFFERENT PEOPLE ON COUNCIL THAT I WOULD HOPE THEY WOULD COME BACK TO US.

IF WE START DOING A BETTER JOB OF REFERRALS, THE WON'T BE AS BIG AN ISSUE.

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I THINK SOMETIMES STAFFING IN THE DARK TO FIGURE OUT HOW TO RESPOND.

IT MIGHT NOT BE ON POINT WITH WHAT WE WERE THINKING.

I CAN'T THINK OF AN EXAMPLE.

THERE HAVE BEEN EXAMPLES ABOUT HOMELESS POLICY, SHE'S TRYING TO DO SOMETHING REASONABLE BUT MANY THINGS HAVE CHANGED IN THE LEGAL LANDSCAPE THAT HAVE CHANGED WHAT WE MIGHT BE ABLE TO DO OR NOT DO.

FOR EXAMPLE, WE HAD CERTAIN POLICIES ABOUT SLEEPING IN CARS AND THAT CHANGED AS YOU RECALL, THEN IT CAME BACK.

I THINK IF THAT'S GOING TO BE SOMETHING WITH A LOT OF IMPLICATIONS, IT SHOULD GO TO COMMITTEE.

>> S. HAHN: NOT NECESSARILY SOMETHING WRITTEN, A CHANGE IN POLICY.

>> K HARRISON: I THINK SHE WAS COMING BACK WITH CHANGE IN WRITTEN POLICY BASED ON CHANGE IN THE LAW.

>> S. HAHN: I SEE.

>> K HARRISON: SO I THINK AT THAT POINT DEPENDING ON HOW COMPLEX IT IS, CRITERIA, IT WOULD GO TO A COMMITTEE.

MANY THINGS AREN'T THAT COMPLEX.

SO OBUT AND STILL THINK THERE ARE ITEMS --

>> S. HAHN: YEAH.

>> K HARRISON: -- [ MULTIPLE SPEAKERS ]

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>> S. HAHN: I WAS TRYING TO UNDERSTAND EXACTLY WHAT YOU WERE REFERRING TO.

WE'RE JUST TAKING NOTES AND WE'LL TAKE IT BACK TO THE AGENDA AND RULES COMMITTEE.

BUT I WONDERED, I THINK THE CITY MANAGER MIGHT HAVE HAD, MAYOR, IF I MAY, I THOUGHT IT LOOKED THE CITY MANAGER MIGHT HAVE A COMMENT ON THAT.

>> I JUST WANTED TO ECHO YOUR CONCERNS, COUNCILMEMBER HAHN, THAT WE RARELY IN EVER BRING FORWARD OUR OWN MAJOR, I DON'T BRING FORWARD POLICY.

I'M RESPONDING TO THIS BODY'S POLICY.

BUT IF THAT'S THE ROUTE THAT IS BEING RECOMMENDED WE BRING IT BACK TO A POLICY COMMITTEE BEFORE BRINGING IT TO THE FULL COUNCIL FOR ADOPTION, WE'RE OPEN TO THAT AS WELL.

>> S. HAHN: OKAY.

ANYTHING ELSE COUNCILMEMBER HARRISON, FOR US TO FULLY UNDERSTAND YOUR VISION ON THIS?

>> K HARRISON: AS AN EXAMPLE.

I THINK THE RESPONSE TO A.L.P.R.'S IS A GOOD EXAMPLE.

WE HAD A REFERRAL A LONG TIME AGO.

WE HAVE SO MUCH COMPLICATION, THE PARKING L.P.R.'S, THE OTHER CAMERAS THAT DID FINALLY GO TO PUBLIC SAFETY BUT IT WENT TO BUDGET FIRST.



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AND THAT WAS ODD.

SO IT'S REALLY NEED THAT NEEDED THAT PUBLIC SAFETY COMMITTEE  
REVIEW.

AND YOU GUYS DID A GREAT JOB BUT THAT WAS A BIG DEAL.  
IT IS THINGS LIKE THAT.

I DON'T THINK IT WILL COME UP EVERY DAY.

BUT WE'RE DEALING, YOU ARE DEALING WITH A LOT NOW, CITY MANAGER,  
MADAM CITY ATTORNEY, COMPLICATED ITEMS, AND I THINK SOMETIMES  
THEY BENEFIT FROM THAT FORUM.

THE COMMITTEES ARE BETTER FOR HAVING PUBLIC INPUT.

ONE REASON I LOVE THEM, WE REDUCED CONFUSION AT THE COUNCIL  
ABOUT WHAT THINGS ARE.

IT'S BEEN VERY HELPFUL.

>> THANK YOU.

VERY HELPFUL FOR US TO BETTER UNDERSTAND THE VISION ON THAT.

>> MAYOR J. ARREGUIN: COUNCILMEMBER ROBINSON.

>> R. ROBINSON: SURE.

GOOD AFTERNOON, I'LL TAKE THIS OPPORTUNITY TO JUMP IN.

AND FIRST, THANK YOU TO THE AGENDA COMMITTEE WHO HAVE BEEN  
ENGAGING WITH THE DISCUSSION AND INCREDIBLY DEEP LEVEL.

THE REST ARE STUCK OUTSIDE WITH OUR FACES PUSHED AGAINST THE  
WINDOW EAVESDROPPING AND UNABLE TO PARTICIPATE.

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COUNCILMEMBER HAHN, IT IS SO MUCH EASIER FOR THE REST OF US TO  
POKE AT PROPOSALS AND IDENTIFY THINGS WE'RE CRITICAL OF TO  
ASSEMBLE FOR CONSIDERATION.

THANK FOR THE HEAVY LIFTING.

MY FEEDBACK IS LARGELY REFLECTED IN THE SERIES OF NOTES WITH  
COUNCILMEMBER HARRISON.

I'M GLAD THE COMMITTEE WILL BE ABLE TO WEIGH THAT AND CONSIDER  
ALL PATHS AVAILABLE TO US.

REALLY I THINK COUNCILMEMBER HARRISON, TAPLIN, AND I, IT'S NOT  
REALLY A PROPOSAL.

IT'S A STRING OF IDEAS AND PRIORITIES REALLY FOR THE PROPOSAL  
THAT I THINK WILL BE SHAPED BY THE AGENDA COMMITTEE.

I'LL FOCUS MY COMMENTS ON THE TINY HANDFUL OF THOUGHTS IN MY  
TIME SITTING HERE.

ONE, WHICH I THINK COUNCILMEMBER HUMBERT ALLUDED TO, BUT WE  
HAVEN'T TALKED TO SUPER DIRECTLY.

THE IDEA OF QUANTITATIVE LIMITS ON THE NUMBER OF PIECES OF LIMITED  
LEGISLATION THAT COUNCILMEMBERS AND INTRODUCE, THIS HAS BEEN  
FLOATED BEFORE AND IT'S SOMETHING I THINK CANDIDLY INITIALLY I  
HAD A BIT MORE HOSTILE OF A REACTION TO.

I THINK IT FELT A LITTLE UNDEMOCRATIC IF YOU WILL.

WE'RE REPRESENTATIVES OF OUR DISTRICTS.

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I THINK WE SHOULD BE ABLE TO INTRODUCE THE VOLUME OF LEGISLATION THAT OUR RESIDENTS EMPOWER US TO.

BUT THAT SAID, WE HAVE A REAL ISSUE HERE.

AND I THINK IF I'M A LITTLE HONEST WITH MYSELF, I THINK THERE IS PROBABLY NUMBERS OUT THERE, MAYBE IT'S FIVE.

A NUMBER OF MAJOR ITEMS THAT ONE COUNCIL MEMBER COULD INTRODUCE THAT IS HIGHER THAN THE NUMBER OF MAJOR ITEMS I OR SOMEONE WAS GOING TO INTRODUCE ANYWAY BUT COULD HAVE AN INTERESTING SELECTIVE AFFECT IN OUR DECISION-MAKING PROCESS, TO EXERCISE JUST A LITTLE BIT MORE HESITATION TO VET AN IDEA JUST A LITTLE BIT MORE BECAUSE YOU KNOW THERE IS AN OPPORTUNITY COST TO INTRODUCING IT.

THAT LEVEL OF ANALYSIS, THAT LEVEL OF PATIENCE, REALLY THAT LEVEL OF HESITATION I THINK IS VALUABLE.

AND COUNCILMEMBER HARRISON, AS YOU SAID, IF THE PROBLEM IS US, IT'S REALLY HARD TO DEFINE RULES THAT WILL SHAPE THAT.

BUT I THINK THERE IS PROMISE THERE.

I THINK THERE ARE LIMITS SO WE COULD PUT IN PLACE THAT REALLY DON'T MEANINGFULLY CURTAIL THE EXTENT TOO MUCH WE CAN BE INNOVATIVE AND PUT THINGS ON THE TABLE AND FORCE US TO ASK OURSELVES BEFORE WE THROW SOMETHING ON THE HOPPER IF IT'S THE HILL WE WANT TO DIE ON.

I'M RUMINATING ON THAT.

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OPEN TO POSSIBILITY SAID THERE.

A LOT OF OTHER THINGS I LIKE THAT ARE IN THE MIX ACROSS PROPOSALS, I THINK REQUIRING THE ITEM GUIDELINES WE HAVE BE IN PLACE WOULD BE VALUABLE.

I'M CERTAINLY NOT ALWAYS THE BEST AT FOLLOWING THEM.

I THINK EXPLICIT CLARITY ABOUT ITEM DEADLINES FOR BUDGETING/IMPLEMENTATION WILL BE VALUABLE.

I THINK IT WILL BE GOOD, REALLY WE'RE DOING THIS CYCLE I THINK IT'S A GOOD PRACTICE TO MAKE PERMANENT TO BE CLEAR ABOUT WHAT THE ROLE OF BUDGET REFERRALS FOR A.A.O. ONE AND TWO SHOULD BE. AS ONE TIME OR SENSITIVE NEEDS.

THAT I THINK WOULD BE REALLY POSITIVE.

AND I CALLED TOGETHER A LIST OF THINGS I WOULDN'T EVEN SAY I'M OPPOSED TO BUT THINGS I WORRY A LITTLE ABOUT.

IN CONTEMPLATING SORT OF THE IDEA OF A SESSION.

OBVIOUSLY THAT WORKS AT A LOT OF OTHER LEVELS OF GOVERNMENTS.

I FIND MYSELF BEING ANXIOUS THE SURGES OF CERTAIN TYPES OF WORKLOAD AT CERTAIN TIMES MIGHT BE UNTENABLE.

I THINK OF THE WORK THAT OUR COMMITTEES ARE DOING RIGHT NOW SOMETIMES THEY EBB AND FLOW, SOMETIMES THEY HAVE SWELLS, SOMETIMES A LITTLE BACK LOG THAT TAKES MONTHS, SOMETIMES I GO FOUR MONTHS WITHOUT A LAND USE MEETING.

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TO DO THAT AT ONCE, TO HAVE PACKED AGENDAS FOR THAT COMMITTEE, WE HAVE A HARD TIME GETTING TO TWO AGENDA ITEMS AT THE COMMITTEE LEVEL.

I THINK AT OUR TUESDAY EVENING COUNCIL MEETINGS THERE IS OFTEN A LOT ON THE AGENDA AND WE HAVE AN INCENTIVE TO BE BRISK AND MAKE SURE WE GET TO WHATEVER ELSE WE HAVE.

I THINK THE BEAUTIFUL THING ABOUT THE POLICY COMMITTEE, WE CAN RUN IN CIRCLES AND ASK ALL SORTS TECHNICAL SMALL QUESTIONS TO REALLY VET SOMETHING AND SPEND THREE HOURS WITH ONE ITEM WORKSHOPPING IT.

AND SO I THINK I HAVE LOGISTICAL WORRIES ABOUT WHAT IT WOULD LOOK LIKE TO PACK THAT STAGE TO HAVE THE POLICY VETTING PROCESS FOR THE WHOLE CYCLE INTO A FEW MONTHS.

I SHARE AND WANT TO RESONATE WITH COMMENTS MADE ABOUT A ROLE FOR COMMITTEES PRIORITIZING OR SCORING ITEMS.

I THINK IT'S VERY VALUABLE THAT IS COMING FROM THE FULL COUNCIL. AND ALSO, WANTS US TO STIR AWAY FROM BEING LIMITED TO ONLY HAVING AUTHORS NOT CO-SPONSORS AT THE PRE-SUBMISSION STAGE.

I FLOAT AROUND A LOT OF IDEAS WITH COLLEAGUES AND I THINK HAVING THE OPPORTUNITY TO BRAINSTORM AND VET SOMETHING WITH OTHER COUNCILMEMBERS BEFORE I BRING IT FORWARD IS VALUABLE AND OFTEN RESULTS IN ME NOT INTRODUCING THINGS BECAUSE THERE IS A BETTER WAY TO GO ABOUT IT OR SOMETHING I DIDN'T KNOW.

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THAT IS VALUABLE AND I DON'T WANT TO MAKE THAT HARDER TO DO.

IN SUMMATION, THANK YOU TO EVERYONE WHO PUT ITEMS ON THE TABLE.

I DO NOT ENVY THE COMMITTEE TO FIGURE OUT A PATH FORWARD.

THANK YOU.

>> MAYOR J. ARREGUIN: COUNCIL WENGRAF.

>> S. WENGRAF: YEAH, THANK YOU VERY MUCH.

FIRST, I WANT TO THANK COUNCILMEMBER HAHN FOR DOING ALL OF THE HARD WORK.

AND TAKING ON THE BURDEN OF FORMULATING THIS WITH THE CLERK, CITY MANAGER AND PRESENTING IT TO US.

I THINK IT WAS A HUGE TASK.

AND I'M VERY GRATEFUL TO HER FOR DOING IT.

AND AS SHE EXPLAINED, THE MAYOR AND I COULD NOT PARTICIPATE BECAUSE OF THE BROWN ACT.

SO THANK YOU VERY MUCH, COUNCILMEMBER HAHN.

I ALSO WANT TO THANK COUNCILMEMBER HARRISON FOR PUTTING FORWARD AN ALTERNATIVE.

BUT THESE ARE NOT THE ONLY TWO THINGS THAT ARE BEFORE US.

WE CAN, BOTH OF THESE THINGS I CONSIDER JUMPING OFF POINTS FOR THE DISCUSSION.

AND I WOULD LIKE TO SUGGEST WE TAKE A STEP BACK AND THINK ABOUT WHAT OUR GOAL IS.

IT'S BEEN YEARS YOU KNOW, WE'VE HAD SO MANY PROPOSALS.

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WHAT IS THE PROBLEM WE'RE TRYING TO SOLVE.

AND BOTH PROPOSALS BEFORE US ARE PRETTY COMPLEX.

I'M NOT SURE THAT LEVEL OF COMPLEXITY IS NECESSARY.

I THINK IT WAS COUNCIL HUMBERT WHO BROUGHT UP THE IDEA OF  
LIMITING THE NUMBER OF ITEMS.

ORIGINALLY, YOU KNOW, I REMEMBER THE CITY MANAGER COMING TO US  
AND BASICALLY BEGGING US TO STOP DOING MAJOR ITEMS BECAUSE STAFF  
WAS SO OVERWHELMED.

AND I THINK THERE IS STILL A BACKLOG.

I DON'T KNOW WHAT IT IS.

BUT MAYBE 90 ITEMS OR SOMETHING LIKE THAT.

YOU KNOW, GIVEN THE STAFFING SITUATION MAYBE WHAT WE DECIDE TO  
DO WILL BE TEMPORARY.

MAYBE WE CAN LINK IT TO STAFFING.

BUT I THINK THERE IS AN URGENCY IN US DOING SOMETHING RIGHT NOW  
TO ALLEVIATE THE PROBLEM THAT STAFF IS FACING, WHICH IS THAT  
THEY JUST CAN'T DEAL WITH EVERYTHING WE'RE GIVING THEM.

SO I WOULD LIKE TO AT OUR NEXT, WHEN WE DISCUSS THIS AGAIN, I  
DON'T THINK WE'RE GOING TO BE ABLE TO MAKE A DECISION TONIGHT,  
ARE WE MAYOR?

>> MAYOR J. ARREGUIN: WE'RE NOT MAKING A DECISION TONIGHT.

>> S. WENGRAF: YEAH, OKAY.

SO I WOULD LIKE TO REVISIT THE GOAL.

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AND REVISIT THE PROBLEM THAT WE'RE TRYING TO SOLVE.

BECAUSE I CERTAINLY DON'T WANT TO REPLACE A NEW BUNCH OF BUREAUCRATIC AND VERY COMPLICATED PROCEDURES WITH WHAT WE HAVE NOW.

I'M NOT SURE THAT IS GOING TO FIX ANYTHING.

SO THAT'S MY SUGGESTION FOR TONIGHT.

THANK YOU.

>> MAYOR J. ARREGUIN: THANK YOU VERY MUCH.

VICE MAYOR BARTLETT.

>> B. BARTLETT: THANK YOU, MR. MAYOR.

I WANT TO THANK COUNCILMEMBER HAHN FOR YOUR DILIGENT WORK.

DEEP, DEEP WORK HERE.

SCHEMATICS OF A MICROCHIP.

[ LAUGHTER ]

>> B. BARTLETT: AND THANK YOU, AS WELL, COUNCILMEMBER HARRISON FOR YOUR APPROACH, COUNCILMEMBER ROBINSON, COAUTHORING.

WE TALKED ABOUT THIS THROUGH THERE YEARS.

AND YOU KNOW, A COUPLE OF THINGS COME TO MIND.

ONE, YOU KNOW, I THINK JUST A KNEE JERK I HAVE A KNEE JERK

RESPONSE WHEN I FUNDAMENTALLY TEND NOT TO SUPPORT LIMITATIONS ON DEMOCRACY AND REPRESENTATION.

BUT YOU HAVE ANSWERS SOME OF THE ISSUES WITH THE EXCEPTIONS YOU PROVIDE TO TIME CRITICAL MEASURES.



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BUT I GUESS THE REAL QUESTION IS, AND IT'S THIS KIND OF HARKENS TO WHAT COUNCILMEMBER WENGRAF JUST MENTIONED.

DOES ANYONE KNOW HOW MANY MAJOR ITEMS THE COUNCIL PRODUCED IN THE LAST YEAR?

I CAN'T THINK OF TOO MANY.

THERE ANY DATA ON THAT?

>> I'LL SAY I THINK JUST GOING OFF OF THE FLOW THROUGH THE AGENDA COMMITTEE, OBVIOUSLY NOTHING SCIENTIFIC, BUT I THINK DURING THE PANDEMIC WE SORT OF HAD A UNSPOKEN AGREEMENT.

THAT WE WERE GOING TO LEAVE THE

>> S. HAHN: CITY MANAGER TO ADDRESS THE PANDEMIC.

SO THE FLOW WENT DOWN.

AND SINCE THAT IS LIFTED I WOULD SAY THE FLOW OF MAJOR ITEMS IS LOWER THAN IT WAS BEFORE THE PANDEMIC.

MAYOR, WOULD THAT?

I MEAN, IF YOU LOOK AT FOR EXAMPLE OUR AGENDA TONIGHT, I THINK IT'S THE FIRST TIME IN MY TIME ON THE AGENDA COMMITTEE THAT WE ACTUALLY DON'T HAVE AN ACTION ITEM EITHER FROM STAFF OR FROM THE COUNCIL --

I THINK PEOPLE ARE BEING MORE I DON'T KNOW, RESTRAINED.

>> B. BARTLETT: THAT WAS MY ANECDOTAL OBSERVATION AS WELL.

IT SEEMS WE UNDERSTAND THE STAFF IS OVERWHELMED.

WE LOST MANY MEMBERS OF OUR TRANSPORTATION DIVISION.

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I SEE US WITHHOLDING AND WAITING FOR THINGS TO NORMALIZE.

I FOR ONE HAVE TAKEN MUCH TIME TO WORK WITH CITY STAFF ON MAJOR ITEMS THAT ARE IN DEVELOPMENT.

AND MAYBE DO ONE THIS YEAR.

WHICH SHOULD BE AMAZING TOO.

I CAN'T WAIT TO SHARE WITH YOU ALL.

[ LAUGHTER ]

>> B. BARTLETT: YOU KNOW, BUT THE YOU KNOW, THE LEANING INTO LEGISLATION THAT IS, AND THIS IS WHAT WE DO THROUGH THE PROCESS, THROUGH THE COMMITTEE PROCESS, WHICH I'M A FAN OF, IT HELPS YOU THINK IT THROUGH.

WE HELP OTHERS COME WITH THEIR -- WE LEND OUR EXPERTISE AND GROUP KNOWLEDGE AND HELP AUTHOR REFINE THEIR WORK.

WE HELP THEM SIMPLIFY THEIR WORK.

AND SO I THINK THIS MEASURE WE'RE TALKING ABOUT TO UNDERSTAND IS PRIORITIZATIONS, THEY KIND OF NEED THE SAME PROCESS, THEY NEED TO BECOME SIMPLIFIED.

THIS IS TOO COMPLEX.

THERE IS A MORE ELEGANT WAY.

PARTICULARLY IN THE LIGHT OF THE FACT THAT THE COUNCIL APPEARS TO BE RESPONSIVE TO THE NEEDS OF THE BUREAUCRACY.

BUT NOT GIVING THEM ANYTHING TO DO.

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IT SEEMS LIKE WE MAY NOT NEED TO OVERLAY THIS MUCH BUREAUCRATIC TO SOMETHING THAT IS NOT EXISTING RIGHT NOW.

WITH ALSO ANOTHER QUESTION, DOES THIS KEEP THE R.V. V. PROCESS AS WELL OR SUPPLANT IT?

>> S. HAHN: I THINK THE IDEA WAS THAT WHEN YOU DON'T HAVE A BIG BACK LOG OF OLD ITEMS THAT HAVEN'T BEEN IMPLEMENTED AND YOU HAVE A RESTRICTED FLOW BASICALLY MORE BASED ON QUALITY THEN ON QUOTAS, BY RAISING OUR STANDARDS, THE IDEA WOULD BE THAT LESS WOULD BE GOING FORWARD.

THEN THE PRIORITIZATION BECOMES MUCH EASIER.

YOU ARE NOT PRIORITIZING 100 ITEMS, MAYBE 15 OR 20.

AND MAYBE YOU USE R.R.V. OR MAYBE THERE IS ANOTHER PROCESS.

IT DEFINITELY DID NOT RECOMMEND GETTING RID OF IT.

BUT THE IDEA WAS THAT IT WOULD ESSENTIALLY BECOME LARGELY MOOT.

>> B. BARTLETT: IF UNDER THIS PROPOSAL YOU HAVE TO WAIT 16 MONTHS TO SUBMIT SOMETHING OR THEN YOU GET R.R.V.ED TO THE BOTTOM OF THE LIST, YOU EFFECTIVELY DENIED THE RESIDENTS WHO PAY EXORBITANT PROPERTY TAXES AND RENTED, THE OPPORTUNITY TO HAVE SOMETHING THEY CARE ABOUT SEEN BY THE COUNCIL.

FOR NEXT, THAT PERSON IS OUT OF OFFICE.

IT'S OVER.

YOU ARE TALKING SEVEN YEARS LATER.

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AND TRUST ME, I LIVED HERE SEVEN YEARS CYCLES OF LEGISLATION AND IT TAKES DILIGENCE TO SEE IT THROUGH.

AGAIN, I DON'T THINK -- I DON'T SEE THE NEED TO KEEP ADDING SO MUCH TIME AND DISTANCE BETWEEN PEOPLE AND THEIR ASPIRATIONS.

AND THEN, THE CO-SPONSOR'S MEASURE, COUNCILMEMBER ROBINSON BROUGHT IT UP.

I THINK IT'S IMPORTANT FOR COLLEAGUES AND COUNCILMEMBERS TO THINK THROUGH THE STRATEGIES AND YOU KNOW, IT'S PART OF THE KEY TO SUCCESS.

YOU KNOW, NEWER COUNCILMEMBERS COME ON AND TEAM UP WITH OTHERS AND FIGURE OUT HOW TO WIN THE RIGHT COMBINATIONS, I THINK IT'S A GOOD PROVING GROUND FOR LEGISLATION BECAUSE IN THE DAY THE AUTHORS GOAL IS TO GET IT PASSED ON BEHALF OF THE CONSTITUENTS WHO REQUESTED IT OR BENEFIT FROM THEM.

SO I THINK WE NEED TO BAN THEIR ABILITY TO STRATEGIZE ESSENTIALLY.

RIGHT?

AND GET HELP TOO. RIGHT?

AND THEN, LASTLY, I DO SUPPORT ATTACKING THE BACKLOG QUEUE.

SPECIAL TOPIC NUMBER FOUR.

I THINK THAT'S IMPORTANT.

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SITTING ON THIS DEEP BENCH OF MATERIALS THAT IS RAPIDLY TURNING FROM COAL INTO DIAMONDS AS IT SITS THE TECTONIC PRESSURE OF BUREAUCRATIC TIME, RIGHT?

YES, ABSOLUTELY, I THINK THAT'S IMPORTANT.

WE SHOULD GO THROUGH THIS AND GET THESE THINGS DEALT WITH.

THOSE ARE MY POINTS.

THAT'S ALL.

I THINK ULTIMATELY, I DON'T THINK ANY OF THIS IS NECESSARY.

>> MAYOR J. ARREGUIN: COUNCILMEMBER HARRISON, AGAIN.

>> K HARRISON: I WANT TO ANSWER COUNCILMEMBER BARTLETT'S

QUESTION ABOUT MY PROPOSAL DOES NOT GET RID OF R.R.V.

IT'S STILL THERE.

I DON'T THINK WE SHOULD DO IT AT THE COMMITTEE LEVEL.

THANK YOU.

>> MAYOR J. ARREGUIN: OKAY.

THANK YOU.

ARE THERE ANY OTHER CITY COUNCIL MEMBERS THAT HAVE COMMENTS?

COUNCILMEMBER WENGRAF?

>> S. WENGRAF: YES.

THANK YOU.

>> MAYOR J. ARREGUIN: OKAY.

>> S. WENGRAF: YEAH, I JUST WANT TO SAY THAT YOU KNOW, THE STAFF ISN'T JUST WORKING ON OUR ITEMS.

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I MEAN, THEY HAVE TO WORK ON ALL KINDS OF OTHER STUFF AS WELL.  
AND THEY HAVE PARTNERS, THE SCHOOL BOARD, THE RENT BOARD, YOU  
KNOW, ALL OF THESE STATE AGENCIES THAT THEY HAVE TO WORK WITH.  
SO I THINK WE'RE BEING A LITTLE NEAR SIGHTED WHEN WE THINK THAT  
STAFF ONLY WORKS WITH OUR ITEMS.

I THINK THEIR WORKLOAD IS HUGE.

AND WE'RE ONLY THINKING OF A LITTLE PART OF IT.

SO MAYBE IT WOULD BE ACTUALLY HELPFUL FOR US TO KNOW MORE ABOUT  
WHAT THE DEMANDS ARE ON THE DEPARTMENTS FROM ALL OF OUR  
PARTNERING AGENCIES.

SO THAT WE WOULD HAVE A BETTER UNDERSTANDING AND A BETTER  
PERSPECTIVE ON THE WORKLOAD.

THANK YOU.

>> MAYOR J. ARREGUIN: THANK YOU.

SO FOLLOWING UP ON THAT POINT, I RECALL I THINK IT WAS THE LAST  
BIENNIAL BUDGET PROCESS, WE GOT A COMPREHENSIVE LIST OF  
OUTSTANDING COUNCIL REFERRALS THAT HAD NOT BEEN PRIORITIZED I  
BELIEVE.

AND WE DO GET STATUS UPDATES FROM THE CITY MANAGER ON THE  
IMPLEMENTATION OF COUNCIL REFERRALS, SHORT TERM AND LONG TERM.  
AND WE HAD THAT DATABASE.

BUT I DO THINK, YOU KNOW, AT SOME POINT YOU KNOW PROBABLY  
LEADING UP TO THE NEXT BUDGET DEVELOPMENT, I THINK GOING OVER

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THAT LIST AGAIN WOULD BE HELPFUL BECAUSE THINGS MAYBE OBSOLETE OR REDUNDANT.

I SEEM TO RECALL MULTIPLE REFERRALS ABOUT ADU POLICY OR HOUSING POLICY, MULTIPLE FIRE SAFETY RECOMMENDATIONS.

AND YOU KNOW, WE MAY BE ABLE TO FIND A WAY TO CONSOLIDATE OR ELIMINATE REDUNDANT OR OBSOLETE COUNCIL REFERS SO WE CAN FOCUS ON THE THINGS WE THINK ARE RELEVANT AND WE WANT TO HAVE STAFF DEDICATE TIME TO ADDRESS.

SO I HEAR THAT AS AN OVERARCHING AGREEMENT AMONGST COUNCIL WE NEED TO LOOK AT DEALING WITH THE QUOTE, BACK LOG.

I HOPE WE CAN WHETHER IT'S THROUGH NEW PROCESS OR JUST LEADING UP TO THE BUDGET ADOPTION, WE CAN DO THAT.

I THOUGHT THAT WAS VERY HELPFUL.

SO MAYBE IN ALIGNMENT WITH THE R.R.V. PROCESS THAT MAYBE ONE WAY TO DO IT BEFORE THE R.R.V. PROCESS.

I'M SURE ASSOCIATION WITH THE APPRECIATE IF WE CAN CLARIFY AND REDUCE THE OUTSTANDING NUMBER OF ITEMS.

SO WITH THAT, WHY DON'T WE PROCEED TO PUBLIC COMMENT.

ANY MEMBER HERE THAT WOULD LIKE TO SPEAK TO THE ITEM ON OUR 4:00 P.M. SPECIAL CITY COUNCIL MEETING AGENDA, THE CITY COUNCIL LEGISLATIVE SYSTEMS REDESIGN?

YES, MISS MOROSOVIC.

>> THANK YOU.

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I ATTENDED THE JUNE 29TH RETREAT.

AND I HEARD THE CITY MANAGER'S FRUSTRATION, AND TOTALLY

UNDERSTOOD IT.

HOW THERE WERE TOO MANY ITEMS THAT WERE POSSIBLE FOR STAFF TO  
POSSIBLY IMPLEMENT PROPERLY.

AND IT SEEMED AS IF SOME ITEMS COULD BE CONSOLIDATED AS THE  
MAYOR JUST MENTIONED AND SOME COULD BE FOLDED INTO ONE ANOTHER.

I UNDERSTAND THAT'S CHANGED THAT THERE AROUND AS MANY ITEMS  
COMING BEFORE COUNCIL BUT THERE ARE STILL OUTSTANDING ITEMS THAT  
ARE OUT THERE.

THERE IS A NEED FOR TIME CRITICAL ITEMS FOR OBVIOUS REASONS,  
STATE LAWS CHANGE, FEDERAL LAWS CHANGE, AND FUNDING CHANGES THAT  
COMES IN.

AND SO YOU ARE GOING TO HAVE TO HAVE TIME CRITICAL ITEMS THAT  
CANNOT BE LIMITED IN NUMBER IF THEY ARE GENERALLY TIME CRITICAL  
ITEMS.

THERE IS A NEED TO WORK WITH COMMISSIONS.

NOT ONLY HAS TO REFERRALS TO THEM, BUT ALSO REFERRALS FROM THEM.

NOW, THIS IS PERHAPS A SEPARATE ITEM.

BUT I BELIEVE IT'S IMPORTANT TO HAVE TRANSPARENCY TO THE PUBLIC  
SO THE PUBLIC NEEDS TO SEE WHAT STAFF IS DOING.

OR RATHER WHAT COUNCIL IS DOING, BUT ALSO WHAT STAFF IS DOING IN  
TERMS OF IMPLEMENTATION OF THE ITEMS THAT PASSED BEFORE YOU.



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I'M GOING TO RAISE THAT THE AGENDA, HOMELESS COMMISSION BROUGHT AN ITEM BEFORE THE AGENDA COMMITTEE THAT WAS PASSED IN EARLY 2020.

AND IT SOMEHOW STAYED AT THE AGENDA COMMITTEE LEVEL.

AND THAT WAS THAT ALL THE COMMISSION RECOMMENDATIONS FROM VARIOUS COMMISSIONS BECOME COMPILED ONLINE AND IN A BINDER SO THEY COULD BE TRACKED HOW THEY GO TO COUNCIL.

AND ALSO, IN TERMS OF IMPLEMENTATION.

AND THIS IS IMPORTANT, NOT ONLY FOR INFORMATION SHARING BETWEEN COMMISSIONS BUT ALSO FOR COUNCIL TO KNOW WHAT COMMISSIONS IS DOING, FOR STAFF TO FOLLOW IT, AND ALSO FOR TRANSPARENCY TO THE PUBLIC.

AND I HOPE THAT THIS IS ACTED ON.

EDIS GOING TO GIVE ME HIS TWO MINUTES, RIGHT?

THANK YOU. SO LET ME GIVE YOU AN EXAMPLE HOW DIFFICULT IT IS TO RESEARCH AN ITEM.

AND I THINK THE SAME THING HAPPENS WITH COUNCIL ITEMS THAT, AGAIN, THERE HAS TO BE THIS TRANSPARENCY TO THE PUBLIC.

ON THE COMMISSION OF STATUS OF WOMEN, I WANTED TO RESEARCH WHAT IS HAPPENING WITH PREVIOUS ITEMS THAT I WOULD NOT HAVE EVEN KNOWN THESE ITEMS EXISTED EXCEPT I'VE BEEN ATTENDING COUNCIL MEETINGS GENERALLY FOR THE LAST 17 YEARS.

SO I RECALLED SOMETHING ABOUT SMALL BUSINESSES AND WOMEN.

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I RECALLED IT PASSED BEFORE COUNCIL SEVERAL YEARS AGO.

I RECALLED OVER 10 YEARS AGO, THIS WAS SOMETHING ON SEX

TRAFFICKING THAT CAME FROM THE STATUS OF WOMEN.

I WOULDN'T HAVE KNOWN HAD I NOT ATTENDED THOSE ITEMS.

I WENT TO THE CITY CLERK'S OFFICE, WHO IS EXCELLENT AT DOING THE RESEARCH.

BUT I AM VERY RESPONSIVE.

HAD TO KEEP GOING BACK AND SAY WHAT HAPPENED TO THAT AFTER THAT.

WHERE IS SETTING, DID IT JUST DIE?

AND IT'S REALLY IMPORTANT WE HAVE THIS INFORMATION, AGAIN, FOR COMMISSIONS, FOR COUNCIL, FOR STAFF, AND FOR THE PUBLIC.

WE HAVE TO BE TRANSPARENT ABOUT WHAT HAPPENS.

THANK YOU.

>> MAYOR J. ARREGUIN: OKAY.

THANK YOU VERY MUCH.

ARE THERE ANY OTHER MEMBERS OF THE PUBLIC HERE IN THE BOARDROOM AT 1231 ADDISON THAT WOULD LIKE TO SPEAK TO ITEM ONE, THE COUNCIL'S REDESIGN.

I'LL ASK ARE THERE SPEAKERS ON ZOOM, PLEASE RAISE YOUR HAND.

MONI LAW.

>> GOOD EVENING, MAYOR AND COUNCIL AND COMMUNITY.

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I AM JUST VERY THANKFUL FOR EVERYONE'S HARD WORK AND MY COUNCILMEMBER, KATE HARRISON AND OTHERS WHO MAY HAVE PROPOSED AMENDMENTS.

I UNDERSTAND THIS IS GOING BACK TO AGENDA COMMITTEE FOR REVIEW.

I WANTED TO MAKE A QUICK REFLECTION AND IMPORTANCE OF THE OPENNESS OF CONTINUED DEMOCRACY.

AND I APPRECIATE COUNCILMEMBER BARTLETT'S COMMENT ABOUT NOT DISTANCING THE PEOPLE FROM THE PROCESS.

AND TO ENSURE THIS OPEN SPACE FOR OUR ASPIRATIONS TO GROW.

WITH THAT IN MIND, I'M THINKING OF THE MAYOR'S FAIR AND

IMPARTIAL POLICING WORK GROUP THAT I'M THANKFUL FOR THE MAYOR HAVE APPOINTED ME TO THAT.

AND ALL THE WORK THAT PEOPLE ON THE REIMAGINING TASK FORCE FOR CONSTRUCTIVE IDEAS, POLICIES AND PROGRAMS TO PREVENT VIOLENCE AND KEEP US SAFE IN ALL WAYS FROM EDUCATION, ECONOMIC SECURITY, AND POLICE ACCOUNTABILITY.

THOSE PROPOSALS ARE IMPORTANT AND TIME SENSITIVE AND SHOULDN'T BE CONSTRAINED OR PUSHED OUT TO A YEAR LATER.

OR YEAR AND A HALF LATER.

SO TIME LOST IS -- JUSTICE AND GOOD POLICY AND BASIC GOVERNANCE AS DELAYED.

AND SO WE REALLY HAVE A BEAUTIFUL COMMUNITY IN BERKELEY.

I DON'T WANT IT PUT TO THE SIDE AND TOO MANY BITS AND PIECES.

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WE SHOULD HAVE A HOLISTIC CONSTRUCTIVE PROCESS THAT IS OPEN AND OTHERS SAID, TRANSPARENT AND AVAILABLE.

FINALLY, I WANT TO KIND OF SAY THAT WITH REGARD TO BUDGETS AND ALL THE OTHER THINGS THAT WAS SAID, SHE WOULD POINT OUT TO THE BUDGET AND FINANCING ISSUES THAT COME UP.

AND FINALLY, THERE ARE SO MANY THINGS WE HAD AN EXHIBIT "D" WAS CALLED, PART OF THE CITY MANAGER'S ATTACHMENT, AS I RECALL OF THE THINGS THAT HAD NOT BEEN COMPLETED.

I THINK WE COULD HAVE CONTINUED TO CHISEL ON THAT.

I BELIEVE IT'S WORKED ON I HOPE BECAUSE THERE ARE A NUMBER OF IMPORTANT PARTS OF GOVERNANCE AND COMMUNITY ACTIVITIES THAT NEED TO BE COMPLETED IN THAT EXHIBIT "D" AS I BELIEVE IT WAS REFERENCED FOR ALL OF THE BACK UP WORK THAT NEEDED TO BE DONE STILL.

I HOPE AS A CITY WORKER MYSELF, WE DO WORK HARD BUT WE ALSO WANTED TO MAKE THE BEST CITY WE CAN.

THANK YOU SO MUCH.

>> MAYOR J. ARREGUIN: THANK YOU VERY MUCH.

ARE THERE ANY OTHER MEMBERS OF THE PUBLIC ON ZOOM WHO WOULD LIKE TO SPEAK TO ITEM ONE, THE CITY COUNCIL LEGISLATIVE SYSTEMS REDESIGN?

ANY OTHER MEMBERS OF THE PUBLIC?

THIS IS THE LAST CALL.

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OKAY.

THANK YOU.

WE'LL CLOSE PUBLIC COMMENT.

AND COLLEAGUES, I'LL ASK ARE THERE ADDITIONAL QUESTIONS OR COMMENTS?

COUNCILMEMBER KESARWANI.

>> R. KESARWANI: THANK YOU VERY MUCH, MR. MAYOR.

AND THANK YOU, COUNCILMEMBER HAHN, FOR YOUR PROPOSAL.

AND COUNCILMEMBERS HARRISON, ROBINSON, AND TAPLIN, FOR YOUR PROPOSAL AS WELL.

I DID WANT TO JUST TURN TO THE CITY MANAGER.

BECAUSE I WAS LOOKING BACK AT THE AUDITOR'S RECORD REPORT ON THE STAFFING.

SHE DID NOTE WORKLOAD ISSUES.

DRIVEN IN PART BY COUNCIL ITEMS BUT ALSO BY UNDERSTAFFING AND VACANCIES AS WELL.

AND SO I WANTED TO ASK THE CITY MANAGER FROM WHERE YOU SIT TODAY, COULD YOU HELP US JUST HONE IN ON WHAT YOU SEE AS THE MAJOR PROBLEMS IN TERMS OF MANAGING WORKLOAD IN TERMS OF WHAT IS RECEIVED BY COUNCIL.

>> THANK YOU, COUNCILMEMBER KESARWANI.

THERE ARE A NUMBER OF THE THINGS THAT INFLUENCE HOW QUICKLY WE CAN IMPLEMENT TURN AROUND LEGISLATION AND PRODUCT.

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THERE ARE LOTS OF THINGS.

BUT I THINK HALL MARK TO WHAT WE DO HERE AT THE CITY IS THE MATH WE WANT TO BE THOUGHTFUL ABOUT THE WORK WE'RE DOING FOR YOU ALL AND FOR THE COMMUNITY.

SO THERE IS A BIG COMMUNITY PIECE THAT IS THERE FOR US AS WELL.

I THINK THAT DRIVES US LOTS OF WHAT WE DO AS IN TERMS OF STAFF AND HOW WE PROCESS INFORMATION AND GATHER INFORMATION.

STAFFING, WE ARE IN A STAFFING CRISIS.

WE'VE KNOWN THAT FOR QUITE SOME TIME.

WE'RE CHIPPING AWAY AT IT AND DOING WELL AT CHIPPING AWAY AT GETTING NEW HIRES ONBOARD.

ADDRESSING ISSUES WHERE WE HAVE DIFFICULT TO FILL POSITIONS.

WE'RE DOING A GREAT JOB IN THAT REGARD.

WHEN IT COMES TO THE NUMBER, THIS IS ABOUT VOLUME FOR US TRULY.

WE MAKE OUR OWN WORK TOO.

SO LET'S TALK ABOUT THAT A LITTLE BIT.

BECAUSE WE DEVELOP A STRATEGIC PLAN.

WHERE DEPARTMENTS PUT IN 30 OR 40 TYPES OF PROGRAMS THEY WANTED TO DO TO IMPROVE COMMUNITY SERVICE, AND TO WORK HARDER, WHETHER THAT IS ABOUT HOW WE DEVELOP ADMINISTRATIVE REGULATIONS, TO HIRE THE BEST EMPLOYEES, TO TRAINING, TO WHATEVER IT IS, WE HAD OUR OWN SET OF INITIATIVES COMING THROUGH THE STRATEGIC PLAN AS WELL.

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ON TOP OF THAT WE HAD REFERRALS.

SO WE AT ONE POINT WE HAD OVER 300 REFERRALS.

AND I WOULD PROBABLY REDUCE THAT TO ABOUT 250.

NOW WE'RE DOWN TO 80 TO 90 REFERRALS.

I THINK THE OTHER THING THAT KIND OF CHALLENGED US IS THAT THESE THINGS WOULD COME IN AT VARIOUS TIMES THROUGH THE YEAR AND IT WILL BE A START STOP FOR US.

WE WOULD START THE WORK ON A PROJECT.

AND THEN WE WOULD GET TWO OR THREE NEW PROJECTS THAT WOULD REQUIRE US TO STOP AND RESTART.

SO THAT CREATED BACK LOG FOR THOSE PRIOR AS WE START LIFTING UP NEW.

WE WERE UNABLE TO SHIFT AND BE AS FLEXIBILITY AS WE WOULD LIKE TO BE IN TERMS OF ADDRESSING AND IMPLEMENTING THAT POLICY.

WHOLE STAFFING HAS BEEN AN ISSUE FOR US, I THINK PRIORITIES KNOWING WHAT THEY ARE FOR THE CITY HAS BEEN SOMETHING I'VE BEEN CHALLENGED WITH IN TRYING TO ADDRESS WHAT ARE OUR TRUE PRIORITIES ACROSS-THE-BOARD AND HOW DO I GET TO WHAT IS MOST IMPORTANT TO THIS COUNCIL FIRST, SECOND AND THIRD SO I HAVE THAT IN MY QUEUE.

SO WE'VE USED R.R.V. TO TRY AND GATHER THAT AS A PRIORITY BASE FOR US TO LAUNCH AND COMPLETE INITIATIVES AND WORK.

I THINK WE'VE DONE WELL WITH THAT.

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WE'VE NOT ALWAYS BEEN ABLE TO ADDRESS THE NUMBER-ONE PRIORITY BECAUSE BEEN, REMEMBER THE YEAR PRIOR WE WORKED ON NEW INITIATIVE SAID.

THOSE ARE EITHER UNDERWAY OR NOT STARTED. ESPECIALLY IF YOU ARE A DEPARTMENT WITH FIVE OR 10 REFERRALS THAT COME TO YOU.

SO IT'S NOT ONLY THE AMOUNT AND NUMBERS.

WE ALSO GET LOTS OF PROJECTS FROM STATE AGENCIES, OUR LOCAL PARTNERS, OUR COMMISSIONS, AND OF COURSER, WITH POLICY COMMITTEES WE'RE DOING WORK WITH THEM AS WELL.

OUR PLATES ARE EXTREMELY FULL GENERALLY.

BUT WHAT I THINK IS HELPFUL FOR US IS NOT GOING TO BE THE A CONVOLUTED OR COMPLEX PROCESS.

I AGREE.

I THINK WE DON'T WANT TO PUT IN SOME COMPLICATED OR YOU KNOW, PROCESS THAT IS GOING TO RENDER US PARALLELIZED IN TERMS OF INITIATIVES I'M NOT SAYING THESE ARE DOING THAT.

MY POINT IS WE DON'T WANT TO PUT TOO MUCH IN THERE.

WHAT IS HELPFUL FOR ME AS THE CITY MANAGER WHICH I SHARED BEFORE IS HAVING CORE PRIORITIES.

EVERYTHING CAN'T BE AN EMERGENCY OR AT THE SAME LEVEL OF PRIORITY AS -- THEY ALL CAN'T HAVE EQUAL PRIORITY FOR US.



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BECAUSE AND WE DON'T WANT TO SHIFT EVERY TIME THERE IS A NEW THING.

BUT WE'RE SHIFTING AND WE PUT SOMETHING ON THE BACK BURNER, WE START ANEW.

WHAT IS HELP IF ME, IF WE TRULY HAVE A PROCESS, WE CAN LEAN IN AND SAY, YOU GOT THESE 30 MAJOR INITIATIVES OR THINGS YOU ARE WORKING ON, THESE 20 WE WANT YOU TO PUT ON HOLD SO YOU CAN GET THEM DONE AND COME BACK TO THESE.

WE KNOW WHAT WE'RE PUTTING ON HOLD, WE KNOW WHAT IS STOPPED OR YIELDED.

RIGHT NOW WE TRY TO PECK AT ALL OF THEM AND NEVER GET ALL YOU HAVE THEM DONE.

IT WOULD BE GOOD TO KNOW IF WE HAVE A PROCESS TO ALLOW US TO COME TO YOU AND SAY, WE'VE GOT THIS SIX YOU HAVE GIVEN US TO WORK ON, WE NEED TO MOVE THESE FIVE TO THE BACK BURNER.

THAT IS HELPFUL SO EXPECTATIONS FOR THE COMMUNITY AND COUNCIL AND STAFF ARE CLEAR.

SO WHENEVER WE HAVE NEW THINGS THAT ARE GOING TO IMPACT OLD THINGS, WE NEED TO PUT SOMETHING ON HOLD.

AND I THINK A CLEAR PROCESS TO DO SO WOULD BE HELPFUL.

I THINK THE COMPLEXITY OF THE WORK THAT WE DO IS SOMETIMES NOT SEEN.

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THE WORK THAT COMES FROM NOT ONLY THE COUNCIL BUT OUR DEPARTMENTS AS WELL, OUR COMMISSIONS AND PARTNERS OUT THERE, STATE AGENCIES, THAT WORK IS COMPLICATED, DETAILED AND IT'S HARD.

SO AS WE'RE TRYING TO CHALLENGE OUR WAY THROUGH ALL OF THAT IT TAKES TIME.

TO ME THOSE ARE THE THINGS THAT KIND OF IMPACT THIS WORK. AND THE WORKLOAD FOR ME AS CITY MANAGER.

THANK YOU FOR GIVING ME A MOMENT TO SAY ALL OF THAT.

I APPRECIATE IT.

>> R. KESARWANI: THANK YOU, MADAM CITY MANAGER.

I APPRECIATE HEARING THAT.

I THINK IT'S NOT ALWAYS CLEAR TO ME AND PERHAPS NOT TO MY COLLEAGUES WHAT EXACTLY IS ON YOUR PLATE.

AND I DO KNOW SOME OF THE MY COLLEAGUES TALKED ABOUT EXAMPLES, THINKING ABOUT THE ACCESSORY DWELLING ORDINANCE THE OTHER NIGHT. WE DID ADD TWO REFERRAL SAID AND PART OF WHAT I UNDERSTOOD FROM THE PLANNING DIRECTOR WAS DOING THAT SURVEY YOU KNOW THAT'S ADDITIONAL STAFF TIME POTENTIALLY, MAYBE NOT SO MUCH IF WE USE PUBLICLY AVAILABLE DATA.

I WAS THINKING ABOUT STATE MANDATES AS IT RELATES TO THE HOUSING ELEMENT AND DEADLINES WE HAVE TO ATTEMPT TO LIVE UP TO.

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AND SO I THINK THAT'S AN EXAMPLE WHERE WE HAVE GIVEN MORE REFERRALS NOW TO THAT DEPARTMENT BUT THAT DOESN'T TAKE AWAY THE STATE MANDATES AND THINGS THAT ARE CURRENTLY IN PROCESS THAT HAVE TO BE COMPLETED.

SO I KNOW OUR AGENDAS IS GOING TO TAKE THIS BACK.

AND SOLVE IT ALL IN THE NEXT MEETING PROBABLY IN SHORT ORDER.

SO IN ANY CASE, I WANT TO THANK THOSE WHO THOUGHT ABOUT THIS AND YEAH, I DO, I JUST WANT TO SAY GENERALLY AM A LITTLE BIT CONCERNED ABOUT A LENGTHY BUREAUCRATIC PROCESS.

BUT I DO THINK WE HAVE TO GIVE OUR CITY STAFF CLEAR PRIORITIES THAT ARE ACHIEVABLE SO THAT MEANS THERE DOES HAVE TO BE SOME KIND OF LIMIT TO IT THAT WE DO HAVE THINK ABOUT.

AND I THINK THE BIGGEST CONCERN THAT I HAVE AS A MEMBER OF THIS BODY IS WHEN WE GET A LARGE NEW PROGRAM THAT THE CITY HAS NEVER DONE BEFORE THAT WOULD REQUIRE YOU KNOW NEW STAFF, NEW SIGNIFICANT BUDGET ON AN ONGOING BASIS.

THOSE ARE THE THINGS THAT YOU KNOW, I JUST WANT US TO BE AWARE OF THOSE COMMITMENTS WHEN WE MAKE THEM.

BECAUSE THOSE ARE THINGS WE HAVE TO PLAN FOR ON AN ONGOING BASIS.

SO THERE IS SOME WAY, YOU KNOW, IF WE'RE GOING TO TAKE THOSE THINGS ON, WE HAVE TO THINK ABOUT WHAT ARE WE NOT GOING TO DO. IN SOME CASES I THINK ABOUT DEPARTMENTS LIKE H.H.C.S.

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HOUSING HEALTH AND COMMUNITY SERVICES, A LOT OF WHAT THEY DO IS MANDATED.

THESE ARE REQUIRED PROGRAMS THAT WE'RE ADMINISTERING, WE RUN A PUBLIC HEALTH DEPARTMENT, WE HAVE A MENTAL HEALTH DIVISION, WE HAVE TO RUN THESE PROGRAMS.

AND SO, YOU KNOW, WE HAVE TO FIGURE OUT WHAT DOES IT MEAN WHEN WE GIVE THAT DEPARTMENT A WHOLE NEW PROGRAM TO LIFT UP AND HOW IS THAT GOING TO HAPPEN WITH A STAFFING SITUATION WE'RE IN.

AND YOU KNOW, I THINK IT MAY BE A NEW NORMAL BECAUSE I'M HEARING A LOT ABOUT GOVERNMENT AGENCIES THAT HAVE HIGH VACANCY AND YOU KNOW, IT'S A CHALLENGE BECAUSE ALL OF THESE ENTITIES ARE RECRUITING AND IT'S A CHALLENGING LABOR SITUATION RIGHT NOW.

SO IN ANY CASE, I WILL LEAVE IT AT THAT AND THANK EVERYONE FOR THE THEIR CONTRIBUTIONS TO THIS ITEM.

THANK YOU.

>> MAYOR J. ARREGUIN: COUNCILMEMBER HARRISON, THEN WRAP IT UP.

>> K HARRISON: MADAM CITY MANAGER, THAT WAS HELPFUL.

I THINK WE INSTITUTE THE R. R.V. TO DO WHAT YOU ARE TALKING ABOUT.

I WOULD LOVE FOR YOU TO DISCUSS WITH THE AGENDA COMMITTEE WHY THAT DOESN'T FUNCTION THAT WAY.

I THOUGHT THAT'S WHY WE HAD IT.

THERE IS SOMETHING MISSING WE NEED TO DEAL WITH.

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I WANTED TO MAKE SURE ALL OF US RECOGNIZE THERE IS SOMETHING NOT QUITE RIGHT ABOUT THE R.R.V. AND IT'S NOT GETTING THE CITY MANAGER WHAT SHE NEEDS.

HOWEVER WE CAN GET THAT RESOLVED WOULD BE GREAT.

THANK YOU.

>> MAYOR J. ARREGUIN: OKAY.

THANK YOU VERY MUCH.

I THINK THIS WAS A GOOD DISCUSSION.

I APPRECIATE WE HAD THIS FORUM TO HEAR EVERYONE'S INPUT.

SO WE'LL TAKE ALL THIS FEEDBACK BACK TO THE COMMITTEE.

AND TRY TO IDENTIFY THE AREAS WHERE THERE IS CONSENSUS.

FIRST AND FOREMOST, I HEARD CONSENSUS THAT STAFF INPUT INTO THE PROCESS OF DRAFTING LEGISLATION IS IMPORTANT EARLIER IN THE PROCESS.

I THINK EVERYONE IS IN AGREEMENT ON THAT.

THAT WE NEED TO DEVELOP SOME CLEAR CRITERION FOR DETERMINING WHAT IS A MAJOR ITEM.

I THINK- AND THE CITY MANAGER ACTUALLY PROVIDED SOME SUGGESTED LANGUAGE FOR DEFINITION CANNOT BE OPERATIONALIZED OVER TIME, NOT IMPLEMENTABLE WITH EXISTING RESOURCES.

ADDITIONAL AND NEW FTE NEEDED.

ADDITIONAL COSTS.

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SOME METRIC BY WHICH THIS CAN'T BE ABSORBED BY EXISTING RESOURCES WE NEED TO DEDICATE NEW RESOURCES AND THAT IS NOT A PROBLEM.

AND I HAVE TO SAY THAT, YOU KNOW, WE'RE BERKELEY. YOU KNOW, WE'RE ALWAYS AT THE CUTTING EDGE.

YES WE HAVE TO PROVIDE BASELINE SERVICES BUT WE ALSO ARE REALLY AT THE FOREFRONT OF INNOVATIVE PUBLIC POLICY.

AND RESPONDING TO A LARGE MACRO ISSUES.

THAT ARE FACING THIS COUNTRY AND THIS REGION.

AND THAT WE'RE RESPONDING TO AND PROGRESS WE'RE MAKING IN BERKELEY TO ADDRESS THE HOUSING CRISIS, HOMELESSNESS, PUBLIC SAFETY.

AND MODELING BEST PRACTICES THAT OTHER CITIES CAN FOLLOW IN THE STATE.

AND THAT DOES MEAN WE HAVE TO THINK OUTSIDE THE BOX AND DO NEW THINGS.

AND TAKE ON NEW LEVELS OF RESPONSIBILITY AND ADAPT AND EVOLVE IN THE WAY WE SERVE THE COMMUNITY.

THERE IS ONLY SO MUCH STAFF AND BUDGET.

HAVING A CLEAR PROCESS AND WAY TO PRIORITIZE, AND MAKING SURE WE HAVE FLEXIBILITY TO BE RESPONSIVE TO WHAT IS HAPPENING IN THE COMMUNITY AND WHAT THE COMMUNITY WANTS.

THAT'S WHAT THE PEOPLE OF BERKELEY WANT FROM US.

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GOING BACK TO A FEW OTHER THINGS.

WE NEED TO DEAL WITH THE BACKLOG.

I THINK AS WE GO BACK TO THE AGENDA COMMITTEE, DEFINITELY LOVE TO HEAR MORE FROM THE CITY MANAGER, CITY CLERK AND OTHER STAFF ABOUT YOUR THOUGHTS TOXIC THIS INPUT INTO CONSIDERATION.

WE'LL TRYING TO SUMMARIZE THE FEEDBACK AND NOTES TO THE COMMITTEE THAT WILL BE IN THE PACKET.

SO I THINK THERE IS AREAS OF AGREEMENT.

LOOKING AT USING A TEMPLATE WITH MORE REQUIRING MORE SPECIFIC INFORMATION ABOUT WHAT SHOULD BE IN AN ITEM TO MAKE SURE WE HAVE THE RELEVANT INFORMATION AND MAKE A DECISION THAT WE SHOULD TRY TO ALIGN IT WITH THE BUDGET PROCESS.

WE NEED TO FIGURE OUT THE TIMING OF THAT.

IS IT ONE TIME LINE, IS IT A ROLLING TIMELINE, WHAT IS THE TIMELINE FOR WHERE THE INPUTS ARE COMING IN AND OUTPUTS ARE COMING OUT.

AND REALLY SORT OF HELPING STRENGTHEN THE ROLE OF THE POLICY COMMITTEE TO REVIEW ITEMS IS ONE THING I HEARD AS WELL AND MAKING SURE WE HAVE CITY ATTORNEY REVIEW AND WE'RE ABLE TO HAVE THINGS OUT OF THE PROCESS IN ORDER FOR US TO BUDGET FOR THEM AND IMPLEMENT THEM.

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SO I THINK WE HAVE SOME COMMONALITY FROM THE FEEDBACK WE'VE  
GOTTEN AND WE'LL TRY TO CONSOLIDATE THIS INPUT AND COME BACK  
WITH A FRAMEWORK FOR THE COUNCIL TO CONSIDER.

WE DO NEED TO MOVE ON.

WE'RE PAST DUE FOR OUR 6:00 MEETING.

UNLESS IT IS CRITICAL, I WOULD LIKE TO WRAP UP THE DISCUSSION.

THANK YOU FOR YOUR COMMENTS.

I MAKE A MOTION TO ADJOURN THE 4:00 P.M. MEETING.

>> SECOND.

>> MAYOR J. ARREGUIN: IF WE CAN PLEASE CALL THE ROLL.

[ROLL CALL]

>> R. KESARWANI: YES.

>> T. TAPLIN: YES.

>> B. BARTLETT: YES.

>> K HARRISON: YES.

>> S. HAHN: YES.


>> S. WENGRAF: YES.

>> R. ROBINSON: YES.

>> M. HUMBERT: YES.

>> MAYOR J. ARREGUIN: YES.






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