

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, May 31, 2022
6:00 PM

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

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
DISTRICT 8 – LORI DROSTE

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION

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

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*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free) and enter Meeting ID: 881 2778 7306. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

Please be mindful that the meeting will be recorded and all rules of procedure and decorum apply for in-person attendees and those participating by teleconference or videoconference.

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

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call: 6:05 p.m.

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

Absent: Kesarwani, Harrison

Councilmember Kesarwani present at 6:09 p.m.

Ceremonial Matters:

1. Adjourned in Memory of Toni Gardner, Local Activist and Mother of Vice-Mayor Harrison
2. Recognition of the Berkeley High School Debate Team – National Tournament Champions
3. Presentation by East Bay Community Law Center and Eviction Defense Center

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Arreguin/Hahn) to add an item to the agenda relating to an excused bereavement absence for Vice-Mayor Harrison pursuant to Government Code Section (54954.2(b)(2) and making the finding that there is a need to take immediate action and the need for action came to the attention of the local agency subsequent to the agenda for this meeting being posted.

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

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 10 speakers.

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

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

Urgency Item: Grant Excused Absence to Vice Mayor Harrison Pursuant to Charter Article V, Section 19 and the City's Bereavement Policy

From: Vice Mayor Kate Harrison

Recommendation: Grant excused absence to Vice Mayor Harrison pursuant to Charter Article V., Section 19, and consistent with the City's bereavement policy regarding death of a "close family member."

Contact: Vice Mayor Kate Harrison, 510-981-7140

Action: Approved recommendation.

Consent Calendar

1. Resolution Making Required Findings Pursuant to the Government Code and Directing City Legislative Bodies to Continue to Meet Via Videoconference and Teleconference

From: City Manager

Recommendation: Adopt a Resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference, initially ratified by the City Council on September 28, 2021, and subsequently reviewed and ratified on October 26, 2021, November 16, 2021, December 14, 2021, January 10, 2022, February 8, 2022, March 8, 2022, March 22, 2022, April 12, 2022, and May 10, 2022.

Financial Implications: To be determined

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

Action: Adopted Resolution No. 70,362–N.S.

2. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of April 12 (closed and regular), April 19, (closed and special), April 21 (special), April 26 (special and regular).

Financial Implications: None

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

Action: Approved the minutes as submitted.

3. Resolution Supporting the Sale of 3404 King Street and transfer of the Turning Point transitional housing program for homeless youth from Fred Finch Youth Center to Larkin Street Youth Services

From: City Manager

Recommendation: Adopt a Resolution supporting the sale of the property at 3404 King Street, currently owned by Fred Finch Youth Center (FFYC), to Larkin Street Youth Services (LSYS) to continue operating the Turning Point transitional housing program for homeless transition-aged youth. The proposed resolution would: Immediately forgive in full an outstanding Housing Trust Fund loan on the property, with an outstanding balance of \$305,000, otherwise set to be forgiven in 2027; Authorize the City Manager to enter into contract and necessary amendments with LSYS and reallocate the balance of the funding currently committed to FFYC through the FY20-23 Community Agency Funding RFP process, in an amount not to exceed \$89,255 in FY23; Reallocate funding from contract with Covenant House California (Contract No. 31900239) when said contract terminates at the end of June 2022, in an amount not to exceed \$318,000 for FY23, to LSYS.

Financial Implications: See report

Contact: Peter Radu, City Manager's Office, (510) 981-7000

Action: Adopted Resolution No. 70,363–N.S.

Consent Calendar

- 4. Commission Reorganization: Amendments to Berkeley Municipal Code Section 7.52.190 (Homeless Services Panel of Experts)**
From: City Manager
Recommendation:
1. Adopt first reading of an Ordinance amending Section 7.52.190 of the Berkeley Municipal Code, the enabling legislation for the Homeless Services Panel of Experts (HSPOE) to add the functions of the Homeless Commission as found in Resolution No. 60,647-N.S.
2. Adopt a Resolution rescinding Resolution No. 60,647-N.S. which established the Homeless Commission.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: 1. Adopted first reading of Ordinance No. 7,814-N.S. Second reading scheduled for June 14, 2022. 2. Adopted Resolution No. 70,364–N.S.
- 5. Assessments: Berkeley Tourism Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Annual Report of FY 2022 and preliminary budget for FY23 for the Berkeley Tourism Business Improvement District (BTBID) as recommended by the BTBID Owners' Association.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 70,365–N.S.
- 6. Assessments: Downtown Berkeley Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Downtown Berkeley Property Based Business Improvement District (DPBID) Annual Report of Fiscal Year (FY) 2022 and proposed budget for FY 2023, and declaring Council's intention to levy an annual assessment for the DPBID for FY 2023.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 70,366–N.S.
- 7. Assessments: North Shattuck Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the North Shattuck Property Based Business Improvement District (NSBID) Annual Report of Fiscal Year (FY) 2022 and proposed budget for FY 2023, and declaring Council's intention to levy an annual assessment for the NSBID for FY 2023.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 70,367–N.S.

Consent Calendar

- 8. Assessments: Telegraph Property Based Business Improvement District**
From: City Manager
Recommendation: Adopt a Resolution approving the Telegraph Property Based Business Improvement District (TBID) Annual Report of FY 2022 and proposed budget for FY 2023, and declaring Council's intention to levy an annual assessment for the TBID for FY 2023.
Financial Implications: See Report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 70,368–N.S.
- 9. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 31, 2022**
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 - \$535,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.
- 10. Notice of Appropriations Limit for Fiscal Year 2023**
From: City Manager
Recommendation: Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2023 at its meeting of June 28, 2022; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk's Office on or before June 13, 2022.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 70,369–N.S.

Consent Calendar

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

From: City Manager

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

1. Foster Care Program in the projected amount of \$93,187 for FY 2023.
2. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of \$181,208 for FY 2023.
3. School Linked Health Services Program (Measure A Funding) in the projected amount of \$200,011 for FY 2023.
4. Tobacco Prevention Program in the projected amount of \$78,960 for FY 2023.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,370–N.S. (Foster Care); Resolution No. 70,371–N.S. (BHS & BTA), Resolution No. 70,372–N.S. (School Linked); and Resolution No. 70,373–N.S. (Tobacco Prevention).

12. Revenue Grant: Funding Support from Alameda County to Public Health Infrastructure Program

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to Alameda County, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Public Health Infrastructure Program in the projected amount of \$32,080 for FY 2023.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,374–N.S.

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

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to Essential Access Health, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct public health promotion, protection, and prevention services for the Essential Access Health revenue agreement in the projected amount of \$120,000 for April 1, 2022 to March 30, 2023.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,375–N.S.

Consent Calendar

14. Revenue Grant Agreements: Funding Support from the State of California to Conduct Public Health Services

From: City Manager

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

1. Child Health and Disability Prevention (CHDP) Program, which includes Early Periodic Screening, Diagnosis and Treatment (EPSDT) and Health Care Program for Children in Foster Care (HCPCFC), in the projected amount of \$358,309 for FY 2023.
2. Maternal, Child and Adolescent Health (MCAH) Program, in the projected amount of \$381,147 for FY 2023.
3. Tobacco Trust Fund in the projected amount of \$300,000 in FY 2023.
4. Immunization Program: In the projected amount of \$1,185,901 for FY 2023.
5. Public Health Emergency Preparedness (PHEP)/Pandemic Flu/Cities Readiness Initiative (CRI) Program in the projected allocation of \$265,000 for FY 2023.

Financial Implications: See report.

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

Action: Adopted Resolution No. 70,376–N.S. (CHDP); Resolution No. 70,377–N.S. (MCAH), Resolution No. 70,378–N.S. (Tobacco Trust Fund); Resolution No. 70,379–N.S. (Immunization); and Resolution No. 70,380–N.S. (PHEP).

15. Revenue Grant: Funding Support from the State of California for the Tuberculosis Control Program

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Tuberculosis Control Program in the projected amount of \$14,000 for FY 2023.

Financial Implications: See report.

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

Action: Adopted Resolution No. 70,381–N.S.

Consent Calendar

- 16. Contract: Interior Motions for Health, Housing, and Community Services Public Health Division Furniture**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with Interior Motions for new furniture for the Public Health Division offices. The contract will be in an amount not to exceed \$135,000 for the period April 1, 2022 through December 30, 2022.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,382–N.S.
- 17. Expenditure Contract: California Mental Health Student Services Act Grant Funds for Berkeley Unified School District for Coordination and Provision of Mental Health Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract with Berkeley Unified School District (BUSD) to transfer grant funds in the amount of \$2,267,355 requested for BUSD and received from the Mental Health Services Accountability and Oversight Commission (MHSAOC). These funds will be used by BUSD to coordinate and provide mental health staffing and services in BUSD in Fiscal Years 2022 through 2027.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 70,383–N.S.
- 18. Approving Proposed Projects Anticipated to be paid for by the State’s Road Maintenance and Rehabilitation Account (RMRA) Funds for FY2023**
From: City Manager
Recommendation: Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California’s Road Maintenance and Rehabilitation Account, and authorize the City Manager to submit the proposed list to the California Transportation Commission.
Financial Implications: See report
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,384–N.S.

Consent Calendar

19. **Berkeley Strategic Transportation Plan Update and Grant Application Opportunities**

From: City Manager

Recommendation:

1. Adopt two Resolutions authorizing the City Manager to submit grant applications to the California Active Transportation Program, accept the grants awarded, and execute any resultant agreements and amendments.
2. Adopt a Resolution: a. Approving the Berkeley Strategic Transportation Plan Third Addendum. b. Authorizing the City Manager to submit unfunded Five-Year Priority Projects from the Berkeley Strategic Transportation Plan Third Addendum to the Alameda County Transportation Commission for funding through the County's Fiscal Year (FY) 2024 – FY 2028 Comprehensive Investment Plan. c. Authorizing the City Manager to execute agreements as needed for accepting the awarded grant funds.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,385–N.S. (Safe Routes to School); Resolution No. 70,386–N.S. (Bicycle Boulevard Extension), Resolution No. 70,387–N.S. (BeST Plan), and Resolution No. 70,399–N.S. (Water Transportation/Ferry Project). Revisions in Supplemental Communications Packet #1 and #2 from the City Manager to increase dollar amounts and add grant projects.

20. **Declaration of Intent – Fiscal Year 2023 Street Lighting Assessments**

From: City Manager

Recommendation: Adopt two Resolutions granting the City Manager the authority to approve the Engineer's Reports; set a public hearing to be held before the Council of the City of Berkeley at its June 28, 2022 meeting; and authorize the City Clerk to publish a Notice of the Public Hearing for Fiscal Year 2023 Levy of Assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018.

Financial Implications: See report

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

Action: Adopted Resolution No. 70,388–N.S. (District No. 1982-1); and Resolution No. 70,389–N.S. (District 2018).

21. **Contract: Nema Construction for FY 2022 Street Light Maintenance Project**

From: City Manager

Recommendation: Adopt a Resolution approving plans and specifications for the Street Rehabilitation FY 2022 Project, Specification No. 22-11506-C; accepting the bid of the lowest responsive and responsible bidder, Nema Construction; and authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project, in accordance with the approved plans and specifications in an amount not to exceed \$428,950.

Financial Implications: Street Light Assessment Fund - \$428,950

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

Action: Adopted Resolution No. 70,390–N.S.

Consent Calendar

- 22. Contract: Zanker Recycling for Construction and Demolition Materials Hauling, Sorting and Marketing Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Zanker Recycling LLC to provide construction and demolition materials hauling, sorting and marketing services for an initial five-year term commencing on July 1, 2022. The contract includes an option to extend for one five (5) year period for a maximum ten (10) year contract term and a total amount not to exceed \$21,551,718.
Financial Implications: Zero Waste Fund - \$21,551,718
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,391–N.S.
- 23. Contract No. 102498-1 Amendment: TK Elevator for Elevator Maintenance and Repair Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Amendment to Contract No. 102498-1 with TK Elevator (formerly Thyssenkrupp Elevator) to increase the contract amount by \$500,000 for a total contract amount not to exceed \$1,640,000 and to extend the contract term through June 30, 2025.
Financial Implications: Various Funds - \$500,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,392–N.S.
- 24. Contract No. 108037-1 Amendment: MSR Mechanical, LLC for on-call heating, ventilation and air conditioning services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Amendment to Contract No. 108037-1, with MSR Mechanical LLC: to increase the contract amount by \$50,000 for a total contract amount not to exceed \$130,000; and to extend the contract term through June 30, 2024.
Financial Implications: Various Funds - \$50,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,393–N.S.

Consent Calendar

- 25. Contract No. 31900031 Amendment: Downtown Streets Team for Expanded Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to amend Contract No. 31900031 with Downtown Streets Team (DST) to: 1. Increase the contract by \$400,000 for a new not to exceed amount of \$1,675,304 and extend the contract term through December 31, 2023; and 2. Expand DST services to include the cleanup of litter and illegally dumped materials at encampment sites and adjacent neighborhoods throughout the City of Berkeley as needed; and 3. Negotiate new pricing, contract terms, and scope of services in support of the Clean Cities Program for the continuation of leaf and litter removal, graffiti abatement, and poster removal services for various commercial districts in Fiscal Year 2024.
Financial Implications: Various Funds - \$400,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,394–N.S.
- 26. Contract No. 32000246 Amendment: CF Contracting, Inc. for Sacramento Complete Streets Improvements Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000246 with CF Contracting, Inc. for work on the Sacramento Complete Streets Improvement Project (“Project”), Specification No.20-11379-C, increasing the contract amount by \$250,000 for an amended total not to exceed \$2,725,200.
Financial Implications: Measure BB Fund - \$250,000
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,395–N.S.
- 27. Purchase Order: Papé Machinery, Inc. for the completed rebuild and repair of Zero Waste Division’s John Deere Wheel Loader, Unit No. 6505**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order with Papé Machinery, Inc. for the completed rebuild, major component replacement and repair of Zero Waste Division’s John Deere Wheel Loader, Unit No. 6505, in an amount not to exceed \$345,188.
Financial Implications: Equipment Maintenance Fund - \$345,188
Contact: Liam Garland, Public Works, (510) 981-6300
Action: Adopted Resolution No. 70,396–N.S.
- 28. Authorization for Additional Civic Arts Commission Meeting in 2022**
From: Civic Arts Commission
Recommendation: Adopt a Resolution for one additional meeting of the Civic Arts Commission in 2022.
Financial Implications: None
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Adopted Resolution No. 70,397–N.S.

Consent Calendar

- 29. Arts Commission Budget Referral: Festival Grants Budget Allocation**
From: Civic Arts Commission
Recommendation: Refer to the City's Budget Process for Fiscal Year 2023 an increased budget allocation of \$41,685 for Festival Grants to bring the allocation for these grants to \$200,000 annually beginning in Fiscal Year 2023.
Financial Implications: See Report
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Approved recommendation.

Council Consent Items

- 30. Budget Referral: Small Business Rental and Legal Support**
From: Mayor Arreguin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2023 Budget Process and the City Manager, \$1,000,000 from American Rescue Plan Act (ARPA) funding to launch a needs-based grant program for Berkeley-based small businesses (under 50 employees) to provide supplemental assistance to cover outstanding commercial rent debt and to fund legal assistance to small businesses. The City Manager shall create the criteria and formula to distribute the funds as described in the report.
Financial Implications: American Rescue Plan Act - \$1,000,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.
- 31. Budget Referral: Ceasefire Program Staffing**
From: Councilmember Taplin (Author)
Recommendation: Refer \$1,000,000 (\$1M) to the budget process to provide full staffing for a Berkeley Ceasefire program.
Financial Implications: General Fund - \$1,000,000
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmember Wengraf added as a co-sponsor. Approved recommendation.

Council Consent Items

- 32. Budget Referral: Fund Mental Health Wellness Support and Services Coordinator at the Berkeley High School Health Center**
From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer to the FY 23 and FY 24 Annual Budget Process \$350,000 to provide a coordinator position to deliver mental health wellness support and services to the City-run Berkeley High School (BHS) Mental Health Center, and to expand services and training as appropriate, consistent with the May 5, 2022 Council action to reimagine public safety. This includes: 1. Counseling services for students experiencing depression, anxiety, self-harm, suicidal ideations, etc.; 2. Teacher training for mental health awareness; 3. Facilitator/support resources to assist with coordination and scheduling of services.
Financial Implications: General Fund - \$350,000
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Approved recommendation.
- 33. Budget Referral: Fund Additional HHCS Community Development Project Coordinator Position to Assist with Workforce Standards and Enforcement**
From: Councilmember Harrison (Author)
Recommendation: Refer to the FY 23 and FY 24 Annual Budget Process approximately \$104,863 in General Funds with additional benefits to hire another Community Development Project Coordinator in the Health, Housing and Community Services (HHCS) Department to assist with enforcement of existing and prospective labor laws and regulations.
Financial Implications: General Fund - \$104,863
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Approved recommendation.
- 34. Support for SB-1076 Lead-based paint (Archuleta)**
From: Councilmember Wengraf (Author), Councilmember Taplin (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Send a letter of support to Senator Archuleta for his proposed legislation: SB-1076 Lead-based paint, with a copy to Nancy Skinner.
Financial Implications: Staff time
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.
- 35. Budget Referral: Purchase of Electric Bicycles for City Use**
From: Councilmember Robinson (Author), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer \$25,000 to the FY 2023-2024 budget process to purchase electric bicycles, electric cargo bicycles, and any related safety, storage, or security equipment for use by employees on City business.
Financial Implications: General Fund - \$25,000
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
Action: Approved recommendation.

Action Calendar – Public Hearings

36. Updating Published Charges: Mental Health Clinical Services

From: City Manager

Recommendation: Conduct a Public Hearing and, upon conclusion, adopt a Resolution establishing Published Charges for Mental Health Clinical Services for Fiscal Year 2022. Published Charges are effective July 1, 2021.

Financial Implications: See report.

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

Public Testimony: The Mayor opened the public hearing. 1 speaker.

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

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

Action: M/S/C (Arreguin/Robinson) to adopt Resolution No. 70,398–N.S.

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

Recess 7:38 p.m. – 7:49 p.m.

Action Calendar – New Business

37. Discussion and Direction Regarding Vision 2050 Program Plan and Potential Ballot Measures for the November 8, 2022 General Municipal Election

From: City Manager

Recommendation: Discuss the results of the recent community survey; provide direction to the City Manager on whether to continue working towards placing measure(s) on the November ballot, and, if so, the type of and dollar amounts for revenue measures; and provide input on the Vision 2050 Program Plan.

Financial Implications: See report

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

Action: 17 speakers. M/S/C (Hahn/Taplin) to approve the direction in Supplemental Communications Packet #2 from Mayor Arreguin as written below.

The City Council directs the City Manager and City Attorney to prepare a package of infrastructure revenue measures to submit to the November 2022 ballot modeled after Option #2 in the staff report (Two Measures) with the following details:

Parcel Tax for Streets

- *A parcel tax of \$0.30 per building square foot, raising approximately \$28 million annually, to improve streets and traffic safety (Program Plan's Outcome 1).*
- *Provide the costs to voters of a lower parcel tax amount.*

Action Calendar

A parcel tax should:

- *Focus on safe, attractive, green, and sustainable streets, funding improved streetscapes including rehabilitation of failed streets, maintenance and resurfacing, pedestrian/bike/transit improvements, and streetscape/landscape improvements made alongside repaving projects and projects unassociated with paving.*
- *Be time limited for a period of 14 years. Any extension after that period would require reauthorization by the voters.*
- *Include advisory language in the ballot measure requesting that the City Council make an annual commitment of General Fund revenues to maintain a minimum level of funding to ensure that the city's pavement condition does not decline, revenues/economic conditions permitting.*
- *Include an exemption for low-income homeowners*
- *Research whether the City can impose a split roll rate for residential and commercial properties, with the residential tax rate being lower.*
- *Advance equitable mobility by directing staff to follow adopted City policies and plans in developing the Vision 2050 Program Plan, choosing projects, and allocating funds.*
- *Direct staff to revise the Program Plan to specify the funding percentages/amounts that will be used for various parcel tax goals. Council should review and adopt the Program Plan prior to the November vote.*

The Plan could be revised to outline allocations in various ways, for instance:

- *street rehabilitation of failed streets,*
- *street maintenance/resurfacing,*
- *ped/bike/transit improvements made alongside repaving projects,*
- *ped/bike safety and transit improvements unassociated with paving, and*
- *sidewalks.*

With respect to bicycle and pedestrian improvements, consider 10-year goal to at least build the Low-Stress Bikeway Network and implement pedestrian plan priority street segment recommendations.

General Obligation Bond for Housing and Other Infrastructure

- *A \$300 Million dollar general obligation bond to finance affordable housing production and preservation, and other infrastructure needs with the following allocation:*

Action Calendar

- *\$150 Million for affordable housing production and preservation including housing for seniors, persons with disabilities, low-income families and persons experiencing homelessness.*
- *\$150 Million to improve resilience to climate change, wildfire prevention and protection, and to improve other public infrastructure (Program Plan's Outcomes 2, 3, and 4); request more definition of the types of projects that could be funded by this bond.*

Direction for Both Measures

- *Both measures should include references to the use of the Vision 2050 Program Plan and adopted City Plans and policies as guidance for the allocation of streets and infrastructure funding.*
- *Both measures should assess taxes on commercial parking garages including them in the building square footage taxable.*
- *Oversight by the new Transportation & Infrastructure Commission, Parks Commission (as needed) and Housing Advisory Commission (on housing funds), who will make recommendations on the annual paving plan, on infrastructure expenditures and housing allocations. The Commissions will also ensure on an annual basis that tax and bond proceeds are spent consistent with the purposes of the measures and produce reports outlining its review of expenditures.*

Annual independent audits to ensure that funds are spent consistent with the purposes of the measure.

Additional requests for information related to options for oversight, process for determining priority of projects/repairs, and the funds dedicated to climate goals.

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

38. City Council Comments on the FY 2023 and FY 2024 Proposed Biennial Budget and Capital Improvement Program

From: City Manager

Recommendation: Provide comments on the FY 2023 and FY 2024 Proposed Biennial Budget and Capital Improvement Program.

Financial Implications: See report

Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

Action: M/S/C (Arreguin/Hahn) to continue Item 38, including Supplemental material from City Manager in Supplemental Communications Packet #2 to June 14, 2022.

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

Council Action Items

- 39. Referral to the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee Policy Committee to Consider Strategies and Make Recommendations to Council and Staff to Ensure Potential Infrastructure Bond Expenditure Is Consistent With Climate Action Goals and Other Environmental Policies** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Councilmember Harrison (Author)
Recommendation: Refer to the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Policy Committee Policy Committee to consider strategies and make recommendations to the Council and staff to ensure that potential infrastructure bond is consistent with Climate Action goals and other environmental policies.
Policy Committee Recommendation: Send the enclosed non-binding recommendations to Council with a qualified positive recommendation and support for Staff's ongoing work to establish public-facing metrics to measure projected and actual outcomes around potential bond projects that support Climate Action goals and other environmental policies.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
Action: Moved to Consent Calendar. Approved the recommendation of the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee.

Information Reports

- 40. Referral Response: Further Supporting Worker Cooperatives**
From: City Manager
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Received and filed.
- 41. On-Call Energy Efficiency Services Contracts through On-Bill Financing**
From: City Manager
Contact: Alene Pearson, Planning and Development, (510) 981-7400
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 3 speakers.

Adjournment

Adjourned at 11:00 p.m.

Communications

Soft-Story Seismic Retrofit

1. Todd Andrew

Revitalizing Downtown Berkeley

2. Steven Schuyler

Unfreeze Vacant Positions at the Berkeley Police Department

3. Kaht Dorward and Edward Cohen

4. Rachel Bradley

5. Tom Miller

Hopkins Corridor

6. S. Omowale Fowles

7. Octavia

8. Margot Smith

9. Kaellyn Moss

10. Sally Nelson

May is Mental Health Awareness Month

11. Mental Health Commission

Brown Act Complaint

12. Thomas Lord (2)

ADA vs. Council Practice

13. Thomas Lord

City Code Regarding Tenants Rights

14. Jay Shawl

Decriminalize Entheogenic Plants

15. Shannon Lavelle

Tenant Opportunity to Purchase Act (TOPA)

16. Lynda Winslow

Rodeway Inn (Adobe Services)

17. Sylvia

People's Park

18. Rin Lopez

19. Chimey Lee

Mountain Biking Destroying Wildlife Habitat

20. Mike Vandeman

Homelessness and Encampments

21. Jahlee Arakaki (2)

22. S. Omowale Fowles

COVID-19

23. Todd Andrew

Chavez Park

24. Michele Bernal

California Theatre

25. Alexa Wilkie

Conflict of Interest Reports

26. Margot Smith

Train Horns

27. Lauren Parsons

Supplemental Communications and Reports 1

Item #19: Berkeley Strategic Transportation Plan Update and Grant Application Opportunities

28. Revised material, submitted by the Public Works Department

Item #37: Discussion and Direction Regarding Vision 2050 Program Plan and Potential Ballot Measures for the November 8, 2022 General Municipal Election

29. Jeffrey Heller

30. Tawny Reynolds

Item #38: City Council Comments on the FY 2023 and FY 2024 Propose Biennial Budget and Capital Improvement Program

31. Xandra Castleton

32. Sonia Caltvedt

33. Nina Boeddeker

34. Amy Young

Item 39: Referral to the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee Policy Committee to Consider Strategies and Make Recommendations to Council and Staff to Ensure Potential Infrastructure Bond Expenditure Is Consistent With Climate Action Goals and Other Environmental Policies

35. Tawny Reynolds

Supplemental Communications and Reports 2

Item #19: Berkeley Strategic Transportation Plan Update and Grant Application Opportunities

36. Revised material, submitted by Public Works

Item #22: Zanker Recycling for Construction and Demolition Materials Hauling, Sorting and Marketing Services

- 37. Eric Lynch, on behalf of Waste Management
- 38. Francine Areas, on behalf of Zanker Recycling

Item #37: Discussion and Direction Regarding Vision 2050 Program Plan and Potential Ballot Measures for the November 8, 2022 General Municipal Election

- 39. Supplemental material, submitted by Mayor Arreguin
- 40. Revised material, submitted by Councilmember Harrison
- 41. Susan Schwartz
- 42. S. Entwistle
- 43. Ray Yep
- 44. Ben Gerhardstein, on behalf of Walk Bike Berkeley
- 45. Michael Katz
- 46. Rivka Polatnick, on behalf of Racism and Criminal Justice Reform group (RCJR)
- 47. Derehia DuVal

Item #38: City Council Comments on the FY 2023 and FY 2024 Propose Biennial Budget and Capital Improvement Program

- 48. Supplemental material, submitted by the City Manager

Supplemental Communications and Reports 3

Item #19: Berkeley Strategic Transportation Plan Update and Grant Application Opportunities

- 49. Abby Thorne-Lyman, on behalf of BART

Item #37: Discussion and Direction Regarding Vision 2050 Program Plan and Potential Ballot Measures for the November 8, 2022 General Municipal Election

- 50. Presentation, submitted by Public Works
- 51. Hector Malvido
- 52. Barbara White
- 53. Wilhelmenia Wilson
- 54. Diana Bohn
- 55. Moni Law
- 56. Friends of Adeline
- 57. James McGrath
- 58. Barbara Gilbert
- 59. Charlene Washington

Miscellaneous

Ashby and North Berkeley BART Development

- 60. Neighbors Not Towers Voter Bloc
- 61. Anonymous