

# AGENDA



## BERKELEY CITY COUNCIL MEETING

Tuesday, June 30, 2020

6:00 PM

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – CHERYL DAVILA

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN

DISTRICT 6 – SUSAN WENGRAF

DISTRICT 7 – RIGEL ROBINSON

DISTRICT 8 – LORI DROSTE

### **PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

*Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.*

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

*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/87199785160>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.*

*To join by phone: Dial **1-669-900-9128** and enter Meeting ID: **871 9978 5160**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

*To submit an e-mail comment during the meeting to be read aloud during public comment, email [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info) with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.*

*Please be mindful that the teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.*

*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. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.*

## Preliminary Matters

### Roll Call:

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

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

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

## Consent Calendar

*The Council will first determine whether to move items on the agenda for "Action" or "Information" to the "Consent Calendar", or move "Consent Calendar" items to "Action." 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. FY 2021 Tax Rate: Fund Disaster Fire Protection (Measure Q)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,709-N.S. setting the FY 2021 tax rate for funding the procurement of disaster fire equipment at \$0.0125 (1.25 cents) per square foot of improvements.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 2. FY 2021 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,710-N.S. setting the FY 2021 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0070%.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 3. FY 2021 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,711-N.S. setting the FY 2021 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0160%.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 4. FY 2021 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,712-N.S. setting the FY 2021 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0140%.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300

## Consent Calendar

- 5. FY 2021 Special Tax Rate: Fund the Provision of Library Services**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,713-N.S. setting the FY 2021 tax rate for funding the provision of Library Services in the City of Berkeley at the FY 2020 tax rate adopted by Ordinance No. 7,665-N.S. on June 11, 2019 at \$0.2272 (22.72 cents) per square foot for dwelling units and \$0.3435 (34.35 cents) per square foot for industrial, commercial, and institutional buildings.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300; Elliot Warren, Library, (510) 981-6100
- 6. FY 2021 Tax Rate: Business License Tax on Large Non-Profits**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,714-N.S. setting the FY 2021 tax rate for Business License Tax on large non-profits at \$0.6659 (66.59 cents) per square foot of improvements.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 7. FY 2021 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,715-N.S. setting the FY 2021 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0090%.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 8. FY 2021 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,716-N.S. setting the FY 2021 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0080%.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300

## Consent Calendar

- 9. FY 2021 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,717-N.S. setting the FY 2021 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at \$0.1793 (17.93 cents) per square foot of improvements.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 10. FY 2021 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,718-N.S. setting the FY 2021 tax rate for funding the provision of emergency services for the disabled at \$0.01699 (1.699 cents) per square foot of improvements.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 11. FY 2021 Tax Rate: Fund the Provision of Emergency Medical Services (Paramedic Tax)**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,719-N.S. setting the FY 2021 tax rate for funding the provision of emergency medical services to Berkeley residents at \$0.0397 (3.97 cents) per square foot of improvements.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 12. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the council meetings of May 5, 2020 (closed), May 12, 2020 (closed and regular), May 19, 2020 (special), May 21, 2020 (closed) and May 26, 2020 (closed and regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 13. Animal Services Contract with the City of Piedmont**  
**From: City Manager**  
**Recommendation:** Adopt a resolution authorizing the City Manager to execute a contract, with any amendments, with the City of Piedmont for animal care services for FY2021-FY2025, which increases the existing contract by up to \$180,134, with a total contract amount not to exceed \$441,984.  
**Financial Implications:** See report  
Contact: Erin Steffen, City Manager's Office, (510) 981-7000

## Consent Calendar

- 14. Amendment to Contract No. 10854 (ERMA Contract No. 118939-1): Townsend Public Affairs, Inc. for Legislative and Funding Advocacy Strategy**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to the contract with Townsend Public Affairs, Inc., contract No. 10854 (ERMA Contract No. 118939-1), for an ongoing tailored legislative and funding advocacy strategy, increasing the contract amount by \$30,000, for an amount not-to-exceed \$120,000, and extending the contract from June 30, 2020 to June 30, 2021.  
**Financial Implications:** See report  
Contact: Dave White, City Manager's Office, (510) 981-7000
- 15. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees Pursuant to Negotiated Employee Memoranda of Understanding**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of \$214,848 for fitness center memberships for City employees pursuant to negotiated employee memoranda of understanding from the period July 1, 2020 to June 30, 2021.  
**Financial Implications:** See report  
Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000
- 16. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 30, 2020**  
**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:** \$195,000  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 17. FY 2021 Reaffirming the Investment Policies and Designation of Investment Authority**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution affirming the Statement of Investment Policies (no changes from the current policy) and to confirm the delegation of investment authority to the Director of Finance to make investments for FY 2021.  
**Financial Implications:** None  
Contact: Henry Oyekanmi, Finance, (510) 981-7300

## Consent Calendar

### 18. Appropriations Limit for FY 2021

**From: City Manager**

**Recommendation:** Adopt a Resolution establishing the appropriations limit at \$284,280,447 for FY 2021 pursuant to Article XIII B of the Constitution of the State of California based on the calculations for the appropriations limit.

**Financial Implications:** See report

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

### 19. FY 2021 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance setting the FY 2021 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of \$0.05818 (5.818 cents) per square foot of improvements for dwelling units and setting the rate for all other property at \$0.08804 (8.804 cents) per square foot of improvements with no increase in tax rate.

**Financial Implications:** See report

Contact: Henry Oyekanmi, Finance, (510) 981-7300; Dave Brannigan, Fire, (510) 981-5500

### 20. Grant Agreement Amendment: Alameda County Coordinated Entry System (CES) Grant

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to: 1. Receive \$878,449 in additional funding and execute any agreements and amendments resulting from an augmentation and extension of a three-year grant from Alameda County Health Care Services Agency (HCSA) to fund a North County Housing Resource Center and Coordinated Entry System to Prevent and End Homelessness through December 31, 2020, increasing the contract amount to \$5,309,786, and extending the end date of the contract to December 31, 2020; 2. Execute resulting contracts for services with Bay Area Community Services (BACS) and the Cities of Albany and Oakland to fulfill the purpose of the grant; and 3. Retain \$90,004 in funding for staff in the Health, Housing & Community Services Department (HHCS) for program delivery.

**Financial Implications:** See report

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

## Consent Calendar

### 21. **Mental Health Services Act Contract Amendment: Covenant House**

**From: City Manager**

**Recommendation:** Adopt two Resolutions authorizing the City Manager or her designee to execute amendments for the following contracts with Covenant House that are funded through Mental Health Services Act (MHSA) Community Services and Supports (CSS) and Prevention and Early Intervention (PEI), and increasing the contract amounts as outlined below, and extending the contracts through March 31, 2021:

1. Increasing PEI ERMA Contract No. 122380-1 (8606J) with Covenant House California-YEAH! Program, in the amount of \$24,035 for a total contract amount not to exceed \$307,139 for support groups for Transition Age Youth (TAY);
2. Increasing CSS ERMA Contract No. 120650-1 (9553F) with Covenant House California-YEAH! Program by \$92,142 for a total contract amount not to exceed \$847,428 for services for transition age youth.

**Financial Implications:** See report

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

### 22. **Contract Amendments: Mental Health Services Act, Prevention and Early Intervention**

**From: City Manager**

**Recommendation:** Adopt two Resolutions authorizing the City Manager or her designee to execute amendments for the following contracts that are funded through Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI), and extending the contracts through March 31, 2021:

1. Increasing PEI ERMA Contract No. 088999 -1 (8801I) with Center for Independent Living (CIL) in the amount of \$24,035 for a total contract amount not to exceed \$280,619 for supports for senior citizens;
2. Increasing PEI ERMA Contract No. 052129-1 (8516J) with Pacific Center for Human Growth in the amount of \$24,035 for a total contract amount not to exceed \$307,139 to serve Lesbian, Gay, Bi-sexual, Transgender, Queer/Questioning, and Intersex (LGBTQI) individuals.

**Financial Implications:** See report

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

### 23. **Contract Amendment with BOSS for Representative Payee services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract amendment with vendor Building Opportunities for Self-Sufficiency (BOSS) to provide Representative Payee services. The amendment will add \$100,000 to the current contract and extend it through June 30, 2021 for a total contract not to exceed amount of \$200,000.

**Financial Implications:** See report

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



## Consent Calendar

24. **Reimbursement Agreement with the City of San Jose and the City of Berkeley Police Department for Training Related to the Internet Crimes Against Children (ICAC) Task Force**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the Agreement of Reimbursement between the City of San Jose and the City of Berkeley Police Department (Internet Crimes Against Children Training Costs) to provide for training reimbursement of Internet Crimes Against Children federal grant-related training costs to the City of Berkeley.  
**Financial Implications:** None  
Contact: Andrew Greenwood, Police, (510) 981-5900
25. **Grant Applications: Active Transportation Program Cycle 5**  
**From: City Manager**  
**Recommendation:** Adopt three Resolutions authorizing the City Manager to submit grant applications to the Caltrans Active Transportation Program for the following projects: 1) Washington Elementary and Berkeley High Safe Routes to School for up to \$2 million; 2) Martin Luther King Jr. Way Vision Zero Phase I Quick Build for up to \$600,000; and 3) Addison Street Bicycle Boulevard Phase II for up to \$2 million; and accept the grants awarded, and execute any resultant agreements and amendments.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, (510) 981-6300
26. **Contract No. 31900035 Amendment: Ghilotti Construction Company for Shattuck Reconfiguration and Pedestrian Safety Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900035 with Ghilotti Construction Company for work on the Shattuck Reconfiguration and Pedestrian Safety Project ("Project"), Specification No.17-11090-C, increasing the contract amount by up to \$300,000 for an amended total not to exceed \$8,286,960.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, (510) 981-6300
27. **Approval and Levy of 2018 Clean Stormwater Fee in FY 2021**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2021.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, (510) 981-6300

## Council Consent items

- 28. Support United States Congresswoman Barbara Lee’s legislation to establish a United States Commission on Truth, Racial Healing, and Transformation.**  
**From: Councilmember Davila (Author), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** 1. Adopt a resolution supporting United States Congresswoman Barbara Lee’s legislation to establish a United States Commission on Truth, Racial Healing, and Transformation.  
2. Send copies of this resolution to United States Congresswoman Barbara Lee.  
**Financial Implications:** None  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120
- 29. Resolution Urging Members Of Our State Legislature And Governor To Explore New Revenue Generating Options, Including A Millionaire Tax To Ensure Safety Net Programs Are Not Cut Due To An Unprecedented Statewide Deficit**  
**From: Councilmember Harrison (Author), Councilmember Davila (Co-Sponsor)**  
**Recommendation:** Adopt a resolution encouraging State Legislators and the Governor to explore revenue options, including an additional tax on the highest earning Californians, to address the significant state budget shortfall following the impact of COVID-19.  
**Financial Implications:** None  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 30. Support for AB-3256: Economic Recovery and Climate Resiliency Bond**  
**From: Councilmember Wengraf (Author)**  
**Recommendation:** Adopt a Resolution in support of AB-3256: Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020 (E. Garcia, Bloom, Bonta, Friedman, C. Garcia, Mullin, Reyes and Wood).  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
- 31. Support for AB-2501 COVID-19: Homeowner, Tenant, and Consumer relief**  
**From: Councilmember Wengraf (Author)**  
**Recommendation:** Adopt a Resolution in support of AB-2501: Homeowner, Tenant and Consumer Relief (Limón). Send a copy of the Resolution to Assemblymembers Limón, Skinner and Wicks and Governor Newsom.  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

## Council Consent items

- 32. Support for ACA 5: California Act for Economic Prosperity**  
**From: Councilmember Robinson (Author), Councilmember Davila (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a resolution in support of ACA 5, which would place a measure on the statewide ballot to repeal Proposition 209 (1996) and allow the State of California to pursue minority equal opportunity and access initiatives in public employment, education, and contracting. Send copies of the resolution to Assemblymembers Shirley Weber, Mike Gipson, Miguel Santiago, Lorena Gonzalez, and Buffy Wicks, and State Senator Nancy Skinner.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

## Action Calendar

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

*The Presiding Officer will request that persons wishing to speak use the “raise hand” function to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker.*

*The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.*

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

## Action Calendar – Public Hearings

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

*Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.*

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

## Action Calendar – Public Hearings

33. **Amend One-Way Car Share Program: Electric Mopeds, Fees, Deposits**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, 1) adopt a Resolution to amend the One-Way Car Share Program to rename it as the One-Way Vehicle Share Program, add parking permit and administration fees for electric mopeds, and adjust the administration fee and free-floating parking permit deposits for cars, and 2) adopt the first reading of an Ordinance pursuant to Berkeley Municipal Code Chapter 14.62, renaming the One-Way Car Share Program as the One-Way Vehicle Share Program and removing obsolete references to parking permit stickers affixed to vehicles.  
**Financial Implications:** See report  
Contact: Phillip Harrington, Public Works, (510) 981-6300
34. **Amendments to the Berkeley Election Reform Act; Amending Berkeley Municipal Code Chapter 2.12**  
**From: Fair Campaign Practices Commission**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt an ordinance amending the Berkeley Election Reform Act, BMC Chapter 2.12, regarding the public financing program.  
**Financial Implications:** None  
Contact: Sam Harvey, Commission Secretary, (510) 981-6950

## Action Calendar – Old Business

35. **Placing Charter Amendment Measure on the November 3, 2020 Ballot Related to Full-Time Status and Salaries for the Mayor and Councilmembers** *(Continued from June 16, 2020)*  
**From: City Manager**  
**Recommendation:**  
1. Adopt a Resolution submitting an Amendment to Article V of the City Charter regarding the full-time status and salaries for the Mayor and City Council to a vote of the electors at the November 3, 2020 General Municipal Election.  
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900

## Action Calendar - Old Business

36. **Recommendation to Prepare a City Ballot Measure to Create a Climate Action Fund, in Response to the Fossil Fuel Free Berkeley Referral** *(Item contains supplemental material) (Continued from June 16, 2020)*  
**From: Energy Commission**  
**Recommendation:** The Commission recommends that the City Council develop a referendum and seek approval for it on the 2020 ballot to create a Climate Action Fund, which would support actions to achieve the Berkeley Climate Action Plan, to become Fossil Fuel free, and to respond to the Climate Emergency.  
**Financial Implications:** See report.  
Contact: Billi Romain, Commission Secretary, (510) 981-7400
37. **Proposed Amendment to Berkeley's Minimum Wage Ordinance: Berkeley Municipal Code Chapter 13.99** *(Continued from June 16, 2020)*  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 13.99, revising Section 13.99.040 to reinstate the exemption for youth job training programs, and freezing the youth wages at \$14.50 per hour for FY21, then increase the wage annually according to the Consumer Price Index as will occur with the Berkeley Minimum wage.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Housing and Community Services, (510) 981-5400
38. **Placing Charter Amendment Measure on the November 3, 2020 Ballot to Repeal the Residency Requirement for Sworn Members of the Berkeley Fire Department** *(Continued from June 16, 2020)*  
**From: City Manager**  
**Recommendation:**  
  1. Adopt a Resolution submitting an Amendment to Article VII of the City Charter regarding the residency requirement for sworn members of the Fire Department to a vote of the electors at the November 3, 2020 General Municipal Election.
  2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.**Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, (510) 981-6900
39. **Contract: CycloMedia Technology, Inc. for Geographic Information System Infrastructure Asset Data Acquisition** *(Continued from June 16, 2020)*  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with CycloMedia Technology Incorporated for Geographic Information System infrastructure asset data acquisition, for an amount not to exceed \$187,401 for the period commencing on May 15, 2020 to June 30, 2022.  
**Financial Implications:** Various Funds - \$187,401  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500

## Action Calendar – New Business

### 40. FY 2021 Mid-Biennial Budget Update Adoption

**From: City Manager**

**Recommendation:** Adopt a Resolution:

1. Adopting the FY 2021 Budget as contained in the City Manager's FY 2021 Proposed Budget Update presented to Council on May 12, 2020, June 9, 2020, and as amended by subsequent Council action.
2. Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY 2021, as reflected in Attachment 2, and as amended by subsequent Council action.

**Financial Implications:** See report

Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000

### 41. FY 2021 Annual Appropriations Ordinance

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance adopting the FY 2021 Annual Appropriations Ordinance (AAO) in the amount of \$521,674,251 (gross appropriations) and \$439,737,989 (net appropriations).

**Financial Implications:** See report

Contact: Teresa Berkeley-Simmons, Budget Manager, (510) 981-7000

### 42. Borrowing of Funds and the Sale and Issuance of FY 2020-21 Tax and Revenue Anticipation Notes

**From: City Manager**

**Recommendation:** Adopt a Resolution approving the borrowing of \$43,000,000 and the sale and issuance of Fiscal Year 2020-21 Tax and Revenue Anticipation Notes.

**Financial Implications:**

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

## Information Reports

### 43. Dispatch Audit Report Wins National Recognition

**From: Auditor**

Contact: Jenny Wong, Auditor, (510) 981-6750

### 44. City Auditor Fiscal Year 2021 Audit Plan

**From: Auditor**

Contact: Jenny Wong, Auditor, (510) 981-6750

## Public Comment – Items Not Listed on the Agenda

## Adjournment

**NOTICE CONCERNING YOUR LEGAL RIGHTS:** If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply:  
1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be

barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

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

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

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

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

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

COMMUNICATION ACCESS INFORMATION:

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



Captioning services are provided at the meeting, on B-TV, and on the Internet. 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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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on June 18, 2020.*

A handwritten signature in black ink that reads "Mark Numainville". The signature is written in a cursive, flowing style.

Mark Numainville, City Clerk

## **Communications**

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).*

### **ADU and Golden Duplexes**

1. Elisa Mikiten
2. Erik Dreher
3. Lee Goodwin
4. Jas Kaminsky
5. Andrew Marowitz (2)
6. Lauren Schiller
7. Gail Martin

### **East Bay Community Energy Budget and Rates**

8. Richard Collins

### **Telegraph Avenue Triangle**

9. Diana Bohn

### **True Issues – Not Signage**

10. Wini Williams

### **Good Cause Eviction**

11. Susan Sky

### **Telecom Ordinance**

12. Soula Culver

### **Clean Up Around Adeline and Alcatraz**

13. Ms. Richie and Friends of Adeline

### **Insurance Coverage During Civil Unrest**

14. Ricardo Lara, Insurance Commissioner
15. Mary Beth Bykowsky, on behalf of Community Relations and Outreach Branch

### **Surveillance and Technology Ordinance**

16. Blair Beekman

### **Fuel Powered Leaf Blowers**

17. Yvette Chalom

### **Trump=Nazi Graffiti**

18. Elana Naftalin-Kelman (4)



## **LRDP and Campus Master Plan Update**

19. Margot Smith

## **Measure GG Tax Rate**

20. Gradiva Couzin, Chair, Disaster and Fire Safety Commission

## **Police Concerns**

21. Russbumper

22. Catherine Huchting

23. Margy Wilkinson

24. G. Whittle

25. Carole Marasovic

26. Margy Wilkinson

27. Jane Ellis

28. Lori Pottinger

29. Caterina and Jonathan Polland

30. Tom Luce

31. Christine Schwartz

32. Bud Hazelkorn

33. Carol Denney

34. Elisa Mikiten

## **Black Business Owners**

35. Vivian Warkentin

## **Removing Flyers**

36. Carol Denney

## **Covid-19**

37. Carla Woodworth

38. Rachel Bradley

39. Nikos Daniilidis (2)

40. Rochelle Nason, City Councilmember City of Albany

41. Dawn Abrahamson

42. David Lerman (5)

43. Lisa Hernandez, Health Office/City of Berkeley

44. Chimey Lee

45. Georg Torgun

46. Mariam Wolodarski Lundberg

## **South Berkeley Neighborhood Development Corp. Request**

47. Landon William, on behalf of SBNDC

## **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.