



Office of the City Manager

CONSENT CALENDAR  
April 20, 2021

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Mark Numainville, City Clerk  
Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the council meetings of March 1, 2021 (closed), March 9, 2021 (regular), March 16, 2021 (closed and special), March 23, 2021 (regular), March 25, 2021 (special), March 29, 2021 (closed) and March 30, 2021 (closed and regular).

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. March 1, 2021 – Closed City Council Meeting
2. March 9, 2021 – Regular City Council Meeting
3. March 16, 2021 – Closed City Council Meeting
4. March 16, 2021 – Special City Council Meeting
5. March 23, 2021 – Regular City Council Meeting
6. March 25, 2021 – Special City Council Meeting
7. March 29, 2021 – Closed City Council Meeting
8. March 30, 2021 – Closed City Council Meeting
9. March 30, 2021 – Regular City Council Meeting

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**MONDAY, MARCH 1, 2021**

**9:00 A.M.**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

*Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this closed session 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 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/86861132018>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.*

*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)**; enter Meeting ID: **868 6113 2018**. 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.*

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## Preliminary Matters

**Roll Call:** 9:04 a.m.

**Present:** Taplin, Harrison, Wengraf, Robinson, Arreguin

**Absent:** Kesarwani, Bartlett, Hahn, Droste

Councilmember Hahn present at 9:06 a.m.

Councilmember Bartlett present at 9:08 a.m.

Councilmember Kesarwani present at 9:08 a.m.

Councilmember Droste present at 9:11 a.m.

**Public Comment - Limited to items on this agenda only – 0 speakers**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, David White, Deputy City Manager, LaTanya Bellow, Human Resources Director, Burke Dunphy, Labor Negotiator.

Employee Organizations: Public Employees Union Local 1.

**Action:** No reportable action taken.

## OPEN SESSION:

No reportable action.

## Adjournment

**Action:** M/S/C (Harrison/Wengraf) to adjourn the meeting.

**Vote:** All Ayes.

Adjourned at 9:35 a.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on March 1, 2021.

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Mark Numainville  
City Clerk

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 9, 2021**  
**6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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*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, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Kesarwani, Bartlett

Councilmember Kesarwani present at 6:06 p.m.

Councilmember Bartlett present at 6:07 p.m.

### Ceremonial Matters:

1. Recognition of Troy Duster, Berkeley Academic and Artist
2. Adjourned in Memory of Barbara Brust, Unhoused Advocate
3. Adjourned in Memory of Helen Schneider, Berkeley Resident and Volunteer

### City Manager Comments:

The City Manager provided an update on the Reimaging Public Safety process.

**Public Comment on Non-Agenda Matters:** 7 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 23 speakers.

**Action:** M/S/C (Arreguin/Robinson) to accept revised material from Councilmember Harrison on Item 20.

**Vote:** All Ayes.

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

**Vote:** All Ayes.

**1. Lease Agreement: Patpatia & Associates, Inc. for 125-127 University Ave. Office Space**

**From:** City Manager

**Recommendation:** Adopt second reading of Ordinance No. 7,754-N.S. executing a lease agreement with Patpatia & Associates, Inc. to lease 2nd floor office space located at 125-127 University Ave. The lease term is anticipated to begin May 1, 2021 and end April 30, 2024.

**First Reading Vote:** All Ayes.

**Financial Implications:** See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** Adopted second reading of Ordinance No. 7,754-N.S.

## Consent Calendar

- 2. Stahlschmidt v. City of Berkeley, Case No. RG 20069713**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the settlement of the action entitled Stahlschmidt v. City of Berkeley, Case No. RG 20069713.  
**Financial Implications:** Public Liability Fund - \$75,533  
Contact: Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Adopted Resolution No. 69,738–N.S.
- 3. Referral Response: Commission Low-Income Stipend Reform**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution adjusting the qualifying annual household income to the Alameda County 50% Area Median Income (AMI) for a three-person household for stipend and reimbursement in lieu of expenses for members of certain Boards, Commissions, and Committees, increasing the stipend to \$100 per meeting with an annual Consumer Price Index (CPI) inflator, and rescinding Resolution No. 64,831-N.S.  
**Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Adopted Resolution No. 69,739–N.S.
- 4. Confirming “At-Large” Appointments to the Reimagining Public Safety Task Force**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution confirming “At-Large” appointments to the Reimagining Public Safety Task Force.  
**Financial Implications:** None  
Contact: Dave White, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 69,740–N.S.
- 5. Referral Response: Deferral of Remaining Permit, Inspection, Connection, and Impact Fees for 2009 Addison Street and Referral to the City Manager to Develop a Limited-Term Citywide Fee Deferral Program**  
**From: City Manager**  
**Recommendation:** Consider Adopting a Resolution authorizing the City Manager to defer remaining building permit, inspection, connection, and impact fees estimated at \$676,464 for the Berkeley Repertory Theater’s project at 2009 Addison Street for a period of ten years. In addition, city staff is asking City Council to refer to the City Manager the development of a limited-term citywide fee deferral program.  
**Financial Implications:** See report  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530  
**Action:** Adopted Resolution No. 69,741–N.S. as revised in Supplemental Communications Packet #1.

## Consent Calendar

- 6. Revenue Contract: East Bay Community Energy FY2021- Kitchen Electrification for Aging Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any resultant revenue agreements and amendments with East Bay Community Energy to provide funding for upgraded, energy-efficient kitchen appliances at both the North Berkeley and South Berkeley senior centers, in the amount of \$48,994, through the East Bay Community Energy's Kitchen Electrification Grant.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 69,742–N.S.
- 7. Contract No. 32000063 Amendment: United Site Service, Inc. for Additional Rental and Servicing of Portable Toilets and Sinks**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000063 with United Site Services of California, Inc. for rental and service of portable toilet and handwashing units, increasing the current contract amount of \$360,000 by \$270,000, for a total not to exceed amount of \$630,000 for a period of two years, with an option to extend for three 12-month periods, for a total amount not to exceed \$1,200,000.  
**Financial Implications:** Various Funds - \$1,200,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,743–N.S.
- 8. Contracts: On-Call Waterfront Project Management and Construction Management Services for Capital Improvement Projects at the Berkeley Waterfront**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call waterfront project management services for capital improvement projects at the Berkeley Waterfront, for contract periods of April 1, 2021 through June 30, 2024:  
1. AnchorCM, for an amount not to exceed \$1,000,000.  
2. Park Engineering, Inc., for an amount not to exceed \$1,000,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,744–N.S. (AnchorCM); and Resolution No. 69,745–N.S. (Park Engineering).

## Consent Calendar

9. **Loan Application: Dock Replacement at the Berkeley Marina**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to sign a loan agreement with the California Department of Boating and Waterways and to accept the funds for a loan not to exceed \$5,500,000 for replacement of D & E docks at the Berkeley Marina.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,746–N.S.
10. **Grant Application: Environmental Enhancement and Mitigation Project (EEMP) Proposal**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to submit an Environmental Enhancement and Mitigation (EEM) grant application to plant urban forest trees in the amount up to \$500,000; 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:** Revenue - \$500,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,747–N.S.
11. **Amendments to the Berkeley Election Reform Act (BERA) to Regulate Officeholder Accounts and Proposed Changes to City Council Office Budget Expenditure and Reimbursement Policies (Resolution 67,992-N.S.)** *(Reviewed by the Agenda & Rules Committee) (Item contains Supplemental Material)*  
**From: Fair Campaign Practices Commission**  
**Recommendation:** Form a joint subcommittee of members of the City Council and members of the Fair Campaign Practices and Open Government Commissions to (1) prepare an ordinance amending the Berkeley Election Reform Act (BMC Chapter 2.12) to prohibit or regulate officeholder accounts and (2) prepare a change in City Council Expenditure and Reimbursement policies (Resolution 67,992-N.S.) to have donations to nonprofit organizations made in the name of the entire Berkeley City Council on behalf of the citizens of Berkeley rather than from individual Council members.  
*(On February 8, 2021, the Agenda & Rules Committee made a positive recommendation to the City Council on part two of the Commission recommendation to prepare a change in City Council Expenditure and Reimbursement policies (Resolution 67,992-N.S.) to have donations to nonprofit organizations made in the name of the entire Berkeley City Council on behalf of the citizens of Berkeley rather than from individual Council members.)*  
**Financial Implications:** None  
Contact: Sam Harvey, Commission Secretary, (510) 981-6950  
**Action:** Approved the recommendation of the Agenda & Rules Committee revised to change the word “citizens” to “residents.”



## Consent Calendar

### 12a. **Amending Source of Income Discrimination Ordinance to Establish Administrative Enforcement Procedure** *(Reviewed by the Land Use, Housing, & Economic Development Committee)*

**From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that BMC 13.31 be amended to provide for an administrative procedure to enforce the anti-discrimination property rental ordinance as to source of income. Such procedure should involve establishing a complaints procedure under an existing City of Berkeley department such as the Department of Planning or Rent Stabilization Board, where a complaint could be filed by a prospective tenant, or tenant, alleging that they have been discriminated against by a landlord, property owner or authorized agent or employee when seeking rental housing or in any other context currently covered under BMC 13.31. Stage 1 of enforcement in the complaints procedure shall involve the taking of the complaint which shall be investigated by the designated department expeditiously, within a reasonable period of time no longer than ten days. Upon completion of the investigation, a finding shall be made of substantial evidence of discrimination or no evidence of discrimination. In the process of the investigation, the investigator shall concurrently, while identifying the facts, attempt to resolve the complaint by seeking to bring the parties to agreement that the complaining party be permitted to rent the premises in question or alternatively, if the premises has otherwise been rented prior to the investigation, be provided the first option for the next available vacancy at the premises. Where the complaint has not otherwise been resolved through this procedure, and there is a finding of substantial evidence, the complaining party shall be offered the opportunity to have its complaint heard by an administrative hearing officer mirroring a procedure or similar to a procedure afforded by BMC 1.28. If the complainant files for such an administrative hearing, and the rental property remains available, the filing for an administrative hearing, shall constitute a stay of the property being otherwise rented to another applicant. If at the administrative hearing, the administrative law judge, or hearing officer, finds in favor of the complainant, the administrative hearing officer can order that housing be provided to the complainant and/or direct a fine of no more than five thousand dollars (\$5,000) to be paid to the complainant with an additional penalty to the City of Berkeley for the costs of the administrative appeal. This procedure will be a final administrative decision subject to litigation to be brought in a court of law by a complainant through any legal entity, private or public as the complainant can identify. The Homeless Commission further recommends that any person seeking housing, with a voucher or any subsidy to pay their rent, be considered for the rental in the order which their rental application is received and be entitled to the rental as the first applicant of right. Insufficient credit or poor credit shall not be a fact considered for rental as to the totality of the rent to be paid if the rent is to be otherwise paid through the voucher or subsidy source.

*(On February 4, 2021, the Land Use, Housing, & Economic Development Policy Committee made a qualified positive recommendation to refer to the City Manager to: 1) Draft amendments to the Source of Income Discrimination Ordinance to provide for an administrative procedure to enforce the anti-discrimination property*

## Consent Calendar

*rental ordinance as to source of income, parallel to the Fair Chance Ordinance; 2) Submit to Council in 2022 a report reviewing the effectiveness of the source of income discrimination ordinance in its first five years; and 3) Update and improve information on the City website and elsewhere about legal services for low income residents; and 4) Refer to the 4x4 Committee discussion of feasibility of enforcement of source of income discrimination alongside the fair chance ordinance, and discussion of Homeless Commission's first-in-time standard recommendations.)*

**Financial Implications:** See report

Contact: Brittany Carnegie, Commission Secretary, (510) 981-5400

**Action:** See action for Item 12b.

**12b. Companion Report: Amending Source of Income Discrimination Ordinance to Establish Administrative Enforcement Procedure** *(Reviewed by the Land Use, Housing, & Economic Development Committee)*

**From: City Manager**

**Recommendation:** The City Manager thanks the Homeless Commission for their concern regarding potential discrimination against residents trying to utilize rental assistance vouchers in Berkeley. She recommends, however, taking no action on the Homeless Commission recommendation since the City already funds legal assistance for low-income residents that may be used to obtain relief under BMC 13.31.

*(On February 4, 2021, the Land Use, Housing, & Economic Development Policy Committee made a qualified positive recommendation to refer to the City Manager to: 1) Draft amendments to the Source of Income Discrimination Ordinance to provide for an administrative procedure to enforce the anti-discrimination property rental ordinance as to source of income, parallel to the Fair Chance Ordinance; 2) Submit to Council in 2022 a report reviewing the effectiveness of the source of income discrimination ordinance in its first five years; and 3) Update and improve information on the City website and elsewhere about legal services for low income residents; and 4) Refer to the 4x4 Committee discussion of feasibility of enforcement of source of income discrimination alongside the fair chance ordinance, and discussion of Homeless Commission's first-in-time standard recommendations.*

**Financial Implications:** None

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

**Action:** Approved the recommendation of the Land Use, Housing, & Economic Development Policy Committee revised to add an additional referral to recommendation as noted below.

*5) Refer to the City Manager to provide an estimate for the costs associated with the staffing and implementation, as an add-on to existing programs and services, to the Budget & Finance Committee for consideration in the FY 2022 budget process.*

## Council Consent Items

**13. HelpBerkeley: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**

**From: Mayor Arreguin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Mayor Arreguin, to HelpBerkeley with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin and any other Councilmembers who would like to contribute.

**Financial Implications:** Mayor's Discretionary Funds - \$250

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Adopted Resolution No. 69,748–N.S. revised to add contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$250; Councilmember Wengraf - \$250; Councilmember Taplin - \$250; Councilmember Hahn - \$250; Councilmember Robinson - \$100; Councilmember Kesarwani - \$100; Councilmember Harrison - \$100; Councilmember Bartlett - \$100.

**14. Declaring the 2021 Cesar Chavez-Dolores Huerta Commemorative Period**

**From: Mayor Arreguin (Author), Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor)**

**Recommendation:** Adopt a Resolution declaring the period of March 21, 2021 to April 10, 2021 as the Cesar Chavez/Dolores Huerta Commemorative Period in the City of Berkeley.

**Financial Implications:** None

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Adopted Resolution No. 69,749–N.S. revised to add the Whereas clause noted below.

*WHEREAS, in 2013, the Governor approved Assembly Bill 123 which amends Section 51008 of the Education Code to ensure that the state curriculum and framework, where appropriate, include instruction on Cesar Chavez and the history of the farm labor movement in the United States, and the role of immigrants, including Filipino Americans, in that movement, and that the state criteria for selecting textbooks include information to guide the selection of textbooks that contain sections that highlight the life and contributions of Cesar Chavez, the history of the farm labor movement in the United States, and the role of immigrants, including Filipino Americans, in that movement; and*

## Council Consent Items

15. **Budget Referral: Funding Rectangular Rapid Flashing Beacons (RRFB) at Sixth Street and Addison Street**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** That the City Council refers to the budget process the funding of Rectangular Rapid Flashing Beacons (RRFB) at the south end of the intersection of Sixth Street and Addison Street.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.
16. **Budget Referral: George Florence Park Traffic Calming (Tenth Street between University Avenue and Allston Way)**  
**From: Councilmember Taplin (Author), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** That the City Council refers to the budget process the funding of traffic calming measures on Tenth Street between University Avenue and Allston Way including but not limited to: 1. The addition of “SLOW CHILDREN AT PLAY” signs approaching George Florence Park and the West Berkeley YMCA. 2. Two speed tables on Tenth Street between Addison and Allston approaching George Florence Park, another speed table in front of the West Berkeley YMCA, and another at the south end of the intersection of Tenth and Allston. 3. Repainting of crosswalks along this section of Tenth Street. 4. Bulb outs at each corner of Tenth Street and Addison Street.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #2 from Councilmember Taplin.
17. **Resolution Supporting HR 25, Calling for Federal Investigation on Sedition at U.S. Capitol and Expulsion of Complicit Members of Congress**  
**From: Councilmember Taplin (Author), Mayor Arreguin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a resolution condemning the violent attack on the U.S. Capitol on January 6, 2021 by a seditious mob intent on preventing the certification of the 2020 Presidential Election, in support of House Resolution 25, calling for a federal investigation on the attack and the expulsion of Members of Congress found complicit in incitement of insurrection.  
**Financial Implications:** None  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Adopted Resolution No. 69,750–N.S.

## Council Consent Items

**18. Support for SB 260**

**From: Councilmember Taplin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**

**Recommendation:** Send a letter of endorsement for SB 260, the Climate Corporate Accountability Act, to Senator Scott Wiener and the Senate Standing Committee on Environmental Quality, and urge the CA Senate to lead the nation in pursuing real emissions reductions and holding corporations accountable.

**Financial Implications:** None

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

**Action:** Approved recommendation.

**19. Support Vision 2025 for Sustainable for Sustainable Food Policies** *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

**From: Councilmember Davila (Author)**

**Recommendation:**

1. Adopt a Resolution Supporting Vision 2025 for Sustainable Food Policies
2. Join San Francisco, Chicago and Austin in signing the Milan Urban Food Policy Pact (MUFPP) which includes forming an advisory body on sustainable food policies.
3. Support adoption of a Climate-Friendly Food Purchasing Policy as described by Friends of the Earth to replace 50% of the City's annual animal-based food procurement with plant-based food.

4. Short Term Referral to the City Manager to: a. Track the amount of animal-based food replaced with plant-based food; b. Use Friends of the Earth's Municipal Guide to Climate-Friendly Food Purchasing for the procurement of plant-based food.

*(On February 8, 2021, the Health, Life Enrichment, Equity and Community Committee moved the item to Council with a qualified positive recommendation to take the following action: 1. Express support for the Milan Urban Food Policy Pact (MUFPP) 2. Refer aspects of the original item to the Community Health Commission (or future commission addressing public health) to take the following actions: a) Consult with appropriate City staff to evaluate the feasibility of altering food sources within the City's existing food service contracts - with a specific focus on the feasibility of replacing meat and dairy-based offerings with plant-based options - given contractor procurement practices and any federal or state nutrition requirements for seniors and other affected populations; and (b) Solicit input from potentially affected communities, particularly seniors, for their feedback on shifting to more plant-based foods through a short survey or other means; and 3. Adopt the resolution as amended.)*

**Financial Implications:** See Report

Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

**Action:** Approved the recommendation of the Health, Life Enrichment, Equity and Community Committee as revised in Supplemental Communications Packet #1 and adopted Resolution No. 69,751–N.S.

## Council Consent Items

- 20. Resolution in Support of Establishing Statewide Targets for 100% Zero-Emission Vehicle Sales No Later Than 2025 and Comprehensive Legislative Program to Achieve an Equitable and Just Statewide Transition Towards 100% Zero-Emission Transportation and Mobility by 2030**  
**From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a resolution in support of establishing (1) statewide binding legislative targets for 100% zero emission vehicle sales no later than 2025, and (2) comprehensive statewide legislative program to achieve an equitable and just transition towards 100% zero-emissions transportation and mobility by 2030. Send copies of the resolution to Governor Newsom, State Senator Nancy Skinner, Assemblywoman Buffy Wicks, copying President Biden, Vice President Harris, Senators Feinstein and Padilla, and Congresswoman Lee.  
**Financial Implications:** Staff time  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Adopted Resolution No. 69,752–N.S. as revised in the revised materials submitted by Councilmember Harrison at the meeting, including revisions to the letter.
- 21. Budget Referral: Allocate Transportation Network Companies User’s Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**  
**From: Councilmember Harrison (Author), Mayor Arreguin (Author), Councilmember Robinson (Author), Councilmember Taplin (Author)**  
**Recommendation:**  
1. Refer to the June 2021 budget process: a. The first \$500,000 in expected Transportation Network Companies (TNC) User’s Tax General Fund revenue toward the construction and maintenance of 18.4 miles of priority protected bicycle boulevards; and b. \$410,000 in expected TNC Tax revenue as revenues become available and an additional \$90,000 from other General Fund revenue to supplement demonstration projects under the Street Repair Program that either directly or indirectly reduce greenhouse gas emissions.  
2. Refer to the Transportation Commission to make recommendations to the Council as to allocation of TNC User’s Tax in subsequent budget cycles.  
**Financial Implications:** See report  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Harrison.

## Council Consent Items

- 22. Kala Art Institute 2021 Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Mayor Arreguin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** Adopt a resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$250 from Councilmember Hahn, to the Kala Art Institute, a 501(c)(3) non-profit organization, to support Art Kala 2021, an exhibition, auction, and benefit to support Kala's artistic, cultural, and educational programs, with funds relinquished to the City's general fund for this purpose from the discretionary Council office budget of Councilmember Hahn, and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Funds - \$250  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Adopted Resolution No. 69,753–N.S. revised to add contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$250; Councilmember Wengraf - \$250; Councilmember Taplin - \$500; Councilmember Hahn - \$250; Councilmember Robinson - \$100; Councilmember Kesarwani - \$100; Councilmember Harrison - \$100; Councilmember Bartlett - \$100.
- 23. Resolution Condemning Anti-Asian Hate and Violence**  
**From: Councilmember Wengraf (Author), Councilmember Robinson (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution Condemning Anti-Asian Hate and Violence.  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Adopted Resolution No. 69,754–N.S.
- 24. Affirming the City of Berkeley's Support for the People of Tibet**  
**From: Councilmember Robinson (Author), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a resolution affirming the City of Berkeley's support for the people of Tibet.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Adopted Resolution No. 69,755–N.S.

Recess 7:55 p.m. – 8:05 p.m.

## Council Action Items

25. **Resolution Clarifying Eligibility for Historic Landmark Designation for Residences and Other Structures, Sites and Areas of Importance for Notable Community Members Who Contributed to the Cultural and Historic Values of Berkeley**  
**From: Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a resolution clarifying eligibility for historic landmark designation for residences and/or other structures, sites and areas of importance for notable community members who contributed to the cultural and historic values of Berkeley, including to allow the childhood home of Vice President Kamala Harris to be eligible for designation.  
**Financial Implications:** None  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Item 25 withdrawn from the agenda by Councilmember Harrison.

## Action Calendar – New Business

26. **Berkeley Economic Dashboards Update**  
**From: City Manager**  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530  
**Action:** 3 speakers. Presentation made and discussion held.

## Information Reports

27. **FY 2021-2022 Peace and Justice Commission Work Plan**  
**From: Peace and Justice Commission**  
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000  
**Action:** Received and filed.
28. **Youth Commission Work Plan 2021**  
**From: Youth Commission**  
Contact: Ginsi Bryant, Commission Secretary, (510) 981-6700  
**Action:** Received and filed

**Public Comment – Items Not Listed on the Agenda - 0 speakers.**

## Adjournment

**Action:** M/S/C (Robinson/Wengraf) to adjourn the meeting.

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

Adjourned at 9:19 p.m.



I hereby certify that the foregoing is a true and correct record of the regular session meeting held on March 9, 2021.

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Mark Numainville  
City Clerk

## Communications

### COVID-19 Vaccinations

1. Lina Haldar
2. Anne McClintock (2)
3. Kimberly Wesley, on behalf of acgov.org (3)
4. Laura Babitt
5. Ariel Smith-Iyer
6. Councilmember Kesarwani
7. Rebecca Esterson
8. B.J. Chisholm & Joshua Sperry
9. Rachel Gold
10. Kathy Labriola

### North Berkeley BART Transit-Oriented Development (TOD)

11. Richard Links
12. Mary Lai
13. Charlene Woodcock
14. Todd Jailer
15. Allegra Guarino
16. Bruce Bagnell
17. Gael Alcock
18. Roberta Silverstein and Stephen Sperber
19. Vicki Sommer
20. 34 similarly worded form letters (Development that fits the neighborhood)

### National Crime Victims' Rights Week Proclamation Request

21. Michelle Joya, on behalf of the Alameda County District Attorney's Office

### Berkeley Police Chief

22. Isabelle Gaston
23. Lavy Quintero

### Gilman I-80 Interchange Project

24. David Lerman

### Literature Live Around the World

25. Cherilyn Parson

**Cannabis**

26. Daniel Kosmal

**Berkeley Mutual Aid**

27. Susan Runyan

**Housing Accountability Unit**

28. Livable California Electeds

**Cedar Rose Pickleball Courts Lawsuit**

29. Ravi Sahae, on behalf of LPS Law Firm

**Saka Nakodar Day**

30. Baldev Singh

**Golden Gate Horse Fatality**

31. Joe Kaplan (2)

**People's Park**

32. Uma Channer

**Black History Month 2021**

33. Russbumper

**Intent to Sue – 1346 Ordway Street**

34. Tim Kaun, on behalf of Law Offices of Dana Dean

**Homelessness**

35. Kathy Krebs

**Restaurant Week Promotion**

36. Jeffrey Church, on behalf of Visit Berkeley

**USPS Sanfu's**

37. Max Ventura

**Conduct of Zoom Meeting**

38. Linda Franklin

**URL's Only**

39. Vivian Warkentin (2)

40. Russbumper (6)

**Supplemental Communications and Reports 1**

**Item #5: Referral Response: Deferral of Remaining Permit, Inspection, Connection, and Impact Fees for 2009 Addison Street and Referral to the City Manager to Develop a Limited-Term Citywide Fee Deferral Program**

41. Supplemental material, submitted by the Office of Economic Development

**Item #19: Support Vision 2025 for Sustainable Food Policies**

42. Revised material, submitted by Councilmember Kesarwani

**Item #21: Budget Referral: Allocate Transportation Network Companies User's Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**

43. Revised material, submitted by Councilmember Harrison

**Item #24: Affirming the City of Berkeley's Support for the People of Tibet**

44. Tenzin Lungrig, General Secretary of Tibetan Assoc. of Northern CA

**Supplemental Communications and Reports 2**

**Item #16: Budget Referral: George Florence Park Traffic Calming (Tenth Street between University Avenue and Allston Way)**

45. Supplemental material, submitted by Councilmember Taplin

**Item #21: Budget Referral: Allocate Transportation Network Companies User's Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**

46. Liza Lutzker, on behalf of Walk Bike Berkeley

**Supplemental Communications and Reports 3**

**Item #14: Declaring the 2021 Cesar Chavez-Dolores Huerta Commemorative Period**

47. Revised material, submitted by Mayor Arrequin

**Item #19: Support Vision 2025 for Sustainable for Sustainable Food Policies**

48. Chimey Lee

**Item #20: Resolution in Support of Establishing Statewide Targets for 100% Zero-Emission Vehicle Sales No Later Than 2025 and Comprehensive Legislative Program to Achieve an Equitable and Just Statewide Transition Towards 100% Zero-Emission Transportation and Mobility by 2030**

49. Revised material, submitted by Councilmember Harrison

50. Kathy Dervin, on behalf of 350 East Bay, Berkeley Hub

51. Tom Lent, on behalf of Walk Bike Berkeley

52. Igor Tregub

**Item #21: Budget Referral: Allocate Transportation Network Companies User's Tax Proceeds and other General Fund Revenues to Support Priority Protected Bicycle Boulevards and the Street Repair Program**

53. Igor Tregub, on behalf of the Sierra Club

**Item #25: Resolution Clarifying Eligibility for Historic Landmark Designation for Residences and Other Structures, Sites and Areas of Importance for Notable Community Members Who Contributed to the Cultural and Historic Values of Berkeley**

54. Revised material, submitted by Councilmember Harrison

**Item #26: Berkeley Economic Dashboards Update**

55. Presentation, submitted by the Office of Economic Development

**Miscellaneous Communications**

**A Good Meeting**

56. Barbara Gilbert

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, MARCH 16, 2021

3:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

*Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this closed session 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.*

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## Preliminary Matters

**Roll Call:** 3:06 p.m.

**Present:** Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Kesarwani, Taplin, Bartlett

Councilmember Taplin present at 3:07 p.m.

Councilmember Bartlett present at 3:08 p.m.

**Public Comment – Limited to items on this agenda only – 8 speakers.**

## CLOSED SESSION:

The City Council convened in closed session to meet concerning the following:

### 1. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE § 54956.9(c):

a. One case

**Action:** Pursuant to California Government Code Section 54957.1, approval by was given by the Council to initiate a lawsuit. The particulars of the case will be disclosed to any person upon inquiry once the action has been formally commenced.

### 2. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, David White, Deputy City Manager, LaTanya Bellow, Human Resources Director, Dania Torres-Wong, Chief Labor Negotiator.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders.

**Action:** No reportable action taken.

Councilmember Bartlett absent at 3:32 p.m.

Councilmember Wengraf absent at 5:58 p.m.

## OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

Pursuant to California Government Code Section 54957.1, approval by was given by the Council to initiate a lawsuit. The particulars of the case will be disclosed to any person upon inquiry once the action has been formally commenced.

## Adjournment

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

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

Adjourned at 6:04 p.m.

This is to certify that the foregoing is a true and correct record of the closed session meeting on March 16, 2021.

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Sarah Bunting, Assistant City Clerk

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

**Item #2: Conference with Labor Negotiators; Government Code Section 54957.6**

- Lorenzo Lewis

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, March 16, 2021  
6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

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*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:** 6:24 p.m.

**Present:** Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Bartlett

### Report from Closed Session

Pursuant to California Government Code Section 54957.1, approval by was given by the Council to initiate a lawsuit. The particulars of the case will be disclosed to any person upon inquiry once the action has been formally commenced.

**Action:** M/S/C (Arreguin/Hahn) to accept an urgency item from the City Manager pursuant to Government Code Section 54954.2(b)(2) entitled "Amendments to Hazard Pay for Grocery Workers Ordinance (B.M.C. Chapter 13.112)."

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

## Action Calendar

### Urgency Item: Amendments to Hazard Pay for Grocery Workers Ordinance (B.M.C. Chapter 13.112)

**From:** City Manager

**Recommendation:** Adopt an Urgency Ordinance to amend Chapter 13.112 to avoid an unintentional lapse in applicability due to statewide re-opening metrics. The amended ordinance would remain in effect for 120 days from the date it was originally enacted on February 23, 2021, unless extended by the Council.

**Fiscal Impacts:** None

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

**Action:** 3 speakers. M/S/C (Arreguin/Wengraf) to adopt Urgency Ordinance No. 7,756-N.S.

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

## Worksession

### 1. Digital Strategic Plan (DSP), FUND\$ Replacement Program and Website Redesign Project Update

**From:** City Manager

Contact: Savita Chaudhary, Information Technology, (510) 981-6500

**Action:** 2 speakers. Presentation made and discussion held.

## Worksession

### 2a. **Unfunded Liability Obligations and Unfunded Infrastructure Needs**

**From: City Manager**

Contact: Rama Murty, Budget Office, (510) 981-7000

**Action:** 3 speakers. Presentation made and discussion held.

### 2b. **FY 2021 Mid-Year Budget Update**

**From: City Manager**

Contact: Rama Murty, Budget Office, (510) 981-7000

**Action:** 2 speakers. Presentation made and discussion held.

Recess 9:12 p.m. – 9:22 p.m.

Councilmember Harrison absent 9:22 p.m. – 10:58 p.m.

### 3a. **Parks, Recreation & Waterfront Department Capital Improvement Projects (CIP) Update**

**From: City Manager**

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** 2 speakers. Presentation made and discussion held.

### 3b. **Turning Vision 2050 into Reality: Public Works Capital Improvement Plan for Fiscal Year 2022**

**From: City Manager**

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

**Action:** 2 speakers. Presentation made and discussion held.

Councilmember Hahn absent 10:25 p.m. – 10:58 p.m.

## Adjournment

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

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

Adjourned at 10:58 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on March 16, 2021.

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April Richardson  
Assistant City Clerk

## Worksession

### Supplemental Communications and Reports 1

- None

### Supplemental Communications and Reports 2

#### **Item #2a: Unfunded Liability Obligations and Unfunded Infrastructure Needs**

1. Presentation, submitted by the City Manager's Office

#### **Item #2b: FY 2021 Mid-Year Budget Update**

2. Presentation, submitted by the City Manager's Office

### Supplemental Communications and Reports 3

#### **Item #1: Digital Strategic Plan (DSP), FUND\$ Replacement Program and Website Redesign Project Update**

3. Presentation, submitted by Information Technology

#### **Item #3a: Parks, Recreation & Waterfront Department Capital Improvement Projects (CIP) Updates**

4. Presentation, submitted by Parks, Recreation & Waterfront

#### **Item #3b: Turning Vision 2050 into Reality: Public Works Capital Improvement Plan for Fiscal Year 2022**

5. Presentation, submitted by Public Works

#### **Urgency Item**

#### **Amendments to Hazard Pay for Grocery Workers Ordinance (B.M.C. Chapter 13.112)**

6. Urgency item, submitted by the City Attorney

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 23, 2021**  
**6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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## Preliminary Matters

**Roll Call:** 6:02 p.m.

**Present:** Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Kesarwani, Taplin, Bartlett

Councilmember Kesarwani present at 6:04 p.m.

Councilmember Taplin present at 6:05 p.m.

Councilmember Bartlett present at 6:06 p.m.

## Ceremonial Matters:

1. Recognition of Berkeley Mutual Aid
2. Recognition of the 19<sup>th</sup> Annual March for Meals Month
3. Adjourned the meeting in memory of the eight victims of the Atlanta, Georgia mass shooting; Soon Chung Park, Hyun Jung Grant, Suncha Kim, Yong Ae Yue, Delaina Ashley Yaun, Paul Andre Michels, Xiaojie Tan, and Daoyou Feng
4. Adjourned the meeting in memory of the victims of the Boulder, Colorado mass shooting

## City Auditor Comments:

1. The City Auditor provided updates on the Police Department data audit which includes “Calls for Service” and “Police Initiated Stops”, and on an audit underway pertaining to the Police Department’s budget.

## City Manager Comments:

None

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 8 speakers.

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

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

Councilmember Kesarwani absent 7:08 p.m. – 7:15 p.m.

## Consent Calendar

- 1. Contract No. 32000282 Amendment: AG Witt, LLC for COVID-19 Emergency Operations Cost Recovery Consultant**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000282 with AG Witt, LLC for COVID-19 Emergency Operations Cost Recovery Consulting, increasing the amount by \$100,000 for a not to exceed amount of \$250,000.  
**Financial Implications:** See report  
Contact: Dave White, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 69,756–N.S.
- 2. Partnership with East Bay Community Energy to Pursue Solar and Battery Energy Storage Systems on Municipal Facilities**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to continue pursuing widespread deployment of solar and battery energy storage systems (battery systems) at critical municipal facilities in partnership with the City's public power provider, East Bay Community Energy (EBCE), and commit to installing these systems through a standard Power Purchase Agreement (PPA) with EBCE should the City determine that the project results in benefits to the City budget and the community.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted Resolution No. 69,757–N.S.
- 3. Contract No. 100692-2 Amendment: Serological Research Institute for DNA Testing Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 100692-2 and any necessary future amendments with Serological Research Institute (SERI) for the Berkeley Police Department (BPD), increasing the contract amount by \$250,000 for a total not to exceed amount of \$1,000,000 and a contract term extension for three additional years, until June 30, 2025.  
**Financial Implications:** State Proposition 172 Fund - \$250,000  
Contact: Andrew Greenwood, Police, (510) 981-5900  
**Action:** Adopted Resolution No. 69,758–N.S.

## Consent Calendar

- 4. Fiscal Year 2022 Street Lighting Assessments – Initiating Proceedings**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions describing proposed improvements to be used to determine the annual assessments levied for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District No. 2018, and ordering the preparation of Engineer’s Reports.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 69,759–N.S. (District No. 1982-1); and Resolution No. 69,760–N.S. (District No. 2018).
- 5. Contract No. 100251-1 Amendment: Restoration Management Company**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 100251-1 (Contract No. 9635B in FUND\$) with Restoration Management Company, an on-call remediation services company, to provide emergency services in the event of flooding, sewer backups or other property damage that requires restoration, extending the term to June 30, 2022 and increasing the contract amount by \$150,000 for a total not-to-exceed of \$250,000.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 69,761–N.S.
- 6. Appointment of boona cheema and Javonna Blanton to Mental Health Commission**  
**From: Mental Health Commission**  
**Recommendation:** Adopt a Resolution appointing: boona cheema as a representative of the Special Public Interest Category (consumer), to complete her second 3- year term beginning March 24, 2021 and ending March 23, 2024; and Javonna Blanton as a representative of the Special Public Interest Category (family), to complete her first 3-year term beginning March 24, 2021 and ending March 23, 2024.  
**Financial Implications:** None  
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400  
**Action:** Adopted Resolution No. 69,762–N.S.
- 7. Authorization for Additional Public Works Commission Meeting in 2021**  
**From: Public Works Commission**  
**Recommendation:** Adopt a Resolution authorizing one additional meeting of the Public Works Commission in 2021.  
**Financial Implications:** None  
Contact: Joe Enke, Commission Secretary, (510) 981-6300  
**Action:** Adopted Resolution No. 69,763–N.S.

## Council Consent Items

**8. 2021 Alameda County Redistricting Process**

**From: Mayor Arreguin (Author)**

**Recommendation:** Adopt a Resolution calling on the Alameda County Board of Supervisors to allocate adequate resources and direct the creation of policies to ensure an equitable, inclusive and transparent process for the 2021 Alameda County redistricting process.

**Financial Implications:** None.

Contact: Jesse Arreguin, Mayor, (510) 981-7100

**Action:** Councilmember Hahn added as a co-sponsor. Adopted Resolution No. 69,764–N.S.

**9. Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral**

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

**Recommendation:** Refer to the City Manager to establish a Parking Benefits District (PBD) in the Adeline Corridor to finance and support neighborhood improvements-- such as landscaping, lighting, cleaning, pedestrian and transit infrastructure, and more--in South Berkeley and refer to the Fiscal Year 2022 budget process \$50,000 for city staff to hire and manage a consultant to assist in the formation and establishment of the PBD.

**Financial Implications:** See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

**Action:** Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Kesarwani.

**10. Proclamation in Honor of Holocaust Remembrance Day**

**From: Councilmember Wengraf (Author)**

**Recommendation:** Adopt the Holocaust Remembrance Day Proclamation for the 18th Annual Holocaust Remembrance Day program to be held virtually Thursday, April 8th from 2:00 – 3:00 PM.

**Financial Implications:** None

Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160

**Action:** Councilmembers Hahn and Taplin added as co-sponsors. Adopted proclamation.



## Council Consent Items

- 11. Support for AB 286: Food Delivery Platform Fees and Commissions**  
**From: Councilmember Robinson (Author), Councilmember Kesarwani (Co-Sponsor)**  
**Recommendation:** Send a letter to Assemblymember Lorena Gonzalez, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Assembly Bill 286, which would establish equitable standards in the food delivery industry by capping service fees, requiring food delivery platforms to provide accurate transaction breakdowns, and prohibiting the collection of delivery driver tips by the delivery company.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Councilmembers Hahn and Harrison added as co-sponsors. Approved recommendation.
- 12. Support for AB 314: Legislature Employer-Employee Relations Act**  
**From: Councilmember Robinson (Author), Councilmember Taplin (Co-Sponsor), Councilmember Harrison (Co-Sponsor)**  
**Recommendation:** Send a letter to Assemblymember Lorena Gonzalez, Assemblymember Buffy Wicks, and Senator Nancy Skinner in support of Assembly Bill 314, which would grant all employees of the California State Legislature the right to unionize and otherwise collectively bargain for improved wages and working conditions.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Councilmember Hahn added as a co-sponsor. Approved recommendation.
- 13. Support for AB 328: Reentry Housing Program**  
**From: Councilmember Robinson (Author), Councilmember Taplin (Co-Sponsor), Councilmember Harrison (Co-Sponsor)**  
**Recommendation:** Send a letter to Assemblymember David Chiu, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Assembly Bill 328, which would allow those with recent histories of incarceration to remain stably housed and exit homelessness through grants for evidence-based housing and housing-based services interventions.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Councilmember Hahn added as a co-sponsor. Approved recommendation.

## Council Consent Items

- 14. Support for AB 1400: Guaranteed Health Care for All**  
**From: Councilmember Robinson (Author), Councilmember Taplin (Co-Sponsor)**  
**Recommendation:** Adopt a resolution in support of Assembly Bill 1400, which would establish the California Guaranteed Health Care for All Act and create CalCare, a single-payer health insurance program for all California residents that is comprehensive, uniform, equitable and governed by the CalCare board.  
**Financial Implications:** None.  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Councilmember Hahn added as a co-sponsor. Adopted Resolution No. 69,765–N.S.

## Action Calendar – Public Hearings

- 15. Updated Fees for the Building Emissions Savings Ordinance**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution amending the Planning Department fee schedule (Resolution No. 67,985-N.S.) by updating the administrative fees charged to building owners filing for a Time of Listing Deferral under the Building Emissions Saving Ordinance (BESO), and creating an administrative late fee.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
  
**Public Testimony:** The Mayor opened the public hearing. 1 speaker. M/S/C (Arreguin/Harrison) to close the public hearing.  
**Vote:** All Ayes.  
  
**Action:** M/S/C (Arreguin/Robinson) to adopt Resolution No. 69,766–N.S.  
**Vote:** All Ayes.
- 16. ZAB Appeal: 1200 San Pablo Avenue, Use Permit #ZP2019-0192**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board (ZAB) decision to approve Use Permit #ZP2019-0192 to demolish three existing commercial buildings and construct a six-story, mixed-use building with 104 dwelling units (including nine Very Low Income units), a 3,119-square-foot restaurant, 4,343 square feet of usable open space, and 55 ground-level parking spaces, and dismiss the appeal.  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Appeal withdrawn by appellant. No action taken on Item 16.

## Action Calendar

17. **Objective Standards Recommendations for Density, Design and Shadows From: Joint Subcommittee for the Implementation of State Housing Laws Recommendation:** Refer to the Planning Commission and Design Review Committee to review the recommendations from the Joint Subcommittee for the Implementation of State Housing Laws (JSISHL) for objective standards for density, design and shadows and draft Zoning Ordinance amendments for City Council consideration.  
**Financial Implications:** See report  
Contact: Alene Pearson, Commission Secretary, (510) 981-7400  
**Action:** Moved to Consent Calendar. Referred Item 17, including the supplemental material submitted at the meeting from the Planning Department, to the Agenda & Rules Committee for future scheduling.
18. **Partnership for the Bay's Future and Current Anti-Displacement Initiatives**  
*(Continued from February 23, 2021)*  
**From: City Manager**  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** 2 speakers. Discussion held.

## Information Reports

19. **Children, Youth and Recreation Commission FY2021 Work Plan**  
**From: Children, Youth, and Recreation Commission**  
Contact: Stephanie Chu, Commission Secretary, (510) 981-6700  
**Action:** Received and filed.

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

## Adjournment

**Action:** M/S/C (Harrison/Robinson) to adjourn the meeting.

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

Councilmember Bartlett absent 7:58 p.m. – 8:02 p.m.

Councilmember Droste absent 7:58 p.m. – 8:02 p.m.

Adjourned at 8:02 p.m.

I hereby certify that the foregoing is a true and correct record of the regular session meeting held on March 23, 2021.

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Rose Thomsen  
Deputy City Clerk

## Communications

### Zoning Revisions

1. 18 similarly worded form letters
2. Evan Green
3. Barbara Fisher
4. Paul Eldridge
5. Dawn Thomas
6. Chris Rosen
7. Adrien Couton
8. Hal Aronson
9. Brian MCarthy
10. Deborah Thompson
11. Sloan Morgan
12. Shelley Golomb
13. Gilbert Ferrey
14. Dan Newman
15. Bill Bogert
16. Rhonda Grossman and Bernardo Lopez
17. Phyllis Steiber
18. Cathy Fogel
19. Jamie Keller
20. Garet O'Keefe
21. Tammy Stellanova
22. Bruce Brody
23. Rachel Bradley
24. John Blaustein and Terry Alexander
25. Jordan Burns
26. Lauren and David Moore
27. Vicki Piovio
28. Barryett Enge
29. Jim Haydel
30. Laverda Allen
31. Robin Kibby and Brian Donaldson
32. Vicki Sommer
33. Sharon Entwistle
34. Lucinda Olney
35. Gary Dahl

36. Anandamayi Arnold
37. Stephen Sperber and Roberta Silverstein
38. Eli Gilad
39. Elizabeth Stoller
40. Ewald Detjens
41. Tara Arnold
42. Chris McKee
43. Rocky Nevin
44. Alison Lingo
45. Kori Kody
46. Nancy Lemon and Blaine Devine
47. Claudia Koch
48. Susie Medak
49. Victoria deMara
50. Nicole Chabot
51. Diana Campoamor
52. Joe Van Steen
53. Gregory Murphy
54. David Spinner
55. Tom Belfort
56. Elaine Chan
57. Robin Hollenberg
58. Darrell Owens
59. Helen Stroud
60. Henry DeNero (2)
61. John Rice
62. Dennis Mulqueeny
63. Barbara Freeman
64. Diana Bohn (2)
65. Jeff Robinson
66. Paula Morgan
67. Dolph and Carla Rempp
68. Ken Krich
69. Ellen Lumpkin
70. Judith Daar
71. Lee Ann Weber
72. Leah and John Rosenthal
73. Sue Jones
74. Janet Hurley
75. Jill Miller
76. Paul Newacheck
77. Mary Spence
78. Gail Machlis
79. Marissa Moss
80. Wendy Ruebman
81. Joan Garvin

82. Victoria Kahn
83. Carol Curtis
84. Allen Romano and Linda Shapiro
85. Paul Schwartz
86. Peggy Mendelson
87. Andrea Cassidy
88. Deb Shell
89. Mona Halaby
90. Alan Shindel
91. Greysonne Coomes
92. Judy Babelaar
93. Cynthia Larson
94. Bob Flasher
95. Gareth Ellis
96. Meryl Siegal
97. Helene Silverberg
98. Kerstin Fischer
99. Gabriela Kipnis
100. John Vinopal
101. Michael Scott
102. George Porter
103. Amber Turley
104. Issy Kipnis
105. William Pottinger
106. David Thill
107. Sara Pederson
108. Carol Hirth
109. Steve Taylor
110. Kevin Ching and Xiaoyan Wang
111. Paola Laverde (2)
112. Jeff Shuttleworth
113. Sara Baughn
114. Pasha Dina
115. Emily Newman
116. Brad Smith
117. Cecilia Gaerlan
118. Julia Cato
119. John Selawsky
120. Brian Gilbane
121. Marian Wolfe
122. Richard Boubelik
123. Rocky Offner
124. Karen Sharpe
125. Susan Pownall
126. Sandra Weber
127. Daniel Rapaport

128. Igor Tregub
129. Jim Haydel
130. Carol Franger
131. Carole Cool
132. Nick Shere
133. Alexis Berger
134. Aimee Baldwin
135. Phyllis Olin
136. Leah Levy
137. Suzette Trigger
138. Daniel Ng
139. Lisa Goodman
140. Christine Cosgrove
141. Lia Dun
142. Barbara Gilbert
143. Harald Leventhal
144. Gertrude Weil
145. Steven Segal
146. Roberto Campoamor
147. T.M. Scruggs and Laura Graham
148. Susan Nunes
149. Naomi Pearce
150. Jana Olson
151. Nina Torcoletti
152. Anirvan Chatterjee
153. Marissa Saenger
154. Enid Camps
155. David Finn
156. Virginia Logan
157. Robert Dering
158. Hilary Roberts
159. Mati Teiblum
160. Penny Barron
161. Martine Kraus
162. David Brandon
163. Harry Delmer
164. Karen Weil
165. Deborah Gouailhardou
166. Christine Rosen
167. Kathy Freistadt
168. Katherine Hansen
169. Eric Broque
170. Kenneth Gross
171. Irene Rosenthal
172. Mary Lee Noonan
173. Svetlana Livdan

174. Jean-Luc Szpakowski
175. Elizabeth Powell
176. John Hitchen
177. Noreen Axelson
178. Melissa Short
179. Joan Hart
180. Jim Haydel
181. Kate Brosgart Moore
182. Margaret Booth
183. Paul Hainsworth
184. Alison Lingo
185. Jim Larkins
186. Penny Brogden
187. Negeene Mosaed and Mari Mendonca
188. Sara Gray
189. Gloria Pass
190. Charlotte DeVito
191. Leah Haygood
192. Karen Harrington
193. Joe Van Steen
194. Lynn Glaser
195. Nancy Klein
196. Ann May
197. Daniel Marcus
198. Connor Jackson
199. Erin Paulos
200. Paul Casperson
201. Livable California

### **School Reopening**

202. David Jacobowitz
203. Nora Isaacs (2)

### **Ohlone Park**

204. L.A. Wood

### **Tenant Protection Pitfalls**

205. Alison Horton

### **Berkeley Police Controlled Equipment**

206. Lindsey Stratton
207. Wendy Alfsen

### **Climate Change**

208. Karen Harrington
209. Thomas Lord (3)



**COVID-19 Related**

210. City of Berkeley COVID-19 Information Services

211. Janice Schroeder

**Black History Month**

212. Moni Law

213. Russbumper

**East Bay Community Energy**

214. East Bay Community Energy

**Blockchain**

215. Thomas Lord

**Sewer Construction**

216. Dona Bretherick

**Horse Fatalities at Golden Gate Fields**

217. Heather Wilson

**Smoking Pot on the Sidewalks**

218. Steven Schuyler

**Fair and Impartial Policing**

219. David Lerman

220. Steven Schuyler

221. Nicole Orestano

**North Berkeley BART Housing**

222. Ly Vo and Family

223. Anne-Lise Francois

**Needy Food Delivery and Resource Distribution**

224. Antonio Mendieta, on behalf of Comida For Families

**Berkeley Schools**

225. Kate Brosgart

**TOPA/Affordable Housing Overlay/Housing as a Human Right**

226. 10 similarly worded form letters

227. Alfred Twu

228. Sean McMahon

229. Igor Tregub

230. Thomas Lord

**Henoko Resolution**

231. Diana Bohn

**Earmarks in the Federal Infrastructure Bill**

232. Dan Smuts

**Homelessness**

233. Dereka Bennett

**Chief Greenwood and the Berkeley Police Department**

234. Barbara Gilbert

235. Racism and Criminal Justice Reform Group

**Berkeley's Asphalt Plant**

236. Igor Tregub, on behalf of the Sierra Club

**COVID-19 Business Grant**

237. Devvin Purnell, on behalf of Mizz Ada's Daycare

**URL's Only**

238. Vivian Warkentin (3)

239. Thomas Lord

240. Russbumper (10)

**Supplemental Communications and Reports 1**

**Item #9: Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral**

241. Revised material, submitted by Councilmember Kesarwani

**Item #16: ZAB Appeal: 1200 San Pablo Avenue, Use Permit #ZP2019-0192**

242. Doris Kang, on behalf of Matano Kang Architects

243. Chris Lee-Egan

**Item #17: Objective Standards Recommendations for Density, Design and Shadows**

244. Toni Mester

**Supplemental Communications and Reports 2**

**Item #14: Support for AB 1400: Guaranteed Health Care for All**

245. Allan Brill

246. Catherine Mattison

247. Andrea Mullarkey

248. Diana Bohn

**Item #16: ZAB Appeal: 1200 San Pablo Avenue, Use Permit #ZP2019-0192**

249. David Ushijima

**Supplemental Communications and Reports 3**

**Item #9: Establish a Parking Benefits District (PBD) in the Adeline Corridor and Fiscal Year 2022 Budget Referral**

250. YaVette Holts

**Item #14: Support for AB 1400: Guaranteed Health Care for All**

251. Tora Spigner

**Item #15: Updated Fees for the Building Emissions Savings Ordinance**

252. Presentation, submitted by Planning

**Item #17: Objective Standards Recommendations for Density, Design and Shadows**

253. Supplemental material, submitted by Planning

254. Chimey Lee

**Miscellaneous Communications**

**Proclamation – Berkeley Mutual Aid**

255. Judy Bertelsen (2)

256. Tony Benado

**Non-Agenda – Climate Issue**

257. Thomas Lord

## MINUTES SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

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

**Thursday, March 25, 2021  
6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

*Pursuant to 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/82133233284>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.*

*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** and enter Meeting ID: **821 3323 3284**. 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. 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:** Kesarwani, Taplin, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Bartlett, Harrison

Councilmember Bartlett present at 6:06 p.m.

## Action Calendar – New Business

**Action:** M/S/C (Arreguin/Robinson) to accept revised materials from Mayor Arreguin on Item 1.

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

Recess 8:07 p.m. – 8:17 p.m.

**Action:** M/S/C (Arreguin/Droste) to suspend the rules and extend the meeting to 11:30 p.m..

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

### 1. **Initiation of Public Process and Zoning Concepts for 2023-2031 Housing Element Update**

**From:** Councilmember Droste (Author), Mayor Arreguin (Author), Councilmember Kesarwani (Author), Councilmember Taplin (Author)

**Recommendation:** Refer to the City Manager and Planning Commission to initiate an inclusive 18 month public process to develop the state-mandated update to the Housing Element of the Berkeley's General Plan and forward the following key principles and zoning concepts for consideration to achieve equitable and sustainable housing and compliance with new Regional Housing Needs Allocation (RHNA) requirements.

**Financial Implications:** See report

Contact: Lori Droste, Councilmember, District 8, (510) 981-7180

### 2. **Initiation of Participatory Planning for Berkeley's Regional Housing Needs Allocation (RHNA)**

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

**Recommendation:**

1. Direct the City manager to initiate and take all steps necessary to launch and complete the City's housing element update in compliance with all State and City of Berkeley laws, plans, guidelines and regulations, to meet the January 2023 RHNA deadline for submission to the California Department of Housing and Community Development (HCD).

## Action Calendar – New Business

2. Refer to the City Manager to hire experienced, culturally competent consultants to lead the housing element update and any required California Environmental Quality Act (CEQA) processes in collaboration with members of the public, the Planning, Housing Advisory, Homeless and other appropriate Commissions, the City Council, and City staff.
3. Refer to the Budget process the identification and allocation of at least \$500,000 in funds necessary to complete the housing element update in a thoughtful, comprehensive, participatory, culturally competent and timely manner.
4. Refer to the City Manager to study and report back to the City Council the following: a. A map of State legislation, with a focus on new legislation adopted since the City's last housing element update, to clarify the State regulatory landscape in which Berkeley's current RHNA planning will take place. Legislation mapped should include but not be limited to new laws about ADUs, SB35, and related to planning in high risk fire/earthquake/sea level rise areas. b. An evaluation of the distribution of RHNA-required units at each affordability level, taking into account Berkeley's current housing pipeline report, the amount of housing in the pipeline at various affordability levels, and City demographics related to income. c. Status of State-level efforts to count group living accommodation (GLA) units/beds towards RHNA requirements.
5. Finalize objective planning standards and updated affordable housing requirements, as previously referred by the City Council, simultaneously with the RHNA planning process.
6. Refer to the City Manager to ensure that the framing of the housing element update reflects core Berkeley values of equity, affordability, and protection of residents from displacement and predatory purchasing, and puts cooperative, land-trust and other social housing concepts, as well as innovative home ownership models, on an equal footing with more traditional market-rate and affordable housing solutions.

**Financial Implications:** See report

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

**Action:** 125 speakers. M/S/C (Arreguin/Droste) to adopt Item 1 as revised in the version submitted by the Mayor at the meeting with further amendments in the Equitable Neighborhood Section; and to adopt Item 2 as revised in Supplemental Communications Packet #2.

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

## Adjournment

**Action:** M/S/C (Taplin/Robinson) to adjourn the meeting.

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

Adjourned at 11:06 p.m.

I hereby certify that the foregoing is a true and correct record of the special session meeting held on March 25, 2021.

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Mark Numainville  
City Clerk

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

### Item #1: Initiation of Public Process and Zoning Concepts for 2023-2031 Housing Element Update

1. 12 similarly-worded in support form letters (My name is)
2. 10 similarly-worded in support form letters (Writing to urge)
3. 34 similarly-worded in support form letters (Housing elements)
4. Les Shipnuck
5. Aja Fasah
6. Kate Ham
7. Margaret Copeland
8. Jane Lenoir
9. Ken Berland
10. Todd Andrew
11. Theo Ferguson
12. Davina Srioudom (2)
13. Andrew Reichart
14. Maryhunteraustin@
15. Judy MacLean
16. Samuel Taplin, on behalf of Associated Students of University of California
17. Igor Tregub (2)
18. Tuan Ngo
19. Kelly Hammargren (3)
20. Julia Cato
21. David Brandon
22. Zoe Siegel
23. Susan Kirsch
24. Margot Smith
25. Loni Gray

26. Tom Limon, on behalf of Casita Coalition
27. Nico Pemantle
28. Jordan Burns
29. Alan Baer
30. Nico Calavita
31. David Kammen
32. Leah Simon-Weisberg, on behalf of the Berkeley Rent Stabilization Board
33. Theo Posselt
34. Eric Johnson
35. Diana Bohn
36. Madeleine Shearer and Lisa Bruce, on behalf of Berkeleyans for Responsible Government
37. Debbie Sanderson and Kathleen Crandall, on behalf of the ADU Task Force
38. Jonathan Singh
39. Sara Hartley
40. Dianne Crosby
41. Claudia Kawczynska
42. Todd David, on behalf of the Housing Action Coalition
43. Noah Budnick
44. Kathleen Giustino
45. Michael and Susan Iida
46. Senator Nancy Skinner
47. Dylan Casey, on behalf of CA Renters Legal Advocacy and Education Fund
48. Michael Katz
49. Anne Holmes
50. Damon Guthrie
51. Zach Franklin
52. Alfred Twu
53. Emily Chou
54. Tim Frank, on behalf of Center for Sustainable Neighborhoods
55. Serena Lim
56. Laura Foote, on behalf of YIMBY Action
57. James Chang, on behalf of East Bay Young Democrats
58. Aaron Eckhouse, on behalf of California YIMBY
59. Urban Environmentalists
60. Raul Maldonado
61. Stephanie Allan
62. Jeffrey Wescott
63. Teresa Clarke
64. Jean Walsh, on behalf of AC Transit, Ward 2
65. Deborah Matthews, on behalf of Berkeley Democratic Club
66. Greg Magofna
67. Chris Diceersin-Prokopp
68. Bill Bogert
69. Megan Moran
70. Matt Regan, on behalf of Bay Area Council
71. Ohan Smith
72. Liz Ozol
73. Karen Chapple, on behalf of The Urban Displacement Project



74. Matthew Wadlund
75. Betsy Thagard
76. Eva Herzer
77. Alex Benn
78. Libby Schaaf, Mayor of the City of Oakland
79. Rebecca Tuden
80. Judy MacLean (2)
81. Cal Berkeley Democrats
82. Davina Srioudom
83. Matthew Lewis
84. Aviv Nitsan
85. Tommso Sciortino
86. Associated Students – University of California
87. Grayson Peters
88. Stephen Dalton

**Item #2: Initiation of Participatory Planning for Berkeley’s Regional Housing Needs Allocation (RHNA)**

89. Supplemental material, submitted by Councilmember Hahn
90. Harald Leventhal
91. Constance Rivemale
92. Karen Weil
93. Shirley Dean
94. Deborah Kropp
95. Kelly Hammargren
96. Vincent Casalaina
97. Sandra Curtis
98. Tobey Wiebe
99. Bernard Marszalek
100. Betsy Bigelow-Teller
101. Charlene Woodcock
102. Michael Gardner
103. Mary Lee Noonan

**Supplemental Communications and Reports 3**

**Item #1: Initiation of Public Process and Zoning Concepts for 2023-2031 Housing Element Update**

104. Revised material, submitted by Mayor Arreguin
105. Sophie Beach
106. Laurie Bianchi Payne
107. Gary Miguel
108. Milo Trauss
109. Jonathan Eden
110. Pamela Ormsby
111. Charles Siegel, on behalf of Walk Bike Berkeley
112. Oren Cheyette
113. Sean Gibson
114. Laura Foote
115. Greg Magofna, on behalf of East Bay for Everyone
116. Daniel Kammen

117. Barclay Ogden
118. Virginia Warheit
119. David Pope
120. George Porter
121. Jeff Hobson
122. Summer Brenner
123. Steven Segal
124. David Hollinger
125. Larisa Cummings
126. John Parman
127. Gael Alcock
128. Whit Ingram
129. Jordan Burns
130. John Givens
131. Avram Gury Arye
132. Madeleine Lorie
133. Richard Wallace
134. Peter Adelson
135. Linda Kanat
136. Lisa and Tom Goodman
137. Nancy Carleton
138. Igor Tregub, on behalf of the Sierra Club, North Alameda County
139. Tami Boulet and Nice Rizza
140. Julia Cato
141. Katharine Bierce
142. Judy Nakadegawa
143. Bill Weber
144. Laura Fantone
145. Thomas Luce
146. David Brandon
147. Sarah Bell
148. Phil Allen
149. Aaron Davidman
150. Pamela Doolan
151. Boona Cheema
152. Willie Phillips
153. Assemblymember Buffy Wicks
154. Cupertino For All
155. Michael Caplan
156. PK Drake
157. Brad Wiblin, on behalf of Bridge Housing
158. Phil Sanders
159. Todd Darling
160. Christine Cosgrove
161. Julianna Dickey
162. Lee Bishop
163. Sari Broner
164. Jonathan Bailey
165. Sharon Entwistle

166. Kenneth Schmier
167. Phoebe Sorgen
168. Sean McMahon
169. Zoe Siegel
170. Roger Studley
171. Laurie Snowden and Charles Smith
172. Ceara and Jim Brencic
173. Nicole Chabot
174. Dave Blake
175. Susan Henderson
176. Linda and Elliot Halpern
177. Jonathan Kevles
178. Dennis Mulqueeney
179. PK Drake
180. Mary White
181. Chimey Lee
182. Anne Torney
183. Molly Mermin
184. Dawn Thomas
185. Susan Pownall
186. Richard Wallace and Katharina Kaiser
187. George Porter
188. TM Scruggs
189. Elisa Mikiten

**Item #2: Initiation of Participatory Planning for Berkeley's Regional Housing Needs Allocation (RHNA)**

190. Madeleine Shearer
191. Eric Arens
192. Linda Franklin
193. Sylvia Spears
194. Carla Woodworth
195. Candace Hyde-Wang
196. Lynda Caesara
197. Susan Scherer
198. Nicole Chabot
199. Michael Katz
200. Ellen Hahn
201. Holly Scheider
202. Joan Hollinger
203. Summer Brenner
204. Cindy Shamban
205. Ellen Goldblatt
206. Patrick Sheahan
207. Brian Gilbane
208. Karen Harrington
209. Harvey Smith
210. Sallie Hanna-Rhyne
211. Nico Calavita

212. Aimee Baldwin
213. Renee
214. Jon Wizard, on behalf of YIMBY Law
215. Daniella Thompson
216. Harvey Smith
217. Alison Huetter
218. Vicki Sommer
219. Jeane Brenna
220. Susan Rawlins
221. Michael Frantz
222. Nancy Klein
223. Howard Foster
224. Stephen Wood
225. David Brandon
226. Carla Woodworth
227. George Porter
228. Meryl Siegal
229. Lee Ann Weber
230. Stanley Goldberg
231. 23 similarly-worded form letters

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

MONDAY, MARCH 29, 2021

4:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

*Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this closed session 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.*

*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/81680629249>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.*

*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free); enter Meeting ID: 816 8062 9249. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

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## Preliminary Matters

**Roll Call:** 4:02 p.m.

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

**Absent:** Kesarwani, Taplin, Harrison

Councilmember Kesarwani present at 4:06 p.m.

Councilmember Taplin present at 4:06 p.m.

Councilmember Harrison present at 4:08 p.m.

**Public Comment - Limited to items on this agenda only – 2 speakers**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, David White, Deputy City Manager, LaTanya Bellow, Human Resources Director, Dania Torres-Wong, Chief Labor Negotiator, Burke Dunphy.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, Public Employees Union Local 1.

**Action:** No reportable action taken.

## OPEN SESSION:

No reportable action taken.

## Adjournment

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

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

Adjourned at 6:39 p.m.

I hereby certify that the foregoing is a true and correct record of the City Council closed session meeting held on March 29, 2021.

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Mark Numainville  
City Clerk

**MINUTES**  
**BERKELEY CITY COUNCIL SPECIAL MEETING**  
**TUESDAY, MARCH 30, 2021**  
**4:30 P.M.**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

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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://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/82173560000>. 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.*

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## Preliminary Matters

**Roll Call:** 4:34 p.m.

**Present:** Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, Arreguin

**Absent:** Bartlett, Droste

Councilmember Bartlett present at 4:35 p.m.

Councilmember Droste present at 4:38 p.m.

**Public Comment - Limited to items on this agenda only – 2 speakers.**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. PUBLIC EMPLOYEE APPOINTMENTS PURSUANT TO GOVERNMENT CODE SECTION 54957(b):

a. **Title of position to be filled:** City Attorney

b. **Title of position to be filled:** Director of Planning and Development

**Action:** No reportable action taken.

## OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

No reportable action taken.

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 6:25 p.m.

I hereby certify that the forgoing is a true and correct record of the special closed meeting of March 30, 2021 as approved by the Berkeley City Council.

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Rose Thomsen, Deputy City Clerk

## Supplemental Communications 3

### Item #1b: Title of position to be filled: Director of Planning and Development

1. Charlene Woodcock
2. Jennifer Cole



**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 30, 2021**  
**6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

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*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:** 6:40 p.m.

**Present:** Kesarwani, Taplin, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** Bartlett, Harrison

Councilmember Bartlett present at 6:42 p.m.

Councilmember Harrison present at 6:46 p.m.

### Ceremonial Matters:

1. Recognition of Maia Small for organizing volunteer efforts at the Golden Gate Fields COVID-19 vaccination site
2. Recognition of April 10, 2021 as Dolores Huerta Day

### City Manager Comments:

The City Manager provided an update on the Reimaging Public Safety process.

**Public Comment on Non-Agenda Matters:** 9 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 17 speakers.

**Action:** M/S/C (Arreguin/Robinson) to accept revised material from Councilmember Taplin on Items 20, 22, and 23.

**Vote:** All Ayes.

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

**Vote:** All Ayes.

## Consent Calendar

- 1. Resolution Reviewing and Ratifying the Proclamation of Local Emergency Due to the Spread of a Severe Acute Respiratory Illness Caused by a Novel (New) Coronavirus (COVID-19)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution reviewing the need for continuing the local emergency due to the spread of a severe acute respiratory illness caused by a novel (new) coronavirus (COVID-19) and ratifying the Proclamation of Local Emergency issued by the Director of Emergency Services on March 3, 2020, initially ratified by the City Council on March 10, 2020, and subsequently reviewed and ratified by the Council on April 21, 2020, June 16, 2020, July 28, 2020, September 22, 2020, November 17, 2020, December 15, 2020 and February 9, 2021.  
**Financial Implications:** See report  
Contact: Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Adopted Resolution No. 69,767–N.S.
- 2. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the council meetings of February 2, 2021 (closed), February 9, 2021 (closed and regular), February 16, 2021 (closed and special), February 23, 2021 (special and regular) and February 25, 2021 (closed).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Approved the minutes as submitted.
- 3. Police Accountability Board – Ordinance Amendment for Leaves of Absence and Alternate Commissioner; Amending BMC Chapter 3.02**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 3.02.030 to provide for leaves of absence for members of the Police Accountability Board and Berkeley Municipal Code Section 3.02.035 to provide for a designated council-approved alternate to serve when a regular member is on a leave of absence.  
**Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Adopt first reading of Ordinance No. 7,757–N.S. Second reading scheduled for April 20, 2021.

## Consent Calendar

4. **Contract Amendments: Contract No. 088999-1: Center for Independent Living Contract No. 052129-1: Pacific Center for Human Growth and Contract No. 122380-1: Covenant House California – YEAH! Program**  
**From: City Manager**  
**Recommendation:** Adopt three Resolutions authorizing the City Manager to execute amendments for the following contracts that are funded through State of California Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) monies, increasing each contract as outlined below, and extending the contracts through June 30, 2021:
1. Increasing MHSA PEI Contract No. 088999 -1 with Center for Independent Living (CIL) in the amount of \$8,011 for a total contract amount not to exceed \$288,630 for trauma support services for senior citizens;
  2. Increasing PEI ERMA Contract No. 052129-1 with Pacific Center for Human Growth in the amount of \$8,011 for a total contract amount not to exceed \$315,150 for trauma support services for Lesbian, Gay, Bi-sexual, Transgender, Queer/Questioning, Intersex, Agender, Plus other (LGBTQIA+) individuals;
  3. Increasing MHSA PEI Contract No. 122380-1 with Covenant House California-YEAH! Program, in the amount of \$8,041 for a total contract amount not to exceed \$315,150 for trauma support services for Transition Age Youth (TAY).
- Financial Implications:** Mental Health Services Act - \$24,063  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 69,768–N.S. (Contract No. 088999 -1); Resolution No. 69,769–N.S. (Contract No. 052129-1); and Resolution No. 69,770–N.S. (Contract No. 122380-1).
5. **Contract No. 120650-1 Amendment: Covenant House California – YEAH! Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment for the following Contract No. 120650-1 with Covenant House California – YEAH! Program that is funded through State of California Mental Health Services Act (MHSA) Community Services and Supports (CSS) monies, increasing the contract amount by \$30,714, for a contract amount not to exceed \$878,142, and extending the contract through June 30, 2021.  
**Financial Implications:** Mental Health Services Act Fund - \$30,714  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 69,771–N.S.

## Consent Calendar

- 6. Designating City's Labor Negotiators Under Govt. Code Section 54957.6**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution establishing a standing list of representatives of the City of Berkeley designated to participate in Closed Sessions with the City Council to discuss labor negotiations with certain unions and unrepresented employees for negotiations between January 1, 2021 and December 31, 2021  
**Financial Implications:** None  
Contact: LaTanya Bellow, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 69,772–N.S.
- 7. Side-Letter Agreement: Additional Emergency Paid Sick Leave and Layoff Protection for Employees in the Public Employee Union, Local 1/AFSCME Council 57**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing City Manager to execute a side-letter agreement to provide 80 hours of additional Emergency Paid Sick Leave (EPSL) and layoff protection through June 30, 2021 for Employees represented by the Public Employee Union, Local 1/AFSCME Council 57 (“Local 1”).  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 69,773–N.S.
- 8. Contract No. 32100021 Amendment: Telfords for Tyler Munis ERP System (locally referred to as ERMA) Implementation Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to authorize one-time funding of \$80,000 for a proposed amendment to Contract No. 32100021 with Telfords, for Consulting Services for Tyler Munis ERP system project management and implementation support services to fund the ERMA implementation support contract, and extend the contract to December 30, 2021.  
**Financial Implications:** Various Funds - \$80,000  
Contact: LaTanya Bellow, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 69,774–N.S.
- 9. Contract No. 047162-1 Amendment: ESI Group for the IBM Hardware and Software Lease**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 047162-1 with ESI Group for leasing, maintenance, and technical support for International Business Machines (IBM) hardware lease and software maintenance and support, increasing the current contract by \$120,000, for a total not to exceed \$2,154,769 from June 2, 2003 through June 30, 2022.  
**Financial Implications:** IT Cost Allocation Fund - \$120,000  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,775–N.S.

## Consent Calendar

- 10. Contract No. 100547-1 Amendment: Tyler Technologies, Inc. for the Open Data Portal's (ODP) Hosting Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 100547-1 with Tyler Technologies, Inc., for the purposes of hosting the City's Open Data Portal, increasing the amount by \$147,991 for a total contract amount not to exceed \$402,961 and extending the term through June 30, 2024.  
**Financial Implications:** IT Cost Allocation Fund - \$147,991  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,776–N.S.
- 11. Contract No. 105921-1 Amendment: TruePoint Solutions, LLC for Accela Professional Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 105921-1 with TruePoint Solutions, LLC for professional services, increasing the amount by \$235,000, for a total not-to-exceed amount of \$852,200, and extending the term by two years for the term beginning June 1, 2015 to June 30, 2023.  
**Financial Implications:** Various Funds - \$235,000  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,777–N.S.
- 12. Contract No. 107364-1 Amendment: Verint Systems Inc. for Customer Relationship Management (CRM) Software Maintenance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 107364-1 with Verint Systems, Inc. for CRM software licensing, maintenance, and support, increasing the amount by \$68,440 for a total contract amount not-to-exceed \$1,054,187 from March 23, 2007 through June 30, 2023.  
**Financial Implications:** IT Cost Allocation Fund - \$68,440  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,778–N.S.

## Consent Calendar

- 13. Contract No. 32000177 Amendment: NextRequest for Public Records Act (PRA) Response Software**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32000177 with NextRequest for software hosting, implementation, maintenance and related services for a Public Records Act Response Software System, for an additional amount not to exceed \$76,906, for a total not to exceed value of \$141,906, for the period commencing on July 1, 2019 through June 30, 2023.  
**Financial Implications:** IT Cost Allocation Fund - \$76,906  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,779–N.S.
- 14. Contract No. 32000004 Amendment: CBF Electric & Data for Wi-Fi Installation in City Facilities**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32000004 (FUND\$ Contract No. 10934) with CBF Electric & Data (CBF) for Wi-Fi installation in City facilities, increasing the contract amount by \$25,000 for a total not-to-exceed amount of \$100,014 and extending the term from July 2, 2018 to June 30, 2022.  
**Financial Implications:** IT Cost Allocation Fund - \$25,000  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,780–N.S.
- 15. Contract No. 32000223 Amendment: Gray Quarter, Inc. for Accela Professional Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32000223 with Gray Quarter, Inc. for professional services, increasing the amount by \$200,000, for a total not-to-exceed amount of \$249,500 and extending the term by one year to June 30, 2023.  
**Financial Implications:** Various Funds - \$200,000  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,781–N.S.
- 16. Protiviti Government Services: Using General Services Administration (GSA) Vehicle for Professional Services Purchase Orders**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to issue purchase orders with Protiviti Government Services for the purchase of professional services using the General Services Agency’s (GSA) purchasing vehicle no. GS-35F-0280X for an amount not to exceed \$512,000 through June 30, 2022.  
**Financial Implications:** General Fund - \$512,000  
Contact: Savita Chaudhary, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 69,782–N.S.

## Consent Calendar

- 17. Contract No. 32000219 Amendment: Lind Marine for Removal of Derelict and Abandoned Vessels at the Berkeley Marina**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32000219 with Lind Marine to remove and dispose derelict and abandoned vessels at the Berkeley Marina by increasing the contract amount by \$42,000; and authorizing additional contingency of \$4,200 for a total not-to-exceed amount of \$146,400; and contingency of \$42,800.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,783–N.S.
- 18. Utility Agreement: Construction of Gilman Street Sanitary Sewer Line Extension as part of the I-80 Gilman Street Interchange Improvements Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Authorizing the City Manager to execute a Utility Agreement (UA) with the Alameda County Transportation Commission (Alameda CTC) for the construction of a sanitary sewer line on Gilman Street (Project) to serve the future fieldhouse restroom at the Tom Bates Regional Sports Complex; and 2. Authorizing the City Manager to issue City funding to Alameda County Transportation Commission (Alameda CTC) in accordance with the UA in amount not to exceed \$720,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 69,784–N.S.
- 19. Contract No. 10874D Amendment: Street Level Advisors for Development Fee Feasibility Analysis**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10874D with Street Level Advisors, to analyze the impact of fees and other variables on development project feasibility and to gather additional stakeholder input, increasing the contract amount by \$70,000 to a new total not-to-exceed contract amount of \$295,400, and extending the contract period to December 31, 2023.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted Resolution No. 69,785–N.S.



## Council Consent Items

- 20. Budget Referral – Police Foot/Bike Patrol in West and South Berkeley**  
**From: Councilmember Taplin (Author), Councilmember Bartlett (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Refer to the FY 2021-22 Budget Process to establish funding for police foot patrol or bicycle officers to cover West Berkeley as defined in the West Berkeley Plan, which includes portions of Berkeley Police Department Beats 11-16; plus in South Berkeley, cover Berkeley Police Department Beats 9, 10 and 11. In addition, consider the possibility of a deputized Community Service Officer, who can issue citations and make arrests, and explore the inclusion of Specialized Care Unit currently under consideration in the City Manager’s Reimagining Public Safety initiative.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #3 from Councilmember Taplin to include Berkeley Police Department Beat 8.
- 21. Budget Referral: Funding STOP Signs at Dwight Way and California Street**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** That the City Council refers to the budget process the funding of two (2) STOP signs at the west and east ends of the intersection of Dwight Way and California Street and refers the City Manager to oversee the expedited installation of these STOP signs.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Councilmembers Harrison and Bartlett added as co-sponsors. Approved recommendation.
- 22. Letter to Google Requesting Commercial Truck Routes on Google Maps**  
**From: Councilmember Taplin (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Send a letter to Google headquarters in Mountain View, CA, to request the inclusion of commercial truck routes on the Google Maps platform.  
**Financial Implications:** None  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #3 from Councilmember Taplin to include bicycle boulevards to the request for inclusion on maps, and include the Waze navigation app to the request.

## Council Consent Items

- 23. Discussion on East Bay Paratransit and the Transportation Needs of Berkeleyans with Disabilities**  
**From: Councilmember Taplin (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Refer the Disability Commission and the Transportation Commission to hold a joint public discussion on the use, effectiveness, and accessibility of East Bay Paratransit as well as the transportation needs of the members of our community with disabilities and seniors, and return recommendations to Council.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as revised in Supplemental Communications Packet #3 from Councilmember Taplin to include the Commission on Aging as a co-host of the public discussion.
- 24. Providing our Unhoused Community with Fire Extinguishers** *(Reviewed by the Public Safety Committee)*  
**From: Councilmember Davila (Author)**  
**Recommendation:** Direct the City Manager to use existing homeless services funding to develop a program to provide fire extinguishers, fire prevention tools and deploy them through the community based homeless services providers to distribute to our unhoused community. Short term referral to additionally, require some elements of this program be deployed immediately, with a full program deployment within six months.  
*Policy Committee Recommendation: Send the item to City Council with a qualified positive recommendation to refer the item to the City Manager and the Disaster and Fire Safety Commission to consider fire extinguishers and other fire prevention tools such as wool blankets.*  
**Financial Implications:** See report  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120  
**Action:** Approved the recommendation of the Public Safety Committee.
- 25. Budget Referral: Allocate Funding for a New Project Coordinator Position Within the Public Works Department to Help Implement the Electric Mobility Roadmap and Other Climate Initiatives**  
**From: Councilmember Harrison (Author)**  
**Recommendation:** Refer to the June 2021 budget process: 1. Approximately \$198,386 from the General Fund for a new Community Development Project Coordinator position (1.0 FTE) within Public Works.  
**Financial Implications:** See report  
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Approved recommendation.

## Council Consent Items

- 26. Support for AB 20: Corporate-Free Elections Act**  
**From: Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Send a letter to Assemblymember Alex Lee, Assemblymember Buffy Wicks, and Senator Nancy Skinner in support of Assembly Bill 20, which would prohibit business entities from making campaign contributions to candidates running for elective office.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Approved recommendation.
- 27. Support of AB 37: Vote-by-Mail Ballots**  
**From: Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Send a letter to Assemblymember Marc Berman, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Assembly Bill 37, which would require counties to send vote-by-mail ballots to all voters for every election.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Councilmember Kesarwani added as a co-sponsor. Approved recommendation.
- 28. Support for AB 854: Ellis Act Reform**  
**From: Councilmember Robinson (Author)**  
**Recommendation:** Send a letter to Assemblymember Alex Lee, Senator Nancy Skinner, and Assemblymember Buffy Wicks in support of Assembly Bill 854, which would make nonsubstantive changes to the Ellis Act.  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Councilmembers Harrison and Taplin, and Mayor Arreguin added as co-sponsors. Approved recommendation as revised in Supplemental Communications Packet #1 from Councilmember Robinson to reflect amended state legislation language.

## Action Calendar – Public Hearings

**29. California Municipal Finance Authority Bond Financing for 2870 Adeline Street, Berkeley, CA (Harriet Tubman Terrace Apartments)**

**From: City Manager**

**Recommendation:** Conduct a public hearing under the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Internal Revenue Code of 1986, and upon conclusion, adopt a Resolution approving the issuance of the bonds by the California Statewide Communities Development Authority (CSCDA) for the benefit of the 2870 Adeline Street rental housing development.

**Financial Implications:** See report

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

**Public Testimony:** The Mayor opened the public hearing. 4 speakers. M/S/C (Arreguin/Wengraf) to close the public hearing.

**Vote:** All Ayes.

**Action:** M/S/C (Bartlett/Hahn) to adopt Resolution No. 69,786–N.S., including revised material in Supplemental Communications Packet #2 from the Health, Housing, and Community Services Department to clarify that the bond issuer is the California Statewide Communities Development Authority (CSCDA).

**Vote:** All Ayes.

## Council Action Items

**30. Introduce an Ordinance permanently banning the use of less lethal weaponry, chemical irritants, smoke projectiles, acoustic weapons, directed energy weapons, water cannons, disorientation devices and ultrasonic cannons used by the police on civilians (Reviewed by the Public Safety Committee)**

**From: Councilmember Davila (Author)**

**Recommendation:** Direct the City Manager and City Attorney to prepare the attached ordinance: “Prohibition On The Use Of Certain Munitions Ordinance” for first reading for the October 27, 2020 Regular City Council Meeting.

*Policy Committee Recommendation: Send the item to City Council with a negative recommendation and recommend that Council take no action.*

**Financial Implications:** See report

Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120

**Action:** Moved to Consent Calendar. Approved the recommendation of the Public Safety Committee to take no action on the item.

## Council Action Items

31. **Recognize the Rights of Nature** *(Reviewed by Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*  
**From: Councilmember Davila (Author)**  
**Recommendation:** Adopt a resolution to recognize that the natural living world has a right to exist, thrive, regenerate and evolve its life cycles; to protect the ecosystems upon which our own vitality depends; and to transform our human relationship with nature from a property-based to a legal rights-bearing entity.  
*Policy Committee Recommendation: Send the item to City Council with the qualified positive recommendation revising the final resolved clause of the draft resolution to place obligation on the City and not the residents.*  
**Financial Implications:** See report  
Contact: Cheryl Davila, Councilmember, District 2, (510) 981-7120  
**Action:** Moved to Consent Calendar. Referred Item 31 to the Peace and Justice Commission for further analysis, and that the Commission is to return to Council with the results of its analysis.

## Information Reports

32. **FY 2020 Fourth Quarter Investment Report: Ended June 30, 2020**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.
33. **FY 2021 First Quarter Investment Report: Ended September 30, 2020**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.
34. **Referral Response: Second Dwelling Unit/Accessory Dwelling Unit Pilot Program to House the Homeless**  
**From: City Manager**  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Received and filed.
35. **Report on Workers' Compensation Annual Program Review FY 2019-2020**  
**From: City Manager**  
Contact: LaTanya Bellow, Human Resources, (510) 981-6800  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - None.**

## Adjournment

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

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

Councilmember Hahn absent 8:38 – 8:39 p.m.

Adjourned at 8:39 p.m.

I hereby certify that the forgoing is a true and correct record of the regular meeting of March 30, 2021 as approved by the Berkeley City Council.

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Rose Thomsen, Deputy City Clerk

## Communications

### Zoning Revisions

1. Stephanie Wade, on behalf of the Park Hills Association
2. Allen Romano
3. Avram Gury Arye (2)
4. Gail Nankin
5. Livable California

### Affordable Housing Overlay and Housing as a Human Right

6. Gabriel McAdams
7. Gerard Ramm

### Tax Disparities Due to Square Footage

8. Bob Flash

### Hopkins Corridor Study and Street Conditions

9. Todd Andrew (2)
10. Councilmember Hahn

### Crime at People's Park

11. Kristen Barneich
12. Michele Shafroth

### DAWN Native Plants at Cesar Chavez Park

13. Carol Denney

### Berkeley Asphalt Company

14. Mike Perlmutter, on behalf of Clean Air Berkeley

**URL's Only**

15. Russbumper (2)

**Supplemental Communications and Reports 1**

**Item #28: Support for AB 854: Ellis Act Reform**

16. Revised material, submitted by Councilmember Robinson

**Supplemental Communications and Reports 2**

**Item #29: California Municipal Finance Authority Bond Financing for 2870 Adeline Street, Berkeley, CA (Harriet Tubman Terrace Apartments)**

17. Supplemental material, submitted by HHCS

**Item #31: Recognize the Rights of Nature**

18. Kelly Hammargren
19. Donald Goldmacher
20. Madeleine Shearer (2)
21. Sally Nelson
22. Cindy Shamban
23. Karl Knobler
24. Lisa Bruce

**Supplemental Communications and Reports 3**

**Item #20: Budget Referral: Police Foot/Bike Patrol in West and South Berkeley**

16. Supplemental material, submitted by Councilmember Taplin
17. Elisa Mikiten
18. Chimey Lee

**Item #22: Letter to Google Requesting Commercial Truck Routes on Google Maps**

19. Supplemental material, submitted by Councilmember Taplin

**Item #23: Discussion on East Bay Paratransit and the Transportation Needs of Berkeleyans with Disabilities**

20. Supplemental materials, submitted by Councilmember Taplin
21. George Porter

**Item #26: Support for AB 20: Corporate-Free Elections Act**

22. Barbara Gilbert

**Item #30: Introduce an Ordinance permanently banning the use of less lethal weaponry, chemical irritants, smoke projectiles, acoustic weapons, directed energy weapons, water cannons, disorientation devices and ultrasonic cannons used by the police on civilians**

23. Elisa Mikiten

**Item #31: Recognize the Rights of Nature**

- 24. Erin Diehm (2)
- 25. Margaretta Mitchell
- 26. Daniella Thompson
- 27. Cathleen Quandt
- 28. Patrick Sheahan
- 29. Summer Brenner
- 30. Ruth Morgan
- 31. Anne-Lise Francois

**Miscellaneous Communications**

**Proclamation**

- 32. Colin Arnold
- 33. Mayor's Office