

**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
SPECIAL MEETING MINUTES**

**Thursday, October 24, 2019
10:30 AM**

1947 Center Street, 3rd Floor - Magnolia Room

Committee Members:

Mayor Jesse Arreguin, and Councilmembers Sophie Hahn and Lori Droste

Roll Call: 10:32 a.m. Councilmember Hahn absent.

Public Comment on Non-Agenda Matters – 3 speakers

Councilmember Hahn present at 10:34 a.m.

Minutes for Approval

1. Minutes - October 3, 2019

Action: M/S/C (Droste/Hahn) to approve the minutes of October 3, 2019.

Vote: All Ayes.

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

Committee Action Items

2. **Referral to City Manager to Return to Council with an Amnesty Program for Legalizing Unpermitted Dwelling Units** *(Item contains supplemental materials)*
From: Councilmembers Wengraf, Harrison, and Hahn, and Mayor Arreguin

Referred: April 8, 2019

Due: December 6, 2019

Recommendation: That the City of Berkeley create and launch an Amnesty Program to incentivize the legalization of unpermitted dwelling units in order to improve the health/safety and preserve and possibly increase the supply of units available. A set of simple and clearly defined standards and a well-defined path for meeting those standards should be established in order to achieve the greatest success.

Financial Implications: See report

Contact: Susan Wengraf, Councilmember, District 6, 981-7160

Action: 6 speakers. Discussion held. M/S/C (Droste/Hahn) to move the item with revisions as submitted with a positive recommendation and to include the following: 1. Add certificate of compliance for Health and Safety on page 3; 2. To the checklist add Fire Department staff; 3. Change the duration of the program to reflect a limited timeframe but include language to extend to accommodate phasing or workflow.

Vote: All Ayes.

3. **Adopt an Ordinance adding a new Chapter 9.50 to the Berkeley Municipal Code Requiring Legal Rights for Legal Tender** *(Item contains revised materials)*

From: Councilmembers Harrison, Hahn, and Davila

Referred: June 10, 2019

Due: March 5, 2020

Recommendation: Adopt an ordinance adding a new Chapter 9.50 to the Berkeley Municipal Code requiring legal rights for legal tender, requiring that all brick-and-mortar businesses accept cash.

Financial Implications: None

Contact: Kate Harrison, Councilmember, District 4, 981-7140

Action: 5 speakers. Discussion held. Councilmember Harrison will submit a revised item that includes a definition change (intention is for retailers), more information on the single transaction limit, enhances the private right of action and includes more information in the financial implications section.

Item continued to next meeting on November 7, 2019

Committee Action Items

4. Ronald V. Dellums Fair Chance Access to Housing and Public Health and Safety Ordinance

From: Mayor Arreguin, Councilmember Davila, Councilmember Harrison, Councilmember Robinson

Referred: July 8, 2019

Due: December 24, 2019

Recommendation: Adopt a first reading of the Ronald V. Dellums Fair Chance Access to Housing and Public Health and Safety Ordinance.

Financial Implications: Unknown

Contact: Jesse Arreguin, Mayor, 981-7100

Action: 6 speakers. Discussion held.

Item continued to next meeting on November 7, 2019.

5. Spring 2019 Bi-Annual Report on Funding for Housing Programs

From: Housing Advisory Commission

Referred: September 10, 2019

Due: February 18, 2020

Recommendation: Accept the Housing Advisory Commission's (HAC) recommendations for the allocation of U1 General Fund revenues to increase the supply of affordable housing and protect residents of Berkeley from homelessness.

Financial Implications: See report

Contact: Mike Uberti, Commission Secretary, (510) 981-7400

Action: 2 speakers. Discussion held.

Item continued to next meeting on November 7, 2019.

6. Disposition of City-Owned, Former Redevelopment Agency Properties at 1631 Fifth Street and 1654 Fifth Street

From: City Manager

Referred: October 1, 2019

Due: March 10, 2020

Recommendation: 1. Adopt first reading of an Ordinance authorizing the sale of two City-owned, former Redevelopment Agency properties at 1631 Fifth Street and 1654 Fifth Street at market rate and deposit the proceeds in the City's Housing Trust Fund (HTF).

2. Direct the City Manager to issue a Request for Proposals to select a real estate broker to manage the sale.

Financial Implications: See report

Contact: Kelly Wallace, Housing and Community Services, 981-5400

Note: At the June 11, 2019, meeting Council approved a recommendation directing the City Manager to issue a Request for Proposals to select a qualified organization to purchase the single family home at 1654 Fifth Street to operate as housing for the homeless.

Committee Action Items

Item continued to next meeting on November 7, 2019.

- 7. Inclusionary Units in Qualified Opportunity Zones**
From: Councilmembers Harrison, Hahn, Davila, and Bartlett
Referred: October 15, 2019
Due: March 24, 2020

Recommendation: Adopt an ordinance amending Berkeley Municipal Code chapter 23C.12.035 requiring onsite inclusionary units in developments in Qualified Opportunity Zones (QOZs). Refer to the Adeline Corridor Subcommittee of the Planning Commission to consider how such a requirement would affect the Adeline Corridor Plan.

Financial Implications: See report

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

Item continued to next meeting on November 7, 2019.

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

- **None**

Items for Future Agendas

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

Adjournment

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

Vote: All Ayes.

Adjourned at 12:31 p.m.

I hereby certify that this is a true and correct record of the Land Use, Housing, & Economic Development Committee meeting held on October 24, 2019.

April Richardson, Assistant City Clerk

Communications

Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA.