

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

**Thursday, November 7, 2019
10:30 AM**

2180 Milvia Street, 1st Floor – Cypress Room

Committee Members:

Mayor Jesse Arreguin, and Councilmembers Sophie Hahn and Lori Droste

Roll Call: 10:34 a.m. All present.

Public Comment on Non-Agenda Matters – 1 speaker

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - October 24, 2019

Action: M/S/C (Droste/Hahn) to approve the minutes of October 24, 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. Adopt an Ordinance adding a new Chapter 9.50 to the Berkeley Municipal Code Requiring Legal Rights for Legal Tender** *(Item contains revised and supplemental materials)*

From: Councilmembers Harrison, Hahn, Davila, and Bartlett

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 covered businesses accept cash.

Financial Implications: Staff time

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

Action: 3 speakers. Discussion held. M/S/C (Hahn/Droste) to move the item with revisions as submitted with a positive recommendation.

Vote: All Ayes.

- 3. Ronald V. Dellums Fair Chance Access to Housing and Public Health and Safety Ordinance** *(Item contains revised materials)*

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. M/S/C (Droste/Hahn) to move the item with amendments and subject to additional technical revisions with a positive recommendation.

Vote: All Ayes.

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

From: Housing Advisory Commission *(Item contains supplemental materials)*

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: 0 speakers. Discussion held.

Item continued to next meeting on November 21, 2019.

Committee Action Items

5. **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
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.
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- Item continued to next meeting on November 21, 2019.
6. **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 21, 2019.

Committee Action Items

7. Proposed Formula Retail (Chain Store) Regulations

From: Councilmember Hahn

Referred: October 29, 2019

Due: April 7, 2020

Recommendation:

1. Refer to the City Manager and Planning Commission to finalize and return to the City Council for adoption an Ordinance and related amendments to the Berkeley Municipal Code, if any, based on the Draft Formula Retail Ordinance attached hereto, to establish Formula Retail regulations for Commercial and Manufacturing Districts in the City of Berkeley.
2. Refer to the City Manager and Planning Commission to: a. Recommend establishment of Business District boundaries and names, as provided for in Section 23E.18.030(B) of the proposed Formula Retail Ordinance, and b. Through a process that includes public notice and input, as described in the proposed Formula Retail Ordinance, recommend for each Business District whether to allow unlimited Formula Retail, limited Formula Retail (some or all use categories allowed with a Use Permit, Neighborhood Notice, Design Review and findings) or to prohibit Formula Retail.

Financial Implications: See report

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

Item continued to next meeting on November 21, 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 (Droste/Hahn) 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 November 7, 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.