

**ANNOTATED AGENDA**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, July 25, 2023**  
**6:00 PM**

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY, CA 94708

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 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.*

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*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1606074224>. 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 **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **160 607 4224**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

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

*To submit a written communication for the City Council's consideration and inclusion in the public record, email [council@berkeleyca.gov](mailto:council@berkeleyca.gov).*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. 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:** 6:27 p.m.

**Present:** Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Humbert, Arreguin

**Absent:** Harrison

**Land Acknowledgement Statement:** *The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*

### Ceremonial Matters:

1. Recognition of the 25<sup>th</sup> Anniversary of the Berkeley Path Wanderers

### City Manager Comments:

The City Manager requested that Item 36 regarding ADUs be continued to September 19, 2023.

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

**Action:** M/S/C (Arreguin/Hahn) to accept an urgency item from Mayor Arreguin pursuant to Government Code Section 54954.2(b)(2) entitled Excused Absence for Councilmember Kate Harrison.

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

**Action:** M/S/C (Arreguin/Hahn) to accept an urgency item from the Sugar-Sweetened Beverage Product Panel of Experts pursuant to Government Code Section 54954.2(b)(2) entitled Grant Allocation: Approve Healthy Berkeley Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs) for FY24 and FY25 Grant Cycle.

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

**Action:** M/S/C (Arreguin/Hahn) to accept revised material for Item 12 from the City Manager.

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

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 26 speakers.

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

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

Recess 8:37 p.m. – 9:00 p.m.

**Urgent Item: Grant Allocation: Approve Healthy Berkeley Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs) for FY24 and FY25 Grant Cycle**

**From: Sugar-Sweetened Beverage Product Panel of Experts Commission**

**Recommendation:** Approve the SSBPPE Commission's recommendations and adopt eight (8) Resolutions authorizing the City Manager or her designee to enter into contracts with the Berkeley Unified School District (BUSD) and the Community-Based Organizations (CBOs) listed below to distribute a total of \$1,495,180 for FY 2024 and FY 2025 according to the following schedule:

1. \$705,056.05 total grant to Berkeley Unified School District to implement the Gardening and Cooking Program for FY 2024 and FY 2025 to be disbursed as follows: \$352,528.03 in FY 2024 and \$352,528.02 in FY 2025.
2. \$85,864.90 total grant to Bay Area Community Resources to implement the Healthy Options at Point of Sale program to be disbursed as follows: \$42,932.45 in FY 2024 and \$42,932.45 in FY 2025.
3. \$106,150.00 total grant to Berkeley Youth Alternatives to implement the Urban Agriculture and Team Nutrition Program to be disbursed as follows: \$53,075.00 in FY 2024 and \$53,075.00 in FY 2025.
4. \$100,378.30 total grant to Ecology Center to implement the For Thirst, Water First! program to be disbursed as follows: \$50,189.15 in FY 2024 and \$50,189.15 in FY 2025.
5. \$130,433.05 total grant to Lifelong Medical Care to implement the Healthy Berkeley, Chronic Disease and Oral Health Prevention program to be disbursed as follows: \$65,216.53 in FY 2024 and \$65,216.52 in FY 2025.
6. \$55,000.00 total grant to Multicultural Institute to implement the Life Skills/Day Laborer Program: Health Activity program to be disbursed as follows: \$27,500.00 in FY 2024 and \$27,500.00 in FY 2025.
7. \$96,923.20 total grant to YMCA of the East Bay to implement the YMCA Healthy Me! program to be disbursed as follows: \$48,461.60 in FY 2024 and \$48,461.60 in FY 2025.
8. \$215,374.50 total grant to Healthy Black Families to implement the Thirsty for Change! (T4C) program to be disbursed as follows: \$107,687.25 in FY 2024 and \$107,687.25 in FY 2025.
9. The Commission recommends that indirect or administrative expenses not exceed 10% of the program budget for any entity and that the funds awarded not be used to supplant any other source of funding.
10. The Commission recommends that City Council authorize the City Manager to authorize advances for BUSD and the selected community agencies receiving funds in

## Consent Calendar

FY 2024 and FY 2025. The advances are to be equivalent to 25% of the agency's allocation.

**Financial Implications:** See report

Contact: Roberto Terrones, Commission Secretary, (510) 981-5400

**Action:** Approved the recommendation and adopted Resolution No. 70,965–N.S. (BUSD), Resolution No. 70,966–N.S. (BACR), Resolution No. 70,967–N.S. (BYA), Resolution No. 70,968–N.S. (EC), Resolution No. 70,969–N.S. (LMC), Resolution No. 70,970–N.S. (MI), Resolution No. 70,971–N.S. (YMCA), and Resolution No. 70,972–N.S. (HBF).

### **Urgent Item: Excused Absence for Councilmember Kate Harrison**

**From: Mayor Arreguin (Author)**

**Recommendation:** Excuse Councilmember Kate Harrison from the July 25, 2023 Council meeting as a result of illness.

**Financial Implications:** None

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

**Action:** Approved recommendation.

## Consent Calendar

### 1. **Zoning Ordinance Amendments to Title 23 of the Berkeley Municipal Code to Conform to State Law, and Make Non-Substantive Technical Edits**

**From: City Manager**

**Recommendation:** Adopt second reading of Ordinance No. 7,882-N.S amending the following sections of the Zoning Ordinance to match State law relating to special needs housing (including supportive and transitional housing, emergency shelter, navigation center), employment housing, and family day care, and to make technical edits, corrections and other non-substantive amendments:

- 23.202.020 Allowed Land Uses (Residential Districts)
- 23.202.110 R-4 Multi-Family Residential District
- 23.204.020 Allowed Land Uses (Commercial Districts)
- 23.204.040 Use Specific Regulations (Commercial Districts)
- 23.204.060 C-U University Commercial District
- 23.206.020 Allowed Land Uses and Permit Requirements (Manufacturing Districts)
- 23.206.040 Use Specific Regulations (Manufacturing Districts)
- 23.206.050 Protected Industrial Uses
- 23.206.080 MU-LI Mixed Use-Light Industrial District (Land Use Regulations)
- 23.302.070 Use-Specific Regulations (Supplemental Use Regulations)
- 23.304.030 Setbacks
- 23.304.040 Building Separation in Residential Districts
- 23.308.020 Applicability and Nonconformities (Emergency Shelters)
- 23.308.030 Standards for Emergency Shelters
- 23.324 Nonconforming Uses, Structures, and Buildings
- 23.324.010 Chapter Purpose
- 23.324.050 Nonconforming Structures and Buildings
- 23.502.020 Glossary

**First Reading Vote:** All Ayes.

**Financial Implications:** None

Contact: Jordan Klein, Planning and Development, (510) 981-7400

**Action:** Adopted second reading of Ordinance No. 7,882–N.S.

### 2. **Minutes for Approval**

**From: City Manager**

**Recommendation:** Approve the minutes for the Council meetings of June 6 (regular), June 13 (regular), June 20 (special closed and special) and June 27 (regular)

**Financial Implications:** None

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

**Action:** Approved the minutes as submitted.

## Consent Calendar

### 3. **Voting Delegates – League of California Cities Annual Conference**

**From: City Manager**

**Recommendation:** Designate, by motion, a voting delegate and alternate for the business meeting of the Annual League of California Cities conference to be held on Friday, September 22, 2023, in Sacramento.

**Financial Implications:** See report

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

**Action:** Designated Councilmember Taplin as the voting delegate and Councilmember Humbert as the alternate.

### 4. **Contract: Berkeley Convention and Visitor’s Bureau, d.b.a. Visit Berkeley**

**From: City Manager**

**Recommendation:** Adopt a Resolution allowing the City Manager to execute a sole source contract and any amendments with the Berkeley Convention and Visitors’ Bureau, d.b.a. Visit Berkeley, to distribute one-twelfth of annual Berkeley Transient Occupancy Tax funds to support tourism marketing and promotion for the period from July 1, 2023 through June 30, 2027 for a not to exceed amount of \$3,500,000.

**Financial Implications:** See report

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

**Action:** Adopted Resolution No. 70,973–N.S.

### 5. **Contracts: Turtle Island Monument, Scott Parsons and Artworks Foundry LLC**

**From: City Manager**

**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute the following artwork contracts and any amendments for the City of Berkeley’s Turtle Island Monument at Martin Luther King Jr. Civic Center Park with contract periods of July 1, 2023 through March 30, 2025:

1. Scott Parsons - for fabrication of three new stone medallions, purchase of twelve selected boulders into which seven existing art medallions will be installed, purchase of granite base stone material for mounting of five bronze turtles for an amount not to exceed \$236,000.

2. Artworks Foundry - for fabrication of a large central bronze turtle sculpture for Turtle Island Monument for an amount not to exceed \$350,000.

**Financial Implications:**

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

**Action:** Adopted Resolution No. 70,974–N.S. (Scott Parsons), and Resolution No. 70,975–N.S. (Artworks Foundry).

## Consent Calendar

**6. Contract No. 117596-1 Amendment: Animal Fix Clinic (formerly Fix Our Ferals) for Spay and Neuter Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Animal Fix Clinic (formerly Fix Our Ferals) to provide no-cost spay and neuter surgeries to eligible pet owners for FY 2024, increasing the contract amount by \$35,000 for a new total contract amount not to exceed \$102,218 and extending the terms of the contract to July 25, 2026.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 70,976–N.S.

**7. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 25, 2023**

**From: City Manager**

**Recommendation:** Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

**Financial Implications:** Various Funds - \$885,000

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

**Action:** Approved recommendation.

**8. Contract Amendment: Cooke and Associates for Applicant Background Investigations**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract amendment with Cooke and Associates to expand capacity to perform background investigation services from \$50,000 to an amount not to exceed \$300,000 from August 1, 2023 through July 31, 2026.

**Financial Implications:** See report

Contact: David Sprague, Fire, (510) 981-3473, Jennifer Louis, Police, (510) 981-5900

**Action:** Adopted Resolution No. 70,977–N.S.

**9. Contract Amendments: Mental Health Services Act Community Services and Supports, and Prevention and Early Intervention**

**From: City Manager**

**Recommendation:** Adopt ten Resolutions authorizing the City Manager or her designee to execute the following contracts, which are funded through Mental Health Services Act (MHSA) Community Services and Supports (CSS) and Prevention and Early Intervention (PEI), increasing the contract amounts as outlined below, and extending the contracts through June 30, 2026:

1. Increasing CSS Contract No. 108800-1 with Bay Area Hearing Voices Network by \$46,941 per year from Mental Health Services Act (Fund #315) for a total contract amount not to exceed \$325,678 for hearing voices support groups;

## Consent Calendar

2. Increasing CSS Contract No. 31900132 with Building Opportunities for Self-Sufficiency by \$100,000 per year from Mental Health Services Act (Fund #315), for a total contract amount not to exceed \$700,000 for representative payee services;
3. Increasing CSS Contract No. 32200130 with Alameda County Behavioral Health Care Services by \$491,933 per year from Mental Health Services Act (Fund #315) for a total contract amount not to exceed \$2,459,665 for Wellness Center operations;
4. Increasing CSS Contract No. 32000117 with Insight Housing (formerly Berkeley Food and Housing Project) for \$626,616 per year for three years from Mental Health Services Act (Fund #315), for a total contract amount not to exceed \$5,286,488 for supportive housing services;
5. Increasing CSS Contract No. 32000094 with Youth Spirit Artworks by \$132,046 per year for three years for Transition Age Youth case management and trauma support services from Mental Health Services Act (Fund #315), and \$78,000 for Fiscal Year 2024 for Tiny House Village housing services from Measure P (Fund #011), for a total contract amount not to exceed \$1,211,230;
6. Increasing PEI Contract No. 32000240 with Berkeley Unified School District by \$401,389 per year from Mental Health Services Act (Fund #315), for a total contract amount not to exceed \$2,598,334 for services to support Berkeley students;
7. Increasing PEI Contract No. 088999-1 with Center for Independent Living by \$32,046 per year from Mental Health Services Act (Fund #315) for a total contract amount not to exceed \$448,860 for services to support older adults;
8. Increasing PEI Contract No. 052129-1 with Pacific Center for Human Growth by \$100,000 per year from Mental Health Services Act (Fund #315) for a total contract amount not to exceed \$815,150 for services to support the Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Agender, Plus (LGBTQIA+) population;
9. Increasing PEI Contract No. 32200146 with ONTRACK Program Resources by \$100,000 per year from Mental Health Services Act (Fund #315) for a total contract amount not to exceed \$475,000 for services to support African Americans;
10. Increasing PEI Contract No. 3200111 with East Bay Sanctuary Covenant by \$100,000 per year from Mental Health Services Act (Fund #315) for a total contract amount not to exceed \$500,000 for services to support the Latinx, Latina, Latino population.

**Financial Implications:** See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
Approved the recommendation and adopted Resolution No. 70,978–N.S. (Contract No. 108800-1), Resolution No. 70,979–N.S. (Contract No. 31900132), Resolution No. 70,980–N.S. (Contract No. 32200130), Resolution No. 70,981–N.S. (Contract No. 32000117), Resolution No. 70,982–N.S. (Contract No. 32000094), Resolution No. 70,983–N.S. (Contract No. 32000240), Resolution No. 70,984–N.S. (Contract No. 088999-1), Resolution No. 70,985–N.S. (Contract No. 052129-1), Resolution No. 70,986–N.S. (Contract No. 32200146) and Resolution No. 70,987–N.S. (Contract No. 3200111).



## Consent Calendar

- 10. Contract No. 32300138 Amendment: Prevention and Early Intervention Statewide Project - California Mental Health Services Authority**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32300138 with the California Mental Health Services Authority (CalMHSA) to execute a Participation Agreement for Fiscal Year 2024 for the Prevention and Early Intervention (PEI) Statewide Project and allocate Mental Health Services Act (MHSA) funds in the amount of \$93,027, for a total amount not to exceed \$163,934 through June 30, 2024.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,988–N.S.
- 11. Contract: 2 Plus 1 Housing Resolution Services for Harriet Tubman Terrace Tenant Advocate**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract for professional services with the vendor 2 Plus 1 Housing Resolution Services for a Harriet Tubman Terrace Tenant Advocate for the Department of Health, Housing, and Community Services (HHCS) from August 1, 2023 to July 31, 2024 in an amount not to exceed \$100,000.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,989–N.S.
- 12. Mental Health Services Act (MHSA) Fiscal Years 2024-2026 Three Year Program and Expenditure Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the Mental Health Services Act Fiscal Years 2024-2026 Three Year Program and Expenditure Plan (MHSA Three Year Plan), which provides information on current and proposed uses of funds for mental health programming, and forwarding the MHSA Three Year Plan to appropriate state officials.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,990–N.S. as revised in the materials submitted at the meeting by the City Manager.

## Consent Calendar

- 13. Reserving Predevelopment Funds BRIDGE Housing Corporation to Support the Development of Affordable Housing at the North Berkeley BART Site**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Reserving \$1,500,000 in Affordable Housing Mitigation Fee funds to BRIDGE Housing Corporation (BRIDGE) or its affiliate to support master planning and predevelopment activities related to the development of affordable housing at the North Berkeley BART site. 2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate this action.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 70,991–N.S.
- 14. Establish Classification and Salary Range – Deputy Police Chief**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution establishing the unrepresented classification of Deputy Police Chief with an hourly salary range of \$96.1538 - \$125.0000, and an annual salary range of \$200,000.0000 - \$260,000.0000.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 70,992–N.S.
- 15. Salary Range Adjustments: Senior Building Maintenance Supervisor, Senior Equipment Supervisor, Senior Public Works Supervisor, and Senior Solid Waste Supervisor**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution amending Resolution No. 69,997-N.S., Salary Resolution for Public Employees Union (PEU) – Local 1, to increase the salary range of the Senior Building Maintenance Supervisor by 9.30%; Senior Equipment Supervisor by 13.00%; Senior Public Works Supervisor by 8.53%; and Senior Solid Waste Supervisor by 8.53%, effective January 1, 2023.  
This Resolution follows Council consideration of this item in Closed Session on May 1, 2023.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 70,993–N.S.

## Consent Calendar

- 16. Piggyback Contract – SmartWave for City Facility Managed Wi-Fi**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract which aligns with the City of Tucson, AZ existing contract and amendments, to provide managed Wi-Fi throughout City of Berkeley facilities in an amount of \$325,000 with an option to extend ongoing Operations and Maintenance (O&M) for an additional year for a total contract value not to exceed \$370,000 through FY2025.  
**Financial Implications:** IT's Cost Allocation Fund - \$370,000  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 70,994–N.S.
- 17. Side Letter Agreement: Hornblower Sublease**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute and implement a Side Letter Agreement with 200 Marina Boulevard, Berkeley, LLC to memorialize the terms and amount of Hornblower sublease rent payments and the City's consent to the Hornblower sublease at the Doubletree Hotel at the Berkeley Waterfront.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 70,995–N.S.
- 18. Contract No. 32200183 Amendment: Western Water Features Inc. for Renovations at King Swim Center**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32200183 with Western Water Features, Inc. for renovations at King Swim Center, increasing the contract amount by \$79,000 for a total not to exceed amount of \$1,179,000.  
**Financial Implications:** \$1,179,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 70,996–N.S.

## Consent Calendar

### 19. **\$5.5M Loan for D and E Dock Project In Berkeley Marina**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to implement one of the following options: (1) execute an Amendment to the existing \$5.5M Loan Agreement with the State Division of Boating and Waterways, based on one of four proposed alternatives described in the Current Situation section of the report;

-OR-

(2) adopt a resolution authorizing the City Manager to implement an internal loan of \$5.5M from the Workers Compensation Fund and/or the Stability Reserve Fund and/or Catastrophic Reserve Fund as determined by the City Manager, and repay this loan from the Transient Occupancy Tax revenue and/or the Marina Fund with the terms to be determined by the City Manager.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 70,997–N.S. to approve Option 2 as revised in Supplemental Communications Packet #2 by the City Manager, with a new final resolved clause to read:

*NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes an internal loan of \$5.5M from the Workers Compensation Fund, and repayment of this loan using the total amount of Transient Occupancy Tax (TOT) revenue generated in the Waterfront starting in FY25 until the loan is paid off, plus an additional \$500,000 one-time interest payment from the TOT.*

### 20. **Accept Grant Funds from the Governor’s Office of Planning and Research to Create a New Environmental Justice Element, Update the General Plan Disaster Preparedness & Safety Element, and Develop Community-Driven Climate and Resilience Metrics**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or their designee to accept the California Governor’s Office of Planning and Research (OPR) Adaptation Planning Grant Program (APGP) grant in the amount of \$497,042, and to execute any resulting grant agreement, for the duration of August 31, 2023 through January 31, 2026.

**Financial Implications:** See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

**Action:** Adopted Resolution No. 70,998–N.S.

## Consent Calendar

**21. Authorize an Agreement with AC Transit to Provide Funding for Transit Shelter Maintenance**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a funding agreement between the City of Berkeley and the Alameda-Contra Costa Transit District (AC Transit) to provide an amount not to exceed \$110,000 over five years to support transit shelter and bench maintenance.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 70,999–N.S.

**22. Contract No. 32100127 Amendment: Benefit Resource, Inc. for Third-Party Administrator of the Employee Commute Benefit Program**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract amendment with Benefit Resource, Inc., (BRI) to provide third-party administrator services for the City of Berkeley's Employee Commute Benefit Program for an amount not to exceed \$50,000 for a total contract not to exceed of \$100,000 and extending the term through February 28, 2025.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,000–N.S.

**23. Contract No. 32000128 Amendment: WSP USA Environment & Infrastructure Inc. (formerly Wood Environment & Infrastructure Solutions, Inc.) for On-Call Environmental Consulting Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000128 with WSP USA Environment & Infrastructure Inc. (formerly Wood Environment & Infrastructure Solutions, Inc.) to increase the contract for on-call environmental consulting services by \$500,000 for a new not to exceed amount of \$1,200,000 and extend the contract term through December 30, 2026.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,001–N.S.

## Consent Calendar

- 24. Contract No. 32000145 Amendment: Zonar Systems, Inc. for Global Positioning System Telematics Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000145 with Zonar Systems, Inc. for global positioning system telematics program, increasing the amount by \$200,000 for a total amount not to exceed \$478,698 and extending the term through June 30, 2026.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,002–N.S.
- 25. Contract No. 32100070 Amendment: Urban Ore, Inc. for Salvage Operations at the City of Berkeley Transfer Station**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32100070 with Urban Ore, Inc. for salvage operations of reusable materials at the City's Transfer Station increasing the not to exceed amount by \$75,272 for a new not to exceed amount of \$189,848 and extending the term through June 30, 2025.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,003–N.S.
- 26. Contract: R & S Erection of Richmond, Inc. for On-Call Roll Up Door and Gate Maintenance and Replacement**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or their designee to award a contract and execute any amendments and extensions, with R & S Erection of Richmond, Inc. for the ongoing maintenance, urgent repairs and replacement of roll up doors in an amount not to exceed \$300,000 for the period of August 1, 2023 through July 31, 2026.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,004–N.S.

## Consent Calendar

- 27. Contract: Wood Rodgers, Inc. for Stormwater Master Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a professional services contract with Wood Rodgers, Inc. in an amount not to exceed \$1,900,000 for the development of a comprehensive Stormwater Master Plan (SWMP). A comprehensive SWMP would identify key deficiencies in the stormwater system, prioritize capital improvement projects, identify funding needs, develop City specific drainage design standards, and update maintenance and inspection plan for stormwater facilities.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,005–N.S.
- 28. Contract: Disability Access Consultants for On-Call American with Disabilities Act Consulting Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Disability Access Consultants (DAC) for on-call American with Disabilities Act consulting services to provide support to the City of Berkeley's Disability Compliance Program, for up to three years in an amount not to exceed \$300,000.  
**Financial Implications:** See report  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,006–N.S.
- 29. Audit Status Report: Underfunded Mandate: Resources, Strategic Plan, and Communication Needed to Continue Progress towards the Year 2020 Zero Waste Goal** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*  
**From: City Manager**  
**Recommendation:** See policy committee recommendation.  
*Policy Committee Recommendation: Send the item to Council with a positive recommendation.*  
**Financial Implications:** None  
Contact: Liam Garland, Public Works, (510) 981-6300  
**Action:** Accepted the item as recommended by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee.

## Consent Calendar

- 30. Audit Status Report: Unified Vision of Zero Waste Activities Will Help Align Service Levels with Billing and Ensure Customer Equity** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*

**From: City Manager**

**Recommendation:** See policy committee recommendation.

*Policy Committee Recommendation: Send the item to Council with a positive recommendation.*

**Financial Implications:** None

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

**Action:** Accepted the item as recommended by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee.

- 31. Resolution to Adopt a City-Wide “Care First, Jails Last” Policy**

**From: Mental Health Commission**

**Recommendation:** Adopt a Resolution adopting a city-wide “Care First, Jails Last” policy that prioritizes the use and/or development of a continuum of care for individuals with mental illness, substance use, or co-occurring disorders rather than incarceration. Require City departments that have contact with the public to revise policies, procedures, and practices to reflect this priority and policy resolution. Require City Council to use this priority and policy resolution to inform budgetary priorities.

**Financial Implications:** See report

Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

**Action:** Adopted Resolution No. 71,007–N.S. amended to change the reporting period from three months to six months in the sixth and seventh resolved clauses; amended the final resolved clause to read as follows:

*BE IT FURTHER RESOLVED that in conjunction with adopting this "Care First, Jails Last" resolution, the City Council of the City of Berkeley refers to the City Manager a request for a member of the Division of Mental Health to attend all the meetings of the Alameda County "Care First, Jails Last Task Force" and to report back to the Division of Mental Health on any opportunities or ideas about diversion from jails to care.*



## Council Consent Items

- 32. Young Lives Matter Foundation Walk for Peace: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**  
**From: Councilmember Taplin (Author), Councilmember Harrison (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including up to \$500 from Councilmember Taplin, to support the Young Lives Matter Foundation's Walk for Peace with funds relinquished to the City's general fund.  
**Financial Implications:** Councilmember's Discretionary Fund - \$500  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Adopted Resolution No. 71,008–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$500; Councilmember Humbert - \$500; Councilmember Hahn - \$300; Councilmember Bartlett - \$200; Councilmember Robinson - \$500; Councilmember Wengraf - \$500.
- 33. Resolution to Initiate Berkeley Farmers' Market Week**  
**From: Councilmember Bartlett (Author), Mayor Arreguin (Co-Sponsor), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a resolution to officially proclaim the first week of August as Berkeley Farmers' Market Week.  
**Financial Implications:** None  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** Adopted Resolution No. 71,009–N.S.
- 34. Commemoration of the 100th Anniversary of the 1923 Berkeley Fire: Relinquishment of Council Office Budget Funds from General Funds and Grant Such Funds**  
**From: Councilmember Wengraf (Author), Councilmember Harrison (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember or Mayor, including \$500 from Councilmembers Wengraf and Harrison, to support the City's Commemoration of the 100th Anniversary of the 1923 Berkeley Fire with funds relinquished to the City's general fund. The relinquishment of funds from Councilmembers Wengraf and Harrison's discretionary Council Office Budgets and all other Councilmembers and Mayor who would like to contribute will support a community fair with family friendly activities, including historical and educational displays and activities for the 1923 Fire Commemoration on September 17, 2023.  
**Financial Implications:** Councilmembers' Discretionary Funds - \$500  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Adopted Resolution No. 71,010–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Mayor Arreguin - \$500; Councilmember Hahn - \$500; Councilmember Bartlett - \$200; Councilmember Robinson - \$250; Councilmember Taplin - \$500.

## Council Consent Items

- 35. Resolution Supporting the Unionization of Peet's Coffee Workers**  
**From: Councilmember Robinson (Author), Councilmember Hahn (Co-Sponsor), Councilmember Humbert (Co-Sponsor), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution in support of workers at Peet's Coffee unionizing under the Industrial Workers of the World IU 460  
**Financial Implications:** None  
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170  
**Action:** Adopted Resolution No. 71,011–N.S.

## Action Calendar – Public Hearings

- 36. Amendments to Title 23 Relating to Accessory Dwelling Units (ADUs) and Repeal of Chapter 12.99 to Conform to State Law and Respond to Guidance from the California Department of Housing and Community Development**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and, upon conclusion, adopt the first reading of an Ordinance amending Berkeley Municipal Code (BMC) Title 23, and repealing BMC Chapter 12.99, relating to Accessory Dwelling Units and Junior Accessory Dwelling Units.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Item continued to September 19, 2023 to be heard as the first item on the Action Calendar.

## Action Calendar – New Business

- 37. Adopting the Affordable Housing Framework for Development at the North Berkeley BART Station Area**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution:  
1. Adopting the framework for City subsidy of affordable housing at the North Berkeley BART station area.  
2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate this action.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Moved to Consent Calendar. Adopted Resolution No. 71,012–N.S. and approved the recommendation.

## Action Calendar – New Business

### 38a. Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)

**From:** City Manager

**Recommendation:** Adopt a Resolution accepting the proposed policies and acquisition report for the use of fixed automated license plate readers (ALPRs).

**Financial Implications:** See report

Contact: Jennifer Louis, Police, (510) 981-5900

### 38b. Police Accountability Board (PAB) response to Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)

**From:** Police Accountability Board

Contact: Hansel Aguilar, Police Accountability Board, (510) 981-4960

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

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

**Action:** M/S/C (Kesarwani/Hahn) to suspend the rules and extend the meeting to 11:45 p.m.

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

**Action:** M/S/C (Wengraf/Kesarwani) to call for the previous question.

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

**Action:** 37 speakers. M/S/C (Taplin/Humbert) to adopt Resolution No. 71,013–N.S. in Item 38a. Further, provide direction for the City Manager to include the metrics recommended by the Police Accountability Board in the report that is developed after the initial two-year period (Tracking the Number of Hits, Hit Rate, Hit Quality, Number of Arrests, Recovery Rates of Stolen Vehicles, Time to Locate, Case Clearance Rates)

**Vote:** Ayes – Kesarwani, Taplin, Wengraf, Robinson, Humbert, Arreguin; Noes – Bartlett; Abstain – Hahn; Absent – Harrison.

### 39. Assembly Bill 481, 2022 Annual Military Equipment Report

**From:** City Manager

**Recommendation:** Adopt a Resolution approving the 2022 Annual Military Equipment Report.

**Financial Implications:** See report

Contact: Jennifer Louis, Police, (510) 981-5900

**Action:** Moved to Consent Calendar. Adopted Resolution No. 71,014–N.S.

## Council Action Items

### 40. **Waivers for Woolsey Gardens Affordable Housing Project**

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

**Recommendation:** Pursuant to Berkeley Municipal Code (BMC) Section 22.20.070 and/or 22.20.080, adopt a Resolution approving the following requests from Northern California Land Trust for the Woolsey Gardens affordable housing project at 3120-3130 Shattuck: 1. Waive the requirement in BMC Section 23C.12.070(C)(4) in force at the time of entitlement that subsequent purchasers of inclusionary units in limited equity housing cooperatives have a yearly gross income of no more than 44 percent of the cost of a unit at the time of sale. 2. Approve the provision of an additional inclusionary unit instead of paying the in-lieu fee equivalent of .44 units as required by BMC Section 23.C.12.040(E) in force at the time of entitlement.

**Financial Implications:** See report

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

**Action:** Moved to Consent Calendar. Adopted Resolution No. 71,015–N.S.

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

## Adjournment

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

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

Adjourned at 11:28 p.m.

## Communications

### **Item #37: Adopting the Affordable Housing Framework for Development at the North Berkeley BART Station Area**

1. Paul Widess
2. Marianne Betterly
3. Karen Eisenstadt
4. David Rice
5. T. Anne Richards
6. Marice Ashe
7. Kathryn Malone
8. Leonard Mudrock
9. Lonnie Wankel
10. Joan Hamilton
11. Mary Lai
12. Toby Salk
13. Helga Recke and Peter Ewell
14. Laura Garcia Moreno
15. Kori Kody
16. Chris Witt

17. Walter Wood
18. Laura Ide
19. Katherine Kunhiraman
20. Nicole Corsini
21. Richard Laden and Marie-Paule Laden
22. Laura Klein
23. Carol Hirth
24. Vicki Sommer (2)
25. Seth Kimball
26. Leni Siegel
27. Alisa Foster and Family
28. Lunda Caesara
29. Abe Hardin
30. Harvey Smith
31. Leonard Mudrock

**Item #38: Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)**

32. Tobey White
33. Hansel Aguilar, on behalf of the Police Accountability Board (3)
34. Christine Schwartz
35. David Freeling
36. Sean Gibson
37. Sara Pierre
38. Dorothea Dorenz
39. Margaret Wellons
40. Patrick McCully
41. Zach Franklin
42. Eric Lee
43. Margaret Flaherty

**Hopkins Corridor**

44. Margo Smith
45. Virginia Kamp
46. Cindi Goldberg

**Thank You Berkeley Police Department**

47. TK Alexander

**Police Accountability Board**

48. Fran Haselsteiner
49. Hansel Aguilar, on behalf of the Police Accountability Board

**Racehorse Protection**

50. Carla Cabral
51. Bonnie Klapper
52. Kevin Korevaar-Plesniak

- 53. Gayle Paul
- 54. Joyce Lipener
- 55. Sheri Graeber
- 56. Diana Deikman
- 57. Karin Nelson
- 58. Kimberlee Krok
- 59. Ginnysue57
- 60. Linda Reilly
- 61. Yasirah Vaughn

**Oppose AB 965**

- 62. Richard Tamm
- 63. Martin Bernbaum

**People's Park Protestors**

- 64. Lorraine Mahley

**Street Repair Money**

- 65. S. Entsistle

**1740 San Pablo Avenue New Construction – Funding Application**

- 66. Rachel Durney, on behalf of NorCal Development, BRIDGE

**Abatement Notice: 1510 Rose Street #A**

- 67. Sara Kershner (2)

**Upcoming Sewer Rehabilitation Work at California and Prince**

- 68. Dan Bristol
- 69. Joseph Griffin

**Claremont Hotel – Adjacent Strip Needs Work**

- 70. Jo Farmer

**Trash Not Being Picked Up Again**

- 71. Wenter S, on behalf of Third Culture Bakery (2)
- 72. Berkeley's Mayor's Office

**Perimeter Trail at Cesar Chavez Park**

- 73. Rachel Bradley

**Curb Cuts – Thank You**

- 74. Laura Bates

**Safety Hazards at Willard Park**

- 75. Kristen Boyd

### **Pump Out Services for RV's**

76. Ellen Fullman

### **Aquatic Center**

77. Natasha Hains

### **Fireworks**

78. Pamela Michaud (3)

79. Sarah Garrett

80. Colleen McCann

81. Mike Kim

82. Sandra Blair

83. Carol Cohen

### **City's Subcontractor Weeding the Spruce and Vine Traffic Circle**

84. Fred Dodsworth

### **URL's Only**

85. Vivian Warkentin (3)

## **Supplemental Communications and Reports 1**

### **Item #38a: Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)**

86. Supplemental material, submitted by Councilmember Taplin

87. N. Pauline

88. Kelly Hammargren

89. Summer Brenner

90. Gael Alcock

91. Shok Saidmuradov

92. American Civil Liberties Union

### **Item #38b: Police Accountability Board (PAB) response to Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)**

93. Supplemental material, submitted by the Police Accountability Board

## **Supplemental Communications and Reports 2**

### **Item #19: \$5.5M Loan for D and E Dock Project in Berkeley Marina**

94. Revised material submitted by Parks, Recreation, and Waterfront Department

95. Claudia Kawczynska

### **Item #27: Contract: Wood Rodgers, Inc. for Stormwater Master Plan**

96. Susan Schwartz, on behalf of Friends of Five Creeks

### **Item #37: Adopting the Affordable Housing Framework for Development at the North Berkeley BART Station Area**

97. Melanie Lawrence and John Smail

98. Andrea Altschuler

**Item #38a: Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)**

99. David Davis

100. Christopher Horgan
101. Charles Denton
102. Patrick Golier
103. Jonas Jackel
104. Ben Shababo
105. Peter Hosemann
106. Katie Wolf
107. Diane Gerstler
108. Rachel Tobey
109. Isabelle Gaston, Steve Robey
110. Katinka Wyle
111. Joanne Rucker
112. Winthrop Williams
113. Don and Becky Grether
114. Tom Vargo
115. JP Massar
116. Leslie A. Sakai
117. Kelly Hammargren
118. Kyra Subbotin
119. Gunther Stein
120. Lisa Mirkovic
121. Sunita Saini
122. Leila Yasin-Gurgen
123. Shannon Curtis
124. Paul Rickey
125. Barbara G Davis
126. Robert Hoffman
127. Rita Zobayan
128. Brian Gilbane
129. Bob Flasher
130. Lynne Clenfield
131. Suhad Philip
132. Alex Orloff
133. Ginger Ogle
134. Susan Huang
135. Barbara Cohn
136. Jo Ann Driscoll
137. Gary Croner (2)
138. Jose Vilar
139. Jennifer Burt
140. Bob Holloway
141. Monika Eisenbud



- 142. Louis Fox and Nashua Kalil
- 143. Gene Meyers
- 144. Bob Dixon
- 145. Jill Travis
- 146. Isaac Turiel
- 147. David Kestell
- 148. William E. Horwich
- 149. Elizabeth Ferguson
- 150. Jeremy Lent
- 151. Zipporah Collins
- 152. Tom Edwards
- 153. Doug Finley
- 154. Noelle Vidal
- 155. 94 similarly-worded form letters

**Urgent Item: Grant Allocation: Approve Healthy Berkeley Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs) for FY24 and FY25 Grant Cycle**

- 156. Submitted by Sugar-Sweetened Beverage Product Panel of Experts

**Supplemental Communications and Reports 3**

**Item #12: Mental Health Services Act (MHSA) Fiscal Years 2024-2026 Three Year Program and Expenditure Plan**

- 157. Revised material, submitted by Health, Housing, and Community Services

**Item #35: Resolution Supporting the Unionization of Peet's Coffee Workers**

- 158. Peet's Labor Union

**Item #36: Amendments to Title 23 Relating to Accessory Dwelling Units (ADUs) and Repeal of Chapter 12.99 to Conform to State Law and Respond to Guidance from the California Department of Housing and Community Development**

- 159. Barbara Gilbert
- 160. TM Scruggs

**Item #38a: Surveillance Ordinance items related to Fixed Automated License Plate Readers (ALPRs)**

- 161. Presentation, submitted by the Berkeley Police
- 162. Presentation, submitted by the Police Accountability Board
- 163. Joan Adams
- 164. Jenny Wenk
- 165. Juli Dickey
- 166. Norman Chong
- 167. Madeline Feingold
- 168. Becca Freed
- 169. Sue von Baeyer
- 170. Alex Merenkow

171. Tracee Farrell
172. Diane Tokugawa
173. Theo Posselt
174. Alice Lee
175. Terrence Regan
176. Atul Walimbe
177. Richard Wallace
178. Desmond Yen
179. Telegraph for People
180. John Caner, on behalf of the Downtown Berkeley Association
181. Todd Andrew
182. Fran Haselsteiner
183. Steve Kromer
184. Eric Friedman
185. Julie McCray
186. Hayne and Catherine Leland
187. Arabelle Malinis and Shawn Jackson
188. Priya Walimbe
189. Eric Friedman
190. Josh Buswell-Charkow
191. Phan Family
192. Nina Lyons
193. Berkeley People's Alliance
194. Judy Gile
195. Elizabeth Turner
196. Shirley Issel
197. Bohun Kinloch
198. Emily Schory
199. 8 similarly-worded form letters

### **Urgent Item**

#### **Grant Allocation: Approve Healthy Berkeley Funding Recommendation for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs) for FY24 and FY25 Grant Cycle**

200. Marin Bourque, on behalf of the Ecology Center

#### **Excused Absence for Councilmember Kate Harrison**

201. Jesse Arreguin, Mayor

### **Miscellaneous**

202. Swanson and McNamara LLP text messages- Anonymous
203. Mr. Eid