

ANNOTATED AGENDA SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

Tuesday, May 19, 2020

6:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

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

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

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

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

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/82159517663>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128** and enter Meeting ID: 821 5951 7663. 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 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: 6:02 p.m.

Present: Kesarwani, Davila, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: Bartlett

Councilmember Bartlett present at 6:06 p.m.

Action: M/S/C (Arreguin/Harrison) to accept revised materials from Councilmember Wengraf on Item 1.

Vote: All Ayes.

Action Calendar

1. Adoption of an Ordinance Amending Berkeley Municipal Code Chapter 16.10 (Installation of Video and Telecommunications Systems) and Revised Guidelines for Issuance of Public Right-of-Way Permits

From: City Manager

Recommendation: Adopt first reading of an ordinance amending Berkeley Municipal Code Chapter 16.10 (Installation of Video and Telecommunications Systems), and adopt revised administrative guidelines for the issuance of Public Right-of-Way Permits.

Financial Implications: See report

Contact: Phillip Harrington, Public Works, (510) 981-6300

Action: 39 speakers. M/S/C (Arreguin/Wengraf) to refer both items to the Agenda & Rules Committee for scheduling with Item 2 as an informational supplement to Item 1.

Vote: All Ayes.

2. Updating Berkeley Telecom Ordinances and BMC Codes *(Reviewed by the Agenda & Rules Committee. Item contains revised material.)*

From: Councilmember Davila (Author)

Recommendation: Adopt a resolution directing the City Manager to include the attached sample language and contained hyperlinked references to update the City's Telecom Ordinances and BMC codes.

Financial Implications: See report

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

Action: See action on Item 1.

Adjournment

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

Vote: All Ayes.

Adjourned at 8:38 p.m.

Communications

Item#1: Adoption of an Ordinance Amending Berkeley Municipal Code Chapter 16.10 (Installation of Video and Telecommunications Systems) and Revised Guidelines for Issuance of Public Right-of-Way Permits

Item #2: Updating Berkeley Telecom Ordinances and BMC Codes

1. Elizabeth Starr & Clifford Fred (4)
2. Dominkia Bednarska (2)

3. Vanessa Lowe (2)

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item # 1: Adoption of an Ordinance Amending Berkeley Municipal Code Chapter 16.10 (Installation of Video and Telecommunications Systems) and Revised Guidelines for Issuance of Public Right-of-Way Permits

4. Supplemental material, submitted by Councilmember Wengraf
5. Ariel Strauss, on behalf of Greenfire Law (2)

Item #2: Updating Berkeley Telecom Ordinances and BMC Codes

6. Kristi Taylor
7. Dominika Bednarska
8. Max Ventura (4)
9. Phoebe Anne Sorgen (3)
10. Mark Numainville, City Clerk
11. Kate Bernier
12. Sarah Aminoff
13. Wisteria Stock (2)
14. Soula Culver (5)
15. Colleen Andreetta
16. Lucy Collier
17. Mil Apostol
18. Isis Feral (2)
19. Aria Cahir
20. Nori Hudson
21. Judith Granada-Dewey
22. Jean Molesky-Poz
23. Margy Wilkinson
24. Anne Herrick (2)
25. Jennifer LaPorta
26. Paul Albritton on behalf of Mackenzie & Albritton Law firm
27. Vivian Warkentin
28. Kristi Lentz
29. Terry Dillon
30. Erika Alexi Corey
31. Alexi Malenky
32. Linda Sikorski
33. Erika Shaver-Nelson
34. Diana Bohn
35. Marcia Umland
36. Steve Jackson & Kori Kody
37. Gail Nekunam
38. Eric Zivnuska
39. Eric and Malisa Burkhart
40. Ellen Marks
41. Toshiro Mafune
42. Jacqueline Bott

43. Monique Lukens
44. Connie Anderson
45. Jenny Miller
46. Hanna Castaneda
47. Cynthia Rahav
48. Yani Teichner
49. Clifford Fred (2)
50. Carol Denney
51. Barbara Bent
52. Ardys DeLu
53. Carol Hirth
54. Derek Legg
55. Jose Franklin Arau
56. Marie Nadeau
57. Cynthia McGrane
58. Erica Etelson
59. Gar Smith
60. Lindsay Vurek
61. Ann Smock
62. Charles Schad
63. Virginia Hollins-Davidson
64. Julie Kramer
65. Chimey Lee
66. Carla Sienna
67. Raquel Pinderhughes
68. Steve Martinot
69. Hulda Nystrom
70. Melissa Clinton
71. Rosemary Bensko (2)
72. seaye@
73. Charlotte Off
74. Anne Kay
75. dwbrah@
76. Marge Turngren
77. Cate Leger
78. Virginia Browning
79. Sierra Murphree
80. Sara Sunstein
81. Victoria Hoekstra
82. Sarah Aminoff
83. Peter Schwab
84. Rachel Haight
85. Moshe Shafrir
86. Wanda Warkentin
87. Carolyn Sweeney
88. Paul Karsh
89. Meave O'Connor
90. Sofia Pavlova
91. MaryAnn Furda
92. Phyllis Zisman

- 93. Clover Catskill
- 94. Cecile Leneman
- 95. Alexis Schroeder
- 96. Sheella Mierson
- 97. Alla Marinow
- 98. Samuel Kanenwisher
- 99. Connie Anderson
- 100. Jillian Standish
- 101. James Lerager
- 102. Steve Kuttner
- 103. L. Darlene Pratt
- 104. Carol Takaki
- 105. Roberta Lewis
- 106. Rafael Gonzalez
- 107. Jason Winnett
- 108. Sandy Nixon
- 109. Stephanie Thomas
- 110. Reza Sirafinejad
- 111. Heidi Davis

Supplemental Communications and Reports 3

Item # 1: Adoption of an Ordinance Amending Berkeley Municipal Code Chapter 16.10 (Installation of Video and Telecommunications Systems) and Revised Guidelines for Issuance of Public Right-of-Way Permits

- 112. Revised supplemental material, submitted by Councilmember Wengraf
- 113. Presentation, submitted by the Attorney's Office

Item #2: Updating Berkeley Telecom Ordinances and BMC Codes

- 114. Mary Ellen Sperling (2)
- 115. Olga Rapoport
- 116. Marion Off (2)
- 117. Caren Quay
- 118. Connie Anderson (2)
- 119. Willian Bruno
- 120. Ayako Nagano
- 121. Jodi Nelson
- 122. Lori Hines
- 123. Wendy Tico
- 124. Daniel Borgstrom
- 125. Stephen Williams
- 126. Phoebe Anne Sorgen
- 127. Jenny Miller (2)
- 128. Cynthia Rahav
- 129. Terry
- 130. Chimey Lee
- 131. Zach Sorgen
- 132. Aria Cahir
- 133. Cecile Pineda
- 134. Patrick McCarthy
- 135. Clifford Fred (2)

136. Marilla Arguelles
137. Isis Feral
138. Julie Kramer
139. Terry Dillon
140. Negeene Mosaed
141. Priscilla Meckel
142. Susan Werner