

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, June 25, 2019
6:00 PM

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

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

Preliminary Matters

Roll Call: 6:12 p.m.

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

Absent: Kesarwani

Councilmember Kesarwani present at 6:21 p.m.

Report from Closed Session:

The City Council met in closed session and authorized the settlement of the matter of Berkeleyside et al. v. City of Berkeley, Alameda Superior Court Case No. RG 19004749, for \$19,287.50.

Ceremonial Matters:

1. Recognition of Elder Abuse Awareness Month
2. Recognition of Alpha Kappa Alpha 90th Anniversary
3. Adjourned the meeting in memory of Francisco Silva, Local Construction Foreman
4. Adjourned the meeting in memory of Peter Selz, Founding Director of the Berkeley Art Museum
5. Adam Duhan, Local Physician

City Manager Comments:

1. Community Picnic at Grove Park, June 27
2. Movie in the Park, Cordonices Park, June 28

City Auditor Comments:

The City Auditor noted Item 44 regarding the Code Enforcement Audit and clarified the purpose of the audit to highlight operational needs. Two recommendations have been completed and one remaining recommendation is the inclusion of operational costs and tradeoffs in Council reports.

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

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

Vote: All Ayes.

Public Comment on Consent Calendar and Information Items Only: 5 speakers

Consent Calendar

- 1. FY 2020 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping
From: City Manager**
Recommendation: Adopt second reading of Ordinance No. 7,656-N.S. setting the FY 2020 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at \$0.1729 (17.29 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,656-N.S.
- 2. FY 2020 Tax Rate: Fund the Provision of Emergency Medical Services
(Paramedic Tax)
From: City Manager**
Recommendation: Adopt second reading of Ordinance No. 7,657-N.S. setting the FY 2020 tax rate for funding the provision of emergency medical services to Berkeley residents at \$0.0393 (3.93 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,657-N.S.
- 3. FY 2020 Tax Rate: Fund Emergency Services for the Severely Disabled
(Measure E)
From: City Manager**
Recommendation: Adopt second reading of Ordinance No. 7,658-N.S. setting the FY 2020 tax rate for funding the provision of emergency services for the disabled at \$0.01638 (1.638 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,658-N.S.

Consent Calendar

- 4. FY 2020 Tax Rate: Business License Tax on Large Non-Profits**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,659-N.S. setting the FY 2020 tax rate for Business License Tax on large non-profits at \$0.6420 (64.20 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,659-N.S.
- 5. FY 2020 Tax Rate: Fund Disaster Fire Protection (Measure Q)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,660-N.S. setting the FY 2020 tax rate for funding the procurement of disaster fire equipment at \$0.0125 (1.25 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,660-N.S.
- 6. FY 2020 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,661-N.S. setting the FY 2020 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0065%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,661-N.S.
- 7. FY 2020 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,662-N.S. setting the FY 2020 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of \$0.05818 (5.818 cents) per square foot of improvements for dwelling units and setting the rate for all other property at \$0.08804 (8.804 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300; David Brannigan, Fire, 981-3473
Action: Adopted second reading of Ordinance No. 7,662-N.S.

Consent Calendar

- 8. FY 2020 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,663-N.S. setting the FY 2020 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0150%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,663-N.S.
- 9. FY 2020 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,664-N.S. setting the FY 2020 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0092%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,664-N.S.
- 10. FY 2020 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,665-N.S. setting the FY 2020 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0075%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,665-N.S.
- 11. FY 2020 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,666-N.S. setting the FY 2020 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0062%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted second reading of Ordinance No. 7,666-N.S.

Consent Calendar

- 12. FY 2020 Special Tax Rate: Fund the Provision of Library Services**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,667-N.S. setting the FY 2020 tax rate for funding the provision of Library Services in the City of Berkeley at \$0.2272 (22.72 cents) per square foot for dwelling units and \$0.3435 (34.35 cents) per square foot for industrial, commercial, and institutional buildings.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300; Elliot Warren, Library, 981-6100
Action: Adopted second reading of Ordinance No. 7,667-N.S.
- 13. Repealing and Reenacting BMC Chapter 13.104, Wage Theft Prevention**
From: Mayor Arreguin and Councilmember Harrison
Recommendation: Adopt second reading of Ordinance No. 7,668-N.S. repealing and reenacting BMC Chapter 13.104, Wage Theft Prevention to improve enforcement of the ordinance by requiring a signed acknowledgement of ordinance requirements and signed attestation at completion of the project.
First Reading Vote: All Ayes.
Financial Implications: Staff time
Contact: Jesse Arreguin, Mayor, 981-7100
Action: Item 13 held over to July 23, 2019.
- 14. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of \$224,064 for fitness center memberships for City employees and Legislative Assistants for the period of July 1, 2019 through June 30, 2020.
Financial Implications: Various Funds - \$224,064
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
Action: Adopted Resolution No. 68,965–N.S.
- 15. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of May 7, 2019 (two special closed and special), May 9, 2019 (special), May 11, 2019 (special), May 14, 2019 (special closed and regular), May 17, 2019 (special closed), and May 28, 2019 (special closed and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900
Action: Approved minutes as submitted.

Consent Calendar

- 16. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 25, 2019**
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 - \$1,601,761
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Approved recommendation.
- 17. Appropriations Limit for FY 2020**
From: City Manager
Recommendation: Adopt a Resolution establishing the appropriations limit at \$275,031,790 for FY 2020 pursuant to Article XIII B of the Constitution of the State of California based on the calculations for the appropriations limit.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 68,966–N.S.
- 18. Franchise Tax Board / City Business Tax Reciprocal Agreement**
From: City Manager
Recommendation: Adopt a Resolution approving the Franchise Tax Board / City Business Tax Reciprocal Agreement for the City's participation in the local government business license information sharing program and authorizing the City Manager to sign the agreement.
Financial Implications: Staff time
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 68,967–N.S.
- 19. Revision to the Investment Policy and Designation of Investment Authority FY 2020**
From: City Manager
Recommendation: Adopt a Resolution accepting the changes to the Investment Policy and to confirm the delegation of investment authority to make investments to the Director of Finance for FY 2020.
Financial Implications: None
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Adopted Resolution No. 68,968–N.S.

Consent Calendar

- 20. Contract No. 10904 Amendment: Bay Area Community Services (BACS) for Pathways STAIR Center Year Two Operations**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 10904 with Bay Area Community Services (BACS) for Pathways STAIR Center operations, extending the program through June 30, 2020 and adding \$2,091,305 for Year Two (FY 2020).
Financial Implications: Various Funds - \$2,091,305
Contact: Kelly Wallace, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,969–N.S.
- 21. Revenue Contract: Community Services Block Grant Discretionary Funding for June 1, 2019 – May 31, 2020**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept the Community Services Block Grant (CSBG) Contract Number 19F-4404 for the amount of \$30,000 to provide services for low-income people for the period June 1, 2019 – May 31, 2020.
Financial Implications: Community Action Program Fund - \$30,000 (grant)
Contact: Kelly Wallace, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,970–N.S.
- 22. Contract: Dorothy Day House to Operate Shelter at Veteran’s Building**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Dorothy Day House in an amount not to exceed \$832,000 to operate the year-round shelter at the Veteran’s Building in FY20 and FY21.
Financial Implications: Homeless Emergency Aid Program Fund - \$832,000
Contact: Kelly Wallace, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 68,971–N.S.

Consent Calendar

23. Revenue Contracts: FY 2020 Aging Services Programs

From: City Manager

Recommendation: Adopt five Resolutions authorizing the City Manager or her designee to execute any resultant revenue agreements and amendments with Alameda County to provide congregate and home-delivered meals, family caregiver support, senior center activities and information and assistance services to seniors for the following programs for Fiscal Year 2020:

1. Congregate Meals in the amount of \$46,380;
2. Home Delivered Meals in the amount of \$47,525;
3. Family Caregiver Support Program in the amount of \$47,157;
4. Senior Center Activities in the amount of \$29,272; and
5. Information and Assistance Services in the amount of \$63,501.

Financial Implications: See report

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

Action: Adopted Resolution No. 68,972–N.S. (Congregate Meals); Resolution No. 68,973–N.S. (Home Delivered); Resolution No. 68,974–N.S. (Family Caregiver); Resolution No. 68,975–N.S. (Senior Center); and Resolution No. 68,976–N.S. (Information and Assistance).

24. Contract No. 31900042 Amendment: CivicPlus, Inc. for Training and Integration Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment to contract No. 31900042 with CivicPlus, Inc. for an additional amount of \$15,000 for professional services, and a total not-to-exceed contract value of \$58,000 for the term of November 30, 2018 through June 30, 2021.

Financial Implications: General Fund - \$15,000

Contact: Savita Chaudhary, Information Technology, 981-6500

Action: Adopted Resolution No. 68,977–N.S.

25. Contract No. 10036C Amendment: TruePoint Solutions, LLC for Accela Professional Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10036C with TruePoint Solutions, LLC for professional services, increasing the amount by \$276,000, for a total not-to-exceed amount of \$617,200, and extending the current term by 2 years for the term beginning June 1, 2015 to June 30, 2021.

Financial Implications: Permit Service Center Fund - \$276,000

Contact: Savita Chaudhary, Information Technology, 981-6500

Action: Adopted Resolution No. 68,978–N.S.

Consent Calendar

26. **Contract: NextRequest for Public Records Act Response Software System**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with NextRequest for software hosting, implementation, maintenance and related services for a Public Records Act Response Software System, for an amount not to exceed \$65,000 for the period commencing on July 1, 2019 through June 30, 2021.
Financial Implications: IT Cost Allocation Fund - \$65,000
Contact: Savita Chaudhary, Information Technology, 981-6500
Action: Adopted Resolution No. 68,979–N.S.
27. **Contract: Governmentjobs.com, Inc. DBA NEOGOV for Performance and Learning Management System (P/LMS)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with GovernmentJobs.com dba NEOGOV for software hosting, licenses, implementation, maintenance and related services for a Performance Management, and Learning Management System (P/LMS) for an amount not to exceed \$225,000 for the period commencing on July 8, 2019 through June 30, 2024.
Financial Implications: FUND\$ Replacement Fund - \$225,000
Contact: Savita Chaudhary, Information Technology, 981-6500
Action: Adopted Resolution No. 68,980–N.S.
28. **Contract No. 8865J Amendment: Accela, Inc. for Software Maintenance and Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8865J with Accela, Inc., for software maintenance and professional services, increasing the amount by \$418,359 for a total not to exceed \$2,059,191 from December 12, 2011 to June 30, 2021.
Financial Implications: Various Funds - \$418,359
Contact: Savita Chaudhary, Information Technology, 981-6500
Action: Adopted Resolution No. 68,981–N.S.
29. **Contract No. 9536 Amendment: Royston, Hanamoto, Alley & Abey (RHAA) for On-Call Landscape Architecture**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9536 with Royston, Hanamoto, Alley & Abey (RHAA) for additional on-call landscape architecture by increasing the contract amount by \$35,000 for a total not-to-exceed amount of \$210,000, and extending the term through June 30, 2021.
Financial Implications: Various Funds - \$35,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 68,982–N.S.

Consent Calendar

- 30. Contract No. 10632 Amendment: GHD, Inc. for the WETA MOU Planning Phase for potential ferry service and public recreation pier at the Berkeley Marina**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10632 with GHD, Inc. by increasing the amount by \$360,000 for a new contract amount not to exceed \$690,744 for the Planning Phase (technical feasibility study and public engagement process) for the viability of a potential WETA ferry service and public recreation pier at the Berkeley Marina.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 68,983–N.S.
- 31. 2019 Bay Area SunShares Residential Solar and Zero-Emission Vehicle Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a letter of commitment with the Business Council on Climate Change (BC3) to affirm the City of Berkeley’s participation in the 2019 Bay Area SunShares residential solar and zero-emission vehicle program.
Financial Implications: See report
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: Adopted Resolution No. 68,984–N.S.
- 32. Contract: Rincon Consultants, Inc. for Development of a Berkeley Pathway to Clean Energy Buildings Report**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions, or change orders with Rincon Consultants, Inc. (Rincon) to develop a Berkeley Pathway to Clean Energy Buildings Report for an amount not to exceed \$80,000 for the period July 1, 2019 through June 30, 2020.
Financial Implications: See report
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: Adopted Resolution No. 68,985–N.S.
- 33. On-Call Planning Services Contracts**
From: City Manager
Recommendation: Adopt 23 Resolutions authorizing the City Manager to approve contracts and any amendments with the following firms for planning and environmental review services for a total contract period of three years:
1. Architecture + History, LLC in an amount not to exceed \$1,000,000; and
2. Baseline Environmental Consulting in an amount not to exceed \$1,000,000; and
3. Cotton, Shires and Associates, Inc. in an amount not to exceed \$1,000,000; and
4. Firstcarbon Solutions in an amount not to exceed \$1,000,000; and
5. Garcia and Associates in an amount not to exceed \$500,000; and
6. Ground Development Consulting, LLC in an amount not to exceed \$500,000; and

Consent Calendar

7. Hatch Associates Consultants, Inc. in an amount not to exceed \$1,000,000; and
8. HortScience | Bartlett Consulting in an amount not to exceed \$500,000; and
9. ICF Jones & Stokes, Inc. in an amount not to exceed \$1,000,000; and
10. Kimley-Horn and Associates, Inc. in an amount not to exceed \$500,000; and
11. Kittelson & Associates in an amount not to exceed \$500,000; and
12. LSA Associates, Inc. in an amount not to exceed \$1,000,000; and
13. Metropolitan Planning Group in an amount not to exceed \$1,000,000; and
14. Michael Baker International in an amount not to exceed \$1,000,000; and
15. Nichols Consulting Engineers, Chtd. in an amount not to exceed \$1,000,000; and
16. Pacific Legacy Inc. in an amount not to exceed \$500,000; and
17. Paleo West Archaeology in an amount not to exceed \$500,000; and
18. Placeworks in an amount not to exceed \$1,000,000; and
19. Raimi + Associates in an amount not to exceed \$1,000,000; and
20. Rincon Consultants, Inc. in an amount not to exceed \$1,000,000; and
21. Stacy Farr - Historic Resource Consulting in an amount not to exceed \$500,000; and
22. Stantec Consulting Services, Inc. in an amount not to exceed \$1,000,000; and
23. Urban Planning Partners Inc. in an amount not to exceed \$1,000,000

Financial Implications: See report

Contact: Timothy Burroughs, Planning and Development, 981-7400

Action: Adopted Resolution No. 68,986–N.S. (Architecture + History); Resolution No. 68,987–N.S. (Baseline Environmental); Resolution No. 68,988–N.S. (Cotton, Shires & Assoc); Resolution No. 68,989–N.S. (Firstcarbon Solutions); Resolution No. 68,990–N.S. (Garcia & Assoc); Resolution No. 68,991–N.S. (Ground Development); Resolution No. 68,992–N.S. (Hatch Assoc); Resolution No. 68,993–N.S. (HortScience | Bartlett); Resolution No. 68,994–N.S. (ICF Jones); Resolution No. 68,995–N.S. (Kimley-Horn & Assoc); Resolution No. 68,996–N.S. (Kittelson & Assoc); Resolution No. 68,997–N.S. (LSA Assoc); Resolution No. 68,998–N.S. (Metropolitan Planning); Resolution No. 68,999–N.S. (Michael Baker); Resolution No. 69,000–N.S. (Nichols Consulting); Resolution No. 69,001–N.S. (Pacific Legacy); Resolution No. 69,002–N.S. (Paleo West); Resolution No. 69,003–N.S. (Placeworks); Resolution No. 69,004–N.S. (Raimi + Assoc); Resolution No. 69,005–N.S. (Rincon Consultants); Resolution No. 69,006–N.S. (Stacy Farr); Resolution No. 69,007–N.S. (Stantec Consulting); and Resolution No. 69,008–N.S. (Urban Planning).

Consent Calendar

- 34. Contract: Tanko Lighting for Street Light Luminaire Retrofit Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project with Tanko Lighting, Inc. for the City Street Light Luminaire Retrofit Project in an amount not to exceed \$140,875 for the period from July 1, 2019 through December 31, 2020.
Financial Implications: Street Light Assessment District Fund - \$140,875
Contact: Phillip Harrington, Public Works, 981-6300
Action: Adopted Resolution No. 69,009–N.S. Additional request to prioritize replacement at high injury collision network streets and the bicycle boulevards.
- 35. Educator and Educational Staff Housing**
From: Housing Advisory Commission
Recommendation: Amend the Housing Trust Fund Guidelines and other relevant City of Berkeley housing policies to foster workforce housing for educators and educational staff by expanding income eligibility to include up to 120% AMI; and Provide \$150,000 to the Berkeley Unified School District to undertake predevelopment planning for housing to be built in Berkeley that will be available to educators and educational staff working for BUSD; and Work with the District to identify possible financing opportunities for capital development; and Recommend the Berkeley Unified School District balances building as many units as possible with being as family-friendly as possible.
Financial Implications: See report
Contact: Mike Uberti, Commission Secretary, 981-7400
Action: Approved the following recommendations: Work with the District to identify possible financing opportunities for capital development; and Recommend the Berkeley Unified School District balances building as many units as possible with being as family-friendly as possible.

Council Consent Items

36. An Action Plan for Greening the City of Berkeley Fleet of Vehicles

From: Councilmembers Wengraf, Harrison, Robinson and Mayor Arreguin

Recommendation: Request the City Manager and Department of Public Works collaborate to create an Action Plan (“plan”), by June 2020, to aggressively accelerate the implementation of the electrification of the City’s municipal fleet and phase out fossil fuel use in municipal vehicles by 2030 with consideration of an earlier transition for light-duty passenger vehicles. The Plan should include an evaluation of the City’s current fleet and an analysis of opportunities for transitioning to a fleet of fossil fuel free vehicles, as soon as the technology can safely meet operational needs. An update on our progress should be reported to City Council as an information item every six months.

In the interim, the City Manager is asked to explain criteria used to purchase fossil fuel vehicles in all future staff items related to vehicle purchases with Council.

Financial Implications: See report

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

Action: Approved recommendation.

37. Zoning Ordinance Modification for Elmwood Commercial District

From: Councilmember Droste, Mayor Arreguin, and Councilmembers Harrison, and Wengraf

Recommendation: Refer to the Planning Commission to amend Chapter 23E.44, C-E Elmwood Commercial District Provisions to allow for amusement device arcades with a Tier 2 Administrative Use Permit (for spaces >3,000 Sq. Ft.) and a Zoning Certificate (for spaces < 3,000 Sq. Ft.). Proposed ordinance language for changes to Table 23E.44.030 are attached to the report.

Financial Implications: See report

Contact: Lori Droste, Councilmember, District 8, 981-7180

Action: Approved recommendation.

Action Calendar – Old Business

38. Budget Referral: Remediation of Lawn Bowling, North Green and Santa Fe Right-of-Way, FY2020-2021 *(Continued from June 11, 2019)*

From: Councilmember Davila

Recommendation: Refer to the FY20 (2020/2021) RRV Budget Process for consideration of at least \$150,000 and up to remediate the Lawn Bowlers, North Green and Santa Fe Right-of-Way in advance of Request for Proposal (RFP) for these areas that potentially could provide much needed affordable alternative housing.

Refer to the Homeless Services Panel of Experts to consider Measure P funds for remediation purposes for these properties.

Financial Implications: See report

Contact: Cheryl Davila, Councilmember, District 2, 981-7120

Action: Moved to Consent Calendar. Approved revised recommendation as written below.

Refer to the November 2019 AAO consideration of at least \$150,000 and up to remediate the Lawn Bowlers, North Green and Santa Fe Right-of-Way in advance of Request for Proposal (RFP) for these areas that potentially could provide much needed affordable alternative housing.

Refer to the Homeless Services Panel of Experts to consider Measure P funds for remediation purposes for these properties.

Action Calendar – New Business

39. FY 2020 and FY 2021 Biennial Budget Adoption

From: City Manager

Recommendation: Adopt a Resolution: a) Adopting the FY 2020 & FY 2021 Biennial Budget as contained in the City Manager's FY 2020 & FY 2021 Proposed Biennial Budget that includes the Proposed Capital Budget, presented to Council on May 7, 2019, and as amended by subsequent Council action. b) Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY 2020, as reflected in Attachment 2 to the report, and as amended by subsequent Council action.

Financial Implications: See report

Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action: 68 speakers. M/S/C (Arreguin/Harrison) to adopt Resolution No. 69,010–N.S. as revised in Supplemental Communications Packet #2 by the Mayor and the City Manager's Office with an amendment to revise the \$50,000 allocation for the traffic circle at 62nd and King to be for construction; to adjust the arts funding to \$500,000 for FY 2020 and FY 2021; to defer the Human Resources allocation to November 2019; to adjust the Paramedic Tax in FY 2021 by \$110,000; Refer the items in Attachment 4 of the Mayor's item to November 2019.

Vote: All Ayes.

Action Calendar – Old Business

40. FY 2020 Annual Appropriations Ordinance

From: City Manager

Recommendation: Adopt first reading of an Ordinance adopting the FY 2020 Annual Appropriations Ordinance (AAO) in the amount of \$520,227,935 (gross appropriations) and \$454,517,219 (net appropriations).

Financial Implications: See Report

Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000

Action: 0 speakers. M/S/C (Arreguin/Davila) to adopt the first reading of Ordinance No. 7,669-N.S. with the following revised dollar amounts – Gross Appropriations \$525,856,809; Net Appropriations \$460,146,093; General Fund Appropriations \$196,913,849. Second reading scheduled for July 9, 2019.

Vote: All Ayes.

Recess 9:37 p.m. – 9:51 p.m.

41. Borrowing of Funds and the Sale and Issuance of FY 2019-20 Tax and Revenue Anticipation Notes

From: City Manager

Recommendation: Adopt a Resolution approving the borrowing of \$35,000,000 and the sale and issuance of Fiscal Year 2019-20 Tax and Revenue Anticipation Notes.

Financial Implications: See report

Contact: Henry Oyekanmi, Finance, 981-7300

Action: 0 speakers. M/S/C (Droste/Wengraf) to adopt Resolution No. 69,011–N.S.

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

Councilmember Harrison absent 7:21 p.m. – 7:32 p.m.

Council Action Items

42. Waiver of Fees for Trash Corral Pilot Program

From: Councilmembers Robinson and Harrison

Recommendation: Adopt a resolution waiving the Minor Encroachment Permit application and permit fees and the Miscellaneous Permit to Construct fees required by both the Telegraph Business Improvement District and the Downtown Berkeley Association for the installation of their pilot trash corrals.

Financial Implications: See report

Contact: Rigel Robinson, Councilmember, District 7, 981-7170

Action: Moved to Consent Calendar. Councilmember Hahn added as a co-sponsor. Adopted Resolution No. 69,012–N.S. Referred to the City Manager to explore alternate funding sources including the Zero Waste Fund.

Information Reports

- 43. Voluntary Time Off Program for FY 2020**
From: City Manager
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
Action: Received and filed.
- 44. Audit Status Report Response: Code Enforcement Resources Significantly Constrained and Improvements Needed in Case Management and Oversight from January 1, 2019 – April 16, 2019**
From: City Manager
Contact: Paul Buddenhagen, City Manager's Office, 981-7000
Action: Received and filed.
- 45. FY 2020 Civic Arts Grant Awards**
From: City Manager
Contact: Jordan Klein, Economic Development, 981-7530
Action: Received and filed.
- 46. FY 2019 Second Quarter Investment Report: Ended December 31, 2018**
From: City Manager
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Received and filed.
- 47. Referral Response: Community Microbond Initiative**
From: City Manager
Contact: Henry Oyekanmi, Finance, 981-7300
Action: Moved to Action Calendar. 6 speakers. Discussion held.
- 48. LPO NOD: 2140 Shattuck Avenue, #LMSAP2018-0004**
From: City Manager
Contact: Timothy Burroughs, Planning and Development, 981-7400
Action: Received and filed.
- 49. goBerkeley Parking Management Program: Parking Rate and Time Limit Adjustments for Northside Area for August 1, 2019**
From: City Manager
Contact: Phillip Harrington, Public Works, 981-6300
Action: Received and filed.
- 50. 2019 Commission on Disability Work Plan**
From: Commission on Disability
Contact: Dominika Bednarska, Commission Secretary, 981-6300
Action: Received and filed.

Information Reports

51. 2019 Public Outreach Efforts of Commission on Disability

From: Commission on Disability

Contact: Dominika Bednarska, Commission Secretary, 981-6300

Action: Received and filed.

52. Mental Health Commission 2018 Annual Report

From: Mental Health Commission

Contact: Karen Klatt, Commission Secretary, 981-5400

Action: Item held over the July 9, 2019 Action Calendar.

Public Comment – Items Not Listed on the Agenda - 2 speakers.

Adjournment

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

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

Councilmember Droste absent 9:51 p.m. – 10:28 p.m.

Councilmember Wengraf absent 10:27 p.m. – 10:28 p.m.

Adjourned at 10:28 p.m.

Communications

Berkeley Marina Docks

1. Erwan Illian

5G

2. Annamarta Dostourian
3. Kate Bernier (3)
4. Meaveen O'Connor
5. Ryan Van Valer
6. Phoebe Sorgen (2)
7. Vivian Warkentin
8. Alan Kiviat
9. Elisabeth Jewel

North Berkeley BART

10. Ariane Michas
11. Priscilla Villanueva
12. Yvonne Nyborg
13. Mia Bruch

14. Sue von Baeyer
15. Lothar
16. Maura Ghizzoni
17. John and Susan Prausnitz
18. Alison Ascher Webber
19. David Johnson
20. Linda Friedman
21. Margot Murtaugh
22. Dana Gildemeister
23. Belle Adler
24. Walter Wood

Electric Vehicles

25. Betsy Thagard
26. Vanessa Warheit (2)

RV

27. Felice Botts
28. Nigel Guest

Homelessness and Encampments

29. Steven Donaldson
30. russbumper
31. Mike Lee

Recycle

32. Harvey Sherback (4)

Street Intersections

33. Brian Witt
34. Amanda Rebel
35. Ben Gerhardstein
36. Amy Eisenberg
37. Janice Greenberg

Vets

38. russbumper (3)

Police

39. Fred Dodsworth
40. Tammmy Rieser
41. russbumper

Cannabis

42. Elizabeth Greene, Cannabis Commission Secretary (2)

East Bay Rental Housing Association

43. Shani Brown

Transfer Station Rate

44. David Lerman

7th Annual Rosa Parks Fifth Grade Mock Trial

45. Ty Alper

Performance for Mama Washington

46. Adriana Betti

2701 Shattuck – ZAB

47. Lee Ling

Committee Meetings Transparency

48. Pam Speich

Missing Middle

49. Lee Bishop

Orbiting Weapon

50. Jesse Hampton

Proposed Senior Facility

51. Fran Haselsteiner

Virginia Beach Incident

52. Steven Schuyler

William Barclay Caldeira

53. russbumper

Tenant's Access to Apartment Blocked

54. Curtis Bray (2)

Decriminalize Nature

55. Jessica Behrman

Street Lights

56. Eric Friedman

Supplemental Communications and Reports 1

Item #39: FY 2020 and FY 2021 Biennial Budget Adoption

57. Donna Mickleson (3)

58. Karen Teitel

59. Helga Recke
60. Kamala Asher
61. August Fern
62. Gael
63. David Hubbard
64. Francine Foltz
65. Stacey Singleton
66. Rebecca Burke
67. Linda Worthman
68. Zee Zeleski
69. Arnold Kessler
70. Rodney Merrill

Item #45: FY 2020 Civic Arts Grant Awards

71. Bruce Coughran
72. Susan Duhan Felix
73. Naome Dragstedt
74. Archana Horsting
75. Joanne De Phillips
76. Judith Workman
77. Janice Murota (2)
78. Carol Lashof
79. Lisa Bullwinkel
80. George-Ann Bowers
81. David Flack
82. Margaret Riesen
83. Jamie Greenblatt
84. Nadia Liu
85. Liz Ozol
86. Cherie Hill
87. John Caner, on behalf of the Downtown Berkeley Association
88. Sharon Dolan, on behalf of Freight & Salvage
89. Loretta Janca
90. Margaret Norman
91. Pat Mullan
92. Zoe Klein
93. Weston Scott
94. Erika Oba
95. Marian Wolodarski Lunderg, on behalf of Berkeley Finnish Hall
96. Anne Mester
97. Katy Waffle
98. Jeffrey Price
99. Vanessa Anderson
100. Linda Schieber
101. Will Sousae
102. Tammy Berlin
103. Patricia Milton

104. Sherry Smith
105. Jan Zvaifler
106. Jessie Barber

Supplemental Communications and Reports 2

Item #39: FY 2020 and FY 2021 Biennial Budget Adoption

107. Supplemental materials, submitted by Mayor Arreguin
108. Supplemental materials, submitted by Councilmember Droste
109. Revised materials, submitted by the City Manager's Office
110. Howard Goldberg
111. Michele Manning
112. Gayle Roberts
113. Cindi Goldberg
114. Sally Nelson
115. Kyle Miller
116. Lael Gerhart
117. Gazelle Babae
118. Kendra Levine
119. Sumner Brenner
120. Nehama Rogozen
121. Theresa Gensler
122. Shirley Dean

Item #45: FY 2020 Civic Arts Grant Awards

123. Sacred and Profane
124. Daniel Nevers
125. Anne Aronov
126. Giulio Perrone
127. Dan Scharlin
128. Lisa Bullwinkel
129. Gregory Scharpen
130. Ben Gross
131. Jan Murota
132. Laura Moriarty

Item #47: Referral Response: Community Microbond Initiative

133. 42 Identical form letters, in support of
134. Dee Duncan
135. Alfred Twu
136. Luke Kim
137. Jeremy Meyer
138. Ally Medina
139. Colin Stewart
140. Alex Lee, on behalf of Liquidigy, Inc.
141. Kathleen Crandall

Supplemental Communications and Reports 3

Item #39: FY 2020 and FY 2021 Biennial Budget Adoption

- 142. Jane Ellis
- 143. Ben Gerhardstein, on behalf of Walk Bike Berkeley
- 144. Margie Cochran, on behalf of The Center for Independent Living
- 145. Chimey Lee
- 146. Barbara Rydlander
- 147. Sarah Garrett
- 148. Katharine Bierce
- 149. Stephen Barton
- 150. Sian Geraghty
- 151. Joel Moalem
- 152. Moni Law
- 153. Karla Herndon
- 154. Kelley Cox
- 155. Tony Thurmond, on behalf of the California Department of Education
- 156. Joel Hart

Item #45: FY 2020 Civic Arts Grant Awards

- 157. Hadley Dynak
- 158. Dennis Markham
- 159. Margaret O'Connor
- 160. Henry Parsons
- 161. Gene Dominique
- 162. Shawn Hibmacronan
- 163. Jessica Cadkin
- 164. Gary Parsons

Item #47: Referral Response: Community Microbond Initiative

- 165. Christian Kameir, on behalf of Sustany Capital
- 166. Gozde Gorce
- 167. Suruchi Gupta
- 168. Christian Ferri
- 169. Unknown

Miscellaneous Communications

- Cool Climate Network
- 170. Unknown