



PROCLAMATION CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

**Tuesday, September 13, 2022
5:00 PM**

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 – LORI DROSTE

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

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244.

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/1611765730>. 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: **161 176 5730**. 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 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.

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@cityofberkeley.info.

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:

Consent Calendar

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Three members of the City Council must agree to pull an item from the Consent Calendar for it to move to Action. Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

1. **Modifying the 2022 City Council Meeting Schedule**

From: City Manager

Recommendation: Adopt a Resolution modifying the City Council regular meeting schedule for 2022, with starting times of 6:00 p.m., to reschedule the October 6, 2022 regular meeting to October 11, 2022.

Financial Implications: None

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

2. **Appointment of Director of Information Technology**

From: City Manager

Recommendation: Adopt a Resolution confirming the appointment of Kevin Fong as the Director of Information Technology to be effective September 18, 2022 at an annual salary of \$205,000.

Financial Implications: See report

Contact: Dee Williams-Ridley, City Manager, (510) 981-7000

Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 8th day of September, 2022.



Jesse Arreguin, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:



Date: September 8, 2022
Mark Numainville, City Clerk

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <https://berkeleyca.gov/>.

Agendas and agenda reports may be accessed via the Internet at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>

and may be read at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor
Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901
Email: clerk@cityofberkeley.info

Libraries: Main – 2090 Kittredge Street,
Claremont Branch – 2940 Benvenue, West Branch – 1125 University,
North Branch – 1170 The Alameda, South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.



Captioning services are provided at the meeting, on B-TV, and on the Internet.



Office of the City Manager

CONSENT CALENDAR
September 13, 2022

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Modifying the 2022 City Council Meeting Schedule

RECOMMENDATION

Adopt a Resolution modifying the City Council regular meeting schedule for 2022, with starting times of 6:00 p.m., to reschedule the October 6, 2022 regular meeting to October 11, 2022.

FISCAL IMPACTS OF RECOMMENDATION

None.

BACKGROUND

On January 18, 2022 the City Council adopted an amended meeting schedule for 2022. Pursuant to the Open Government Ordinance, the Council must adopt an annual regular meeting schedule with at least 24 regular meetings. The schedule generally consists of either two or three meetings per month and provides for Spring, Summer and Winter recess periods.

At the Agenda & Rules Committee meeting of August 29, 2022, the Mayor noted he was unavailable for the meeting of October 6 and that he and the Vice-Mayor preferred that the October 6 meeting be moved to October 11.

The Mayor or a majority of the Council may call special meetings as needed. The Council may also amend the regular meeting schedule when necessary.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities, or any climate impacts associated with the subject of this report.

CONTACT PERSON

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

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

ADOPTING THE CITY COUNCIL 2022 REGULAR MEETING SCHEDULE

WHEREAS, pursuant to the Open Government Ordinance, the Council must adopt an annual meeting schedule with at least 24 regular meetings; and

WHEREAS, the proposed schedule provides for regular meetings to occur with starting times of 6:00 p.m. on specified Tuesdays of each month with exceptions provided for recess periods or when a meeting would fall on a City, religious or cultural holiday or Election Day; and

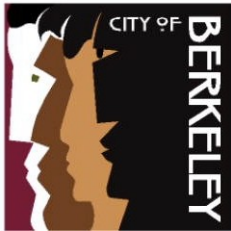
WHEREAS, the Council desires to establish as part of their schedule a Winter, Spring and Summer recess period for 2022; and

WHEREAS, at the Agenda & Rules Committee meeting of August 29, 2022, the Mayor noted he will be unavailable for the meeting of October 6 and that he and the Vice-Mayor preferred that the October 6 meeting be moved to October 11; and

WHEREAS, the Mayor or a majority of the Council may call special meetings or revise the regular meeting schedule when necessary.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council adopts the modified 2022 regular meeting schedule on specified Tuesdays of each month with exceptions provided for when a meeting would fall on a City, religious or cultural holiday or Election Day, at 6:00 p.m. as indicated:

- Winter Recess – December 15, 2021 – January 17, 2022
 - January 18 and January 25, 2022
 - February 8 and February 22, 2022
 - March 8 and March 22, 2022
- Spring Recess – March 23 – April 11, 2022
 - April 12 and April 26, 2022
 - May 10, May 24, and May 31, 2022
 - June 14 and June 28, 2022
 - July 12 and July 26, 2022
- Summer Recess – July 27 – September 12, 2022
 - September 13, September 20, and September 29, 2022
 - October 11, 2022
- November 3, November 15, and November 29, 2022
 - December 6 and December 13, 2022
- Winter Recess – December 14, 2022 – January 16, 2023



Office of the City Manager

CONSENT CALENDAR
 September 13, 2022

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Subject: Appointment of Director of Information Technology

RECOMMENDATION

Adopt a Resolution confirming the appointment of Kevin Fong as the Director of Information Technology to be effective September 18, 2022 at an annual salary of \$205,000.

FISCAL IMPACTS OF RECOMMENDATION

The salary and benefits for the Director of Information Technology are included in the Fiscal Year 2022-2023 Department budget. The position is paid 100% from the Information Technology Cost Allocation Fund (Budget Code: 680-35-361-000-0000-000-471-511110).

CURRENT SITUATION AND ITS EFFECTS

Kevin Fong has worked at the City of Oakland since June 2021 following the resignation of the previous Director of Information Technology. He has a lengthy employment history within the Information Technology field since 1987. He has worked with East Bay Municipal Utility District, the port of Oakland and the City of Oakland and in the private sector.

In accordance with the City Charter, Section 28(b) of Article VII, I am submitting my selection for the Director of Information Technology to the City Council for confirmation. I have selected Kevin Fong for appointment to the Director of Information Technology position, to be appointed with an annual salary of \$205,000. I am requesting confirmation of this appointment so that I may formally offer this regular at will benefited department head position to Kevin Fong to be effective September 18, 2022.

The City retained Koff and Associates HR Consulting, an executive search firm, to conduct an extensive, nationwide search for a new Director. The City conducted a competitive interview process consisting of three interview panels including community stakeholders, technical experts and city department directors. Top candidates were recommended for final interviews conducted by the City Manager and Deputy City Managers.

BACKGROUND

The Department of Information Technology (IT) provides citywide strategic technology direction, infrastructure support for the City of Berkeley network, and all Geographical Information Systems (GIS) data. The department sets Cyber Security protocols and provides operational support of citywide enterprise software applications across a variety of technology platforms. Our 311 Customer Service Call Center provides a first point of contact for the City Services, as well as delivers information to and collects service-related data from community members, businesses, and visitors on behalf of the City. Our vision is to provide excellent customer service through innovative and intuitive solutions with a diverse workforce to enable City operations, and to connect and deliver quality solutions for the community. Our mission is to provide cost-effective smart technology solutions to our business partners and community with integrity and commitment to excellence.

The Department of Information Technology has a staff of 48, organized into the following divisions:

Administration: The Administration Division directs the department in budget and purchasing and Contract Management.

Customer Services: The Customer Service Division has the 311 Call Center, Website and Lagan CRM

Coordinators: The coordinators are the Department Portfolio Coordinators

Network Operations: The network operations division work in the Help Desk and Field Support, Advances Support and Network Engineering

Programming and Configuration: The programming and configuration work in Baseline, Non-Baseline.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Kevin Fong started his career in IT in 1987 and has held several positions throughout his career. Most recently as the Chief Information Officer for the City of Oakland. He holds a Bachelors degree in Statistics. He has certificates in Advanced Project Management (Octel), OO Design and Analysis (Octel) and a certification in Communications and Senior Leadership (UC Berkeley Extension)

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Dee Williams-Ridley, City Manager, City Manager's Office (510) 981-7000

Attachments:

1. Resolution

RESOLUTION NO. ##, 'l#f.#-N.S.

CONFIRMING THE APPOINTMENT OF Kevin Fong as Director of Information
Technology

WHEREAS, Kevin Fong is currently working as a Chief Information Officer at the City of Oakland and has over twenty years of experience working in Information Technology. He has significant experience working in the public sector in the Information Technology field; and

WHEREAS, Mr. Fong also worked as a Deputy CIO in the Information Technology Division; and was responsible for the overall leadership and management of city-wide MIS (Microsoft Azure, Office 365, SharePoint, VMWare, AWS, platform integrations, etc.), Networking (Cisco, Meraki, Palo Alto, Extreme, etc.), Telecom (Shoretel, Meridian) and customer service/help desk (ServiceNow);.and

WHEREAS, Mr. Fong has worked in the private sector and higher education by designing and delivering an employee self-service solution that saved the UC system a minimum of 1.2 million a year. He has also implemented a new campus tour registration system saving the campus \$100K; and

WHEREAS, Mr. Fong received a Bachelor of Science Degree in Statistics from the University of California, Berkeley; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby confirms the City Manager's appointment of Kevin Fong as the Director of Information Technology with an annual salary of \$205,000 on the same terms and conditions as other regular at will employees effective September 18, 2022.