

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, January 30, 2024
6:00 PM

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 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 – VACANT
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

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.

*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/1600654738>. 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: **160 065 4738**. 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.*

To submit a written communication for the City Council’s consideration and inclusion in the public record, email 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 public participation may be addressed to the City Clerk Department (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

Preliminary Matters

Roll Call: 6:03 p.m.

Present: Taplin, Harrison, Hahn, Humbert, Arreguin

Absent: Kesarwani, Bartlett, Wengraf

Councilmember Bartlett present at 6:10 p.m.

Councilmember Kesarwani present at 6:14 p.m.

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 Chochochenyo (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: None

City Manager Comments: None

Public Comment on Non-Agenda Matters: 21 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 Wengraf.

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

Consent Calendar

Action: M/S/C (Arreguin/Hahn) to suspend the rules and allow for a 30-minute public comment period on the Consent Calendar.

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

Public Comment on Consent Calendar and Information Items Only: 18 speakers.

Consent Calendar

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

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

Recess Items

- 1. Purchase Order: With Motorola for Firehouse Alerting System Equipment**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to issue purchase orders with Motorola for an amount not to exceed \$175,000 through July 31, 2024 for the purchase of equipment necessary to complete the emergency firehouse alerting retrofit project.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,176–N.S.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Humbert, Arreguin; Noes – Harrison; Abstain – None; Absent – Wengraf.
- 2. Reject All Bids and Negotiate with Contractors for the Berkeley Fire Station Landscape Project, Specification No. 24-11622-C**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to reject all bids and direct staff to negotiate with contractors for the work associated with the Berkeley Fire Station Landscape Project Specification No. 24-11622-C.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,177–N.S.

Consent Calendar

Urgency Item: Excused Absence for Councilmember Wengraf

From: Mayor Arreguin

Recommendation: Excuse Councilmember Wengraf from the January 30, 2024 Council meeting as a result of an illness of a close family member who requires immediate care.

Financial Implications: None

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

Action: Approved recommendation.

Consent Calendar

- 3. Prevailing Wage Requirements in the Southside Plan Area; Adding Berkeley Municipal Code Chapter 13.108**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,893-N.S. amending Berkeley Municipal Code Title 13 to add Chapter 13.108 --Prevailing Wage Requirements in the Southside Plan Area to establish prevailing wage requirements for projects exceeding 50 units or 50,000 square feet in the Southside Plan Area.
First Reading Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Wengraf, Humbert, Arreguin; Noes – None; Abstain – Kesarwani.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted second reading of Ordinance No. 7,893–N.S.
Second Reading Vote: Ayes – Taplin, Bartlett, Harrison, Hahn, Humbert, Arreguin; Noes – None; Abstain – Kesarwani; Absent – Wengraf.
- 4. Expansion of the Elmwood Business Improvement District, Levy Assessments in the District for 2025, and Authorize a Contract with the Elmwood Business Association (EBA) to receive assessment revenue**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,894-N.S. expanding the Elmwood Business Improvement District, amending Chapter 7.84 of the Berkeley Municipal Code (BMC) originally adopted by Ordinance No. 6,164-N.S.
First Reading Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Wengraf.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted second reading of Ordinance No. 7,894–N.S.
Second Reading Vote: Ayes – Kesarwani, Taplin, Bartlett, Harrison, Hahn, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Wengraf.
- 5. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 30, 2024**
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 - \$200,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

6. **Grant Application: Funding from California Department of Forestry and Fire Protection (CAL FIRE) Wildfire Prevention Grant to Implement an Incentive Program for Residents in Berkeley's Very High Fire Hazard Severity Zone**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from the California Department of Forestry and Fire Protection (CAL FIRE) for up to the amount of \$1.1 Million to implement a defensible space program for residents of Berkeley's Very High Fire Hazard Severity Zone.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,178–N.S.
7. **State Homeland Security Grant Program Application to Implement CAD to CAD Interface between the City of Berkeley Emergency Communications Center and the Alameda County Regional Dispatch Center**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to apply for, accept, and manage a grant for the CAD to CAD (computer-aided dispatch) Interface Project between the City of Berkeley Emergency Communications Center and the Alameda County Regional Dispatch Center, with a total project cost of \$99,600. This project is crucial for enhancing communication and coordination between agencies.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,179–N.S.
8. **Contracts: As-Needed Hazardous Fire Fuel Treatment with Julian Tree Care, Professional Tree Care, West Coast Arborist Inc., and West Coast Tree Service**
From: City Manager
Recommendation: Adopt four Resolutions authorizing the City Manager or her designee to execute the following contracts and any amendments for As-Needed Hazardous Fire Fuel Treatment and removal from February 1, 2024, to January 30, 2028, for a total cumulative amount not to exceed \$4,000,000:
1. Julian Tree Care in the amount of \$1,000,000;
2. Professional Tree Care in the amount of \$1,000,000;
3. West Coast Arborist Inc. in the amount of \$1,000,000; and
4. West Coast Tree Service in the amount of \$1,000,000.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,180–N.S. (Julian Tree Care); Resolution No. 71,181–N.S. (Professional Tree Care); Resolution No. 71,182–N.S. (West Coast Arborist Inc.); and Resolution No. 71,183–N.S. (West Coast Tree Service).

Consent Calendar

- 9. Revenue Contract: 2024 Community Services Block Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept Community Service Block Grant (CSBG) Contract Number 24F-3001 for the amount of \$299,495, and execute any resultant agreements and amendments including amendments that may decrease or increase the contract amount or add discretionary funding, or to change the contract term, or to update contract terms, to provide low-income services for the time period January 1, 2024 to May 31, 2025, with the option to extend the contract period as amended by the California State Department of Community Services and Development.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,184–N.S.
- 10. Revenue Grant Agreement: Funding Support from the State of California Tobacco Control Program to Conduct Public Health Services**
From: City Manager
Recommendation: Adopt Resolution authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept the grant, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Tobacco Control Program in the projected total amount of \$300,000 for Fiscal Year 2025.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,185–N.S.
- 11. Expenditure Contract: Alameda County Public Health Department (Office of Dental Health) to Provide Dental Services to the Berkeley Unified School District**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with Alameda County in an amount not to exceed \$159,000 to provide dental services in Berkeley Unified School District for the period July 1, 2024 through June 30, 2027.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,186–N.S.

Consent Calendar

- 12. Expenditure Contract: Berkeley Free Clinic for Laboratory Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with the Berkeley Free Clinic (BFC) for laboratory services, in an amount not to exceed \$150,000 for the period July 1, 2024 through June 30, 2027.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,187–N.S.
- 13. Contract No. 32300149 Amendment: mySidewalk, Inc. for HHCS Web-Based Population Health Data Platform**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32300149 with mySidewalk, Inc. for an additional \$30,000 for a total not to exceed amount of \$158,315 through March 4, 2026.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,188–N.S.
- 14. Contract No. 32300112 Amendment: Harold Dichoso for COVID-19 Outreach and Education**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300112 with Harold Dichoso for COVID-19 outreach and education, to extend the contract end date through June 30, 2024 and increase the not-to-exceed amount (NTE) by \$20,000 utilizing one-time grant funds. The amendment will increase the NTE amount from \$125,000 to \$145,000.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,189–N.S.

Consent Calendar

15. **Martin Luther King Jr. House Request for Proposals Recommendation**

From: City Manager

Recommendation: Adopt a Resolution to: 1. Approve the transfer of Martin Luther King Jr.(MLK) House from Resources for Community Development to Insight Housing, including obligations under the City's existing loan and regulatory agreements; and 2. Extend the previously approved \$1,178,974 funding reservation for MLK House and transfer that reservation to Insight Housing; and 3. Reserve an additional \$822,014 from the Housing Trust Fund program to support Insight Housing's renovation of the property; and 4. Waive Sections I.A.1 and IV.C.1 of the Housing Trust Fund Guidelines. 5. Authorize 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. 71,190–N.S.

16. **Grant for 1741-1747 Russell Street**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or her designee to redirect \$95,625, the amount of transfer tax recently paid for 1741-1747 Russell Street, from the General Fund to Insight Housing (Insight) to support the renovation of the property.

Financial Implications: See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Action: Adopted Resolution No. 71,191–N.S.

17. **At-Will Designations: Employee Relations Manager and Assistant to the City Attorney**

From: City Manager

Recommendation:

1. Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 4.04.120(A) to designate the unrepresented classifications of Employee Relations Manager and Assistant to the City Attorney as at-will, and
2. Adopt a Resolution authorizing amendments to the Unrepresented Employee Manual and all other pertinent documents to effectuate the change; approving a 5% salary differential for the Employee Relations Manager classification, to be set forth in the Unrepresented Employee Manual; and modifying the Employee Relations Manager job specification to state that the incumbent "may act as department head in the absence of the Director of Human Resources."

Financial Implications: See report

Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

Action: 1. Adopted first reading of Ordinance No. 7,896–N.S. Second reading scheduled for February 13, 2024. 2. Adopted Resolution No. 71,192–N.S.

Consent Calendar

- 18. Donation: Memorial Bench at Cesar Chavez Park in memory of Samuel Lepie Hallward**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at Cesar Chavez Park in memory of Samuel Lepie Hallward.
Financial Implications: \$3,400 in revenue.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,193–N.S.
- 19. Contract No. 31900143 Amendment: Passport Labs Incorporated for a Parking Management System**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900143 and any necessary future amendments with Passport Labs Inc. to provide a Parking Management System for an additional two-year contract extension beyond the current contract expiration date of February 4, 2024, and to approve additional appropriations for the performance of this contract.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 71,194–N.S. as amended in Supplemental Communications Packet #1 by the City Manager.
- 20. Contract: CESCORP, dba Cal Elite Builders for Corp Yard City Fleet EV Charger Project. Specification No.23-11546-C**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for the Corp Yard City Fleet EV Charger Project (Project)., Specification No. 23-11546-C; 2. Accepting the bid of CESCORP, dba Cal Elite Builders as the lowest responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions, or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed \$814,680.
Financial Implications: See report
Contact: Andrew Murray, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,195–N.S.

Consent Calendar

- 21. Contract: CESCORP, dba Cal Elite Builders & Cal Electric for the Central Library HVAC Replacement Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for Central Library HVAC Replacement Project, Specification No.23-11600-C; 2. Accepting the bid of CESCORP, dba Cal Elite Builders & Cal Electric as the lowest responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed \$1,566,000, which includes a contingency of \$261,000.
Financial Implications: See report
Contact: Andrew Murray, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,196–N.S.
- 22. Contracts: On-Call Construction and Project Management Services: Hollins Consulting, Inc., Kitchell/CEM, Inc., and O’Connor Construction Management, Inc.**
From: City Manager
Recommendation: Adopt three Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call construction management and project management services (CM/PM) for capital improvement projects, each for the period of January 1, 2024 through June 30, 2025:
1. Hollins Consulting, Inc. (Hollins), for an amount not to exceed \$2,800,000.
2. Kitchell/CEM, Inc. (Kitchell), for an amount not to exceed \$2,800,000.
3. O’Connor Construction Management, Inc. (OCMI), for an amount not to exceed \$2,800,000.
Financial Implications: See report
Contact: Andrew Murray, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,197–N.S. (Hollins); Resolution No. 71,198–N.S. (Kitchell/CEM); and Resolution No. 71,199–N.S. (O’Connor).
- 23. Contract: Shaw Industries, Inc. for Civic Center Building Carpet Replacement Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Pursuant to City Charter Article XI Section 67.2 requirements, accepting the California Multiple Award Schedule (CMAS) bid procedures; 2. Approving the CMAS Contract with Shaw Industries, Inc. for Carpet Replacements at the Civic Center Building; 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the terms and conditions of the agreements with Shaw Industries, Inc. in an amount not to exceed \$311,348, which includes a contingency of \$29,045.
Financial Implications: Capital Improvement Fund - \$311,348
Contact: Andrew Murray, Public Works, (510) 981-6300
Action: Item 23 removed from the agenda by the City Manager.

Consent Calendar

- 24. Contract No. 108007-1 Amendment: Don's Tire Services, Inc. for Tire Repair Services for City Fleet Vehicles**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 108007-1 with Don's Tire Services, Inc. for repair and replacement services for automobile and truck tires for City of Berkeley fleet vehicles in the amount of \$650,000 for a total not-to-exceed amount of \$1,073,534 and extend the contract through the June 30, 2025.
Financial Implications: See report
Contact: Andrew Murray, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,200–N.S.
- 25. Lease Agreement: We Wield The Hammer at 2440 Durant Avenue in the Telegraph-Channing Mall and Garage**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement with We Wield The Hammer (WWTH), a 501c3 nonprofit organization to use and occupy 2440 Durant Avenue inside the Telegraph-Channing Mall and Garage for a five (5) year lease term with an option to extend for one additional five (5) year term. The initial lease term is anticipated to begin March 1, 2024.
Financial Implications: See report.
Contact: Andrew Murray, Public Works, (510) 981-6300
Action: Adopt first reading of Ordinance No. 7,897–N.S. Second reading scheduled for February 13, 2024.

Council Consent Items

- 26. City Council Committee and Regional Body Appointments**
From: Mayor Arreguin
Recommendation: Adopt a Resolution approving the appointment of Council representatives to City Council Standing Policy Committees, Partnership Committees, Regional Bodies and Liaisons to City Boards and Commissions for a term ending on January 31, 2025 or until new appointments are made.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,201–N.S.

Council Consent Items

- 27. Support for ACA 4 Elections: Eligibility to Vote**
From: Councilmember Hahn (Author), Councilmember Robinson (Author)
Recommendation: Adopt a resolution in support of Assembly Constitutional Amendment 4 (Bryan), which would repeal a constitutional requirement disqualifying electors incarcerated for felony convictions, and send a copy of the resolution to Assemblymembers Isaac Bryan and Buffy Wicks, and State Senator Nancy Skinner.
Financial Implications: None
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Adopted Resolution No. 71,202–N.S.
- 28. Request by Resolution that PG&E Underground Utilities in Berkeley’s VHFHSZ**
From: Councilmember Wengraf (Author), Councilmember Humbert (Co-Sponsor), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Adopt a Resolution urging PG&E to underground utility wires in Berkeley’s Very High Fire Hazard Severity Zone (VHFHSZ) to mitigate wildfire risk and limit evacuation and ingress obstruction. Send the Resolution to PG&E CEO Patti Poppe, the California Public Utilities Commission (CPUC), the Office of Energy Infrastructure Safety, State Senator Nancy Skinner, Assemblymember Buffy Wicks, Governor Gavin Newsom and Senator Mike McGuire, author of SB 884. Request the City Manager issue a press release about this Resolution as a critical Public Safety matter.
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Adopted Resolution No. 71,203–N.S.

Recess 8:54 p.m. – 9:01 p.m.

Council Action Items

29. Budget Referral: Additional Security Cameras at Intersections Experiencing Increased Violent Crime

From: Councilmember Humbert (Author), Councilmember Bartlett (Co-Sponsor)

Recommendation: In order to deter violent crime and obtain evidence to solve criminal investigations, adopt the following recommendations:

1. Authorize the City Manager to install additional security cameras, prominent signage, and increased lighting in the public right-of-way at intersections experiencing a rise in violent crime and/or which include arterial streets offering entry/exit points for Berkeley.

2. Refer costs for security cameras and lighting to the next budget process.

Security camera footage would be used solely for the purpose of solving criminal investigations. The cameras are not intended and would not be used for continuous surveillance purposes. Cameras should ideally be compatible with those already in use at San Pablo Park under Contract Nos. 31900080 and 31900205 and those deployed at other intersections throughout the city.

Priority intersections for security camera installation would include: -Alcatraz and College; -Woolsey and Telegraph; -Woolsey and Shattuck; -Alcatraz and Adeline; and -Alcatraz and Sacramento.

Financial Implications: See report

Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180

Action: M/S/Failed (Arreguin/Humbert) to accept revised material from Councilmember Humbert on Item 29.

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

Action: M/S/Carried (Arreguin/Hahn) to suspend the rules and allow for a 30-minute public comment period on Item 29.

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

Councilmember Harrison absent at 8:54 p.m.

Action: 21 speakers. M/S/C (Arreguin/Bartlett) to:

1. Pursuant to Berkeley Police Department Policy Numbers 351 and 1304, the City Council approves the following additional locations for the installation of External Fixed Video Surveillance Cameras, signage and increased lighting at the following locations, and refer the costs for acquisition of cameras and lighting to the FY 2025 Budget process:
 - Alcatraz and College
 - Woolsey and Telegraph
 - Woolsey and Shattuck
 - Alcatraz and Adeline

Council Action Items

- Alcatraz and Sacramento
- San Pablo Ave. and Gilman

Additional camera locations to be considered for potential future installation include:

- Telegraph and Dwight
- 5th Street and Gilman
- 4th Street and Hearst
- Cedar St. and Eastshore Hwy
- 4th Street and Virginia
- 8th Street and Harrison
- 2nd Street and Page
- University and San Pablo

The costs for installation and maintenance of cameras at additional authorized locations would be determined and approved separately during future budget processes.

2. Direct the City Manager to engage with the Police Accountability Board on this proposal and request their feedback to Council within 30 days of submission. The Council will take its comments into consideration during subsequent steps for final approval for purchase and installation of cameras at approved locations.
3. Direct the City Manager to prepare targeted amendments to various pertinent surveillance technology reports and policies in order to provide extra transparency beyond what is explicitly required by the Berkeley Municipal Code and Berkeley Police Department Law Enforcement Manual.

Security camera footage would be used solely in a manner consistent/compliant with existing ordinances and the Berkeley Police Department's existing use policies, as enumerated in the Berkeley Municipal Code, the Berkeley Police Department Law Enforcement Manual. The cameras are not intended and would not be used for continuous surveillance purposes. Cameras should ideally be compatible with those already in use at San Pablo Park under Contract Nos. 31900080 and 31900205 and those deployed at other intersections throughout the city.

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

Information Reports

- 30. ***Removed from Agenda by City Manager*** Bay Area Housing Finance Authority and 2024 Regional Affordable Housing Bond
From: City Manager**

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Information Reports

31. **LPO NOD: 2119 Marin Avenue, #LMSAP2023-0003**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.
32. **LPO NOD: 910 Indian Rock Avenue, #LMIN2023-0002**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.

Adjournment

Action: M/S/C (Arreguin/Hahn) to suspend the rules and adjourn the meeting.

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

Adjourned at 9:38 p.m.

Communications

Supportive Housing

1. David Lerman

Stop Sign Added

2. Theo Posselt

Tibetan Flag Ceremony

3. Tenzin Tsering, on behalf of the Tibetan Association of Northern California (2)

Lack of Berkeley Businesses

4. Marnie Hatch

Berkeley Police Matters

5. Tenzin Jimenez

Residential Parking Permits

6. Ian Goodman

American Democracy

7. Vivian Warkentin

San Francisco Bay Ferry

8. Lauren Gularte, on behalf of Water Transit

Reparations

9. Aden Ishii

Port of Oakland

10. Danny Wan, on behalf of Port of Oakland

Brown Act

11. Jonathan Weissglass

12. Juan Carlo

Chronicle

13. Marc Sapir

Councilmember Robinson

14. Toni Mester

URL's Only

15. Vivian Warkentin (3)

People's Park

16. Jack Kurzweil

17. Sylvia

18. Jill Polsby

19. Moni Law (2)

20. Joty Dhaliwal

21. Summer Brenner (2)

22. Max Ventura

23. Arthur Stopes

24. Justin Lee

25. Leslie Firestone

26. Richard Crago

27. Sky Ocean

28. Owen Martin Zuidema

Gaza and Israel

29. Jack Kurzweil (3)

30. Linda and Stanley Wulf

31. Sandy Slauson

32. Karen Davis

33. Jane White

34. Stephanie Thomas

35. Cynthia Moore

36. Michael Weber (2)

37. Sally Nelson

38. Gael Alcock

39. Summer Brenner (2)

40. Mary Ann Gallagher
41. Jocelyn Goldsmith
42. Stephanie Allan
43. Barbara Erickson (2)
44. Jamie Cooney
45. Esha Potharaju
46. Summer Brenner
47. Diana Bohn
48. Dahlia Frydman
49. Elinor Tamari
50. Michael Kaye
51. Mincers.shroud.0k@
52. Noga Alon
53. Deborah Green
54. June Safran
55. Barbara Schick
56. Elana Auerbach
57. Esther Brass-Chorin
58. Allen Mayer
59. Dorit Dorenz
60. Doreet Stein
61. Robert Bonem
62. Peggy Scott
63. 5 similarly-worded form letters

Supplemental Communications and Reports 1

Item #19: Contract No. 31900143 Amendment: Passport Labs Incorporated for a Parking Management System

64. Revised material, submitted by the Police Department

Item #28: Request by Resolution that PG&E Underground Utilities in Berkeley's VHFHSZ

65. Janice Thomas

Supplemental Communications and Reports 2

Item #27: Support for ACA 4 Elections: Eligibility to Vote

66. League of Women Voters' of Berkeley, Albany and Emeryville

Item #29: Budget Referral: Additional Security Cameras at Intersections Experiencing Increased Violent Crime

67. Revised material, submitted by Councilmember Humbert and Bartlett

68. Supplemental material, submitted by Councilmember Hahn

69. Kelly Hammargren

70. Ken Peterson

71. David Lerman

72. Police Accountability Board

- 73. Madeline Feingold
- 74. Chesa Boudin

Supplemental Communications and Reports 3

Urgent Item

- 75. Excused Absence for Councilmember Susan Wengraf

Item #29: Budget Referral: Additional Security Cameras at Intersections Experiencing Increased Violent Crime

- 76. Melanie Bowden
- 77. Barbara Gilbert

Miscellaneous Communications

- 78. Path to Humanity – Travis Castle
- 79. Hunger, Food Insecurity - Eid