

ANNOTATED AGENDA SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

**Monday, August 5, 2024
6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - İSKELE, 48. SK. NO:12, 48900 DATÇA/MUĞLA, TURKEY

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
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.

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*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1600382759>. 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: **160 038 2759**. 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: 6:11 p.m.

Present: Bartlett, Tregub, Hahn, Lunaparra, Humbert, Arreguin

Absent: Kesarwani, Taplin, Wengraf

Councilmember Kesarwani present at 6:17 p.m.

Action Calendar

- 1a. **Placing the Berkeley Tenant Protection and Right to Organize Act on the November 5, 2024 Ballot** *(Continued from July 30, 2024) (Item contains revised material)*

From: Councilmember Lunaparra (Author)

Recommendation:

1. Adopt a Resolution submitting the Tenant Protection and Right to Organize Act to a vote of the people at the November 5, 2024 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

Financial Implications: See report

Contact: Cecilia Lunaparra, Councilmember, District 7, (510) 981-7170

Action: See action in Item 1b.

Action Calendar

1b. **Placing the Berkeley Tenant Protection and Right to Organize Act and Funding for Housing Retention on the November 5, 2024 Ballot**

From: Mayor Arreguin (Author), Councilmember Hahn (Author)

Recommendation:

1. Adopt a Resolution submitting the Tenant Protection and Right to Organize Act as amended by Council and including a reservation of funding for Housing Retention to a vote of the people at the November 5, 2024 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100, Sophie Hahn, Councilmember, District 5, (510) 981-7150

Recess 9:13 p.m. – 9:33 p.m.

Action: M/S/Carried (Humbert/Kesarwani) to amend the main motion to change the cap in Section 13.76.110.A. from 3% to 5%.

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

Action: M/S/Failed (Humbert/Kesarwani) to amend the main motion to change the provisions for the 3-day notice to one month of the most recent lawful periodic rent in Section 13.76.130.A.1.

Vote: Ayes – Kesarwani, Hahn, Humbert; Noes – Bartlett, Tregub, Lunaparra; Abstain – Arreguin; Absent – Taplin, Wengraf.

Action: 95 speakers. M/S/Carried (Arreguin/Lunaparra) to:

1. Adopt Resolution No. 71,484–N.S. to approve Item 1b. adopting a resolution submitting the Tenant Protection and Right to Organize Act as amended by Council and including a reservation of funding for Housing Retention to a vote of the people at the November 5, 2024 General Municipal Election. Further amendments in the text of the measure accepted for Section 13.76.050.B.3 to add language originally proposed in Councilmember Lunaparra’s version, for Section 13.76.100.E. regarding Utilities, and for Section 13.76.110.A regarding the rent increase cap. Council directs the City Clerk and City Attorney to make non-substantive corrections to the text and the ballot question as needed.
2. Designated Mayor Arreguin, Councilmember Lunaparra, and Councilmember Tregub file ballot measure arguments on this measure as provided for in Elections Code Section 9282.

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

Adjournment

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

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

Adjourned at 10:29 p.m.

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #1a: Placing the Berkeley Tenant Protection and Right to Organize Act on the November 5, 2024 Ballot *(Continued from July 30, 2024) (Item contains revised material)*

Item #1b: Placing the Berkeley Tenant Protection and Right to Organize Act and Funding for Housing Retention on the November 5, 2024 Ballot

1. Peter Fisher
2. Stephanie McCoy
3. Peg Bogle
4. Alfred Twu
5. Jeanne Clinton
6. Diana Bohn
7. Bryce Nesbitt
8. Karl Knobler
9. Katherine Wolf
10. Yuko Fukami
11. Adelaide Jenkins
12. Bernard Marszalek
13. Russ Greene
14. Cece Littlepage
15. Fran Haselsteiner
16. Lynn Sherrell (4)
17. Elizabeth Snowden and Charles P. Smith
18. Mykael Moss (2)
19. John Lopez
20. Sylvia
21. Charles Benton
22. John J. Parman
23. Nicholas Lavrov
24. Molly Miller
25. Gail Martin
26. Ann Hoyer
27. Marguerite Talley
28. Paula Morgan

29. Gael Alcock
30. Ira Serkes
31. Fredda Cassidy
32. Kathleen Castillo
33. Gary E. Davis
34. Scott and Katie Hambly (2)
35. Deborah Machta
36. David Keith
37. Andrea Yankowski
38. Jo Ann Driscoll
39. Jean Sanchirico
40. Gale Garcia
41. Leanne Kurtz
42. Vincent Casalaina
43. Jennifer Johnston
44. Jim and Clarence
45. Laura Bixby
46. Scott Page
47. Roger Hallsten
48. Patrick Kehoe
49. Michael O’Heaney
50. Nancy Schimmel
51. 6 Similarly worded form letters
52. 65 Similarly worded form letters

Supplemental Communications and Reports 3

Item #1a: Placing the Berkeley Tenant Protection and Right to Organize Act on the November 5, 2024 Ballot *(Continued from July 30, 2024) (Item contains revised material)*

Item #1b: Placing the Berkeley Tenant Protection and Right to Organize Act and Funding for Housing Retention on the November 5, 2024 Ballot

53. Phoebe Thomas Sorgen
54. Jeanne Schuman
55. Hope DeMarco (2)
56. Rinaldo Pelegriano
57. Dan Lieberman
58. Betsy Morris
59. Raul Delarosa
60. Max Smith
61. Celia Karian
62. Elizabeth Kowal
63. Julieta Pisani McCarthy
64. Juliana Whitten
65. Steve Tracy
66. Anida Weyl
67. Alice Green
68. Dan McDunn (5)
69. Andrew Jeffries and Ellen McDonald
70. Virginia Browning
71. Jeannie Llewellyn
72. Brie Johnson Fulton

73. Kathy Snowden
74. Sam Smith
75. Geoff Lomax
76. Paula Aiello (2)
77. Joel Millar
78. Eugene Turitz
79. Chirag Patel
80. Deirdre Nurre
81. 19 Similarly worded form letters
82. Bryce Nesbitt

Miscellaneous Communications

83. Eid