

AGENDA



BERKELEY CITY COUNCIL MEETING

**Tuesday, October 27, 2020
6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

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

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

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

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/86157441939>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial 1-669-900-9128 or 1-877-853-5257 (Toll Free) and enter Meeting ID: 861 5744 1939. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

To submit an e-mail comment during the meeting to be read aloud during public comment, email clerk@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.

Please be mindful that the teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call:

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

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. Lease Agreement for 225 University Avenue – Qasemi Abdul Moqim dba Berkeley Sportsman Center**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,735-N.S. authorizing the City Manager to execute a lease agreement and necessary amendments with Qasemi Abdul Moqim, doing business as Berkeley Sportsman Center, at 225 University Avenue at the Berkeley Marina for a term of three years, with a two-year option.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 2. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the council meetings of September 15, 2020 (closed and regular), September 22, 2020 (closed and regular) and September 29, 2020 (closed and special).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 3. Annual Commission Attendance and Meeting Frequency Report**
From: City Manager
Recommendation: Review and accept the annual Commission Attendance and Meeting Frequency Report.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6908
- 4. Addendum to the Berkeley Revolving Loan Fund (RLF) Administrative Plan to augment the RLF with a COVID-19 Resiliency Loan Program**
From: City Manager
Recommendation: Adopt a Resolution approving temporary changes to the Administrative Plan of the Berkeley Revolving Loan Fund (RLF) to encompass the COVID-19 Resiliency Loan Program as financed by the CARES Act Recovery Assistance Grant.
Financial Implications: See report
Contact: Dave White, City Manager's Office, (510) 981-7000
- 5. Berkeley Economic Dashboards and Demographic Profile Update** *(Reviewed by the Land Use, Housing, & Economic Development Committee)*
From: City Manager
Recommendation: On September 17, 2020, the Land Use, Housing, & Economic Development Committee made a positive recommendation that this item be deemed received.
Financial Implications: None
Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Consent Calendar

6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on October 27, 2020

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 - \$1,067,302

Contact: Henry Oyekanmi, Finance, (510) 981-7300

7. Amending Berkeley Municipal Code Chapter 12.70 Sections 12.70.020 V, 12.70.035 E and 12.70.037 C to be in accordance with California Health and Safety Code

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 12.70 to update Section 12.70.020 Definitions section V and repealing Section 12.70.035.E and 12.70.037.C and adjusting the definition of "smoke" or "smoking" to include medical cannabis to align with the State of California Health and Safety code.

Financial Implications: None

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

8. Contract: Allana Buick & Bers, Inc. and Wiss, Janney, Elstner Associates, Inc. for On-Call Citywide Roof Assessment Services

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager to execute a contract and any amendments with the following firms for On-Call Roof Assessment Services for City-owned facilities, each for the period July 1, 2020 through July 1, 2023.

1. Allana Buick & Bers, Inc. (ABB), for an amount not to exceed \$175,000.

2. Wiss, Janney, Elstner Associates, Inc. (WJE), for an amount not to exceed \$175,000.

Financial Implications: See report

Contact: Liam Garland, Public Works, (510) 981-6300

Consent Calendar

9. Contract Award: DMR Builders for the 125/127 University Avenue Tenant Improvement Project

From: City Manager

Recommendation: Adopt a Resolution: 1. Approving plans and specifications for the 125/127 University Avenue Tenant Improvements Project, Specification No.19-11324; 2. Accepting the bid of DMR 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 \$293,000.

Financial Implications: Various Funds - \$293,000

Contact: Liam Garland, Public Works, (510) 981-6300

10. Contract No. 115731-1 Amendment: SKIDATA, Inc. (formerly Sentry Control Systems) for Extending Parking Access and Revenue Control System Maintenance Services and Warranties

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 115731-1 (Contract No. 10661B in FUND\$) with SKIDATA, Inc. (formerly Sentry Control Systems) to provide critical maintenance services and warranties for parking access and revenue control system equipment nearing the end of its useful life, extending the term to June 30, 2024 and increasing the contract amount by \$660,283 for a total not-to-exceed of \$1,995,540.

Financial Implications: See report

Contact: Liam Garland, Public Works, (510) 981-6300

11. Contract No. 112119-1 Amendment: Technology, Engineering, and Construction, Inc. for Tank Maintenance and Certification Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 112199-1 with Technology, Engineering and Construction, Inc. for the provision of tank maintenance and certification services, extending the term to June 30, 2022 and increasing the contract by \$100,000 for a total contract amount not to exceed \$250,000.

Financial Implications: Various Funds - \$100,000

Contact: Liam Garland, Public Works, (510) 981-6300

Consent Calendar

12. Contract No. 102354-1 Amendment: Direct Line Tele Response for Citywide After-Hours Answering Services

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment for up to \$150,000 to Contract No. 102354-1 with Direct Line Tele Response to provide continued customer service support after normal business hours, on weekends and holidays, for a total contract amount not to exceed \$432,750, and extending the contract term through December 31, 2022.

Financial Implications: Various Funds - \$150,000

Contact: Liam Garland, Public Works, (510) 981-6300

13. Referral Response: Game Day Parking – Minor Update to Include RPP Area K
From: City Manager

Recommendation: Adopt a Resolution re-establishing parking restrictions on UC Berkeley football game days to include Residential Preferential Parking (RPP) Zone K (Panoramic Hill), and rescinding Resolution No. 69,089-N.S.

Financial Implications: See report

Contact: Liam Garland, Public Works, (510) 981-6300

14. Renewal of the Elmwood Avenue BID for Calendar Year 2021

From: Elmwood Advisory Board

Recommendation: Adopt a Resolution approving the Elmwood Business Improvement District Advisory Board's (hereafter "Elmwood BID Advisory Board" or "the Advisory Board") recommendation that Council: 1) approve the 2020 Annual Report and preliminary budget for proposed improvements in the District for calendar year 2021; 2) declare its intent to levy an assessment to finance improvements in the District for calendar year 2021 and 3) direct the City Clerk to schedule a public hearing on the renewal of the assessment for November 17, 2020.

Financial Implications: See Report

Contact: Kieron Slaughter, Commission Secretary, (510) 981-7530

15. Renewal of the Solano Avenue BID for Calendar Year 2021

From: Solano Avenue BID Advisory Board

Recommendation: Adopt a Resolution approving the Solano Avenue Business Improvement District Advisory Board's (hereafter "Solano BID Advisory Board" or "the Advisory Board") recommendation that Council: 1) approve the 2020 Annual Report and preliminary budget on proposed improvements in the District for calendar year 2021; 2) declare its intent to levy an assessment to finance improvements in the District for calendar year 2021; and 3) direct the City Clerk to schedule a public hearing on the renewal of the assessment for November 17, 2020.

Financial Implications: See report

Contact: Eleanor Hollander, Commission Secretary, (510) 981-7530

Consent Calendar

16a. Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement

Modifications *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

From: Housing Advisory Commission

Recommendation: The Commission recommends that City Council:

1. Make a short term referral directing the City Manager to correct current City Policies for enforcing BMC 12.70.035 so that these policies do not contradict the ordinance and BMC 12.70.035 requires that second and third complaints must refer to a violation or violations that occur after the 12.70.035(C) notice has been made.
2. Modify BMC 12.70.035 so that the requirement that signs be posted is enforced as part of the Residential Safety ordinance. Failure to post signage may result in fines, accordingly.
3. Modify BMC 12.70.035 so that repeated failure to provide new tenants with the City's brochure shall be guilty of an infraction. It shall also be an infraction for landlords to tell new tenants, in contradiction to the law, that tobacco smoking by some tenants is permitted.
4. Obtain an analysis of the financial impacts of the recommended modifications to the BMC.

(On September 29, 2020, the Health, Life Enrichment, Equity & Community Committee made a qualified positive recommendation to send the item to Council including the following referrals: 1. Refer to staff to explore expanding the Ordinance to buildings with one unit; 2. Refer to staff to explore and consider improvements in the interface between the residential and commercial non-smoking Ordinances in mixed-use buildings; 3. Refer to staff to create a web-based complaint filing mechanism/service; 4. Refer to staff to create special protocols for chronic situations and to consider including requirements for better air filtration and purification as well as other measures to effectively manage chronic cases; 5. Refer to staff to study the infraction and enforcement mechanisms and determine if they have any benefits and to consider other potential enforcement end points; 6. Refer to staff to look for opportunities for bias in enforcement and mechanisms to better guard against bias while still allowing for maximum action to resolve legitimate complaints; 7. Refer to staff to propose funding sources for enforcement; 8. Refer to staff to collect demographic data around complaints and targets of complaints (as much as possible); and 9. To return to Council with Ordinance amendments to accomplish the following: (a) amend or remove the 10-day language element (b) modify or remove the 2-complainant rule if warranted (c) adjust for the medical cannabis state law changes, (d) propose any and all other improvements beneficial to the Ordinance.)

Financial Implications: See report

Contact: Mike Uberti, Commission Secretary, (510) 981-7400

Consent Calendar

16b. Companion Report: Smoke-Free Multi-Unit Housing Ordinance Policy and Enforcement Modifications *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*

From: City Manager

Recommendation: The City Manager appreciates the Housing Advisory Commission's efforts to strengthen the implementation of the Smoke-free Multi-Unit Housing ordinance and recommends that the proposed modifications be referred to the City Manager Office for an analysis of the financial and legal feasibility of the proposed changes.

(On September 29, 2020, the Health, Life Enrichment, Equity & Community Committee made a qualified positive recommendation to send the item to Council including the following referrals: 1. Refer to staff to explore expanding the Ordinance to buildings with one unit; 2. Refer to staff to explore and consider improvements in the interface between the residential and commercial non-smoking Ordinances in mixed-use buildings; 3. Refer to staff to create a web-based complaint filing mechanism/service; 4. Refer to staff to create special protocols for chronic situations and to consider including requirements for better air filtration and purification as well as other measures to effectively manage chronic cases; 5. Refer to staff to study the infraction and enforcement mechanisms and determine if they have any benefits and to consider other potential enforcement end points; 6. Refer to staff to look for opportunities for bias in enforcement and mechanisms to better guard against bias while still allowing for maximum action to resolve legitimate complaints; 7. Refer to staff to propose funding sources for enforcement; 8. Refer to staff to collect demographic data around complaints and targets of complaints (as much as possible); and 9. To return to Council with Ordinance amendments to accomplish the following: (a) amend or remove the 10-day language element (b) modify or remove the 2-complainant rule if warranted (c) adjust for the medical cannabis state law changes, (d) propose any and all other improvements beneficial to the Ordinance.)

Financial Implications: See report

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

Consent Calendar

- 17a. Recommendation to Modify Policies Related to the Enforcement of the Berkeley Smoke-Free Multi-Unit Housing Ordinance** *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*
From: Housing Advisory Commission
Recommendation: Approve modifications to policies related to the enforcement of the Smoke-Free Multi-Unit Housing Ordinance, as follows:
1. Increase staffing to implement enforcement of the ordinance as part of the next budget;
 2. Improve signage related to the ordinance in residential buildings;
 3. Make the complaint process less onerous and more user-friendly, including enabling complainants to submit complaints electronically, providing complaint forms in different languages, and removing language requiring the statements to be “sworn,” and considering other, less threatening language that still expects a complaint be provided under the best of appellant’s knowledge;
 4. Relax the current requirements around how the Ordinance-based complaint form must be completed in order to be processed (e.g., removing the requirement of providing two separate complaints from different individuals within a six-month period, if the building contains two or fewer units, removing the requirement of providing a sworn statement under penalty of perjury); and
 5. Refer to the Community Health and Cannabis Commissions the question of whether the use of recreational (non-medical) cannabis should be incorporated into the Smoke-Free Housing Ordinance.
- (No final action was taken by the Health, Life Enrichment, Equity & Community Committee. Item is automatically returning to the Council agenda pursuant to the 120-day time limit for items referred to policy committees.)*
- Financial Implications:** See report
Contact: Mike Uberti, Commission Secretary, (510) 981-7400
- 17b. Companion Report: Recommendation to Modify Policies Related to the Enforcement of the Berkeley Smoke-Free Multi-Unit Housing Ordinance** *(Reviewed by the Health, Life Enrichment, Equity & Community Committee)*
From: City Manager
Recommendation: The City Manager appreciates the Housing Advisory Commission’s efforts to strengthen the implementation of the Smoke-free Multi-Unit Housing ordinance and recommends that the proposed modifications be referred to the City Manager Office for an analysis of the financial and legal feasibility of the proposed changes.
- (No final action was taken by the Health, Life Enrichment, Equity & Community Committee. Item is automatically returning to the Council agenda pursuant to the 120-day time limit for items referred to policy committees.)*
- Financial Implications:** See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Council Consent Items

- 18. Budget Referral: \$50,000 to UC Theatre Concert Career Pathways Education Program**
From: Mayor Arreguin (Author), Councilmember Wengraf (Co-Sponsor)
Recommendation: Refer to the November 2020 AAO budget process the allocation of \$50,000 to the UC Theatre Concert Career Pathways Education Program.
Financial Implications: \$50,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 19. Treatment of Horses at Golden Gate Fields**
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Send a letter to the California Horse Racing Board to investigate the treatment and welfare of horses at Golden Gate Fields.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 20. Equitable Clean Streets Budget Referral: Funding for Staff to Conduct Bi-Weekly (Once Every Two Weeks) Residential Cleaning Services**
From: Councilmember Bartlett (Author), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the November AAO budget process to allocate \$500,000 from the General Fund to require biweekly (once every two weeks) cleaning of populated encampment sites, major corridors, and encampments adjacent to residential neighborhoods throughout the City of Berkeley for approximately one year. The City should also partner with appropriate non-profit organizations to create work opportunities for homeless residents who can help City staff clean the streets on an ongoing basis.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
- 21. Convert 62nd Street between King St, and Adeline St. into a One-Way Line that exits in the direction of Adeline St.**
From: Councilmember Bartlett (Author); Mayor Arreguin (Co-Sponsor)
Recommendation: Refer to the City Manager to convert 62nd Street between King St. and Adeline St. into a one-way lane that exits to Adeline and blocks motorists from entering 62nd Street through Adeline Street.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Council Consent Items

- 22. Resolution Adopting the 2020 Traffic Circle Vegetation Policy and Maintenance Plan** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor)
Recommendation: Adopt the 2020 Traffic Circle Vegetation Policy and Maintenance Plan as revised by the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee.
(On September 16, 2020 the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee made a positive recommendation to send the item to Council, as submitted by staff, and as further revised by the committee to include: 1. That this policy be reviewed every five (5) years. 2. Tree standards will be refined overtime to meet the needs of the traffic circles. 3. If any trees are to be removed, the policy is to replace the tree with a more appropriate tree when possible. 4. If a tree is to be removed and it can be successfully replanted, it shall be.)
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140
- 23. Support for Berkeley Mutual Aid**
From: Councilmember Hahn (Author), Mayor Arreguin (Co-Sponsor), Councilmember Harrison (Co-Sponsor)
Recommendation: Refer to the City Manager and to the November FY2020 AAO budget adjustment process to identify existing resources, or propose a new allocation of funds, to provide emergency financial support to Berkeley Mutual Aid (BMA) to allow the organization to continue its highly valued programs and services addressing the needs of Berkeley residents sheltering-in- place during the COVID-19 health emergency. Support required for BMA to continue providing critical services to the community is \$3,000 per month, starting as soon as possible and continuing until 3 months after the COVID-19 emergency order is lifted.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

Action Calendar

The public may comment on each item listed on the agenda for action as the item is taken up. 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.

The Presiding Officer will request that persons wishing to speak line up at the podium to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action items may be reordered at the discretion of the Chair with the consent of Council.

Action Calendar – New Business

24. **Referral Response: Lessons Learned in Organizational Management During Crisis and COVID-19 Response 2020 Summary Report**
From: City Manager
Recommendation: Review and discuss the report and presentation on COVID-19 Response 2020 Summary Report.
Financial Implications: None
Contact: Paul Buddenhagen, City Manager's Office, (510) 981-7000

Council Action Items

25. **Adopt a Resolution to Upgrade Municipal Accounts to 100% Renewable Plan**
(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee) (Item contains revised material)
From: Councilmember Harrison (Author), Mayor Arreguin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation:
- a. Adopt a Resolution to opt up Berkeley's municipal accounts to Renewable 100 (100% renewable and 100% greenhouse gas-free) electricity service, and provide for yearly Council review of the City's default municipal, residential, and commercial plans.
 - b. Refer the estimated annual increased cost of \$94,063 to the November 2020 budget process.
(On February 6, 2020, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee took action to:
 1. *Approve recommendations b and c, as revised in the supplemental report submitted by Councilmember Harrison, with a Positive Recommendation.*
Revised recommendation:
 - b. *Opt up municipal East Bay Community Energy accounts to renewable 100 (100% renewable and 100% greenhouse gas-free) electricity service, and refer the estimated increased cost of \$100,040 to the June 2020 budget process; and,*
 - c. *Providing for yearly Council review of the City's default residential, commercial and municipal plans.**And:*
 2. *Approve recommendation a, as revised in the supplemental report submitted by Councilmember Harrison, and send the item back to the City Council with a Positive Recommendation.*
Revised recommendation:
 - a. *Changing the service plan for current and new Berkeley residential Bright Choice accounts, except those enrolled in the California Alternate Rates for Energy Program, Family Electric Rate Assistance and Medical Baseline Allowance Program accounts, and all commercial East Bay Community Energy Bright Choice accounts to the Brilliant 100 (100% greenhouse gas-free) electricity service plan, effective [] for residential customers and [] for commercial customers. Customers will not lose the option of changing their plan or opting out of EBCE entirely.)*
- Financial Implications:** See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Information Reports

26. Police Review Commission Work Plan for 2020-2021

From: City Manager

Contact: Katherine Lee, Commission Secretary, (510) 981-4950

Public Comment – Items Not Listed on the Agenda

Adjournment

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.*

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

Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. 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 posted on the City's website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil>

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.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on October 15, 2020.*



Mark Numainville, City Clerk

## **Communications**

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing through [Records Online](#).*

### **COVID-19 Related**

1. David Lerman
2. Andrea Davis
3. Thomas Lord (2)
4. Ben Esposito

### **Grizzly Peak Fire Danger**

5. Poppy Davis
6. Barbara Freeman (8)
7. Rachel Bradley
8. Joseph Heil
9. Sandi Thompson
10. David Thill (2)
11. Carla Shapreau
12. Sally Francis
13. Melinda Drayton
14. Joshua Bloom
15. Susan Griffin
16. Jurgen Aust
17. Ellen Archilla

### **Adeline Corridor**

18. Rahwa Neguse, on behalf of Healthy Black Families
19. Anne Torney
20. Steve Martinot

### **Encampments and Homelessness**

21. Diana Bohn
22. Jack Hlava, on behalf of the DoubleTree by Hilton at the Berkeley Marina

### **Berkeley Police Department**

23. Buraaq Alrawi
24. Becca Nipper
25. Catherine Huchting

- 26. Barnali Ghosh, on behalf of Walk Bike Berkeley
- 27. Robert Landers (2)

**Gun Violence**

- 28. Gigi Sattris
- 29. Robert Landers

**Bird Scooters**

- 30. Bob Walsh, on behalf of Bird Scooters

**Raccoon Attacks**

- 31. Jane Kitchel

**Census Deadlines/Fake News**

- 32. Chimey Lee

**Installing Broadband During Street Repairs**

- 33. Norie Clarke

**San Pablo Tennis Courts**

- 34. Carly McLane

**Election Related**

- 35. Geoff Lomax
- 36. Bill Rosen

**Berkeley Fire Department EMT Thanks**

- 37. Thomas Lord
- 38. Councilmember Harrison

**Berkeley Property Transfer Tax**

- 39. Barbara Gilbert (2)

**Berkeley Art Center**

- 40. Berkeley Art Center

**Vision 2025**

- 41. Karen Rubio
- 42. Lisa Wade
- 43. Debbie Parsons
- 44. Niland

**EBCE: Resilient Home Program**

- 45. Alex DiGiorgio, on behalf of East Bay Community Energy

**Sharps Container**

- 46. Thomas Lord

## **5G**

47. Wanda Warkentin

### **North Berkeley BART and Affordable Housing**

48. Claudia Valas

49. Carol Hirth

50. Jason Warriner

51. Betty Kano

52. Robert and Junko Kenmotsu

53. Robbin Henderson

54. Eileen Hughes

55. Janice Schroeder

56. Cece Littlepage

### **Firefighters Hiring Freeze**

57. Justin Ironside, on behalf of the Berkeley Firefighters Association

58. Mayor Arreguin

### **Construction at 1155-1173 Hearst Avenue**

59. Tracey Emerson (2)

60. Pam Ormsby

### **Turnouts on Winding Hill Streets**

61. Bob Flasher

### **Berkeley Rental Housing Safety bill**

62. Evan Meyer

### **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.