



AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, September 12, 2023
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 – RIGEL ROBINSON
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. 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/1606796328>. 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: **160 679 6328**. 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 and all rules of procedure and decorum apply for in-person attendees and those participating by teleconference or videoconference.

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 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:

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

1. Pledge of Allegiance to the Flag

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. Persons attending the meeting in-person and wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

Public Comment by Employee Unions (first regular meeting of the month): *This period of public comment is reserved for officially designated representatives of City of Berkeley employee unions, with five minutes allocated per union if representatives of three or fewer unions wish to speak and up to three minutes per union if representatives of four or more unions wish to speak.*

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 or Information 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.

Consent Calendar

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.

Recess Items

- 1. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of \$130,176 for fitness center memberships for City employees for the period July 1, 2023 through June 30, 2024.
Financial Implications: See report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
- 2. Contract No. 32200058 Amendment: ACI Payments, Inc for Recreation Online Registration System Credit Card Transaction Processing Fees**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager to execute an amendment to Contract No. 32200058 with ACI Payments, Inc (ACI) increasing the contract amount by \$35,000 for a total not to exceed amount of \$185,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 3. Stipend for Echo Lake Camp Staff**
From: City Manager
Recommendation: Adopt a Resolution approving up to a \$500/week stipend for certain Echo Lake Camp daily-rated staff working in the summer of 2023, starting July 30, 2023.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Recess Items

4. Contract No. 100692-4 Amendment: Serological Research Institute for DNA Testing Services

From: City Manager

Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to amend Contract No. 100692-4 and any necessary future amendments with Serological Research Institute (SERI) for the Police Department, increasing the contract amount by \$1,000,000 for a total not to exceed amount of \$3,000,000 while the contract expiration will remain June 30, 2025.

Financial Implications: State Proposition 172 Fund - \$1,000,000

Contact: Jennifer Louis, Police, (510) 981-5900

Consent Calendar

5. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of July 10 (special closed), July 11 (regular), July 18 (special), July 24 (special closed and special) and July 25 (special and regular).

Financial Implications: None

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

6. Establish 2024 City Council Meeting Schedule

From: City Manager

Recommendation: Adopt a Resolution establishing the City Council regular meeting schedule for 2024, with starting times of 6:00 p.m.

Financial Implications: None

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

7. Police Accountability Board – Appointment of New Member

From: City Manager

Recommendation: Adopt a Resolution appointing a new member to the Police Accountability Board nominated by Councilmember Humbert.

Financial Implications: None

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

8. Contract: NetFile for Online Campaign Report, Public Financing, and Form 700 Filing and Tracking

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Westcoast Online Information Systems, Inc. dba NetFile for an amount not to exceed \$170,700 for the period October 1, 2023 through September 30, 2028 for online campaign report, public financing, and Form 700 filing, processing, web posting, and tracking.

Financial Implications: General Fund - \$170,700

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

Consent Calendar

9. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on September 12, 2023

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: Varous Funds - \$9,990,000

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

10. Contract: Swifthawk LLC for Project Management & Consulting

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Swifthawk, LLC to provide project management and consulting services for the Fire Department from August 7, 2023 to August 31, 2025 in an amount not to exceed \$600,000.

Financial Implications: Measure FF Fund - \$600,000

Contact: David Sprague, Fire, (510) 981-3473

11. Contract No. 32300094 Amendment: Restoration Family Counseling Center for Counseling, Education and Support

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300094 for Counseling, Education and Support for the Fire Department (Department); with Restoration Family Counseling Center Inc. (RFCC), increasing the total contract amount from \$80,000 to \$308,000.

Financial Implications: Various Funds - \$228,000

Contact: David Sprague, Fire, (510) 981-3473

12. Accept Future of Public Health Funds from the State of California

From: City Manager

Recommendation: Adopt a Resolution authorizing the City manager to submit grant agreements to the State of California, to accept the grants, and to execute any resultant revenue agreements and amendments for the Future of Public Health program for an amount of \$912,213 for each of the following: Fiscal Year 2024, Fiscal Year 2025, and Fiscal Year 2026.

Financial Implications: See report

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

13. Taxi Scrip Redemption Window Cash Drawer Increase

From: City Manager

Recommendation: Adopt a Resolution authorizing City Manager or her designee to increase the cash drawer amount for the weekly Taxi Scrip Redemption window from \$15,000 to \$20,000.

Financial Implications: See report

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

Consent Calendar

- 14. Contract: The Housing Workshop for Social Housing Models & Market Analysis**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with The Housing Workshop to provide policy model research and market analysis to inform social housing initiatives for the Department of Health, Housing, and Community Services (HHCS) from September 13, 2023 to September 13, 2024 in an amount not to exceed \$175,000.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 15. Expenditure Contract: Persimmony International for Electronic Medi-Cal Administrative Activities and Targeted Case Management Documentation**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an expenditure agreement, and any amendments or extensions, with Persimmony International for ongoing system maintenance of web-based Medi-Cal Administrative Activities (MAA) time study documentation, and Targeted Case Management (TCM) documentation. The contract will be in an encumbered amount of \$289,011 for the period July 1, 2023 through June 30, 2027.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 16. Contract No. 31900009 Amendment: Building Opportunities for Self-Sufficiency (BOSS) for McKinley House (2111 McKinley Avenue, Berkeley, CA 94703)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 31900009 with Building Opportunities for Self-Sufficiency (BOSS) through November 1, 2025, adding \$287,712 for a total contract amount of \$945,424, to fund Mental Health clients living at 2111 McKinley Avenue in Berkeley. This will extend the contract by two years.
Financial Implications: See report.
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 17. Contract: Sensis, Inc. for Recruitment and Marketing Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Sensis, Inc. for recruitment and marketing services, in an amount not to exceed \$250,000 over two years: \$125,000 in the first year, with an option to renew for a second year for an additional \$125,000.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

Consent Calendar

18. Establish Classification and Salary Range – Lactation Counselor

From: City Manager

Recommendation: Adopt a Resolution establishing the unrepresented classification of Lactation Counselor with an hourly salary range of \$41.1351 - \$50.0000, and an annual salary range of \$85,561.0080 - \$104,000.00, in order to utilize grant funding to employ an International Board Certified Lactation Consultant (IBCLC) who will oversee the City's Breastfeeding Peer Counselor Program and provide additional public health services to the City of Berkeley community.

Financial Implications: See report

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

19. Revise Classification and Salary Range – Paramedic

From: City Manager

Recommendation: Adopt a Resolution revising the classification of Paramedic to an hourly salary range of \$30.00-\$40.00 per hour (currently \$30.00-\$45.00 per hour) to offset unanticipated budgetary impacts due to overtime. This recommendation and proposed Resolution follow Council consideration of this item in Closed Session on July 24, 2023.

Financial Implications: See report

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

20. Memorandum of Understanding: Berkeley Police Association

From: City Manager

Recommendation: Adopt a Resolution 1) approving a successor Memorandum of Understanding (hereafter referred to as "MOU") with the Berkeley Police Association (hereafter referred to as the "Union") for a three-year term from July 1, 2023 through June 30, 2026 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new MOU and to make non-substantive edits to the format and language of the MOU in alignment with the tentative agreement, and conforming to legal requirements; and 2) approving a new Classification and Salary table for Representation Units E and F that implement the salary adjustments reflected in the new MOU and supersede Resolution No. 69,965,- N.S. The terms of the proposed 2023-2026 MOU are within the parameters of authority approved by Council in closed session. The proposals were ratified by the Union following a three-day vote that concluded on August 14, 2023.

Financial Implications: See report

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

Consent Calendar

- 21. Grant Applications: Bipartisan Infrastructure Law (BIL) and State Funds For Six City Infrastructure Improvement Projects**
From: City Manager
Recommendation: Adopt six Resolutions authorizing the City Manager or her designee to submit grant applications to six federal (BIL) and state-funded competitive grant programs for City Infrastructure improvement projects; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the projects and appropriation of funding for related expenses, subject to securing the grants.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 22. Utility Easement: Bolivar Drive – East Bay Municipal Utility District**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing and directing the City Manager to convey a utility easement to the East Bay Municipal Utility District along Bolivar Drive at Aquatic Park.
Financial Implications: None
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 23. Serving inclement weather needs, RV dwellers, and other vehicle dwellers through the Encampment Mobile Mental Health Wellness Team, as is feasible, within parameters of the state-approved project plan**
From: Homeless Services Panel of Experts
Recommendation: That Council refer to staff to include providing services to meet inclement weather needs of the unhoused and provide services to RV, and other vehicle, dwellers, as is feasible, within the parameters of the state-approved plan.
Financial Implications: See report
Contact: Josh Jacobs, Commission Secretary, (510) 981-5400
- 24. Authorization for an Additional Homeless Services Panel of Experts meeting in October 2023**
From: Homeless Services Panel of Experts
Recommendation: Adopt a Resolution authorizing one additional meeting of the Homeless Services Panel of Experts in October 2023, which would restore one general meeting given that 3 special meetings were otherwise used to address Measure P allocations.
Financial Implications: See report
Contact: Josh Jacobs, Commission Secretary, (510) 981-5400

Consent Calendar

- 25a. Accommodating Client Literacy and Cognitive Challenges in Community Agency Allocation Funding Process as to Homeless Providers**
From: Homeless Services Panel of Experts
Recommendation: That Council refer to staff to include in the community agency allocation funding RFP a question to homeless services providers as to how homeless services providers plan to accommodate clients with literacy and cognitive challenges.
Financial Implications: See report
Contact: Josh Jacobs, Commission Secretary, (510) 981-5400
- 25b. Companion Report: Accommodating Client Literacy and Cognitive Challenges in Community Agency Allocation Funding Process as to Homeless Providers**
From: City Manager
Recommendation: Take no action on the Homeless Services Panel of Experts' recommendation, as staff have already included in the community agency allocation funding Request for Proposals (RFP) a question to homeless services providers as to how they plan to accommodate clients with literacy and cognitive challenges.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000

Council Consent Items

- 26. Appoint Ayanna Davis to the Berkeley Housing Authority Board**
From: Mayor Arreguin (Author)
Recommendation: Adopt a Resolution appointing Ayanna Davis to serve on the Berkeley Housing Authority Board of Commissioners for a four-year term.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 27. Excused Absence for Councilmember Kate Harrison**
From: Mayor Arreguin (Author)
Recommendation: Excuse Councilmember Kate Harrison from the September 19, 2023 Council meeting as a result of attending to official business of the City.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
- 28. Letter to State Legislators Regarding San Pablo Park Pool Project**
From: Councilmember Taplin (Author), Councilmember Robinson (Co-Sponsor)
Recommendation: Send a letter to the requesting state budget allocations for capital improvements at San Pablo Park including the Frances Albrier Community Center and San Pablo Park Pool.
Financial Implications: Staff time
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Council Consent Items

29. **51B BRT + University/Shattuck Corridor Mobility Improvements** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*

From: Councilmember Taplin (Author), Councilmember Robinson (Co-Sponsor), Councilmember Humbert (Co-Sponsor)

Recommendation:

1. Refer to the City Manager commencement of a feasibility analysis and community engagement process to develop options for the implementation of Bus Rapid Transit (BRT) improvements along AC Transit's 51B route; options are to be developed in tandem with internal city departments, including Public Works, Fire, Police Traffic Unit, and Economic Development, and interagency partners, including AC Transit, the Alameda County Transportation Commission, BART, Caltrans, UC Berkeley, and WETA; community engagement is to emphasize students, transportation advocates, transit riders, the disability rights community, the faith community, the senior community, local merchants, the business community, the arts community, and tenants; consultation with AC Transit and UC Berkeley Bear Transit on planning, scoping, and implementation is to begin as soon as possible; staff are encouraged to explore and pursue quick build improvements.
2. Refer \$150,000 to the FY 2024-2025 budget process to increase the budget for the city's ADA Transition Plan capital project to prioritize and implement ADA improvements at the city's intersections, such as curb cuts, auditory functions of crossing signals, bulb-outs, shortening crossing distances, and other safety improvements.
3. Refer \$150,000 to the FY 2025-2026 budget process for consulting costs to conduct corridor studies along University Avenue, from Seawall Drive, to Oxford Street, and along Oxford Street and Fulton Street, from Virginia Street to Durant Avenue, to identify appropriate road safety improvements that advance city-adopted safety, transportation, and climate goals and are continuous with work currently underway on the Addison Bicycle Boulevard, and explore improvements for curb management, i.e. accessible parking (blue curbs), management of curb space for third party delivery service, etc.

Policy Committee Recommendation: To forward the item to Council with a positive recommendation.

Financial Implications: See report

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Council Consent Items

30. Budget Referral: Refer \$100,000 to the FY 23 and FY 24 AAO #1 to beautify Vacant Storefronts in Berkeley Commercial Districts

From: Councilmember Harrison (Author)

Recommendation: Refer \$100,000 to the FY 23 and FY 24 AAO #1 to help fund art or district branding vinyl window graphics on vacant storefronts in Berkeley Commercial Districts to beautify our Commercial Districts. The fund would be administered by the Downtown Berkeley Association on behalf of all Commercial Districts, and would reimburse property owners for 50% of the entire cost of the project: 1. Artist fee; 2. Costs associated with non-commercial printed material that is ideally non-plastic (may be vinyl if no alternative exists); 3. Installation of non-commercial window graphics

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

31. Budget Referral: Miyawaki “Pocket Forest” Pilot Program to Support Carbon Sequestration, Biodiversity, Cooling, Noise Reduction, Health, and Equity
From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor)

Recommendation: Refer to the November 2023 Budget Process \$140,000 to fund staffing, materials, and consultants for a Miyawaki Pocket Forest Pilot Project, including the planting of two pocket forests on City of Berkeley sites, preferably in areas most impacted by poor air quality, and a report to Council on opportunities and funding for a broader Citywide Miyawaki Forest program. Should November 2023 funding not be available, refer to subsequent budget processes for consideration.

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, or use the "raise hand" function in Zoom, 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.

Council Action Items

32. **Designating Open Space Adjacent to and in Front of Old Berkeley City Hall as a Linear City Park Pursuant to BMC 6.42**
From: Councilmember Harrison (Author)
Recommendation: Adopt a resolution designating open space in front of Old City Hall as linear City park space and formally dedicate this site for permanent recreational use pursuant to BMC 6.42.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Information Reports

33. **LPO NOD: 60 Panoramic Way, #LMIN2023-0001**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
34. **LPO NOD: 1960 San Antonio Avenue/645 Arlington Avenue, #LMSAP2022-0005**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
35. **LPO NOD: 803 Delaware Street, LMSAP2023-0002**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400

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.

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@berkeleyca.gov

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

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

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.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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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 August 31, 2023.***

A handwritten signature in black ink, appearing to read "Mark Numainville". The signature is written in a cursive, flowing style.

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 at the City Clerk Department and through [Records Online](#).*

### **Item #29: 51 BRT + University/Shattuck Corridor Mobility Improvements**

1. Bike East Bay
2. Raul Maldonado

# Communications

## **Rampant Berkeley Crime Causing Nightmares in Children**

3. Anthony Felli, Regional Vice President, Skates on the Bay (2)
4. Nina Lyons
5. Pamela Michaud
6. Benjamin Stein
7. Peter Radu
8. Colleen McCann
9. Mike Kim
10. Nina Lyons
11. Diana Rossi
12. Peter Horsemann
13. Linda Laskowski
14. Teresa Clarke
15. Melissa Little
16. Rebecca Thomas
17. Ryan Kidd
18. Joshua Bloom
19. Shok Saidmuradov
20. Shannon Holloway
21. Peter Hosemann

## **Automated License Plate Readers (ALPR)**

22. Emily Benner
23. Laura Lake Gediman
24. Alex Merenkov
25. Rosemarie Klems
26. Katie Johnson
27. Isaac Dietz
28. Mary S.
29. Rosa Perez

## **Daylight Strawberry Creek/Civic Center Park**

30. Jessica Hall
31. Juliet Lamont and Phil Price
32. Diana Bohn
33. Jennifer Ware
34. Stacie Degeneffe
35. Summer Brenner

## **BART Transit Oriented Development and Parking**

36. John Hitchen
37. Barbara Flasher
38. Michai Freeman
39. Markus Feyh
40. Chris Watters
41. Mikayla Fussman

## **Communications**

- 42. Nat Kane
- 43. Peter Waller
- 44. Christine Goldin
- 45. Marija Hillis
- 46. Peggy Scott

### **2720 Hillegass/Willard Clubhouse**

- 47. Julie Obbard
- 48. Alex Stec

### **Housing**

- 49. Aimee Baldwin (3)
- 50. Meryl Siegal

### **Reforest Berkeley**

- 51. Glenn Alex
- 52. Ruby Lee
- 53. Mike Vandeman

### **Shellmound**

- 54. Sophia DeWitt, on behalf of East Bay Housing Organizations

### **Fukushima**

- 55. Richard Tamm
- 56. Francine Cavaliere
- 57. Dawn DelMonte (2)
- 58. Sally Nelson
- 59. Bjorn Fox
- 60. Nori Hudson
- 61. Jose Arau
- 62. Juli Dickey
- 63. Jose Franklin Arau

### **Hazardous Conditions at 3050 College Avenue**

- 64. Janet Miller (2)

### **Help Shape the Library's Strategic Plan**

- 65. Aimee Reeder

### **Lawrence Hall Neighborhood Issues**

- 66. Emily Starr

### **Reverse the Decline of Berkeley's Business Districts**

- 67. Jack Kurzweil

# Communications

## **Racial Injustices**

68. Aimee Baldwin

## **Anemic Staffing Levels in Public Works Transportation Division**

69. Hamid Mostowfi, Transportation and Infrastructure Commission Co-Secretary

## **Bio Labs**

70. Steve Shmanske

71. Sandina Robbins

## **People's Park**

72. Tobey Wiebe

73. Rod Gutierrez

## **Here/There Now Fence**

74. Mike Kim

75. Nicole Sullivan

## **Berkeley Police Department Investigation**

76. Diana Bohn

77. Mary Behm-Steinberg

78. Janie Schroeder (2)

79. Tobey Wiebe

80. Nathan Mizell

## **Fire Danger**

81. Susan Nunes

82. Councilmember Hahn

## **Cell Antennas**

83. Stephanie Thomas

84. Constance Anderson

85. Phoebe Thomas Sorgen

## **Encampment at 8<sup>th</sup> & Harrison**

86. Yesica Prado (3)

87. Peter Radu, Neighborhood Services, City Manager's Office

## **Appoint Police Chief Louis**

88. Marvin Snow

## **Secondhand Smoke**

89. Carol Denney

90. Rebecca Day-Rodriguez, on behalf of Health, Housing & Community Services

## **Mortgage Relief Program**

91. Carole Marasovic

# Communications

## **Rental Inspection Program Proposal**

92. Christopher La Combe

## **Virginia/Oxford Intersection**

93. Theo Posselt

## **Better Way to Pay a Fire Inspection Bill**

94. Jane Kitchel

## **Youth Representation on the Environmental and Climate Commission**

95. Kristen Anderson

## **Dangerous Raised Roots Near Sidewalk and Curb**

96. Barry Horwitz

## **New City Manager**

97. Carol Denney

## **Battery Recycling**

98. David Lerman

## **Conflict of Interest/Trying to Find Children**

99. Lavell Young

## **Golden Gate Horse Racing**

100. Jim Renella

## **Homelessness**

101. Eric Friedman

102. Aimee Baldwin

## **Cub Scout Requirement**

103. Jason Hertenstein

## **Ohlone Greenway**

104. Howard Goldberg (2)

105. Cindi Goldberg

106. Lisa Chow

107. Mary Behm-Steinberg

108. Eric Cheng

## **New Apartments and Business'**

109. Steven Schuyler

# Communications

## **Star Alliance**

110. Peter Bruce DuMont (2)

## **Oakland International Airport Public Review**

111. Port of Oakland

## **Fire Ready Fest**

112. Berkeley Fire Department (2)

## **#DiscoveredinBerkeley – Squishy Robots**

113. Liz Redman, on behalf of the Office of Economic Development

## **Current State of the City of Berkeley**

114. Assal Sharifi

## **Jr. Jackets Football Support**

115. Eric Friedman

## **Request for Action – Police Budget, Building Heights, etcetera's**

116. Dan.auten@

## **URL's Only**

117. Vivian Warkentin (8)

118. crustyrusty@riseup.net

## **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.