



Office of the City Manager

CONSENT CALENDAR  
June 25, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Mark Numainville, City Clerk  
Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of Approve the minutes for the Council meetings of April 26, 2024 (closed), May 6, 2024 (closed), May 7, 2024 (special) (4 p.m. & 4:15 p.m.), May 7, 2024 (regular), May 10, 2024 (closed), May 13, 2024 (closed), May 14, 2024 (special), May 14, 2024 (regular), May 21, 2024 (closed), May 21, 2024 (special), May 21, 2024 (regular), May 24, 2024 (special)

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. April 26, 2024 – Special Closed Council Meeting
2. May 6, 2024 – Special Closed Council Meeting
3. May 7, 2024 – Special Council Meeting
4. May 7, 2024 – Special Council Meeting
5. May 7, 2024 – Regular Council Meeting
6. May 10, 2024 – Special Closed Council Meeting
7. May 13, 2024 – Special Closed Council Meeting
8. May 14, 2024 – Special Council Meeting
9. May 14, 2024 – Regular Council Meeting
10. May 21, 2024 – Special Closed Council Meeting
11. May 21, 2024 – Special Council Meeting
12. May 21, 2024 – Regular Council Meeting
13. May 24, 2024 – Special Council Meeting

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**FRIDAY, APRIL 26, 2024**

**1:30 P.M.**

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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.*

*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/1617102870>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 710 2870**. 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](mailto: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:** 1:34 p.m.

**Present:** Kesarwani, Taplin, Hahn, Humbert, Arreguin

**Absent:** Bartlett, Wengraf

Councilmember Bartlett present at 1:46 p.m.

**Public Comment - Limited to items on this agenda only – 0 speakers**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Anne Cardwell, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Aram Kouyoumdjian, Human Resources Director, Jonathan Holtzman, Labor Negotiator, Dania Torres-Wong, Labor Negotiator, Burke Dunphy, Labor Negotiator

Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Fire Fighters Association, Local 1227 I.A.F.F. / Berkeley Chief Fire Officers Association; Berkeley Police Association; SEIU 1021 Community Services and Part-time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, Public Employee Union Local 1, Unrepresented Employees

**Action:** No reportable action taken.

## OPEN SESSION:

No reportable action taken.

## Adjournment

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

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

Adjourned at 3:04 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on April 26, 2024.

---

Mark Numainville, City Clerk

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**MONDAY, MAY 6, 2024**

**3:00 P.M.**

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – VACANT

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.*

*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/1615209195>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 520 9195**. 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](mailto: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:** 3:13 p.m.

**Present:** Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** None

**Action:** M/S/C (Arreguin/Wengraf) to allow for Councilmember Bartlett to participate in the meeting remotely pursuant to AB 2449 under the family emergency exception.

**Vote:** All Ayes.

**Public Comment - Limited to items on this agenda only – 0 speakers**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Sections 54957(b)(1) and 54954.5(e)**

Position to be Reviewed: City Manager

**Action:** M/S/C (Wengraf/Arreguin) to approve the separation agreement with the City Manager.

**Vote:** All Ayes.

## OPEN SESSION:

I provide this report out regarding action taken by Council in connection with Agenda Item Number 1 per Government Code sections 54957 subsection (b)(1) and 54957.1 subsection (a)(5) concerning employee performance evaluation of the City Manager. The Council is grateful for Dee Williams-Ridley's expectational service to the City of Berkeley. Under her leadership, she has overseen the transformation of our city organization, focusing on technology innovation, improved customer service, and innovative policies and programs. She has also led our City through some of its most challenging times, including the COVID-19 pandemic. She has led with great skill, compassion, and vision. With this context in mind, I now share Council's decision to accept the City Manager's resignation from employment, in exchange for her signing of a separation agreement. The Council voted to approve the proposed separation agreement by a vote of 8 in favor, 0 dissenting, and 0 abstaining or not present. Among other terms, the City Manager will remain a City employee until July 10, 2024 to support the City with this leadership transition and she will waive and release potential claims against the City. In exchange, the City Manager shall receive a severance equivalent to 12 months' salary in the amount of \$401,722.10, continuing health insurance up to 12 months following separation from employment, and a \$200,000 reduction of the principal of a home loan extended to Ms. Williams-Ridley by the City at the outset of her employment, among other material terms. The remaining terms of the separation and release are included in the Agreement which will be available no later than close of business on May 7, 2024.

## Adjournment

**Action:** M/S/C (Arreguin/Taplin) to adjourn the meeting

**Vote:** All Ayes.

Adjourned at 4:08 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 6, 2024.

---

Mark Numainville, City Clerk

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, May 7, 2024  
4:00 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 – VACANT

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.*

*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](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/1602251843>. 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: **160 225 1843**. 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](mailto: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:** 4:07 p.m.

**Present:** Kesarwani, Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** Bartlett

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 0 speakers.

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

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

## Consent Calendar

### 1. Confirming the Results of the April 16, 2024, Special Municipal Election

**From:** City Manager

**Recommendation:** Adopt a Resolution confirming the results of the April 16, 2024 Special Municipal Election for City Council District 7.

**Financial Implications:** None

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

**Action:** Adopted Resolution No. 71,277–N.S.

## Adjournment

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

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

Adjourned at 4:14 p.m.

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

- None

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, May 7, 2024  
4:15 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 – VACANT

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.*

*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](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/1602251843>. 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: **160 225 1843**. 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](mailto: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:** 4:15 p.m.

**Present:** Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** Kesarwani, Bartlett

Councilmember Kesarwani present at 4:19 p.m.

Councilmember Bartlett present at 4:24 p.m.

## Action Calendar – Public Hearings

1. **Submission of the PY 2024 (FY 2025) Annual Action Plan Containing Allocations of Federal Funds to Community Agencies and Recommendations of Other Local and State Funding to Community Agencies for FY 2025 - 2028 From: City Manager**  
**Recommendation:** Conduct a public hearing on the federal Program Year (PY) 2024, City Fiscal Year (FY) 2025, Annual Action Plan (AAP) for federal Housing and Urban Development Department (HUD) funds, including the allocation of federal funding for community agencies, and upon conclusion, adopt a Resolution:
  1. Approving proposed funding allocations under the PY 2024 Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Home Investment Partnerships Program (HOME), and HOME American Rescue Plan Program (ARP); and
  2. Authorizing the City Manager or her designee to execute resultant agreements and amendments with community agencies for the above-mentioned funds; and
  3. Allocating 10% of the PY24 HOME funds for HOME program administration, up to 5% to support Community Housing Development Organization (CHDO) operations, and the remaining (approximately 85%) of the PY 2024 HOME funds to the Housing Trust Fund; and
  4. Allocating 20% of the PY 2024 CDBG funds to Planning and Administration, up to 17.83% for public services, and the remaining to be distributed to Housing Services and Public Facility Improvements as outlined in Exhibit A with the Public Facility Improvements being a flexible line item should the HUD allocation, program income, or earlier unused funds, be more or less than estimated; and
  5. Allocating the allowable 7.5% of the PY 2024 ESG to Administration, \$6,676 to the Homeless Management Information System (HMIS) system, up to the allowable 60% to emergency shelter/street outreach, and the remaining amount to Rapid Rehousing as outlined in Exhibit A; and
  6. Authorizing staff to finalize the PY 2024 Annual Action Plan for submission to the U.S. Department of Housing and Urban Development, including the planned expenditures of HUD funds, required HUD application forms and certifications, and all other HUD-required information; and
  7. Authorizing the City Manager or her designee to execute and submit all documents necessary to receive the City's entitlement grants under the CDBG, ESG, and HOME Programs; and
  8. Authorizing Health, Housing, and Community Services (HHCS) staff to work with

## Action Calendar – Public Hearings

the Alameda County to allocate Berkeley’s Homeless Housing Assistance and Prevention (HHAP) funds.

**Financial Implications:** See report

Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400

**Public Testimony:** The Mayor opened the public hearing. 28 speakers. M/S/C (Arreguin/Taplin) to close the public hearing.

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

**Action:** M/S/C (Arreguin/Hahn) to adopt Resolution No. 71,278–N.S.

**Vote:** All Ayes.

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 6:11 p.m.

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

**Item #1: Submission of the PY 2024 (FY 2025) Annual Action Plan Containing Allocations of Federal Funds to Community Agencies and Recommendations of Other Local and State Funding to Community Agencies for FY 2025 – 2028**

1. Presentation, submitted by Health, Housing and Community Services

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, May 7, 2024**  
**6:00 PM**

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

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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.*

*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](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/1602251843> 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: **160 225 1843** 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](mailto: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:** 6:40 p.m.

**Present:** Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** None

**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:

1. Swearing In of Newly Elected District 7 Councilmember Cecilia Lunaparra
2. Adjourned in Memory of Delaine Eastin, State Elected Official
3. Adjourned in Memory of Will Travis, Bay Conservation & Development Commission

### City Manager Comments:

1. Update on the Implementation of the BINDEX for equitable contracting

Recess 7:24 p.m. – 7:33 p.m.

**Public Comment by Employee Unions:** 2 speakers.

Recess 7:53 p.m. – 8:00 p.m.

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 40 speakers.

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

**Vote:** All Ayes.

## Recess Items

- 1. Contract: Health Officer Coverage**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to execute a contract with Dr. Lisa Hernandez for Health Officer services during periods when the City Health Officer is out of the office for the period April 1, 2024 through April 1, 2026 in an amount not to exceed \$30,000.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,279–N.S.
- 2. Purchase Order: SHI for KnowBe4 Products and Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during Spring Recess for the approval and authorization to execute a purchase order in the amount of \$135,189 with SHI for continued use of KnowBe4 cybersecurity content, products and tools.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,280–N.S.
- 3. Contract Amendments: As-needed Trees Services with Bay Area Tree, Hamilton Tree, Professional Tree, and West Coast Arborist**  
**From: City Manager**  
**Recommendation:** Adopt four Resolutions ratifying the action taken by the City Manager during recess authorizing the City Manager to amend contracts with Bay Area Tree Specialists (31900202), Hamilton Tree Service (31900193), Professional Tree Care (31900212), and West Coast Arborists (31900218), for as-needed tree services, increasing the amount by \$500,000 each and extending the terms to May 28, 2026.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,281–N.S. (Bay Area Tree), Resolution No. 71,282–N.S. (Hamilton Tree), Resolution No. 71,283–N.S. (Professional Tree), Resolution No. 71,284–N.S. (West Coast).

## Recess Items

- 4. Contract: School Foodies for Summer Food Service Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess authorizing the City Manager to execute a one (1) year contract and any amendments with School Foodies to provide lunches and afternoon snacks to Berkeley youth for the City's Summer Food Service Program for a total amount not to exceed \$95,000, for the period of June 1, 2024 through May 31, 2025, with up to four (4) additional one-year extensions not to exceed \$95,000 each year, contingent upon the availability of State funding, for a total contract amount not to exceed \$475,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,285–N.S.
- 5. Construction Contract: THE DUTRA GROUP for the Docks D & E Replacement Project at the Berkeley Marina**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Berkeley Marina Docks D & E Replacement Project (Bid Specification No. 24-11633-C); and 2. Accepting the bid of THE DUTRA GROUP as the lowest responsive and responsible bidder on the Project; 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, with THE DUTRA GROUP, for the Berkeley Marina Docks D & E Replacement Project, in an amount not to exceed \$8,593,200, which includes a contract amount consisting of base bid of \$7,812,000 and a 10% contingency in the amount of \$781,200.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,286–N.S.
- 6. Contract No. 32300187 Amendment: First Serve Productions for Additional Sport Court Repair and Resurfacing**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess, authorizing the City Manager to amend contract no. 32300187 with First Serve Productions for additional sport court repair and resurfacing at City parks by increasing the construction contract amount by \$198,000 for a not-to-exceed amount of \$374,669.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,287–N.S.

## Recess Items

7. **Construction Contract: THE DUTRA GROUP for the Berkeley Marina Dredging Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Berkeley Marina Dredging Project (Bid Specification No. 24-11644-C); and 2. Accepting the bid of THE DUTRA GROUP as the lowest responsive and responsible bidder on the Project; 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, with THE DUTRA GROUP, for the Berkeley Marina Dredging Project, in an amount not to exceed \$4,843,566, which includes a contract amount consisting of base bid of \$4,612,920 and a 5% contingency in the amount of \$230,646.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,288–N.S.

## Consent Calendar

8. **Reform the Human Welfare and Community Action Commission by amending rules regarding the Commission’s composition, number of members, filling of vacancies, election of low-income representatives, enumerated functions, and other changes**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,902-N.S. to reform the Human Welfare and Community Action Commission (HWCAC).  
**First Reading Vote:** Vote: Ayes – Taplin, Bartlett, Hahn, Wengraf, Humbert, Arreguin; Noes - Kesarwani.  
**Financial Implications:** See report  
Contact: Margot Ernst, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted second reading of Ordinance No. 7,902–N.S.
9. **Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of March 7, 2024 (closed), March 12, 2024 (special, special, regular and closed), March 18, 2024 (closed), March 19, 2024 (regular) and March 26, 2024 (closed and regular)  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Approved the minutes as submitted.  
**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Humbert, Arreguin; Noes – None; Abstain – Lunaparra.

## Consent Calendar

**10. Calling for a Consolidated General Municipal Election for November 5, 2024**  
**From: City Manager**

**Recommendation:** Adopt a Resolution: a) Calling for a General Municipal Election to be consolidated with the Presidential General Election to be held in Berkeley on November 5, 2024; b) Requesting that the Alameda County Board of Supervisors consolidate the City of Berkeley General Municipal Election with the Presidential General Election; c) Authorizing certain procedural and contractual actions; and d) Establishing policies for the filing of candidate statements of qualification.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,289–N.S.

**11. Ballot Measure Increasing the City’s Appropriation Limit to Allow Expenditure of Tax Proceeds for Fiscal Years 2025 through 2028**

**From: City Manager**

**Recommendation:**

1. Adopt a Resolution placing the attached measure to increase the City’s appropriation limit on the ballot 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: Mark Numainville, City Clerk, (510) 981-6900, Henry Oyekanmi, Finance, (510) 981-7300

**Action:** 1. Adopted Resolution No. 71,290–N.S. 2. Designated Mayor Arreguin, and Councilmembers Hahn, Bartlett, and Humbert to file arguments.

**12. Designate Ballot Measure Argument Authors – Initiative Ordinance Prohibiting Concentrated Animal Feeding Operations**

**From: City Manager**

**Recommendation:** Designate, by motion, specific members of the City Council to file ballot measure arguments as provided for in Elections Code Section 9282, on the Initiative Ordinance Prohibiting Concentrated Animal Feeding Operations on the ballot for the November 5, 2024 General Municipal Election.

**Financial Implications:** No direct fiscal impacts

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

**Action:** No designated argument filers selected.

## Consent Calendar

- 13. Contract No. 117569-1 Amendment: Animal Fix Clinic (formerly Fix Our Ferals) for Spay and Neuter Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 117569-1 with Animal Fix Clinic (formerly Fix Our Ferals) to provide no-cost spay and neuter surgeries to eligible pet owners and shelter animals for FY 2024, increasing the contract amount by \$25,000 for a new total contract amount not to exceed \$127,218.  
**Financial Implications:** See report  
Contact: Peter Radu, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 71,291–N.S.
- 14. Returning Funding from University of California, Berkeley for Rodeway Inn for Winter Shelter**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution returning the unspent portion (totaling \$400,140.17) of a \$2,200,000 donation from the University of California, Berkeley, previously accepted by the Council on April 26, 2022 for the Rodeway Inn shelter.  
**Financial Implications:** Approving this recommendation will result an expenditure of \$400,140.17 in funding from the One-Time Grant: No Capital Expenditures Fund (Fund 336).  
Contact: Peter Radu, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 71,292–N.S.
- 15. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 7, 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:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Approved recommendation.

## Consent Calendar

**16. Contract: As-Needed Hazardous Fire Fuel Treatment with California Tree Solutions, Mountain Enterprises Inc., Small World Tree Co., and Bay Area Tree Specialists**

**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 May 18, 2024, to May 17, 2028, for a total cumulative amount not to exceed \$4,000,000.

1. California Tree Solutions in the amount of \$1,000,000;
2. Mountain Enterprises Inc. in the amount of \$1,000,000;
3. Small World Tree Co. in the amount of \$1,000,000; and
4. Bay Area Tree Specialists in the amount of \$1,000,000.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,293–N.S. (California Tree), Resolution No. 71,294–N.S. (Mountain Enterprises), Resolution No. 71,295–N.S. (Small World Tree), Resolution No. 71,296–N.S. (Bay Area Tree).

**17. Grant Application: Funding from the Federal Emergency Management Agency (FEMA) to hire additional firefighters to meet NFPA 1710 standards and recommendations from the City Gate, LLC Standards of Coverage and Community Risk Assessment**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from the Federal Emergency Management Agency (FEMA) for up to \$7,703,926.83 with no matching city funds to hire nine additional firefighters to help the City meet the National Fire Protection Association (NFPA) 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments and to partially accomplish one of the recommendations from the City Gate, LLC Standards of Coverage and Community Risk Assessment.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,297–N.S.

**18. Contract: Marin SB Advisor LLC for Chipper Day Program Management**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Marin SB Advisor LLC to provide program management for Berkeley Chipper Day from June 1, 2024 until May 31, 2027 in an amount not to exceed \$213,000 with an option to extend for an additional three (3) years for \$250,000, making initial term plus extension not to exceed \$463,000.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,298–N.S.

## Consent Calendar

### 19. Modification and Adoption of Berkeley Fire Code Local Amendments and Incorporation of California Intervening Code Adoption Cycle Amendments Based on the 2022 California Fire Code

**From:** City Manager

**Recommendation:**

1. Adopt the first reading of an Ordinance which proposes to amend certain portions of Section 19.48.020 of the Berkeley Municipal Code (“Amendments to the California Fire Code”);
2. Adopt a Resolution setting forth findings as to local conditions applicable to the revised portions of Section 19.48.020 that require more stringent building standards than those provided by the 2022 California Fire Code (“CFC”) with intervening code adoption cycle amendments, and amending Resolution number 70,611–N.S.;
3. In compliance with state law on adopting such codes by reference, hold a public hearing following the first reading, and before the second reading, and schedule the second reading and public hearing for June 4, 2024.

**Financial Implications:** See report

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

**Action:** 1. Adopted first reading of Ordinance No. 7,903–N.S. amended as follows: *First, to be consistent with the change from “fire area” to “area”, YYY. Section 4912.3.1 General [Additional subsection], the word “Fire” should be deleted from Wildland-Urban Interface Fire Area on line 2 of the section and DDDD. Section 4912.6 Tracer Bullets, Tracer Charges, Rockets and Model Aircraft [Additional subsection], the word “Fire” should be deleted from Wildland-Urban Interface Fire Area on line 6 of the section*

*Second, Table 4902.1 has a sentence immediately after the table which reads “Fire Zone One is declared as a Very-High Fire Hazard Severity Zone and Wildland-Urban Interface area.” It should read, “Fire Zone Two is declared as a Very-High Fire Hazard Severity Zone and Wildland-Urban Interface area.”* Second reading scheduled for a public hearing on June 4, 2024.

2. Adopted Resolution No. 71,299–N.S.

3. Approved recommendation.

### 20. Contract No. 32300108 Second Amendment: Street Level Advisors, LLC for Housing Consulting Services

**From:** City Manager

**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a second amendment to Contract No. 32300108 with Street Level Advisors, LLC increasing the contract by \$100,000 for consulting services in a total amount not to exceed \$199,500, with a contract end date of June 30, 2025.

**Financial Implications:** See report

Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 71,300–N.S.

## Consent Calendar

- 21. Contract: The Labor Compliance Managers for Labor Compliance Consultant for the HARD HATS Ordinance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with The Labor Compliance Managers (TLCM) to develop a comprehensive program for enforcing the provisions of the HARD HATS Ordinance for the Department of Health, Housing, and Community Services (HHCS) from August 1, 2024 to July 31, 2027, in an amount not to exceed \$150,000.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,301–N.S.
- 22. Contract No. 32300144 Amendment: Resource Development Associates for Specialized Care Unit Evaluation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300144 with Resource Development Associates (RDA) to add \$15,000 for a not-to-exceed total contract amount of \$250,000.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,302–N.S.
- 23. Contract No. 32200191 Amendment: Options Recovery Services for Substance Use Disorder Services Co-location**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32200191 with Options Recovery Services (Options) for Substance Use Disorder (SUD) services for a total contract limit of \$500,000 for the period beginning January 1, 2022 and ending June 30, 2025, to extend their current co-located SUD services at the Berkeley Mental Health Adult Services Clinic. This amendment will add \$250,000 in funding and two years to the existing contract term.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,303–N.S.

## Consent Calendar

- 24. Contract: City Data Services for Streamlined Community Agency Contract Administration and Monitoring**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to enter into a contract with City Data Services (CDS) to provide continued online data management systems to the Health, Housing and Community Services Department (HHCS) from July 1, 2024 through June 30, 2028, and authorizing the City Manager or her designee to extend the contract and execute any amendments with CDS for ongoing maintenance of the community agency online applications and reporting systems for an annual service fee of \$41,520 for a total contract not to exceed amount of \$166,080.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,304–N.S.
- 25. Revenue Grant Agreements: Funding Support from the State of California and Alameda County to Conduct Public Health Services**  
**From: City Manager**  
**Recommendation:** Adopt four Resolutions authorizing the City Manager or her designee to submit grant agreements to the California Department of Public Health (CDPH) and Alameda County, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following four revenue agreements:  
1. HIV/AIDS Surveillance in the projected amount of \$25,701 each year for Fiscal Years (FY) 2025 through 2029 for a total of \$128,505 from CDPH.  
2. Sexually Transmitted Infection (STI) Prevention and Collaboration in the projected amount of \$13,625 each year for FY 2025 through 2026 for a total of \$27,250 from CDPH.  
3. Tuberculosis (TB) Prevention and Control in the projected amount of \$35,197 for FY 2025 from CDPH.  
4. Public Health Infrastructure Program in the projected amount of \$32,080 for FY 2025 from Alameda County.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,305–N.S. (HIV/AIDS Surveillance), Resolution No. 71,306–N.S. (STI Prevention), Resolution No. 71,307–N.S. (TB Prevention), Resolution No. 71,308–N.S. (Public Health Infrastructure).

## Consent Calendar

- 26. Contract No. 32300134 Amendment: Bonita House for Specialized Care Unit Provider**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300134 with Bonita House to add \$275,000 of funding from the State of California's Crisis Care Mobile Units (CCMU) grant for a total not-to-exceed contract amount of \$4,845,500.  
**Financial Implications:** See report  
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,309–N.S.
- 27. 2023 Fee Assessment – State of California Self-Insurance Fund (Workers' Compensation Program)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing payment to the State of California Department of Industrial Relations for Fiscal Year 2022-2023 for administering the Workers' Compensation Program, in an amount not to exceed \$240,397.76.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 71,310–N.S.
- 28. Legislative Aide Class Specifications and Salary Range**  
**From: City Manager**  
**Recommendation:** Adopt (1) first reading of an Ordinance amending Berkeley Municipal Code Section 4.04.120(A) to rename the Legislative Assistant classification as Legislative Aide; (2) a resolution authorizing amendments to all pertinent City documents to effectuate the classification name change, approving job specifications and a new salary range for the renamed classification, and approving terms negotiated with SEIU Local 1021 - CSU & PTRLA regarding advancement along the new salary range for the renamed classification.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** 1. Adopted first reading of Ordinance No. 7,904–N.S. Second reading scheduled for May 21, 2024. 2. Adopted Resolution No. 71,311–N.S.

## Consent Calendar

29. **Contract: Catalis Public Works and Citizen Engagement, LLC for New Community Relationship Management (CRM) System**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Catalis Public Works and Citizen Engagement, LLC (Catalis) for software hosting, implementation, maintenance, and related services for a new Community Relationship Management system, for an amount not to exceed \$500,000 for the period commencing on June 1, 2024 through June 30, 2029.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,312–N.S.
30. **Contract No. 32000188 Amendment: GSI Environmental Inc. for On-Call Environmental Consulting Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000188 with GSI Environmental Inc. for on-call environmental consulting services to increase the contract amount by \$200,000 for a new not to exceed amount of \$425,000 and extend the contract term from June 30, 2025 to June 30, 2027.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,313–N.S.
31. **Donation from the Friends of the Rose Garden/Berkeley Partners For Parks for the Berkeley Rose Garden**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation from the Friends of the Rose Garden/Berkeley Partners For Parks in the amount of up to \$10,000 to purchase roses and perform maintenance at the Berkeley Rose Garden.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,314–N.S.
32. **Contract No. 32200098 Amendment: ERA Construction, Inc. for O & K Docks Electrical Upgrades Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32200098 with ERA Construction, Inc. for the O & K Docks Electrical Upgrades Project, increasing the amount by \$129,000 for an amended total amount not to exceed \$1,467,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,315–N.S.

## Consent Calendar

### 33a. Achieving Goals of 2018 Berkeley Age-Friendly Action Plan

#### From: Commission on Aging

**Recommendation:** Refer to the City Manager steps to revisit and act on the recommendations of the Berkeley Age-Friendly Action Plan as outlined in the report, by building on what is already occurring in the community, expanding the Plan's impact, and addressing gaps by increasing funding for personnel and other services currently being offered, as well as others identified in the Age-Friendly Plan.

The Aging Commission identified as first steps four (4) priority areas and goals for the Action Plan:

1. Housing and Economic Security: Develop a continuum of affordable, accessible housing options for older adults to age in their community regardless of their health or financial status.
2. Transportation and Mobility: Advance a network of public and private transportation (including transit, assistive devices, e-bikes and e-scooters and bicycling and walking) that equitably serves residents and connects them to services, social activities, and employment opportunities.
3. Health and Wellness: Develop a more integrated system of services and supports that is person-centered and ensures that all residents have the opportunity to engage in health promoting activities.
4. Social Participation and Civic Engagement: Enhance neighborhood cohesion and social connectedness of all Berkeley residents with community events and activities that are inclusive, affordable, and accessible.

In the short term, the Commission recommends that these plans should include a budget referral to the City Manager for consideration in the biennial budget process.

**Financial Implications:** See report

Contact: Darleen Bronson, Commission Secretary, (510) 981-5400

**Action:** See action for Item 33b.

## Consent Calendar

### 33b. Companion Report: Achieving Goals of 2018 Berkeley Age-Friendly Action Plan

**From: City Manager**

**Recommendation:** Refer to the City Manager to review and prioritize the recommendations of the City of Berkeley's Age-Friendly Action Plan, in conjunction with the results of the Community Health Assessment that will be conducted by the Health, Housing, and Community Services Department in the 2024 calendar year. In addition, to consider the following referrals:

1. Refer to the Transportation Commission to collaborate with the Commission on Aging to assess the equitable accessibility of public transportation options for the older adult and disabled community in Berkeley
2. Refer to Housing Advisory Commission to collaborate with staff to assess the level of affordable, accessible housing options for older adults to age in the Berkeley community.
3. Refer the Commission on Aging's request for increased funding to the Budget and Finance Policy Committees for further deliberation.

**Financial Implications:** See report

Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400

**Action:** Approved recommendation in Item 33b.

### 34. Support the Fire Department to Fund a Program Manager II Position

**From: Disaster and Fire Safety Commission**

**Recommendation:** The Disaster and Fire Safety Commission (DFSC) supports the request by the Fire Department to fund a Program Manager II.

**Financial Implications:** See report

Contact: Keith May, Commission Secretary, (510) 981-3473

**Action:** Approved recommendation amended to include: *In line with the City Manager's recommendation to refer this item to the budget process, refer to the Fiscal Year (FY) 2024-25 Budget Process \$265,000 to fund a Program Manager II position within the Fire Department to support street trauma prevention, as described below.*

### 35. Use of Measure FF to Support Understory Mitigation

**From: Disaster and Fire Safety Commission**

**Recommendation:** That the Berkeley City Council pass a resolution to support the Fire Department in using Measure FF funds to conduct one-time eucalyptus understory clean-ups on select, participating private properties within the City.

**Financial Implications:** See report

Contact: Keith May, Commission Secretary, (510) 981-3473

**Action:** Adopted Resolution No. 71,316–N.S.

## Council Consent Items

- 36. Budget Referral: \$70,000 to the FY 2025-2026 Budget Process for Supply Bank School Supply Distribution**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Refer to the FY 2025-2026 budget process \$70,000 for Supply Bank (\$35k for each fiscal year) to support their services in providing essential school supplies to Berkeley families.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Approved recommendation.
- 37. Budget Referral: Replenishing Business Damage Mitigation Fund**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Refer to the Fiscal Year (FY) 2025-2026 Budget Process \$50,000 to replenish the business damage mitigation fund providing one-time grants to small businesses who experience property damage due to vandalism and other problematic behavior.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Approved recommendation.
- 38. Budget Referral: Cesar Chavez Solar Calendar Maintenance**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Refer to the Fiscal Year (FY) 2025-2026 budget process to allocate \$10,000 to the Kala Art Institute, the fiscal sponsor for the Chavez/Huerta Tribute Site, for the continued purpose of employing grounds keepers and providing the resources needed for the maintenance of the Cesar Chavez/Dolores Huerta Solar Calendar Site until May/June 2026.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Approved recommendation.
- 39. Budget Referral: SafeCity Connect Downtown Berkeley Pilot Program**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** Refer to the budget process \$320,000 to fund a two-year public-private security camera program between SafeCity Connect (SafeCity) and the Downtown Berkeley Property-based Business Improvement District (PBID) for ten (10) locations. This public-private partnership will develop performance and compliance metrics pursuant to the City of Berkeley's Surveillance Ordinance, report on metrics regarding criminal activity clearance rates, deterrence and reduction of criminal activity, and develop privacy and transparency protocols to govern the management and implementation of its camera program.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.  
**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Wengraf, Humbert, Arreguin; Noes – None; Abstain – Hahn, Lunaparra.

## Council Consent Items

- 40. Waterside Workshops Emergency Recovery Grant**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** Refer to the budget process \$82,000 to Waterside Workshops to support youth enrichment and climate resilience programs following revenue losses due to construction and street closures on Bolivar Drive.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.
- 41. Relationship Nondiscrimination Ordinance**  
**From: Councilmember Taplin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Humbert (Co-Sponsor)**  
**Recommendation:** Adopt first reading of an Ordinance amending the Berkeley Municipal Code to include non-discrimination protections based on family and relationship structure.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Councilmember Lunaparra added as a co-sponsor. Adopted first reading of Ordinance No. 7,905–N.S. amended to renumber subsection 13.22.040(A) and removing existing provision 13.22.040(A)(4) regarding Educational Institutions. Second reading scheduled for May 21, 2024.
- 42. Budget Referral: Berkeley Junior Jackets Capacity-Building Grant**  
**From: Councilmember Taplin (Author)**  
**Recommendation:** Refer to the Fiscal Year 2025-2026 biennial budget process \$300,000 to provide Young Lives Matter Foundation, Inc. with funding for two years of operating costs for the Berkeley Junior Jackets Football and Cheer youth sports program, and to develop longer-term sustainability and growth plans for the organization.  
Direct the City Manager to evaluate organizational capacity and strategic planning supported by this funding on a rolling basis consistent with Reimagining Public Safety and Gun Violence Prevention program implementation.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Councilmembers Lunaparra and Bartlett added as co-sponsors. Approved recommendation.

## Council Consent Items

- 43. Budget Referral: Vision Zero Rapid Response on Bicycle Boulevards**  
**From: Councilmember Taplin (Author), Councilmember Humbert (Co-Sponsor)**  
**Recommendation:**
1. Refer to the City Manager to incorporate the City of Oakland's Neighborhood Bike Route Implementation Guide for all Bicycle Boulevards designated in the City of Berkeley's Bicycle Plan, pursuant to the City's Vision Zero Action Plan, Complete Streets Policy, and other applicable policies and plans; and to prioritize proactive and retroactive implementation of standards on Bicycle Boulevards in response to recent traffic collisions, with consideration for quick-build interventions that can be removed, modified or made permanent to advance Vision Zero Action Plan goals.
  2. Refer to the Fiscal Year 2025-2026 biennial budget process \$200,000 for a Pilot implementation of Neighborhood Bikeway standards and Complete Streets interventions on Heinz Avenue and the intersection with Seventh Street, and prioritizing implementation on Bicycle Boulevards on High Injury Streets and/or the Equity Priority Area, considering any and all possible interventions to eliminate the risk of severe and fatal collisions such as: centerline hardening, quick-build pedestrian safety zones, curb extensions, raised crosswalks, ADA accessibility improvements at AC Transit bus stops, and protected left-hand turns.
- Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Councilmembers Lunaparra and Kesarwani added as co-sponsors.  
Approved recommendation.
- 44. Celebración Cultural Sylvia Mendez (Spring Cultural Celebration) by the Sylvia Mendez School PTA: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Bartlett (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of funds, including \$1,500 from the discretionary council office budget of Councilmember Ben Bartlett, to the Sylvia Mendez Elementary School PTA to host a Spring Cultural Celebration event on May 4, 2024, in the courtyard on campus. The funds will be relinquished to the City's General Fund from the discretionary council office budget of Councilmember Ben Bartlett and the discretionary council office budgets of any other City Councilmembers who would like to contribute.
- Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** Adopted Resolution No. 71,317–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Lunaparra - \$100; Councilmember Humbert - \$100; Councilmember Taplin - \$200; Councilmember Hahn - \$500; Vice-Mayor Wengraf - \$150.

## Council Consent Items

- 45. Budget Referral Healthy Black Families Community Engagement - Ashby BART Development and Equitable Black Berkeley**  
**From: Councilmember Bartlett (Author)**  
**Recommendation:** Refer \$60,000 each to the FY2024/25 and FY2025/26 budget process to support a Community Advisory Group to provide thought leadership around implementation of a Black Cultural Zone and Health Equity Zone. This Community Advisory Group will address the ongoing community engagement needs to ensure community input/influence in the development of the Ashby BART station, the reparative framework for the historically Black Community including the Black Equity Zone and Health Equity Zone.  
**Financial Implications:** See report  
 Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** Approved recommendation.
- 46. Budget Referral to Fund Small Sites Program to Acquire, Rehabilitate, and Protect Existing Small Scale Housing**  
**From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)**  
**Recommendation:** Refer to the FY 2025-26 Budget Process: An allocation of \$8 Million per year (for a two-year total of \$16 Million) from existing affordable housing funds to the City of Berkeley Small Sites Program to support the acquisition and rehabilitation of small-scale residential buildings and their conversion to deed-restricted permanently affordable housing. \$200,000 in FY25 and \$150,000 in FY26 (total of \$350,000 over two years) “Capacity Building” grants to the Bay Area Community Land Trust to support expanded participation in the City’s Small Sites Program.  
**Financial Implications:** See report  
 Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation.  
**Vote:** Ayes – Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Arreguin; Noes – None; Abstain – Kesarwani, Humbert.
- 47. Budget Referral to Continue Market Match Program for Low-Income Berkeley Residents in the Event of Statewide Program Cuts**  
**From: Councilmember Hahn (Author), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)**  
**Recommendation:** Refer to the FY2025-26 Budget Process up to \$360,000 (up to \$180,000 per year) to safeguard the Market Match program for two fiscal years, supporting over 10,000 low-income Berkeley residents in accessing fresh local produce from Berkeley Farmers’ Markets.  
**Financial Implications:** See report  
 Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation.

## Council Consent Items

- 48. Co-Sponsorship and Budget Referral for the Solano Avenue Stroll**  
**From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:**
1. Adopt a Resolution for the City of Berkeley to Co-Sponsor the Solano Avenue Association's September 2024 and September 2025 Solano Avenue Stroll events and to provide in-kind services previously provided at no cost to the Solano Stroll, including but not limited to police, fire, zero waste, and public works, at no cost to the September 2024 and 2025 Solano Stroll events.
  2. Refer \$10,000 per year to the FY 2025-2026 Budget Process (\$20,000 total) to support the September 2024 and 2025 Solano Stroll events.
- Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** 1. Adopted Resolution No. 71,318–N.S. 2. Approved recommendation.  
**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Arreguin; Noes – None; Abstain – Humbert.
- 49. CARE Program for Berkeley Fire**  
**From: Councilmember Hahn (Author), Mayor Arreguin (Co-Sponsor)**  
**Recommendation:** Refer to the FY2025/2026 Budget Process funding for programs that offer care and support for our firefighters and emergency medical service workers (First Responders), the equipment they rely on, and the homes and workplaces we provide for them.
1. For a two-year Pilot Project to Screen for Cancer: \$40,000 annually for two years to fund on-going age and risk-based full body cancer scans for First Responders that are subjected to carcinogens during the normal course of their work.
  2. To add an FTE to the Fire Department for an In-House Fire Mechanic to service Fire Apparatus on-site and better meet the complex, unique, and time-sensitive needs of the Fire Department, and to save firefighters and the City time and money on outsourced maintenance service: \$203,107 for one FTE, ongoing and inclusive of benefits, for a Lead Fire Mechanic. \$350,000 in one-time funds to purchase the necessary tools and equipment.
  3. For a Fire Reserve Program, offering internships with training to motivated High School graduates and/or college students who may enter the Fire Service after completion of the program, and to support recruitment: \$120,000 per year, ongoing, to cover salaries for 6 interns, training, supervision, and equipment.
  4. For one-time "FFE" (Furniture, Fixtures, and Equipment) upgrades to all Fire Stations, including but not limited to new appliances, enhancements to prevent cancer (decontamination dryers, carcinogen-reducing soaps/detergents, etc.), lighting, furniture, and other amenities to improve living, health, and working conditions: \$140,000 to provide \$20,000 for each of the City's seven Fire Stations in one fiscal year. Alternatively, \$70,000 in FY 2025 and in FY 2026, providing \$10,000 per year for each Fire Station over two years, for a two-year total of \$140,000.
- Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation.

## Council Consent Items

- 50. Resolution in Support of the Campaign for a Safe and Healthy California**  
**From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** Send a resolution to Governor Gavin Newsom and the Campaign for a Safe and Healthy California, endorsing the campaign to “Keep the Law” and uphold Senate Bill 1137, which prohibits new oil and gas wells within 3,200 feet of homes, schools, nursing homes, and hospitals, and requires companies to adopt health, safety, and environmental standards.  
**Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Adopted Resolution No. 71,319–N.S.
- 51. Budget Referral for Development of Voluntary Design Guidelines**  
**From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** Refer to the City Manager to develop and return to the City Council for review and adoption a set of Voluntary Design Guidelines for the City of Berkeley. Refer \$200,000 to the FY2025/2026 budget process to engage a consultant to assist with this process.  
**Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation.
- 52. Budget Referral: City of Berkeley Annual Holocaust Remembrance Day**  
**From: Councilmember Wengraf (Author), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Refer to the Fiscal Year 2025/2026 budget process a request for \$7,000 annually to fund the City of Berkeley’s Annual Holocaust Remembrance Day Program.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Approved recommendation.
- 53. Budget Referral: Crossing Guard for Cragmont School**  
**From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Refer to the Fiscal Year 2025/2026 Budget Process an annual allocation of \$22,000 to fund a Crossing Guard for Cragmont Elementary School at the intersection of Regal Rd. and Spruce Street.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Approved recommendation.

## Council Consent Items

54. **Budget Referral: Equipment for Hybrid Commission Meetings**  
**From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Refer to the Fiscal Year 2025/2026 Budget Process an allocation of \$110,000 for infrastructure costs to conduct hybrid city commission meetings.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Approved recommendation.
55. **Budget Referral: \$70,000 to Evaluate Pedestrian Safety and Implement Solutions on Euclid Avenue between Eunice Street and Bay View Place**  
**From: Councilmember Wengraf (Author), Councilmember Taplin (Co-sponsor), Councilmember Hahn (Co-sponsor)**  
**Recommendation:** Refer to the Fiscal Year 2025-2026 Budget Process an allocation of \$70,000 to Evaluate Pedestrian Safety and Implement solutions on the short stretch of Euclid Ave between Eunice Ave and Bay View Place, including the crossings at Eunice and between Codornices Park and the Jane Hammond Field and the Berkeley Rose Garden and west side of Euclid.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Approved recommendation.
56. **Budget Referral: Civic Center Plan Phase III – Advancing Pre-Design & Construction Activities for Berkeley’s Maudelle Shirek and Veterans Buildings**  
**From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Refer to the Fiscal Year 2025/2026 Budget Process an allocation of \$300,000 for the Civic Center Plan Phase III.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Approved recommendation.

## Action Calendar – New Business

**57. Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code**

**From: City Manager**

**Recommendation:**

1. Adopt first reading of an Ordinance repealing and reenacting the Berkeley Building, Residential, Electrical, Mechanical, Plumbing, Energy, and Green Building Standards Codes in BMC Chapters 19.28, 19.29, 19.30, 19.32, 19.34, 19.36 and 19.37, and adopting related procedural and stricter provisions; and
2. Adopt a Resolution setting forth findings of local conditions that justify more stringent regulations than those provided by the 2022 California Building Standards Code Supplements, and rescinding Resolution No. 70,585-N.S.

**Financial Implications:** See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

**Action:** 2 speakers. M/S/C (Hahn/Arreguin) to:

1. Adopt first reading of Ordinance No. 7,906–N.S. except those provisions related to NOX. Second reading scheduled for June 4, 2024.
2. Adopt Resolution No. 71,320–N.S. except the provisions related to NOX.
3. Refer the NOX provisions to the Health, Life Enrichment, Equity & Community for review and a recommendation to Council.

**Vote:** All Ayes.

## Council Action Items

**58. Council Referral - Proposed Changes to Public Comment** (*Reviewed by Agenda & Rules Committee*)

**From: Agenda & Rules Committee**

**Recommendation:** Refer to the City Manager to review and implement recommendations by the Open Government Commission to improve public access, transparency, meeting procedures and public comment at City Council and commission meetings.

Direct the City Manager to return back to Council with amendments to the City Council Rules of Procedure and Order to implement these recommendations.

*Policy Committee Recommendation: Send to the City Council with a Qualified Positive Recommendation on the Open Government Commission’s proposal “Proposed Changes to Public Comment” with the amendments/comments outlined in the report.*

**Financial Implications:** None

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

**Action:** 6 speakers. M/S/C (Arreguin/Taplin) to approve the item as recommended by the Agenda & Rules Committee.

**Vote:** All Ayes.

## Information Reports

### 59. Environment and Climate Commission 2024 Work Plan

**From: Environment and Climate Commission**

Contact: Sarah Moore, Commission Secretary, (510) 981-7400

**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 2 speakers.**

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 10:49 p.m.

## Communications

### Item #35: Use of Measure FF to Support Understory Mitigation

1. Berkeley Fire Safe Council

### Item #50: Resolution in Support of the Campaign for a Safe and Healthy California

2. Jean Tepperman

### Item #41: Relationship Nondiscrimination Ordinance

3. Nikhil Vashee

### Parking Space Rent

4. Kevin Kunze

### Street Paving

5. Dan Auten
6. Thomas8429854@
7. Julia Torrano

### Holocaust

8. Dorothea Dorenz (2)
9. Councilmember Wengraf
10. Denah Bookstein
11. Mollie Mindel
12. William and Stefanie Guynn
13. JM Lerman

### Climate Resilience

14. Kosmont Companies

### Zero Waste

15. Chrise de Tournay (2)

## **Communications**

### **2136 San Pablo as a Public Park or Open Space**

16. Parks, Recreation and Waterfront Commission

### **Communities for Democracy**

17. Jason Rissman

### **Traffic Calming**

18. Valerie Blair McDermott

19. Tina de Benedictis

### **Police Accountability Board (PAB) Commendations**

20. Director of PAB

### **Demolition and Dwelling Unit Controls**

21. Lynn Fraley

22. Sabin Ray

### **Tax Dollars**

23. Walter Wood

### **Pedestrian Safety**

24. Anne Whyte

### **Measure Y1**

25. Berkeley's Youth Commission

### **Cal Campus Safety**

26. ABC7 News

### **Willard Park**

27. Theresa Fleury

28. Lynn Bradley

### **Pro-Housing Designation**

29. David Kellogg

### **Share Berkeley**

30. Steven Berger

31. Councilmember Hahn

### **Gilman Business District**

32. Jerry Coe, on behalf of Coe Studios

### **Oxford Elementary School**

33. Aimee Baldwin

34. Robbi Montoya

## Communications

### City Budget

35. Erin Liao

### Business License Tax

36. Cynthia Kellogg

### Bus Only Lanes

37. Ryan Lau, on behalf Alameda-Contra Costa Transit District

### Bike Lanes

38. Liban Mohamed-Schwoebel

### People's Park

39. Phoebe Thomas Sorgen

40. Owen Martin Zuidema

41. Russell Bates

### Cellular Coverage

42. Eric Friedman

### Old Berkeley History

43. Commonwealth Club (2)

### Art Grants

44. Commotion West Berkeley

### Hot Tub – ZAB Appeal: ZP#2023-0081

45. Richard Spohn

### Public Safety

46. Karina Racz

### Living Jazz's 40<sup>th</sup> Anniversary

47. Lyz Luke

### Aquatic Park Bathroom

48. Rocky Leplin

### Heckling

49. Joanne Donsky

50. Itamar Landau

### Chris Kindness Award

51. Alan Ross, on behalf of the Haas School of Business

## Communications

### **Berkeley Public Schools**

52. John Parman

### **Durant Food Court**

53. Alex Merenkow

### **Bullies**

54. Kathryn Levine

55. Advocate Four (2)

### **Veo Scooters**

56. Sean

57. Monica DiLullo, on behalf of Veo

58. Steph Lauren, on behalf of Veo

### **Ceding Time**

59. Phoebe Thomas Sorgen

### **Chess Club**

60. Jesse Sheehan (2)

### **BART Housing**

61. David Lerman

### **Casa Zimbabwe**

62. Loren Martha Thatcher

### **Southside Complete Streets**

63. Tom

64. Lin C.

### **Dwight Triangle**

65. Enrique Marisol

### **Biolab Watch**

66. Tina Stevens

### **Homelessness**

67. Justin Lee

68. Julie Nachtwey

### **Berkeley Art Center Invitation**

69. Berkeley Art Center

### **Aurora Theater Company**

70. Josh Costello, on behalf of the Aurora Theater Company

## Communications

71. Vincent Casalanina

### Peace and Justice Commission

- 72. Caralee
- 73. Lisa Jervis
- 74. Amber
- 75. Eric Lee
- 76. Rocky Chau
- 77. Daniel Weisfield
- 78. Jo-Ellen Pozner Zeitlin
- 79. Jennifer Coffey
- 80. Flipside (2)
- 81. Ilene Lee
- 82. Denise Resnikoff
- 83. Sarah Lefton
- 84. Linda Wulf
- 85. Stanley Wulf
- 86. Shoshana Katz
- 87. Jeremy Smith
- 88. Susane DeWitt
- 89. Barbara Schick
- 90. Deena Aranoff
- 91. Kathia Gonzalez Castro
- 92. Jewish Coalition of Berkeley (2)
- 93. Zeev Neumeier
- 94. 16 similarly-worded form letters (Request)
- 95. 109 similarly-worded form letters (Disrespectful)

### Hindu Civilization

96. Rudransh Narayan Tripathi (2)

### Pedestrian Activated Signal

97. Eric Friedman

### Activism

98. Judy Massarano

### City Council

- 99. Aaron Katler
- 100. Sari Hale-Alper
- 101. Susanne DeWitt

### Rebuttal

102. Tony Benado

## Communications

### A Safe Place

103. Carolyn Russell

### Radio Antenna Permit

104. Mathison Ott

### Hero Pay

105. AFSCME Local One, SEIU 1021 and CSU/PTRLA

### Work Permits Immigrants

106. Yahel Flores

### iFlip Gymnastics

107. Leesa Berahovich

### Campaign Spending

108. Irene Rice

### District 7

109. Shirley Kirsten

110. Fran Haselsteiner

111. John Parman

112. sheehanceo@

113. Russell Bates

### Parking Enforcement

114. Jesse McCaffrey

### Tree Pruning

115. J. Hawkridge

### Electrification Fair

116. Mark Gilligan

### Middle East Conflict

117. Christina Harb

118. Alexander McDonald

119. Sky

120. Ciara KB

121. Ory Sandel

122. Jon Jackson

123. Susanne DeWitt

124. Sheela Jivan (5)

125. Ilene Lee

126. Rachel Gita Schiff

127. Summer Brenner

## Communications

128. Hillary Kilmnik
129. Phoebe Thomas
130. Zipporah Collins
131. Benjamin Burch
132. Madeeha Khan
133. Medina Marwa Danish
134. Rohan Sabnis
135. Sana Khan
136. Susanne DeWitt
137. Jewish Coalition of Berkeley
138. Paul Sas
139. Marvin Engel
140. Rick Kleine
141. Barry Fike
142. Jessica Pearlman
143. Andrea Cassidy
144. Absinthia Vermut
145. Leah Rothman
146. Ralph
147. Mike Sabes
148. Candace Hyde-Wang
149. Paul Revere
150. Patricia McCarthy
151. Jocelyn
152. Jordan Perry
153. Arissa De La Cerda
154. Joanne Donsky
155. Sheela Jivan
156. Yossi Fendel
157. Barbara Gilbert
158. Sabine Herrmann
159. Anne Alcott
160. Mara Weiss
161. Roshanak Gonzalez
162. Dorothea Dorenz (2)
163. Tina
164. Anysa Gray
165. Blue Ryon
166. Fatima Rahmani Ahmad
167. Aaron Katler
168. Majeed Thaika
169. Joanne Donsky
170. Gina Speckman
171. Sari Hale-Alper
172. Thomas Costa
173. Ashwaq Asfour

## Communications

- 174. Aaron Katler
- 175. Melissa Tomlinson
- 176. Sandra Smith
- 177. Russell Bates (26)
- 178. 25 similarly-worded from letters (My name is)

### URL's Only

- 179. Linda Franklin
- 180. Russell Bates

## Supplemental Communications and Reports 1

### Item #34: Support the Fire Department to Fund a Program Manager II Position

- 181. Revised material, submitted by Councilmember Kesarwani

### Item #40: Waterside Workshops Emergency Recovery Grant

- 182. Rebecca Grove, on behalf of the Waterside Workshops

### Item #41: Relationship Nondiscrimination Ordinance

- 183. Molly Baskette, on behalf of First Congregational Church of Berkeley

### Item #42: Budget Referral: Berkeley Junior Jackets Capacity-Building Grant

- 184. Eric Friedman

### Item #57: Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code

- 185. Jay Smith

## Supplemental Communications and Reports 2

### Item #34: Support the Fire Department to Fund a Program Manager II Position

- 186. John Beaulaurier
- 187. Noelani Fixler

### Item #40: Waterside Workshops Emergency Recovery Grant

- 188. Danny McNaughton
- 189. Heike Abeck

### Item #41: Relationship Nondiscrimination Ordinance

- 190. Dave Doleshal

### Item #43: Budget Referral: Vision Zero Rapid Response on Bicycle Boulevards

- 191. Rain Gabriel Rachelle
- 192. Cathy Pienaar
- 193. Andres Douzoglou

## Communications

### **Item #57: Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code**

- 194. Bryce Nesbitt
- 195. Supplemental material, submitted by Councilmember Hahn

### **Item #58: Council Referral – Proposed Changes to Public Comment**

- 196. David Shere

## Supplemental Communications and Reports 3

### **Item #34: Support the Fire Department to Fund a Program Manager II Position**

- 197. Walk Bike Berkeley
- 198. East Bay, YIMBY
- 199. Taj Herzer-Baptiste

### **Item #39: Budget Referral: SafeCity Connect Downtown Berkeley Pilot Program**

- 200. ACLU, Northern California

### **Item #40: Waterside Workshops Emergency Recovery Grant**

- 201. Rebecca Grove, Executive Director Waterside Workshops
- 202. Tobe O'Neal
- 203. Juliana Harrison
- 204. Camie Bontaites
- 205. Jordan Ester
- 206. Lauren Sauer
- 207. Hannah Otto
- 208. Joan Beltran-Franey
- 209. Ramess Rogers
- 210. Marc Greenberg

### **Item #42: Budget Referral: Berkeley Junior Jackets Capacity-Building Grant**

- 211. Julia Cato
- 212. Janice Schroeder
- 213. M.E. Lawrence
- 214. Esther Brass-Chorin
- 215. Angela Jernigan
- 216. 46 similarly-worded form letters

### **Item #43: Budget Referral: Vision Zero Rapid Response on Bicycle Boulevards**

- 217. Riley Wise
- 218. Dan Leaverton

### **Item #46: Budget Referral to Fund Small Sites Program to Acquire, Rehabilitate, and Protect Existing Small-Scale Housing**

- 219. Tracy Parent, Bay Area Community Land Trust

## Communications

### **Item #47: Budget Referral to Continue Market Match Program for Low-Income Berkeley Residents in the Event of Statewide Program Cuts**

- 220. Martin Bourque, on behalf of the Ecology Center
- 221. Nelson Nelson
- 222. Rodri J
- 223. Nick Vassallo

### **Item #53: Budget Referral: Crossing Guard for Cragmont School**

- 224. Brent Blackaby

### **Item #57: Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code**

- 225. Presentation, submitted by Planning and Development
- 226. Linda Hutchins-Knowles
- 227. Wendy Chou
- 228. Bryce Nesbit

### **Miscellaneous Communications**

- 229. Mr. Eid
- 230. Andrea Cassidy

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**FRIDAY, MAY 10, 2024**

**2:00 P.M.**

2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – VACANT

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.*

*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/1603182705>. 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: **160 318 2705**. 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](mailto: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:** 2:14 p.m.

**Present:** Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** Kesarwani, Bartlett

**Public Comment - Limited to items on this agenda only – 0 speakers**

### OPEN SESSION:

- 1. Designating City's Labor Negotiators Under Gov. Code Section 54957.6: Appoint Labor Negotiator for Negotiation of Employment Agreements with Interim City Manager and City Manager Candidates.**

**Recommendation:** Authorize Mayor Arreguin to negotiate employment agreements, including terms regarding compensation, and any amendments with the selected candidate for the City's Interim City Manager and the City's next City Manager.

**Financial Implications:** None

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

**Action:** M/S/C (Arreguin/Wengraf) to designate Mayor Arreguin and the Council's negotiator for employment agreements, including terms regarding compensation, and any amendments with the selected candidate for the City's Interim City Manager and the City's next City Manager.

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

### CLOSED SESSION:

The City Council convened in closed session to meet concerning the following:

- 2. PUBLIC EMPLOYEE APPOINTMENTS PURSUANT TO GOVERNMENT CODE SECTION 54957(b):**

- a. Title of position to be filled: City Manager

**Action:** No reportable action taken.

### OPEN SESSION:

No reportable action taken in closed session.

## Adjournment

Adjourned at 3:05 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 10, 2024.

---

Mark Numainville, City Clerk

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**MONDAY, MAY 13, 2024**

**3:00 P.M.**

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – VACANT

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.*

*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/1607423450>. 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: **160 742 3450**. 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](mailto: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:** 3:07 p.m.

**Present:** Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** Kesarwani, Taplin, Bartlett

Councilmember Taplin present at 3:10 p.m.

**Public Comment - Limited to items on this agenda only – 0 speakers**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

### 1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(1)

- a. *Brown v. City of Berkeley, et al.*, Alameda County Superior Court Case No. 22CV012371

**Action:** M/S/C (Wengraf/Lunaparra) to approve the recommended settlement in the amount of \$50,000 in exchange for a release of all claims against the City.

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

- b. *Charles Delfin v. City of Berkeley*, Alameda County Superior Court Case No. 23VC049225

**Action:** M/S/C (Hahn/Humbert) to approve the recommended settlement in the amount of \$27,500 in exchange for a release of all claims against the City.

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

### 2. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(2) and (e)(3)

- a. Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen; Claim filed on February 27, 2023 and amended on August 29, 2023

**Action:** M/S/C (Hahn/Humbert) to approve the acceptance of a Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen in the amount of \$17,843.58.

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

**3. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6**

Negotiators: Dee Williams-Ridley, City Manager, Anne Cardwell, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Aram Kouyoumdjian, Human Resources Director, Jonathan Holtzman, Labor Negotiator, Dania Torres-Wong, Labor Negotiator, Burke Dunphy, Labor Negotiator

Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Fire Fighters Association, Local 1227 I.A.F.F. / Berkeley Chief Fire Officers Association; Berkeley Police Association; SEIU 1021 Community Services and Part-time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, Public Employee Union Local 1, Unrepresented Employees

**Action:** No reportable action taken.

**OPEN SESSION:**

The Council convened in closed session on May 13, 2024 and approved the following legal settlements:

- In the matter of *Derrick Brown v. City of Berkeley*, Alameda County Superior Court Case No. 22CV012371, in the amount of \$50,000 in exchange for a release of all claims against the City.
- In the matter of *Charles Delfin v. City of Berkeley*, Alameda County Superior Court Case No. 23CV049225, in the amount of \$27,500 in exchange for a release of all claims against the City.
- The Council also approved the acceptance of a Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen in the amount of \$17,843.58.

**Adjournment**

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

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

Adjourned at 4:26 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 13, 2024.

---

Mark Numainville, City Clerk

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, May 14, 2024  
4:30 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702  
TELECONFERENCE LOCATION - THE INTERCONTINENTAL - THE WHARF DC  
801 WHARF STREET SW, WASHINGTON, DC 20024

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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.*

*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](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/1617988895>. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial 1-669-254-5252 or 1-833-568-8864 (Toll Free) and enter Meeting ID: 161 798 8895. 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](mailto: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:** 4:38 p.m.

**Present:** Taplin, Hahn, Wengraf, Humbert, Arreguin

**Absent:** Kesarwani, Bartlett

Councilmember Bartlett present at 4:42 p.m.

Councilmember Kesarwani present at 4:59 p.m.

## Action Calendar

- 1. Presentation of PAB-ODPA Triennial Report [2021-2023]**  
**From: Police Accountability Board, Office of the Director of Police Accountability**  
Contact: Hansel Aguilar, Police Accountability Board, (510) 981-4950  
**Action:** 4 speakers. Presentation made and discussion held.

## Adjournment

**Action:** M/S/C (Wengraf/Bartlett) to adjourn the meeting.

**Vote:** All Ayes.

Adjourned at 6:21 p.m.

## Communications

**Item #1: Annual Report: Police Accountability Board and Office of the Director of Police Accountability**

1. Office of the Director of Police Accountability

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

**Item #1: Presentation of PAB-ODPA Triennial Report (2021-2023)**

2. Office of the Director of Police Accountability
3. Presentation, submitted by the Police Accountability Board

**MINUTES  
BERKELEY CITY COUNCIL MEETING  
TUESDAY, MAY 14, 2024  
6:00 PM**

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

TELECONFERENCE LOCATION - THE INTERCONTINENTAL - THE WHARF DC  
801 WHARF STREET SW, WASHINGTON, DC 20024

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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.*

*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](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/1617988895](https://cityofberkeley-info.zoomgov.com/j/1617988895). To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 798 8895**. 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](mailto: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:** 6:42 p.m.

**Present:** Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** None

### Report from Closed Session

The Council convened in closed session on May 13, 2024 and approved the following legal settlements: 1) In the matter of Derrick Brown v. City of Berkeley, Alameda County Superior Court Case No. 22CV012371, in the amount of \$50,000 in exchange for a release of all claims against the City; and 2) In the matter of Charles Delfin v. City of Berkeley, Alameda County Superior Court Case No. 23CV049225, in the amount of \$27,500 in exchange for a release of all claims against the City.

The Council also approved the acceptance of a Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen in the amount of \$17,843.58.

**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:

1. Recognition of Public Works Week and Berkeley's Public Works Department
2. Recognition of Affordable Housing Month

### City Auditor Comments:

The City Auditor provided an update on the status of audit recommendations for several active audits.

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 8 speakers.

**Action:** M/S/C (Taplin/Humbert) to accept an urgency item from Councilmember Hahn pursuant to Government Code Section 54954.2(b)(2) entitled Budget Referral and Technical Support for the Aurora Theatre Company.

**Vote:** All Ayes.

**Action:** M/S/C (Lunaparra/Bartlett) to accept supplemental material from Councilmember Lunaparra on Item 26 regarding Council Referral Prioritization.

**Vote:** All Ayes.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 10 speakers.

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

**Vote:** All Ayes.

### **Urgent Item: Budget Referral and Technical Support for the Aurora Theatre Company**

**From: Councilmember Hahn (Author)**

**Recommendation:** Direct the City Manager to work actively and urgently with the Aurora Theatre Company to offer support during a time of financial crisis, with all technical and financial assistance and any and all other resources at the City's disposal. Further request the City Manager connect Aurora Theatre with any potential outside resources and funding.

Refer to the Fiscal Year 2025-2026 Budget Process a one-time emergency grant of up to \$150,000 to the Aurora Theatre Company, pending information from staff about the availability of existing and other resources to support the organization.

**Financial Implications:** See report

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

**Action:** Councilmember Humbert added as a co-sponsor. Approved recommendation.

## Recess Items

- 1. Grant Application: Law Enforcement Mental Health and Wellness Act (LEMWHA) Program Grant to support contract with the Public Safety Family Counseling Group (PSFG) for Crisis Intervention and Critical Incident Stress Management Services.**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to submit a Law Enforcement Mental Health and Wellness Act (LEMWHA) FY 24 Program grant application in the amount up to \$200,000, due April 30, 2024; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.  
**Financial Implications:** See report  
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000; Jennifer Louis, Police, (510) 981-5900  
**Action:** Adopted Resolution No. 71,321–N.S.

## Consent Calendar

- 2. Repeal of Berkeley Municipal Code Chapter 12.80**  
**From: City Attorney**  
**Recommendation:** Adopt first reading of an ordinance repealing Chapter 12.80 to the Berkeley Municipal Code (BMC), which bans natural gas infrastructure in new construction. In California Restaurant Association v. City of Berkeley, the 9th Circuit Court of Appeals found this ordinance unlawful. Repeal is required by the parties' settlement agreement and would resolve the litigation.  
**Financial Implications:** None  
Contact: Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Adopt first reading of Ordinance No. 7,907–N.S. Second reading scheduled for June 4, 2024.
- 3. Amendment: FY 2024 Annual Appropriations Ordinance**  
**From: City Manager**  
**Recommendation:** Adopt the first reading of an Ordinance amending the FY 2024 Annual Appropriations Ordinance No. 7,892–N.S. for fiscal year 2024 based upon recommended re-appropriation of committed FY 2023 funding and other adjustments in the amount of \$64,477,630 (gross) and \$52,604,888 (net).  
**Financial Implications:** See report  
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000  
**Action:** Adopt first reading of Ordinance No. 7,908–N.S. as revised in Supplemental Communications Packet #2 by the City Manager. Second reading scheduled for June 4, 2024.

## Consent Calendar

- 4. Grant Application: California Fire Safe Council (CFSC) Grant to establish an Alameda County Coordinator**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from the California Fire Safe Council (CFSC) Grant to contract a county coordinator to serve Alameda County communities, provide resources and education on wildfire safety, promote collaboration, assist local groups with funding opportunities, and aid multi-jurisdictional planning.  
**Financial Implications:** \$200,000 (grant)  
Contact: David Sprague, Fire, (510) 981-3473  
**Action:** Adopted Resolution No. 71,322–N.S.
- 5. Contract No. 32100126 Amendment: Anjanette Scott LLC for Housing Consultant Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32100126 with Anjanette Scott LLC extending and increasing the contract by \$25,000 for consulting services to support the Housing Trust Fund program in a total amount not to exceed \$175,000, with a contract end date of June 30, 2025.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,323–N.S.
- 6. Reinstatement of Sick Leave**  
**From: City Manager**  
**Recommendation:** Approve a Resolution adopting new Personnel Rule 11.09 – Reinstatement of Sick Leave, which provides that (1) temporary or non-career employees who transition into career positions or at-will positions set forth in Berkeley Municipal Code Section 4.04.120(A)-(C) shall carry over their accrued sick leave banks to their new positions, and (2) consistent with California Labor Code Section 246(g)(2), unused paid sick days shall be reinstated for any employee who separates from the City but is rehired within a year, unless a longer period is specified by an applicable Memorandum of Understanding with the employee’s bargaining group.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 71,324–N.S.

## Consent Calendar

- 7. Amendment #1 to the WETA Memorandum of Understanding for the Berkeley Water Transportation Pier Ferry Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute amendment #1 to the existing Memorandum of Understanding (MOU) with the Water Emergency Transportation Authority (WETA) to accept up to \$3,000,000 in WETA funding for the engineering, design and environmental phase of the new pier-ferry project at the Berkeley Marina.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,325–N.S.
- 8. Contract: COWI North America, Inc. for engineering and design of the Berkeley Water Transportation Pier Ferry Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with COWI North America, Inc (COWI) in an amount not to exceed \$6,500,000 which includes \$250,000 of contingency to provide engineering and design services for the Berkeley Water Transportation Pier Ferry Project (Project) for the period June 1, 2024 through June 1, 2027.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,326–N.S.
- 9. Accepting a Donation from Friends of Fountain Walk for Installation of Benches and Repairs to Balustrades of Fountain Walk**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to accept a donation of \$16,800 from the Friends of Fountain Walk (Friends) for repairs to the historic balustrades and railings along Fountain Walk from Marin Circle to Del Norte Street and Sutter Street.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,327–N.S.
- 10. Accepting a Donation from Residents of The Uplands for Resurfacing**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation from the residents of 255 thru 305 The Uplands in the amount of \$50,000 to resurface the City owned parcel that performs as a public street for these residents.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,328–N.S.

## Consent Calendar

- 11. Bike Share Electric-Assist Bicycle Expansion Agreement**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an agreement with Lyft Bikes and Scooters, LLC, subject to the terms of the Franchise Agreement, for the addition of 221 docked electric-assist bicycles and 11 infill bike share stations in Berkeley as part of the Bay Area Bike Share Program.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,329–N.S.
- 12. Contract No. 32300096 Amendment: SCS Engineers for Landfill Post-Closure Maintenance and Monitoring Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300096 with SCS Engineers for maintenance, monitoring, and compliance services related to the closed landfill, increasing the contract amount by \$1,530,000 for a total not to exceed amount of \$2,244,022.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,330–N.S.
- 13. Contract No. 32300080 Amendment: On-Call Civil Engineering Services, CSW Stuber-Stroeh Engineering Group, Inc.**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300080 with CSW Stuber-Stroeh Engineering Group, Inc. for on-call civil engineering services, increasing the contract amount by \$750,000 for a total not to exceed the amount of \$1,500,000 and extending the term of the contract from December 31, 2025, to June 30, 2027.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,331–N.S.
- 14. Contract (Specification No. 23-11556-C): Koios Engineering, Inc. for MRP Trash Capture FY 2023 Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: -Approving plans and specifications for the MRP Trash Capture FY 2023 Project, Specification No. 23-11556-C; -Accepting the bid of the lowest, responsive and responsible bidder, Koios Engineering, Inc.; and -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 in an amount not to exceed \$460,350.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,332–N.S.

## Consent Calendar

- 15. Final Map of Tract 8639: 3000 San Pablo Avenue**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the final map of Tract Map 8639 for a 79-unit condominium project consisting of 78 residential units and 1 commercial unit at 3000 San Pablo Avenue.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,333–N.S.
- 16. Increase Purchase Order No. 22203563 for Nicholas K Corp dba the Ford Store San Leandro**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to increase FY 2022 purchase order number 22203563 to Nicholas K Corp dba the Ford Store San Leandro by \$20,000 for a new not to exceed amount of \$155,000 to account for the increased cost of new model year vehicles.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,334–N.S.
- 17. Purchase Order: SWARCO McCain, Inc. for Traffic Signal Controllers**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a multi-year purchase order with SWARCO McCain, Inc, a sole source vendor, for traffic controllers, software, and other related parts in an amount not to exceed \$500,000 for the next three fiscal years until June 30, 2026.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,335–N.S.
- 18. Revised Fees for Public Use of City-Owned Electric Vehicle Charging Ports; Amending Berkeley Municipal Code Section 6.24.137**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Section 6.24.137, Designation of and Restrictions for Electric Vehicle Parking Spaces, to: -Establish a schedule of rates for electric vehicle charging stations, and -Authorize the City Manager or her Designee to adjust the rates in accordance with the California Public Utility Commission’s electricity rate increases.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopt first reading of Ordinance No. 7,909–N.S. Second reading scheduled for June 4, 2024.

## Council Consent Items

**19. Support SB 1060**

**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**

**Recommendation:** Adopt a Resolution in support of SB 1060 (Becker), which requires insurance companies to consider wildfire risk management in insurance underwriting. Send a copy of the Resolution to Governor Gavin Newsom, State Senators Josh Becker and Nancy Skinner, and Assemblymember Buffy Wicks.

**Financial Implications:** None

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

**Action:** Adopted Resolution No. 71,336–N.S.

**20. Support SB 1144 – Shutting Down the Market for Stolen Goods**

**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**

**Recommendation:** Adopt a Resolution in support of SB 1144 (Skinner), which will make it more difficult to sell stolen goods on online marketplaces. Send a copy of the Resolution to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymember Buffy Wicks.

**Financial Implications:** None

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

**Action:** Councilmember Humbert added as a co-sponsor. Adopted Resolution No. 71,337–N.S.

**21. City Council Committee and Regional Body Appointments**

**From: Mayor Jesse Arreguín (Author)**

**Recommendation:** Adopt a Resolution approving appointments to City Council Policy Committees, Partnership Committees and Regional Bodies.

**Financial Implications:** None

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

**Action:** Adopted Resolution No. 71,338–N.S.

## Council Consent Items

### 22. Elections Code 9212 Report on Street Paving Initiatives

**From: Mayor Jesse Arreguín (Author)**

**Recommendation:** Refer to the City Manager to prepare a report on the fiscal, infrastructure, and other impacts of the two circulating citizen initiative street paving measures (“SAFE STREETS” and “Fix the Streets and Sidewalks”). Council requests the report include: Estimated revenue to the City, broken down by the allocations as stated within each measure, in both current year and year of expenditure dollars, based on standard inflation and square footage growth expectations; Estimated impact on pavement conditions index (PCI) from each measure, with modeling prepared by the City’s paving consultant, assuming the City maintains current street repair funding levels. If modeling is not available or not feasible, provide best estimates based on previous scenario modeling; Estimated potential impact on implementation of the Vision Zero Action Plan and related safety plans (Pedestrian Plan, Bicycle Plan, Safe Routes to Schools) from each measure; A summary of the staff time and City activities required in each measure; An estimate of any additional staff costs generated by each measure that is not funded by the measure; Estimated funding levels for the sidewalk repair program from each measure, discuss any alterations to the sidewalk repair program contained in each measure, and discuss any impacts to other City funding as a result; and any other information of interest to the City or the public, as determined by the City Manager. This report is being requested by the Council pursuant to California Elections Code Section 9212.

**Financial Implications:** Staff time

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

**Action:** Approved recommendation.

### 23. Budget Referral: BYA Counseling Center and Summer Jam Day Camp

**From: Councilmember Taplin (Author)**

**Recommendation:** Refer to the Fiscal Year (FY) 25-26 budget process \$110,000 for the Berkeley Youth Alternatives (BYA) Counseling Center and Summer Jam Day Camp.

**Financial Implications:** General Fund - \$110,000

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

**Action:** Councilmembers Bartlett and Lunaparra added as co-sponsors. Approved recommendation as revised in Supplemental Communications Packet #2 by Councilmember Taplin to remove BYA (BYA was previously referred to the budget process).

## Council Consent Items

- 24. Relinquishment of Council Office Budget Funds to the General Fund and Grant of Such Funds for the Berkeley Symphony's Spring Benefit**  
**From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor), Councilmember Humbert (Co-Sponsor)**  
**Recommendation:** Adopt a resolution approving the expenditure of an amount not to exceed \$500 per Councilmember – including \$500 from Councilmember Hahn – to the Berkeley Symphony, a 501(c)(3) non-profit organization, to support its upcoming Spring Benefit, with funds relinquished to the City's general fund for this purpose from the discretionary Council office budgets of Councilmember Sophie Hahn, and from any other Councilmember who would like to contribute.  
**Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Adopted Resolution No. 71,339–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Vice-Mayor Wengraf - \$500; Councilmember Bartlett - \$250; Councilmember Taplin - \$500; Councilmember Kesarwani - \$100; Councilmember Humbert - \$250; Councilmember Lunaparra - \$200.
- 25. Staff direction and budget referral for Practical Interventions to Clear and Keep Using Parking Spaces (PICKUPS)**  
**From: Councilmember Humbert (Author), Councilmember Taplin (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Hahn, (Co-Sponsor)**  
**Recommendation:** Refer to City Manager the potential creation of evening/nighttime 10- and/or 15 minute parking/loading zones along portions of one or both sides of the roadway for the following blocks: -Shattuck Avenue between Berkeley Way and Addison Streets; -Durant Avenue between Dana and Bowditch Streets; -University Avenue between Milvia Street and Shattuck Avenue; -Telegraph Avenue between Blake Street and Bancroft Way; -Other potential areas as may be recommended by staff.  
Refer to the FY 2025-2026 budget process the following preliminary allocations for implementation and enforcement: -\$50,000 for revised signage and curb striping. - \$75,000 for targeted nighttime enforcement operations.  
Refer to the City Manager evaluation of the feasibility of increased fines for double parking/obstructing travel lanes and have staff return to Council with a report on maximum and recommended potential fine amounts.  
**Financial Implications:** See report  
Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180  
**Action:** Approved recommendation amended to change "10- and/or 15 minute" to "20 minute."

## Action Calendar – New Business

### 26. 2024 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)

**From: City Manager**

**Recommendation:**

1. Review the completed Re-Weighted Range Voting (RRV) rankings for all outstanding City Council referrals;
2. Approve the removal of referrals that have been marked as rescinded by the sponsoring Councilmember or District; and
3. Adopt a Resolution approving the list of prioritized referrals to city staff.

**Financial Implications:** No direct fiscal impacts

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

**Action:** 3 speakers. M/S/C (Kesarwani/Hahn) to:

1. Remove Referral #55 from the list.
2. Combine Items 50 (Plant-Based Food) and 57 (Good food Purchasing) and remove them from the list since there are programs already underway.
3. Combine Items 16 and 17 regarding housing for artists and add to the recommendation to refer consideration of any and all potential programs and services on this topic to the City Manager.
3. Refer to the City Manager to conduct an RRV process in early 2025 in time for the mid-cycle budget.
4. Adopt Resolution No. 71,340–N.S. approving the list of prioritized referrals to city staff.

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

### 27. Reimagining Public Safety Update

**From: City Manager**

**Recommendation:** Review and discuss the provided status report from the City Manager with the goal of demonstrating transparency and facilitating informed council discussion towards the advancement of the Reimagining Public Safety initiative in Berkeley.

**Financial Implications:** See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

**Action:** 5 speakers. Presentation made and discussion held.

## Council Action Items

28. **Increasing Entry Level Homeownership Opportunities: Implementation of AB 1033 to Allow Accessory Dwelling Units (ADUs) To Be Sold Separately**  
**From: Councilmember Kesarwani (Author); Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**  
**Recommendation:** Refer to City Manager to implement AB 1033, which would allow Accessory Dwelling Units (ADUs) to be sold separately from a primary unit. This referral would necessitate elimination of any mention of sales restrictions as they pertain to ADUs within the Berkeley Municipal Code and adoption of an ordinance allowing ADU sales separate from a primary unit(s).  
**Financial Implications:** See report  
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110  
**Action:** Moved to Consent Calendar. Councilmember Lunaparra added as a co-sponsor. Approved recommendation.

## Information Reports

29. **Update: HR Response: Audit Directive(s) for Comprehensive Domestic Violence Policy to Support City Employees**  
**From: City Manager**  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Received and filed.
30. **Audit Follow-up Status Update**  
**From: Auditor**  
Contact: Jenny Wong, Auditor, (510) 981-6750  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 2 speakers.**

## Adjournment

**Action:** M/S/C (Wengraf/Taplin) to adjourn the meeting.

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

Adjourned at 10:21 p.m.

## Communications

### Item #19: Support SB 1060

1. Barbara Gilbert
2. Kelly Hammargren

### Bikers on Tilden Running Path

3. Anne Marie

**50/50 Sidewalk Repair**

- 4. Stephen Rosenbaum (2)

**Cannabis Sales around Berkeley High School**

- 5. Amanda Hickman

**Vehicle Noise Activated Camera Enforcement**

- 6. Alex Merenkov

**Peace and Justice Commission**

- 7. Andrea Valverde
- 8. Elizabeth Sufit
- 9. Joshua Spivak
- 10. Leo Mara
- 11. Beth Jacobson Wilson
- 12. Patricia Munro
- 13. 12 similarly-worded form letters

**Biolab Watch**

- 14. UC Berkeley Planning

**Berkeley Landfill**

- 15. James McGrath

**Aurora Theater**

- 16. Carol Hirth
- 17. Virginia Morris
- 18. Margaret Perchert
- 19. Toni Casal
- 20. Josh Costello

**Parking Tickets**

- 21. David Lerman

**A Safe Place Invitation**

- 22. Carolyn Russell, Executive Director

**Zero Waste Strategic Plan**

- 23. Chrise de Tournay Birkhahn

**Ohlone Greenway**

- 24. Diana Bohn

**District 4 Assistance**

- 25. Luis Orozco

**Chess Club**

26. Jesse Sheehan

**Berkeley Unified School District**

27. Aaron Katler

**Middle East Conflict**

28. David Shere

29. Max Joyce

30. Russell Bates (2)

**Supplemental Communications and Reports 1**

- None

**Supplemental Communications and Reports 2**

**Item #3: Amendment: FY 2024 Annual Appropriations Ordinance**

31. Revised material, submitted by the City Manager's Office.

**Item #8: Contract: COWI North America, Inc. for engineering and design of the Berkeley Water Transportation Pier Ferry Project**

32. James McGrath

**Item #22: Elections Code 9212 Report on Street Paving Initiatives**

33. James McGrath

**Item #23: Budget Referral: BYA Counseling Center and Summer Jam**

34. Revised material, submitted by Councilmember Taplin

**Item #27: Reimagining Public Safety Update**

35. Wendy Alfsen

**Item #28: Increasing Entry Level Homeownership Opportunities: Implemental of AB 1033 to Allow Accessory Dwelling Units (ADU's) To Be Sold Separately**

36. Amanda Le

37. Jordan Burns

38. Pablo Diaz-Gutierrez

39. David Mendelsohn

40. Alfred Twu

**Supplemental Communications and Reports 3**

**Item #22: Elections Code 9212 Report on Street Paving Initiatives**

41. Peggy Mulligan

**Item #26: 2024 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)**

42. Supplemental material, submitted by Councilmember Lunaparra

43. Presentation, submitted by the Clerk's Office

**Item #27: Reimagining Public Safety Update**

44. Presentation, submitted by the City Manager's Office

**Item #28: Increasing Entry Level Homeownership Opportunities: Implemental of AB 1033 to Allow Accessory Dwelling Units (ADU's) To Be Sold Separately**

45. Sarah Bell

46. Lee Bishop

47. Jonathan Singh

48. Shauna Rabinowitz

49. Jack Kurzweil

50. Claudia Kawczynska

51. Teresa Clarke

52. Cameron Woo

**Urgent Item: Budget Referral and Technical Support for the Aurora Theatre Company**

53. Urgent item, submitted by Councilmember Hahn

**Miscellaneous Communications**

54. Realign Draft Plan

55. Mystery Murder In Berkeley – Mr. Eid

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**TUESDAY, MAY 21, 2024**

**3:00 P.M.**

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

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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.*

*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/1613587878>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 358 7878**. 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](mailto: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:** 3:07 p.m.

**Present:** Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** Kesarwani, Taplin, Bartlett

Councilmember Bartlett present at 3:09 p.m.

Councilmember Kesarwani present at 4:17 p.m.

**Public Comment - Limited to items on this agenda only – 1 speaker**

## CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

**1. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957  
Public Employee Appointment**

Title: Interim City Manager  
City Designated Representative: Mayor Jesse Arreguín

**Action:** No reportable action taken.

**2. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957  
Public Employee Appointment**

Title: City Manager  
City Designated Representative: Mayor Jesse Arreguín

**Action:** No reportable action taken.

## OPEN SESSION:

No reportable action taken.

## Adjournment

Adjourned at 4:27 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 21, 2024.

---

Mark Numainville, City Clerk

**NOTICE CONCERNING YOUR LEGAL RIGHTS:** *If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6 and Government Code Section 65009(c)(1)(E), no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed and served on the City 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 Zoning Adjustments Board decision, 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.*

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.



**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.

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, May 21, 2024  
4:00 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 – VACANT

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.*

*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](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/1604289924>. 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 **160 428 9924**. 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](mailto: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:** 4:29 p.m.

**Present:** Kesarwani, Bartlett, Hahn, Lunaparra, Humbert, Arreguin

**Absent:** Taplin, Wengraf

Vice-Mayor Wengraf present at 4:31 p.m.

## Worksession

### 1. Residential Feasibility Analysis and In-Lieu Fee Recommendations

**From:** City Manager

Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

**Action:** 12 speakers. Presentation made and discussion held.

## Adjournment

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

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

Adjourned at 6:22 p.m.

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

**Item #1: Residential Feasibility Analysis and In-Lieu Fee Recommendations**

1. Presentation, submitted by Health, Housing and Community Services

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Friday, May 24, 2024  
10:30 AM**

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

TELECONFERENCE LOCATION - DIMAN HOUSE, 41 CHARLESFIELD STREET,  
PROVIDENCE, RI 02912

TELECONFERENCE LOCATION - 740 S. BROADWAY, 5TH FLOOR, LOS ANGELES  
CA 90014

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 – VACANT

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.*

*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](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/1601164409>. 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: **160 116 4409**. 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](mailto: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:** 10:41 a.m.

**Present:** Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** None

## Action Calendar

### 1. Community Survey for Potential November 2024 Ballot Measures

**From:** City Manager

**Recommendation:** Receive the report, which provides information on a potential Parks Tax increase and a Measure P extension and increase, and provide direction on the upcoming community survey as well as any other proposed measures.

**Financial Implications:** None

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700, Peter Radu, City Manager's Office, (510) 981-7000, Anne Cardwell, City Manager's Office, (510) 981-7000

**Action:** 6 speakers. The Council provided direction on the survey to:

- Survey for Parks Tax increases of 20% and 28%.
- Add a question about general support for a revenue measure to support local arts organizations and programs.
- Survey for a Measure P extension with two options: 1) renewing the current tax; and 2) adding tiers for higher value sales (3% at \$3 million; 3.5% at \$10 million).
- Consult with the City Attorney's Office to draft ballot question language for inclusion in the survey.

The Council also provided general direction to develop a ballot measure to extend the Sugar-Sweetened Beverage Tax.

## Action Calendar

### 2. Council Referral – Request for City Council to place a limited Library tax on the November 2024 ballot

**From:** Board of Library Trustees

**Recommendation:** Adopt a resolution to include on the November 2024 ballot a measure levying a new, limited tax in order to maintain current levels of Library services, building maintenance, collections and staffing. The proposed rate is 6¢ per square foot of residential building space and 9¢ of commercial building space, with annual adjustments, and exempting low-income homeowners. The recommendation is to place this measure on the ballot, using language that aligns as closely as possible with the language employed by Godbe Research in the March 2024 community survey: “To maintain Berkeley Public Library services/ facilities such as: - summer reading programs for children; - keeping qualified librarians; - quality places for children; - homework help/ tutoring; - book, material/ digital collections; - maintain library facilities; - senior/ accessible programs; and - maintain weekday and weekend hours; shall the Berkeley Public Library measure be adopted, levying 6¢ per square foot of residential building space (other rates detailed in the voter handbook), providing \$5,600,000 annually, until ended by voters, with annual adjustments, and exempting very low-income homeowners?”

**Financial Implications:** See report

Contact: Tess Mayer, Commission Secretary, (510) 981-6100

**Action:** 9 speakers. M/S/C (Arreguin/Hahn) to refer to the City Attorney to work with Library staff to develop a revenue measure for the November 2024 ballot.

**Vote:** All Ayes.

## Adjournment

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

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

Adjourned at 2:06 p.m.

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

**Item #2: Council Referral – Request for City Council to place a limited library tax on the November 2024 ballot**

1. Vivian Pisano
2. Judy Gonzalez-Masih
3. Tess Fruge
4. Beth Ward

5. Greta Fillingim
6. Kathy Helliesen

### **Supplemental Communications and Reports 3**

#### **Item #1: Community Survey for Potential November 2024 Ballot Measures**

7. Presentation, submitted by Parks, Recreation and Waterfront

#### **Item #2: Council Referral – Request for City Council to place a limited library tax on the November 2024 ballot**

8. Presentation, submitted by the Library
9. Andrew Thompson
10. Scott Barshay

#### **Miscellaneous Communications**

11. Yes on D
12. Healthy Berkeley Impacts

**MINUTES  
BERKELEY CITY COUNCIL MEETING**

**Tuesday, May 21, 2024  
6:00 PM**

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

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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.*

*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](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/1604289924>. 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 **160 428 9924**. 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](mailto: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:** 6:48 p.m.

**Present:** Kesarwani, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

**Absent:** Taplin

**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 by Employee Unions:** 3 speakers (SEIU 1021 CSU/PTRLA, Local 1, BFFA 1227)

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Action:** M/S/C (Arreguin/Wengraf) to add an urgent item from Mayor Arreguin to the Consent Calendar to grant an excused absence for Councilmember Taplin.

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

**Action:** M/S/C (Bartlett/Hahn) to add an urgent item from Councilmember Bartlett to the Consent Calendar regarding graduation sashes.

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

**Action:** M/S/C (Hahn/Lunaparra) to add an urgent item from Councilmember Hahn to the Consent Calendar regarding Berkeley Faith & Justice Coalition.

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

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 15 speakers.

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

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

### **Urgent Item: Excused Absence for Councilmember Terry Taplin**

**From: Mayor Arreguin (Author)**

**Recommendation:** Excuse Councilmember Terry Taplin from the May 21, 2024 Council meeting as a result illness.

**Financial Implications:** See report

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

**Action:** Approved recommendation.

### **Urgent Item: Berkeley Public Schools Fund: Funding for Graduation Sashes for Berkeley International High School (BIHS) and the African American Studies Department Graduation Ceremonies - Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

**From: Councilmember Bartlett (Author)**

**Recommendation:** Adopt a Resolution approving the expenditure of funds, including \$1,000 from the discretionary Council Office Budget of Councilmember Ben Bartlett, to the Berkeley Public Schools Fund to procure “Graduation Sashes” for BIHS and the African American Studies Department Graduation Ceremonies. The funds will be relinquished to the City’s General Fund from the Discretionary Council Office Budget of Councilmember Ben Bartlett and the Discretionary Council Office Budgets of any other Councilmembers who would like to contribute.

**Financial Implications:** See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

**Action:** Adopted Resolution No. 71,341–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - \$250; Councilmember Lunaparra - \$200; Vice-Mayor Wengraf - \$250.

### **Urgent Item: Budget Referral for the Berkeley Faith & Justice Coalition – Grassroots Leader Support Project**

**From: Councilmember Hahn (Author)**

**Recommendation:** Refer to the FY 2025-2026 Budget Process up to \$25,000 per FY (total of \$50,000) to fund Phases 1 and 2 of the Berkeley Faith and Justice Coalition’s Grassroots Leader Support Project to establish ongoing support for grassroots leaders providing critical mentorship, development and support opportunities for African American and other potentially at-risk youth and young adults.

**Financial Implications:** See report

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

**Action:** Approved recommendation.

## Consent Calendar

- 1. Amending Berkeley Municipal Code Section 4.04.120(A) to rename the Legislative Assistant classification as Legislative Aide**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,904-N.S. amending Berkeley Municipal Code Section 4.04.120(A) to rename the Legislative Assistant classification as Legislative Aide.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted second reading of Ordinance No. 7,904–N.S.
- 2. Adding Chapter 13.22 to the Berkeley Municipal Code to prohibit discrimination on the basis of family or relationship structure**  
**From: Councilmember Taplin (Author), Councilmember Cecilia Lunaparra (Co-Sponsor)**  
**Recommendation:** Adopt second reading of Ordinance No. 7,905-N.S. adding Chapter 13.22 to the Berkeley Municipal Code to prohibit discrimination on the basis of family or relationship structure.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Vice-Mayor Wengraf and Councilmember Humbert noted as original co-sponsors on the item. Adopted second reading of Ordinance No. 7,905–N.S.
- 3. Notice of Appropriations Limit for Fiscal Year 2025**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2025 at its meeting of June 25, 2024; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk’s Office on or before June 10, 2024.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Adopted Resolution No. 71,342–N.S.
- 4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 21, 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:** General Fund - \$325,000  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Approved recommendation.

## Consent Calendar

- 5. Contract: Social Policy Research Associates for YouthWorks Program Assessment**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with Social Policy Research Associates for consulting services to conduct a comprehensive youth development needs assessment in an amount not to exceed \$250,000 for the period June 1, 2024 through June 30, 2025.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,343–N.S.
- 6. Contract No: 32300104 Amendment: The Village of Love for Telegraph Neighborhood Sacred Rest Drop-In Center**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee, to execute an amendment to Contract No. 32300104 with The Village of Love to add \$250,000, for a total contract amount not to exceed \$750,000, for services and operations at the Telegraph Neighborhood Sacred Rest Drop-In Center, and extend the contract term through May 31, 2025.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,344–N.S.
- 7. Contract No. 6252 Amendment: Extending the Term and Assigning the Lease for Ocean View Gardens at 819 Hearst Avenue**  
**From: City Manager**  
**Recommendation:** Adopt an Urgency Ordinance authorizing the City Manager to execute a second amendment to Contract No. 6252 for the real property located at 819 Hearst Avenue (alternative address at 813 Delaware Street), Berkeley, for the purposes of assigning the ground lease from the current owner, Ocean View LLC, to Orbach Affordable Housing Solutions (OAHS) Ocean View LP, and extending the ground lease term to June 30, 2089.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Urgency Ordinance No. 7,910–N.S.

## Consent Calendar

- 8. Grant Application: The Surrendered and Abandoned Vessel Exchange (SAVE) grant program of the California Division of Boating & Waterways**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to 1) apply for and accept a grant in the amount of \$76,000 from the California Division of Boating & Waterways (“DBW”) Surrendered and Abandoned Vessel Exchange (SAVE) grant program for the removal and disposal of anticipated abandoned vessels located at the Berkeley Marina; 2) execute any amendments; and 3) authorize a local match contribution of \$7,600, subject to securing the grant.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,345–N.S.
- 9. Leave of Absence Requests: Environment & Climate Youth Commissioners**  
**From: City Manager**  
**Recommendation:** Approve Leaves of Absence for Environment & Climate Youth Commissioners Mabel Athanasiou and Shanza Syed for the Commission meeting dates June 26, 2024 and July 24, 2024.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Approved recommendation.
- 10. Contract: Online Solutions, LLC (DBA Citizenseve) for Housing Inspection and Code Enforcement Software**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Online Solutions, LLC (DBA Citizenseve) for software licensing, implementation, maintenance and related services for housing inspection and code enforcement software, for an amount not to exceed \$622,215, from June 17, 2024 through June 16, 2029.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted Resolution No. 71,346–N.S.
- 11. Contract: Raimi + Associates for Professional Planning Services for the North Shattuck, College and Solano Avenue Corridors Zoning Update**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Raimi + Associates to perform professional planning services for the North Shattuck, College, and Solano Avenues Corridors Zoning Update, in an amount not to exceed \$600,000, for the period of June 6, 2024 to Dec 31, 2026.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted Resolution No. 71,347–N.S.

## Consent Calendar

12. **Contract No. 32300103 Amendment: Bay Area PL Services of On-call Phlebotomy and Sexual Assault Exams**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32300103 and any necessary future amendments with Bay Area PL Services for the Berkeley Police Department, increasing the contract amount by \$150,000 for a total not to exceed amount of \$200,000 with the contract end date extended to December 31, 2028.  
**Financial Implications:** State Citizens Option for Public Safety Fund - \$150,000  
Contact: Jennifer Louis, Police, (510) 981-5900  
**Action:** Adopted Resolution No. 71,348–N.S.
13. **Declaration of Intent – Fiscal Year 2025 Street Lighting Assessments**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions granting the City Manager the authority to: Approve the Engineer's Reports; Set a public hearing to be held before the Council of the City of Berkeley at its June 25, 2024, meeting; and Authorize the City Clerk to publish a Notice of the Public Hearing for Fiscal Year 2025 Levy of Assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,349–N.S. (District No. 1982-1), and Resolution No. 71,350–N.S. (District 2018).

## Council Consent Items

14. **Develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions**  
**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Direct the City Manager to develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions; aim is to improve their well-being and prevent or dramatically reduce calls for service; the pilot would implement a “friendship or care team” for each as described below to build trust, support, address loneliness; teams would be staffed with existing contracted outreach providers; teams would keep a brief daily log of their experience and calls for service would be tracked; pilot to be evaluated and report back to Council quarterly to determine efficacy.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Councilmember Humbert added as a co-sponsor. Approved recommendation.

## Council Consent Items

- 15. Amendment to Commissioner Leave of Absence Process**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 3.02 to allow the Mayor to approve a Leave of Absence for a Commissioner appointed by the Council as a whole.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopt first reading of Ordinance No. 7,911–N.S. Second reading scheduled for June 4, 2024.
- 16. Budget Referral: Restarting 4th of July Celebration**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Refer up to \$630,000 to the Fiscal Year 2025-2026 Budget Process to be reserved in the City’s General Fund to be used to restart 4th of July Celebrations in 2025.  
**Financial Implications:** General Fund - \$630,000  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Councilmember Hahn added as a co-sponsor. Approved recommendation.
- 17. Relinquishment of Council Office Budget Funds to the Berkeley Rotary Endowment and Co-Sponsorship of 2024 Taste of Downtown Berkeley Event**  
**From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)**  
**Recommendation:** Adopt two resolutions to authorize the co-sponsorship and expenditure of \$500 from Mayor Arreguin’s discretionary office budget to the Berkeley Rotary Endowment to support the second annual Taste of Downtown Berkeley event.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopted Resolution No. 71,351–N.S. (Co-Sponsorship), and Resolution No. 71,352–N.S. (Relinquishment of Funds) revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Humbert - \$200; Councilmember Lunaparra - \$100; Vice-Mayor Wengraf - \$250; Councilmember – Hahn - \$250; Councilmember Bartlett - \$250.
- 18. Budget Referral: Berkeley Youth Alternatives Part-Time Garden Assistant**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Refer \$31,250 to the Fiscal Year 2025-2026 Budget process for Berkeley Youth Alternatives to hire a part-time Garden Assistant.  
**Financial Implications:** General Fund - \$31,250  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Approved recommendation.

## Council Consent Items

19. **Berkeley Juneteenth Festival: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Bartlett (Author)**  
**Recommendation:** Adopt a Resolution approving the expenditure of funds, including \$500 from Councilmember Bartlett for pre-planning of the Berkeley Juneteenth Festival (organized by Berkeley Juneteenth Association, Inc. 501(c)3), with funds relinquished to the City's General Fund for this purpose from the discretionary council office budget of Councilmember Bartlett and any other Councilmembers who would like to contribute.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** Councilmember Hahn added as a co-sponsor. Adopted Resolution No. 71,353–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - \$500; Councilmember Humbert - \$200; Councilmember Lunaparra - \$200; Vice-Mayor Wengraf - \$200; Councilmember Kesarwani - \$100; Mayor Arreguin - \$500.
20. **Speed Bump Installation on Russell St at King Street (South Berkeley)**  
**From: Councilmember Bartlett (Author)**  
**Recommendation:** Refer to the City Manager to analyze the potential for the installation of a speed bump on Russell St. at King St. (South Berkeley), to improve the public space to increase safety for pedestrians, cyclists, and people living with disabilities, while also meeting the needs of public transit and emergency vehicles. The analysis should prioritize speed bump installation that reduces injuries and accidents in the street and creates many benefits for our community. It should also consider other items listed by members of the community.  
**Financial Implications:** See report  
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130  
**Action:** Mayor Arreguin and Councilmember Humbert added as co-sponsors. Approved recommendation.

## Action Calendar – Public Hearings

21. **Fiscal Years 2025 and 2026 Proposed Budget and Proposed Budget Public Hearing #1**  
**From: City Manager**  
**Recommendation:** Accept the Fiscal Years 2025 and 2026 Proposed Biennial Budget for review and consideration by the City Council and final adoption on June 25, 2024 and conduct Public Hearing #1 on the Fiscal Years 2025 and 2026 Proposed Budget.  
**Financial Implications:** See report  
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
- Public Testimony:** The Mayor opened the public hearing. 30 speakers.
- Action:** Presentation made and discussion held.

## Action Calendar – Public Hearings

### 22. Rescinding and Adopting the Environmental Health Division Fee Schedule From: City Manager

**Recommendation:** Conduct a Public Hearing and, upon conclusion, adopt a Resolution rescinding Resolution 69,891-N.S. which established the current Environmental Health fee schedule and adopting a new fee schedule. The new fee schedule keeps all existing fees at the same level and adds four (4) new fees as follows: 1) Compact Mobile Food Operations (CMFO); 2) Short-term / Guest Vendor Operations; 3) Host Facility Operations; 4) Temporary Food Facility (e.g., food booth) Late Applications. These recommended updates to the Environmental Health fee schedule reflect recent changes in State law, allowing the City to come into regulatory compliance with State law and offer more economic opportunities for smaller independent businesses. The new fees will be effective July 1, 2024 until subsequently modified.

**Financial Implications:** See report

Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

**Public Testimony:** The Mayor opened the public hearing. 1 speaker.

M/S/C (Arreguin/Wengraf) to close the public hearing.

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

**Action:** M/S/C (Wengraf/Humbert) to adopt Resolution No. 71,354–N.S.

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

### 23. Fee Increase: Senior Center Facility Rental Security Deposit From: City Manager

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution raising the senior center rental facility's security deposit from \$350 to \$500, a total increase of \$150.

**Financial Implications:** See report

Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

**Public Testimony:** The Mayor opened the public hearing. 1 speaker.

M/S/C (Arreguin/Wengraf) to close the public hearing.

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

**Action:** M/S/C (Wengraf/Arreguin) to adopt Resolution No. 71,355–N.S.

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

## Action Calendar – Public Hearings

### 24. Selected Sports Field Fee Increases

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution approving new fees for select sports field fees; and rescinding Resolution No. 70,869-N.S. and all amendatory resolutions.

**Financial Implications:** See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Public Testimony:** The Mayor opened the public hearing. 0 speakers.

M/S/C (Arreguin/Wengraf) to close the public hearing.

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

**Action:** M/S/C (Arreguin/Wengraf) to adopt Resolution No. 71,356–N.S.

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

### 25. Changes to the Planning Department Fee Schedule

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution: 1. Approving revisions to the fee schedule for the Planning and Development Department effective July 1, 2024, to increase the hourly rate for staff time in all divisions of the department to \$250 per hour, to set fees for the new Building and Safety Division permits and processes, to create a new Land Use Planning application fee and offset those costs through reductions in discretionary permit fees, to increase the annual fees of the Rental Housing Safety Program, and to update various other fee rates and make minor clarifications to the existing fee schedule; and 2. Rescinding Resolution No. 67,985-N.S.

**Financial Implications:** See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

**Public Testimony:** The Mayor opened the public hearing. 1 speaker.

M/S/C (Arreguin/Wengraf) to close the public hearing.

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

**Action:** M/S/C (Arreguin/Wengraf) to adopt Resolution No. 71,357–N.S.

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

## Information Reports

### 26. Audit Recommendation Status - Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities

**From: City Manager**

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

**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 3 speakers.**

**Adjournment**

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

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

Adjourned at 10:29 p.m.

**Communications**

**Permits for Restaurants and Food Facilities**

1. David Lerman (2)

**West Campus Pool Hours**

2. Summer Brenner

**Farm Workers Grant**

3. Mary Parks

**BioLab Watch**

4. Tina Stevens

**Holocaust Remembrance Day**

5. Shoshana Dembitz

**Blockage of Bateman Street**

6. Mike Vandeman

**Parking Meters & Residential Parking Permits**

7. Dorothea Dorenz
8. Dona Bretherick

**Peace and Justice Commission**

9. Noam Pitsker
10. Anna Ma
11. Linda Wulf

**Homelessness**

12. Katelyn Draper
13. Cecelia Mautner

**Revolution Books Frame Signs**

14. Steve Rood

**Cal Sailing J-Dock Berths**

15. Michael Scott

16. Nancy Gillette

17. Emily Fox

18. Summer Brenner

**Hearst and Oxford Dangerous Intersection**

19. Helen Cademartori

**4<sup>th</sup> Street Sidewalk Vendor Selling Knives**

20. Cecelia Mautner (2)

**Fee Increase Per Rental Unit**

21. Dorothe Dorenz

**Repaving on Bancroft**

22. Adam Naftalin-Kelman, on behalf of Berkeley Hillel

**Middle East Conflict**

23. Deborah Goldeen

24. Michael Fullerton

25. Sophia Cyrus

26. Russell Bates (4)

**Supplemental Communications and Reports 1**

- None

**Supplemental Communications and Reports 2**

**Item #6: Contract No: 32300104 Amendment: The Village of Love for Telegraph Neighborhood Sacred Rest Drop-In Center**

27. Alex Knox

**Item #14: Develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions**

28. Loni Hancock

29. Linda Maio

**Item #20: Speed Bump Installation on Russell St at King Street (South Berkeley)**

30. Nathan Bigelow

31. KC Cavanagh

32. Karen Weidert

33. Amy Fire

34. Mary Mathaisell
35. Cynthia Augsjoost
36. Sutapa Mallik
37. Nikhilesh Banerjee
38. Ajit Roy
39. Maitreyee Paul
40. Debabrata Paul
41. Ashima Roy
42. Loa Ortiz
43. Scott Gehring

**Item #21: Fiscal Years 2025 and 2026 Proposed Budget and Proposed Budget Public Hearing #1**

44. John Caner, on behalf of the Downtown Berkeley Association
45. Beth Roessner, on behalf of the Berkeley Chamber of Commerce
46. Lucy Mahaffey
47. David Silverglide
48. Tom Parish
49. David Masenten
50. Nikki Esperson
51. Amy Murray
52. Lorenzo Grayson
53. Angela Jernigan (2)
54. Ann Harlow
55. Blaine Merker
56. Tom Bates and Loni Hancock
57. Julie Sinai, on behalf of LifeLong Medical Care
58. Maria Schell Hassid
59. Coffee Hut
60. Walk Bike Berkeley
61. Supplemental material, submitted by the City Manager's Office

**Supplemental Communications and Reports 3**

**Item #14: Develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions**

62. Margot Dashiell

**Item #20: Speed Bump Installation on Russell St at King Street (South Berkeley)**

63. Owen Thompson-Lastad
64. Emily Becerra Sigel

**Item #21: Fiscal Years 2025 and 2026 Proposed Budget and Proposed Budget Public Hearing #1**

65. Presentation, submitted by the City Manager's Office
66. Angela Jernigan
67. Igor Tregub

- 68. Julia Moss
- 69. Anthony Iacono
- 70. Joe Smith
- 71. Benjamin Fry
- 72. Kendra Levine
- 73. Esther Brass

**Budget Referral for the Berkeley Faith & Justice Coalition – Grassroots Leader Support Project**

74. Submitted by Councilmember Sophie Hahn

**Description: Funding to Berkeley Public Schools Fund for “Graduation Sashes” for (Berkeley International High School) BIHS and the African American Studies Department Graduation Ceremonies - Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

75. Submitted by Councilmember Ben Bartlett

**Excused Absence for Councilmember Terry Taplin**

76. Submitted by Mayor Jesse Arreguin

**Miscellaneous Communications**

- 77. Message from Eid
- 78. Steve Moros
- 79. Enclave Apartments – West Builder