



AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, November 19, 2024

6:00 PM

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

TELECONFERENCE LOCATION - 1301 VENTURA CANYON AVE, GLENDALE, CA 91201

JESSE ARREGUIN, MAYOR

Councilmembers:

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

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

*To access the meeting remotely use this URL: <https://cityofberkeley-info.zoomgov.com/j/1613688984>. To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 368 8984**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person. 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.

Government Code Section 84308 (Levine Act) - Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$250 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$250 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

Preliminary Matters

Roll Call:

Land Acknowledgement Statement: *The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*

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

1. Recognition of Outgoing Mayor and Councilmembers

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

Public Comment on Non-Agenda Matters: *Up to ten persons will be selected to address matters not on the Council agenda. If five or fewer persons are identified to provide non-agenda comment, each person selected will be allotted two minutes each. If more than five persons are selected to address matters not on the Council agenda, each person selected will be allotted one minute each.*

In-person attendees wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to the moment that the Presiding Officer calls for public comment on non-agenda items. Remote attendees must raise their hand in the videoconference application when the Presiding Officer calls for non-agenda speakers. The first five raised hands on the videoconference application will be selected to speak and the first five cards drawn at the meeting will be selected to speak. The number of in-person and remote speakers selected may be adjusted by the Presiding Officer if fewer than five speakers from either format are identified.

The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.

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

Consent Calendar

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Three members of the City Council must agree to pull an item from the Consent Calendar or Information Calendar for it to move to Action. Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

- 1. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of October 1, 2024 (regular), October 15, 2024 (regular), October 21, 2024 (closed), October 29, 2024 (special and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 2. 2024 Annual Commission Attendance and Meeting Frequency Report**
From: City Manager
Recommendation: In accordance with Resolution No. 71,109-N.S., review and accept the 2024 Annual Commission Attendance and Meeting Frequency Report.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900

Consent Calendar

- 3. Contract: Dorothy Day House to Operate Interim Housing at the Howard Johnson Motel**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and all necessary amendments with Dorothy Day House to operate an interim housing program at the Howard Johnson Motel (1619 University Ave.) in an amount not to exceed \$5,313,826.28 for the period of November 12, 2024 to December 31, 2028.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 4. Encampment Resolution Funding Round 3 Grant Award**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to receive a \$5,395,637.04 Encampment Resolution Funding Round 3 grant award from the State of California, and to enter into contract and all necessary amendments with the State of California resulting from this funding.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 5. Urgency Ordinance for Leasing the Real Property at 1512 University Avenue**
From: City Manager
Recommendation: Adopt an Urgency Ordinance to enter into a lease for the real property located at 1512 University Avenue, Berkeley for a term of 48 months.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on November 19, 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

Consent Calendar

- 7. Contract: Royal for Mental Health Ambulance Transport Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Royal Ambulance (Contractor) to provide the following mental health related transport services for the City from January 1, 2025 to December 31, 2027, in an amount up to \$6,000,000, with an option to extend for three additional years in one-year increments, for a total contract amount not to exceed \$12,000,000.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
- 8. Contract No. 32300144 Amendment: Resource Development Associates for Specialized Care Unit (SCU) Evaluation**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to amend Contract No. 32300144 with Resource Development Associates (RDA) to add \$40,000 for a not-to-exceed total contract amount of \$290,000.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 9. Request for Proposals for Housing Trust Fund Rehabilitation Projects**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to release a Request for Proposals (RFP) for approximately \$6 million in Housing Trust Fund (HTF) program funds to support the rehabilitation of existing affordable rental housing developments in the City's HTF portfolio, to certify Community Housing Development Organizations (CHDO), and to award CHDO operating support. **Financial Implications:** See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 10. Revenue Contract: 2025 Community Services Block Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to accept the 2025 Community Services Block Grant (CSBG) to provide services for low-income people for the period January 1, 2025 to April 30, 2026.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

- 11. Contract No. 112798-1 Amendment: Geographic Technologies Group for Geographic Information System (GIS) Strategic Workplan**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 112798-1 with Geographic Technologies Group (GTG) for Geographic Information System (GIS) professional services, for a total not to exceed \$50,000 and for a total contract value of \$549,411 from September 14, 2016 to June 30, 2026.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 12. Exclusive Negotiating Agreement with TSA Holdings, LLC, for the Property at 199 Seawall Drive**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to execute an Exclusive Negotiating Agreement (ENA) with TSA Holdings, LLC (TSA) to develop a lease agreement for the lease of City property at 199 Seawall Drive.
Financial Implications: None
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 13. Ashby BART Transit Oriented Development (TOD) Legal Agreements**
From: City Manager
Recommendation: Adopt first reading of an Ordinance that:
1. Authorizes the City Manager to execute contractual agreements with San Francisco Bay Area Rapid Transit District (BART) in order to effectuate transit-oriented development in accordance with the nonbinding term sheet adopted by Council on September 16, 2024 (Resolution No. 71,514-N.S.) and executed by the City and BART on September 21, 2024; and
2. Adopts the Addendum to the Ashby and North Berkeley BART Stations Transit Oriented Development (TOD) Zoning Project EIR and the Adeline Corridor Specific Plan EIR.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 14. Contract: Nema Construction for FY 2023 Street Light Maintenance Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for the Street Rehabilitation FY 2023 Project, Specification No. 24-11668-C; 2. Accepting the bid of the lowest, responsive and responsible bidder, Nema Construction; 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, in an amount not to exceed \$424,465.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

- 15. Contract: Sposeto Engineering, Inc. for Southwest Berkeley Bikeway and Bus Stop Improvements Project**
From: City Manager
Recommendation: Adopt a Resolution, as a condition of receiving grant funding from the State of California Affordable Housing and Sustainable Communities (AHSC) program: 1. Approving plans and specifications for the Southwest Berkeley Bikeway and Bus Stop Improvements Project ("Project"), Specification Nos. 24-11640-C & 24-11666-C; 2. Accepting the bid of Sposeto Engineering, Inc., the lowest responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract with Sposeto Engineering, Inc. and any amendments, extensions, and/or change orders until completion of the Project in accordance with the approved plans and specifications, in an amount not to exceed \$2,390,000, which includes a 10 percent contingency for unforeseen circumstances.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 16. Contract: Telegraph-Channing Parking Garage Restroom Renovation & Elevator Improvements Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for Telegraph-Channing Parking Garage Restroom Renovation & Elevator Improvements Project (Project), Specification No. 22-11535-C; and 2. Accepting the bid of W.E. Lyons Construction Co. as the lowest, responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions, or other change orders until the Project is completed in accordance with the approved plans and specifications for an amount not to exceed \$2,413,689, which includes a contingency of \$314,829.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 17. Contract No. 10413C Amendment: LAZ Parking LLC for Managing City-Owned Off-Street Parking Facilities**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10413C with LAZ Parking, LLC, a parking management company, to provide management services for the Telegraph Channing, Oxford, and Center Street garages, extending the term to December 31, 2026 and increasing the contract amount by \$6,073,974 for a total not-to-exceed amount of \$22,326,349.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

- 18. Contract No. 31900036 Amendment: On-Call Civil Engineering Services, Bellecci & Associates, Inc.**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900036 with Bellecci & Associates, Inc. for on-call civil engineering services, increasing the contract amount by \$750,000 for a total not-to-exceed the amount of \$1,750,000 and extending the term of the contract to June 30, 2026.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 19. Contract No. 31900162 Amendment: Pride Industries, Inc. Contract for Custodial Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900162 with Pride Industries, Inc. for citywide custodial services to: Approve additional appropriations related for performance of this contract and coverage of the Living Wage Ordinance in the amount of \$1,100,000 for a total not-to-exceed amount of \$6,225,735 which includes updated service rates for Year 6 of the agreement.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 20. Contract No. 32000179 Amendment: Allied Universal Security Service for Citywide Unarmed Security Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000179 with Allied Universal Security Service (formerly First Alarm Security & Patrol, Inc.) for citywide unarmed security services in the amount of \$900,000 for a new total not to exceed \$4,450,000 and extend the contract through February 28, 2026.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 21. Contract No. 32300177 Amendment: Baker Tilly for On-Call Professional Development Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300177 with Baker Tilly, increasing the contract by \$100,000 for consulting services in a total amount not to exceed \$125,000, with a contract end date of December 31, 2027.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

22. Appointment of Maria Sol and Ashley (Jiahao) Gu to the Mental Health Commission

From: Mental Health Commission

Recommendation: Adopt two Resolutions approving the recommendation for appointment of Maria Sol and Ashley (Jiahao) Gu to the Mental Health Commission both as representatives of the Special Interest Category, Consumer. Maria Sol's 3-year term will begin on November 20, 2024 and end on November 19, 2027. Ashley Gu's 3-year term will begin on November 20, 2024 and end on November 19, 2027.

Financial Implications: None

Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

Council Consent Items

23. Exploring the Formation of Joint Powers Authority (JPA) or other entity to Publicly Finance the Development of a Hospital to Meet Regional Healthcare Needs

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

Recommendation: 1. Direct the City Manager and City Attorney to explore establishing legal and financial structures, such as a Joint Powers Authority (JPA) or Hospital District, with relevant East Bay jurisdictions, to facilitate public financing for a full service public acute and emergency care hospital serving Berkeley and the greater East Bay. 2. Authorize the City Manager and City Attorney to engage staff or consultants as needed, and submit further budget requests if additional resources are required.

Financial Implications: See report

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

24. Referral to City Manager: Equity for Black Berkeley (E4BB) Initiative

From: Mayor Arreguin (Author)

Recommendation: Adopt a Resolution, recognizing the vision and goals of the Equity for Black Berkeley (E4BB, previously referred to as EBB), historicizing the work that has been completed to date, recognizing the current and past City staff and external stakeholders involved with E4BB, and maintaining E4BB as a priority of the City.

Refer to the City Manager the following actions to be taken:

1. Establish a representative for E4BB (the "E4BB Representative") with the following responsibilities: a. Represent the City's interests when relating to matters of the E4BB initiative; b. Liaise between City officials and external partners and parties associated with E4BB; c. Draft policies that advance the work aligned with vision and goals of E4BB in connection with the Mayor's Office and other legislators within the City and across jurisdictions and agencies, as needed; d. Oversee and coordinate the implementation of work related to E4BB across the City and with external stakeholders, providing updates to the Mayor's Office, as appropriate; and e. Pursue internal and external resources and funding opportunities to advance the work of E4BB in the near- (1-2 years) and long-term (3+ years).

Council Consent Items

2. Determine the appropriate staffing and financial resources needed to monitor and communicate the implementation of the following existing and future projects and policies related to E4BB with the E4BB Representative: a. Implementation of Ashby BART TOD; b. Data collection and analysis of the impact of the Preference Policy; c. Implementation of Housing Element, with particular attention in identifying priorities sites for expanding the efficacy of the Preference Policy and what unmet needs may be invested in through the establishment of a non-governmental organization outside of the City; d. Improvements to establish cultural vibrancy and accessibility in South Berkeley, creating recommendations for what potential EIFD funds can be used towards; e. Growth opportunities to expand the economic viability of small businesses and commerce in the South Berkeley area, including support to sustain and grow the success of the Berkeley Flea Market; f. Facilitating the intersection of the African American Holistic Resource Center (AAHRC) with relevant work in South Berkeley, particularly the new Ashby TOD residents and EFID related projects; g. Management of financing, expenditures, and balance sheets received by the City related to E4BB including but not limited to grants, City investments from the General Fund, and an EIFD fund; h. Legal representation and support with negotiations, contracts, and MOUs with outside jurisdictions, external E4BB partners, and internal discussions of authority and governance; and i. Provide 1) supervision of an unpaid staff person offered by the Partnership for the Bay's Future (PBF) grant program (should the City of Berkeley become selected as a government host site) and 2) communication on the progress and connection of projects relating to E4BB including but not limited to the Ashby BART TOD, Black Arts and Cultural District, Small Sites, EIFD, Black Health Equity Zone, Berkeley Flea Market and AAHRC.
3. With assistance from the E4BB representative, create a template MOU to be drafted and circulated with outside groups engaged in E4BB, including, but not limited to: a. Berkeley Flea Market; b. Healthy Black Families; c. San Francisco Foundation; and d. External Consultants (Nddi Love, Randolph Belle aka Creative Development Partners, communications experts, etc).
4. Work with the E4BB Representative to pursue additional external and internal investments to help with creating a non-governmental organization to manage a community investment fund beyond 2026 and transition the work of E4BB to be managed within this entity.

Financial Implications: See report

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

Action Calendar

The public may comment on each item listed on the agenda for action. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again during the Action Calendar public comment period on the item.

The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may,

Action Calendar

with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

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

The Presiding Officer may open and close an additional comment period for Action items on this agenda (excluding any public hearings, appeals, and/or quasi-judicial matters), at the start of the Action Calendar. Those who speak on an item during this comment period may not speak a second time when the item is taken up by Council.

Action Calendar – New Business

25. Amendment: FY 2025 Annual Appropriations Ordinance

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending the FY 2025 Annual Appropriations Ordinance No. 7,926–N.S. for fiscal year 2025 based upon recommended re-appropriation of committed FY 2024 funding and other adjustments authorized since July 1, 2024.

Financial Implications: See report

Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

26. Amendments to BMC Chapter 22.16, Development Agreement Procedures

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending BMC Chapter 22.16, “Development Agreement Procedures.”

Financial Implications: See report

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

Public Comment – Items Not Listed on the Agenda

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in

the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street, and through the City's online records portal: <https://records.cityofberkeley.info/>.

Agendas, agenda reports, and revised/supplemental material may be accessed via the online agenda for this meeting at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>

and may be accessed at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor
Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901
Email: clerk@berkeleyca.gov

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

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at ada@berkeleyca.gov, (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date.

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



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

Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900 or by email at clerk@berkeleyca.gov.

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on November 7, 2024.***

A handwritten signature in black ink, appearing to read "Mark Numainville".

Mark Numainville, City Clerk

## Communications

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

### **Item #4: Encampment Resolution Funding Round 3 Grant Award**

1. Yesica Prado and Gordon Gilmore on behalf of the Berkeley Homeless Union

### **Cordornices Creek**

2. Friends of Five Creeks
3. Peter Radu

### **Road Paving on Virginia St.**

4. Tiana Robinson

### **Fair Contract**

5. Gwen Weinreich
6. Sabina McMurtry
7. Larry Snyder
8. Kevin Sun

### **Safety Concerns**

9. Leah Shelleda

### **Encampment Requests**

10. Robb M. Walker

### **Middle East Conflict**

11. Matt O'Brien

### **Traffic Study**

12. Tim Hassler

### **Street Sweeping/Construction Conflict**

13. Jesse Sheehan
14. UC Berkeley Capital Strategies
15. Scott Salas

### **Waterfront Concern**

16. Louise Rafkin

### **Housing Concern**

17. Ann Marie Davis (2)

### **Merchant Parking Costs**

18. Evan McDonald

## **Parking Study**

19. Gordon Stout

## **Upzoning**

20. Vincent Casalaina

21. Vicki Sommer

22. Janice Schroeder

23. Carol Hirth

24. Mary Ann Gallagher

25. Chris Gilbert

26. Christopher Riess

27. Bernard Marszalek

28. John Rice

29.44 Similarly worded form letters

## **URL's**

30. Russbumper (2)

31. Josh Atwood

32. Keith Bayne (2)

## **Forwards of Current Events**

33. Eid (3)

34. Russbumper

35. David L. Axelrod

## **Supplemental Communications and Reports**

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

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