



Councilmember
Cheryl Davila
District 2

ACTION CALENDAR
March 26, 2019

To: Honorable Mayor and Members of the City Council
From: Councilmembers Cheryl Davila, Kate Harrison and Rigel Robinson
Subject: Direct City Manager to place a moratorium on enforcement of Ordinance No. 7,643-N.S. (BMC Section 14.40.120) until an RV and vehicular residence program can be designed and implemented.

RECOMMENDATION

Direct City Manager to place a moratorium on enforcement of Ordinance No. 7,643-N.S. (BMC Section 14.40.120) until an RV and vehicular residence program can be designed and implemented.

FISCAL IMPACTS OF RECOMMENDATION

None.

ENVIRONMENTAL SUSTAINABILITY

None.

BACKGROUND

In light of the second reading of an ordinance that expands Ordinance No. 7,643-N.S. (BMC Section 14.40.120) and possible enforcement by the City of Berkeley of the ordinance within 30 days of a second reading, it is time critical that a permit process and more comprehensive program is developed and implement prior to such enforcement.

Robert Wilson Inc. vs. the City of Boise asserts that until a City can offer alternative housing, it cannot criminalize people for their attempts to shelter themselves and their children. Vehicles and RVs are the affordable option for those who live and work in Berkeley, where they call home. Among those living in vehicles in Berkeley are: senior citizens, families with young children (many under age 5), Berkeley Unified School District (BUSD) K-12 students, University of California at Berkeley (UCB) and Berkeley City College (BCC) students, and people who are employed but cannot afford Berkeley's market rate rents. Those living in vehicles are diverse in ethnicity, age, ability, some are employed, and some suffer from chronic or acute illness, including mental health illness. Vehicle dwellers reflect the same diversity of our housed

community and deserve to be treated with equal care and respect. Vehicular dwellers pay taxes in Berkeley, visit our restaurants, theatres, businesses and contribute to our economy.

CONTACTS:

Cheryl Davila, Councilmember, District 2 510.981.7120

ATTACHMENTS:

- Proposed modifications to Ordinance No. 7,643-N.S. (BMC Section 14.40.120):
https://www.cityofberkeley.info/Clerk/City_Council/2019/02_Feb/City_Council_02-28-2019_-_Special_Meeting_Agenda.aspx