

**BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE
SPECIAL MEETING**

BERKELEY CITY COUNCIL SPECIAL MEETING

MONDAY, APRIL 15, 2019

2:30 P.M.

2180 Milvia Street, 6th Floor – Redwood Room

Committee Members:

Mayor Jesse Arreguin, Councilmembers Kate Harrison and Susan Wengraf

AGENDA

Roll Call

Public Comment

Review of Agendas

1. **Approval of Minutes: April 8, 2019**
2. **Review and Approve Draft Agendas:**
 - a. 4/30/19 – 6:00 p.m. Regular City Council Meeting
3. **Selection of Item for the Berkeley Considers Online Engagement Portal**
4. **Adjournments In Memory Of**
5. **Management of the Ceremonial Calendar**

Scheduling

6. **Council Worksessions Schedule**
7. **Council Referrals to Agenda Committee for Scheduling**
8. **Land Use Calendar**

Referred Items for Review

Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.

- None

Items for Future Agendas

- Discussion of items to be added to future agendas

Adjournment – Next Meeting Monday, April 29, 2019

Additional items may be added to the draft agenda per Council Rules of Procedure.

Rules of Procedure as adopted by Council resolution, Article III, C3c - Agenda - Submission of Time Critical Items

Time Critical Items. A Time Critical item is defined as a matter that is considered urgent by the sponsor and that has a deadline for action that is prior to the next meeting of the Council and for which a report prepared by the City Manager, Auditor, Mayor or council member is received by the City Clerk after established deadlines and is not included on the Agenda Committee's published agenda.

The City Clerk shall bring any reports submitted as Time Critical to the meeting of the Agenda Committee. If the Agenda Committee finds the matter to meet the definition of Time Critical, the Agenda Committee may place the matter on the Agenda on either the Consent or Action Calendar.

The City Clerk shall not accept any item past the adjournment of the Agenda Committee meeting for which the agenda that the item is requested to appear on has been approved.

This is a meeting of the Berkeley City Council Agenda Committee. Since a quorum of the Berkeley City Council may actually be present to discuss matters with the Council Agenda Committee, this meeting is being noticed as a special meeting of the Berkeley City Council as well as a Council Agenda Committee meeting.

Written communications addressed to the Agenda Committee and submitted to the City Clerk Department by 5:00 p.m. the Friday before the Committee meeting, will be distributed to the Committee prior to the meeting. After the deadline for submission, residents must provide 10 copies of written communications to the City Clerk at the time of the meeting.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, 981-6900.



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 981-6418 (V) or 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.

* * *

I hereby certify that the agenda for this special 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 April 11, 2019.

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

Mark Numainville, City Clerk

Communications

Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA.

**BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE
SPECIAL MEETING MINUTES**

BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

MONDAY, APRIL 8, 2019

2:30 P.M.

2180 Milvia Street, 6th Floor – Redwood Room

Committee Members:

Mayor Jesse Arreguin, Councilmembers Kate Harrison and Susan Wengraf

Roll Call: 2:34 p.m. Councilmember Harrison absent.

Public Comment: 3 speakers

Review of Agendas

1. **Action:** M/S/C (Wengraf/Arreguin) to approve the Minutes of March 18, 2019.
Vote: Ayes – Wengraf, Arreguin; Noes – None; Abstain – None; Absent - Harrison.

2. **Review and Approve Draft Agendas:**

- a. 4/23/19 – 6:00 p.m. Regular City Council Meeting

Action: M/S/C (Arreguin/Wengraf) to provide direction to the author of Item 16 to include the date and location of the event in the item.

Vote: Ayes – Wengraf, Arreguin; Noes – None; Abstain – None; Absent - Harrison.

Action: M/S/C (Wengraf/Arreguin) to approve the agenda of April 23, 2019 with the revisions noted below.

Vote: Ayes – Wengraf, Arreguin; Noes – None; Abstain – None; Absent - Harrison.

- *Ceremonial Item – Recognition of Osha Neumann*
- *Ceremonial Item – Holocaust Remembrance Day*
- *Item Added – Contract Amendment (City Manager)*
- *Item 15 Support AB953 (Bartlett) – Revised item submitted*
- *Item 16 Relinquishment (Bartlett) – Revised item submitted; Councilmember Davila added as a co-sponsor*
- *Item 17 Relinquishment (Bartlett) – Councilmember Davila added as a co-sponsor*
- *Item 18 Budget Referral (Harrison) – Councilmember Davila added as a co-sponsor*
- *Item 19 Zero Emissions Bills (Harrison) – Councilmembers Davila, Hahn, and Robinson added as co-sponsors*

- *Item 21 Support SB54 and AB1080 (Wengraf) – Councilmember Bartlett added as a co-sponsor*
- *Item 22 Near Normal Man (Wengraf) – Councilmembers Bartlett and Hahn added as co-sponsors*
- *Item 23 Support SB188 (Robinson) – Councilmembers Davila and Bartlett added as co-sponsors*
- *Item 24 Support ACA1 (Robinson) – Councilmembers Bartlett and Harrison added as a co-sponsor*
- *Item 25 Support AB273 and AB44 (Robinson) – Councilmember Harrison added as a co-sponsor*
- *Item 27 Relinquishment (Droste) – Councilmembers Davila and Robinson added as co-sponsors*
- *Item 32 Short Term Referrals (City Manager) – Scheduled for May 14, 2019*
- *Item 33a/b Fossil Fuel Free Berkeley – Scheduled for May 14, 2019*
- *Item 34 Presentation from Mosquito Abatement District – Moved to the 4/23/19 Ceremonial Calendar*

Policy Committee Track Items

- *Item 35 Air Quality Monitoring (Bartlett) – Councilmember Davila added as a co-sponsor; Referred to the Health, Life Enrichment, Equity and Community Committee*
- *Item 36 Paid Family Leave Policy (Bartlett) – Scheduled for the April 23, 2019 Action Calendar*
- *Item 37 Local Construction Workforce (Bartlett) – Referred to the Land Use, Housing, and Economic Development Committee*
- *Item 38 U1 Funds (Bartlett) – Scheduled for April 23, 2019 Consent Calendar*
- *Item 39 Vehicle Dwellers Governance Body (Bartlett) - Referred to the Health, Life Enrichment, Equity and Community Committee*
- *Item 40 Public Bank (Harrison) – Councilmembers Davila and Robinson, and Mayor Arreguin added as co-sponsors; Scheduled for April 23, 2019 Consent Calendar*
- *Item 41 Milvia Bikeway Allocation (Harrison) – Mayor Arreguin added as a co-sponsor; Revised item submitted; Scheduled for April 23, 2019 Action Calendar*
- *Item 42 Amnesty Program (Wengraf) – Referred to the Land Use, Housing, and Economic Development Committee*

Order of Action Calendar Items

- Item 28 ZAB Appeal
- Item 29 Missing Middle
- Item 30 Adopt a Spot
- Item 31 Standby Officers
- Item 36 Paid Family Leave
- Item 41 Milvia Bikeway Allocation

3. Selection of Item for the Berkeley Considers Online Engagement Portal

- No item selected

4. Adjournments In Memory Of

1. Sue Hone, Former Berkeley City Councilmember

Scheduling

5. **Council Worksessions Schedule** – received and filed

6. **Council Referrals to Agenda Committee for Scheduling**

- Item #4 regarding the 1000 Person Plan scheduled for April 30, 2019 at 4:30 p.m.

7. **Land Use Calendar** – received and filed

Referred Items for Review

- None

Adjournment

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

Vote: Ayes – Wengraf, Arreguin; Noes – None; Abstain – None; Absent - Harrison.

Adjourned at 3:18 p.m.

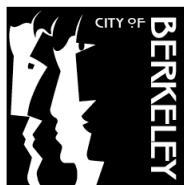
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I hereby certify that the agenda for this is a true and correct record of the Agenda & Rules Committee Meeting held on April 8, 2019.



Mark Numainville, City Clerk

DRAFT AGENDA



BERKELEY CITY COUNCIL MEETING

Tuesday, April 30, 2019
6:00 PM

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

JESSE ARREGUIN, MAYOR

Councilmembers:

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

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

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, 981-6900.

The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call:

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

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

Public Comment on Non-Agenda Matters: *Persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.*

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.” Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

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

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

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

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

Consent Calendar

- 1. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of March 12, 2019 (regular), March 19, 2019 (special), and March 26, 2019 (special closed and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900
- 2. Contract No. 10177B Amendment: Paw Fund for Spay and Neuter Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 10177B with Paw Fund (Contractor) to add \$23,812 in General Fund to provide no-cost spay and neuter surgeries to eligible pet owners, and extend the contract through June 30, 2020, for a total not to exceed amount of \$95,248.
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager's Office, 981-7000
- 3. Public Art Guidelines Revisions**
From: City Manager
Recommendation: Adopt a Resolution revising the City of Berkeley’s Public Art Guidelines, modifying the Artwork Gifts and Loans Policy and adding an Artwork Deaccession Policy and a Memorial Artwork Policy.
Financial Implications: See report
Contact: Jordan Klein, Economic Development

Consent Calendar

- 4. Contract Amendment: Berkeley Food and Housing Project**
From: City Manager
Recommendation: Authorize the City Manager to amend a contract with Berkeley Food and Housing Project by increasing the Not to Exceed (NTE) amount by \$114,000 for a total not to exceed limit of \$7,117,863 for the period July 1, 2017 through June 30, 2019 with vendor Berkeley Food and Housing Project.
Financial Implications: See report
Contact: Kelly Wallace, Housing and Community Services, 981-5400
- 5. Contract No. 9655B Amendment: Socrata, Inc., Open Data Portal (ODP) Hosting and Assignment to Tyler Technologies, Inc.**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment and assignment to Contract No. 9655B with Socrata, Inc., now Tyler Technologies, Inc., for the purposes of hosting the City's Open Data Portal, increasing the amount by \$87,289 for a total contract amount not to exceed \$254,970 and extending the term through June 30, 2021.
Financial Implications: IT Cost Allocation Fund - \$87,289
Contact: Savita Chaudhary, Information Technology, 981-6500
- 6. Contract No. 7167I Amendment: Superior, LLC for AS400 Software Maintenance and Support**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 7167I with Superior, LLC for software maintenance and support of the City's FUNDS system on the AS400 platform, increasing the contract amount by \$271,864 for a total not-to-exceed amount of \$2,154,050 from July 1, 2006 through June 30, 2021.
Financial Implications: Various Funds - \$271,864
Contact: Savita Chaudhary, Information Technology, 981-6500
- 7. Contract No. 7393D Amendment: Interactive Voice Response (IVR) and Interaction Web Response (IWR) System with Paymentus, Corp.**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 7393D and all associated amendments with the Paymentus Corporation for maintenance and support of the Interactive Voice Response (IVR) and Interaction Web Response (IWR) System, increasing the contract amount by \$52,500, for a contract amount not-to-exceed \$324,475.
Financial Implications: Permit Service Center Fund - \$52,500
Contact: Savita Chaudhary, Information Technology, 981-6500

Consent Calendar

- 8. Contract: Kronos, Inc. Fire Station Staffing Software**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Kronos, Inc. for software maintenance for TeleStaff Fire Station Staffing Software, for an amount of \$64,680 from May 15, 2019 through June 30, 2022.
Financial Implications: See report
Contact: Savita Chaudhary, Information Technology, 981-6500
- 9. Contract: Berkeley Marina Area Specific Plan (BMASP) – Hargreaves Associates**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Hargreaves Associates to produce the Berkeley Marina Area Specific Plan (BMASP) in an amount not to exceed \$1,101,000.
Financial Implications: Marina Fund - \$1,101,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 10. Contract: Lux Bus America for Charter Bus Transportation Services For Echo Lake Camp and Select Recreation Division Summer Programs**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Lux Bus America to provide charter bus transportation services for Echo Lake Youth Camp and other summer Recreation Division programs for a not-to-exceed total amount of \$226,000 over a five year period, beginning June 1, 2019 and ending June 1, 2024, contingent upon annual budget appropriations.
Financial Implications: Various Funds - \$226,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 11. Approving Proposed Projects Anticipated to be Paid for by the State’s Road Maintenance and Rehabilitation Account (RMRA) Funds for FY2020**
From: City Manager
Recommendation: Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California’s Road Maintenance and Rehabilitation Account, and authorize the City Manager to submit the proposed list to the California Transportation Commission and receive funding.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300

Consent Calendar

- 12. Purchase Order: Toter Inc. for Refuse, Recycling and Organic Wheeled Carts**
From: City Manager
Recommendation: Adopt a Resolution: 1. Authorizing the City Manager to enter into additional FY 2019 purchase orders with Toter Incorporated for refuse, recycling and organic wheeled carts, for a total FY 2019 amount not to exceed \$292,045; and 2. Authorizing the City Manager to purchase refuse, recycling and organic wheeled carts from Toter Inc. to piggy-back of a National Intergovernmental Purchasing Alliance contract with Toter Inc., for annual expenditures not to exceed: FY2020 - \$283,155; FY2021 - \$292,484; FY2022 - \$303,020; FY2023 - \$308,068.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300
- 13. Award of Contract: APB General Engineering for Hillview Road and Woodside Road Drainage Improvement Project**
From: City Manager
Recommendation: Adopt a Resolution approving plans and specifications for Hillview Road and Woodside Road Drainage Improvement Project, Specification No. 19-11283-C; accepting the bid of APB General Engineering as the lowest responsive and responsible bidder; 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 \$240,000.
Financial Implications: Various Funds - \$240,000
Contact: Phillip Harrington, Public Works, 981-6300
- 14. Contract: McLaughlin Waste Equipment, Inc. to Clean, Repair, and Paint Metal and Plastic Bins**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with McLaughlin Waste Equipment, Inc. to clean, repair, and paint metal and plastic bins for a three year period, with an option to extend the contract for two additional one year terms for a total amount not to exceed \$300,000.
Financial Implications: Zero Waste Fund - \$300,000
Contact: Phillip Harrington, Public Works, 981-6300
- 15. Contract No. 31900046 Amendment: Harrison Engineering Inc. for On-Call Civil Engineering and Construction Management Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 31900046 with Harrison Engineering Inc. (HEI) for On-Call Civil Engineering and Construction Management Services, increasing the contract by \$1,000,000, for a total amount not to exceed \$1,500,000, and extending the term of the contract from June 30, 2021 to June 30, 2022.
Financial Implications: Capital Improvement Fund - \$1,000,000
Contact: Phillip Harrington, Public Works, 981-6300

Consent Calendar

16. Resolution: No U.S. intervention in Venezuela
From: Peace and Justice Commission

Recommendation: Adopt a resolution that affirms the sovereign right of the Venezuelan people to negotiate their political differences free from foreign intervention, and urges that the U.S. government withdraw its illegal, unilateral financial sanctions and refrain from military, economic, or diplomatic intervention in the internal affairs of the sovereign state of Venezuela.

Financial Implications: None

Contact: Bre Slimick, Commission Secretary, 981-7000

Council Consent Items

17. Proclaiming May 2019 as Mental Health Month

From: Councilmember Davila and Mental Health Commission

Recommendation: Adopt a Resolution proclaiming May 2019 as Mental Health Month in the City of Berkeley.

Financial Implications: None

Contact: Cheryl Davila, Councilmember, District 2, 981-7120; Karen Klatt, Commission Secretary, 981-5400

Action Calendar

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

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

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

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time.

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

Each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.

Action Calendar – Public Hearings

- 18. New Marina Fee – South Cove Parking Lots** *(Continued from April 2, 2019)*
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving a new Marina Fee Schedule to include a new parking fee in the South Cove Parking lot, and rescinding Resolution No. 68,415-N.S. and all amendatory resolutions.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 19. FlixBus Franchise Agreement for Long-Distance Bus Service**
From: City Manager
Recommendation: Pursuant to Berkeley Municipal Code Chapter 9.60, conduct a public hearing and upon conclusion, adopt the first reading of an Ordinance granting a franchise agreement between FlixBus, Inc. and the City of Berkeley to provide long distance bus service to the public.
Financial Implications: See report
Contact: Phillip Harrington, Public Works, 981-6300

Action Calendar – Public Hearings

20. Appeal of ZAB Decisions: Denial of Use Permit #ZP2018-0116 (Pardee Block Parking Lot, 2700 Tenth Street), Approval of Use Permit #ZP2018-0117 (Medical Office Building, 1050 Parker Street), and Associated Environmental Review.

From: City Manager

Recommendation:

1. Adopt a Resolution to readopt an Initial Study - Mitigated Negative Declaration (IS-MND) under the California Environmental Quality Act (CEQA) that determines how potential impacts are to be mitigated, to adopt that concludes that all impacts of the project known as “1050 Parker,” including the medical office facility and the off-site parking lot, can be reduced to a less-than-significant level under CEQA, and to adopt a Mitigation Monitoring and Reporting Program that ensures the mitigation measures will be implemented.

2. Conduct a public hearing and, upon conclusion, uphold the applicant’s appeal and adopt a Resolution to approve Use Permit #ZP2018-0116 (Pardee Block Parking Lot, 2700 Tenth Street) for construction of a 43,847 square-foot surface parking lot based on the Findings and Conditions presented by staff to the Zoning Adjustments Board (ZAB) on January 24, 2019. A total of 123 automobile and 18 bicycle parking spaces would be provided to meet a portion of the required parking for the medical office building at 1050 Parker Street (Use Permit #ZP2018-0117); and

3. Conduct a public hearing and, upon conclusion, uphold the applicant’s appeal and adopt a Resolution to approve Use Permit #ZP2018-0117 (Medical Office Building, 1050 Parker Street) to allow the 60,670 square-foot building to be used entirely for medical offices based on the Findings and Conditions presented by staff to the Zoning Adjustments Board (ZAB) on January 24, 2019, for a modification to Use Permit #ZP2016-0170. Approval of Use Permit #ZP2018-0117 is contingent on approval of Use Permit #ZP2018-0116 for off-site parking.

Financial Implications: See report

Contact: Timothy Burroughs, Planning and Development, 981-7400

21. Zoning Ordinance Amendments That Apply Inclusionary Housing Regulations to Contiguous Lots under Common Control or Ownership

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt the first reading of Zoning Ordinance amendments that modify Inclusionary Housing Requirements (BMC Section 23C.12.020: Applicability of Regulations) to apply to new residential development projects on contiguous lots under common ownership or control.

Financial Implications: See report.

Contact: Timothy Burroughs, Planning and Development, 981-7400

Action Calendar – New Business

22. Referral Response: Update on Various Referrals and Recommendations Regarding Stop Data Collection, Data Analysis and Community Engagement From: City Manager

Recommendation: Review and provide feedback on the Berkeley Police Department responses to inter-related Council and Police Review Commission referrals, reports and recommendations, including the Center for Policing Equity report recommendations, regarding stop data collection, data analysis, community engagement, and related topics.

Financial Implications: See report

Contact: Andrew Greenwood, Police, 981-5900

Action Calendar – Policy Committee Track Items

23. Appointing an Alternate Member to the Budget and Finance Committee and 3x3 Committee

From: Mayor Arreguin

Recommendation: Adopt a Resolution approving the appointment of Mayor Jesse Arreguin as the Alternate to the Budget and Finance Policy Committee and the 3x3 Joint BHA/City Council Committee until January 2020 or until new appointments are approved.

Financial Implications: None

Contact: Jesse Arreguin, Mayor, 981-7100

24. Allocation of \$150,000 to the Berkeley Unified School District for Planning/Pre-Development for Employee Housing

From: Mayor Arreguin

Recommendation: Approve the allocation of \$150,000 of General Fund revenues from Measure U1 receipts to the Berkeley Unified School District for a planning and pre-development grant for teacher/workforce housing.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, 981-7100

25. Prioritizing Affordable Housing for Homeless

From: Mayor Arreguin

Recommendation: Refer to the Housing Advisory Commission to develop an ordinance to set aside 20% of affordable housing units for individuals experiencing homelessness, with preference given to BUSD students.

Financial Implications: Staff time

Contact: Jesse Arreguin, Mayor, 981-7100

Action Calendar – Policy Committee Track Items

26. Authorizing Additional Inclement Weather Shelter at Old City Hall from April 15, 2019-June 30, 2019

From: Councilmember Davila

Recommendation:

1. Authorize the City Manager to maintain open an as-needed inclement weather shelter from April 15, 2019 - June 30, 2019, to provide safe, indoor locations for our unhoused community during inclement weather, including changing the cold temperature to below 45 degrees, rain, and add extreme heat and atmospheric pollution such as smoke.
2. Approving the allocation of \$60,000 in funding for this inclement weather shelter with funds from the budget appropriations for an expanded Emergency Shelter program or by State Homeless Emergency Aid Program (HEAP) funding.
3. Authorizing the City Manager to amend Contract No. 10577B with Dorothy Day House for the current operation of the as-needed inclement weather shelter, that will include this extension through June 30, 2019, and possible program expansion in order to increase number of unhoused people served.

Financial Implications: See report

Contact: Cheryl Davila, Councilmember, District 2, 981-7120

27. Refer to the Planning Commission and Housing Advisory Commission to Research and Recommend Policies to Prevent Displacement and Gentrification of Berkeley Residents of Color and African Americans

From: Councilmembers Davila and Bartlett

Recommendation: Refer to the Planning Commission and Housing Advisory Commission to research and recommend policies to prevent displacement and gentrification of Berkeley residents of color. Recommended policies should include real solutions. The Commission should do the following: - Develop a policy to address the erosion of People of Color (POC), including the African American sector of our Berkeley society. - Develop rules and regulations to halt the loss of People of Color including the African American communities. - Develop a “right to return” for Berkeley’s People of Color including the African American communities who have been displaced by these economic and social developments, especially those who continue to be employed in our City, even after having to relocate beyond our boundaries. - Solicit expert and lived experience testimonies regarding displacement and gentrification. - Recommend alternatives to prevent displacement and gentrification of our valued Berkeley citizens of color and African Americans.

Financial Implications: See report

Contact: Cheryl Davila, Councilmember, District 2, 981-7120

Action Calendar – Policy Committee Track Items

28. **Good Food Purchasing Program Resolution**
From: Councilmember Hahn and Mayor Arreguin
Recommendation: Adopt a resolution in support of the Good Food Purchasing Program’s core values and join San Francisco, Oakland, Los Angeles and Chicago as one of the first five cities nationwide to become a Good Food Purchasing partner, and refer to the City Manager to incorporate over time the vision and standards of the Good Food Purchasing Program (GFPP) into City of Berkeley food purchasing practices.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, 981-7150
29. **Referral: Report on Public Realm Pedestrianization Opportunities**
From: Councilmember Robinson
Recommendation: Refer to the Transportation Commission to generate a report on potential public realm pedestrianization opportunities in Berkeley.
Financial Implications: Staff time
Contact: Rigel Robinson, Councilmember, District 7, 981-7170

Information Reports

30. **City Council Short Term Referral Process – Monthly Update**
From: City Manager
Contact: Mark Numainville, City Clerk, 981-6900

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.*

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Peace and Justice Commission

CONSENT CALENDAR

April 30, 2019

To: Honorable Mayor and Members of the City Council  
 From: Berkeley Peace and Justice Commission  
 Submitted by: Igor Tregub, Chairperson, Peace and Justice Commission  
 Subject: Resolution: No U.S. intervention in Venezuela

RECOMMENDATION

Adopt a resolution that affirms the sovereign right of the Venezuelan people to negotiate their political differences free from foreign intervention, and urges that the U.S. government withdraw its illegal, unilateral financial sanctions and refrain from military, economic, or diplomatic intervention in the internal affairs of the sovereign state of Venezuela.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

Trump administration officials have openly declared their intention to overthrow the duly elected government of Venezuelan President Nicolás Maduro. Years of U.S. sanctions have contributed to a severe economic crisis, following a decades-old pattern of destabilization of U.S. adversaries.

Using the crisis it helped create as a pretext, the U.S. administration recognized opposition leader Juan Guaidó as interim president of Venezuela, launching a diplomatic front to the campaign to undermine the elected government. Administration leaders have called on Venezuelan armed forces to mutiny, and have threatened that all military options are on the table to achieve regime change.

At its regular meeting on March 4, 2019, the Peace and Justice Commission recommended the Council of the City of Berkeley affirm the right to self-determination of the Venezuelan people, and urge that the U.S. government refrain from intervention in the internal affairs of the sovereign state of Venezuela.

M/S/C: Bohn/Lippman  
 Ayes: al-Bazian, Bohn, Chen, Gussman, Lippman, Meola, Morizawa, Pierce, Rodriguez, Tregub  
 Noes: Maran

Resolution: No U.S. intervention in Venezuela

CONSENT CALENDAR  
April 30, 2019

Abstain: None

Absent: Han, Pancoast

#### BACKGROUND

At its regular meeting on March 4, 2019, the Peace and Justice Commission recommended the Council of the City of Berkeley affirm the right to self-determination of the Venezuelan people, and urge that the U.S. government refrain from intervention in the internal affairs of the sovereign state of Venezuela.

The City of Berkeley has long expressed its opposition to U.S. military intervention and economic destabilization of sovereign nations in Asia, Africa, and Latin America.

#### ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental impacts or opportunities associated with the subject of this report.

#### RATIONALE FOR RECOMMENDATION

The City of Berkeley has acknowledged that foreign interventions have a disastrous impact on life in cities such as Berkeley. The mandate of the Berkeley Peace and Justice Commission finds that: "The intentional destruction of cities in war is the rule and not the exception. The wealth to help the poor, heal the sick, house the homeless, educate the children, and care for the elderly is now spent on ever more costly weapons of mass destruction...Our best protection lies in initiating, devising, and promulgated peaceful and just policy alternatives." (Berkeley Municipal Code Chapter 3.68.010). As Rev. Martin Luther King Jr. put it in 1967, "The bombs we drop in North Vietnam are exploding in the ghettos and barrios of the U.S."

#### ALTERNATIVE ACTIONS CONSIDERED

None

#### CITY MANAGER

The City Manager takes no position on the content and recommendations of the Commission's Report.

#### CONTACT PERSON

Igor Tregub, Chairperson, Peace and Justice Commission

Breanne Slimick, Commission Secretary, City Manager's Office (510) 981-7018

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

NO U.S. INTERVENTION IN VENEZUELA

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070); and

WHEREAS, Trump administration officials have openly declared their intention to overthrow the duly elected government of Venezuelan President Nicolás Maduro,<sup>1</sup> have urged the Venezuelan military to overthrow the Maduro government, has recognized a self-appointed opposition politician as president and vetoed any possibility of dialogue despite the efforts of Maduro, the governments of Mexico and Uruguay, and Pope Francis; and

WHEREAS, the U.S. has tightened illegal unilateral economic sanctions,<sup>2</sup> including the seizure of Venezuela's oil properties and bank accounts in the United States and financial sanctions that prevent Venezuela from producing its oil or securing credit or refinancing debt, thereby increasing the hardship on the people of Venezuela by preventing them from accessing imported foods and medicines, while hypocritically seeking to promote a military confrontation by forcing truckloads of aid across the Brazilian and Colombian borders;<sup>3</sup> and

WHEREAS these unilateral sanctions are in violation of the UN and OAS<sup>4</sup> Charters; and

WHEREAS, the U.S. has historically used its economic power to destabilize independent-minded countries, most famously Chile in the early 1970's, making the economy "scream,"<sup>5</sup> as well as Nicaragua in the 1980's, and then using the peoples' economic misery as a pretext for military intervention;<sup>6</sup> and

WHEREAS, Venezuela has the largest oil reserves in the world, and leading administration foreign policy officials have made clear the Trump administration's intention to turn Venezuela's oil over to U.S oil companies for exploitation;<sup>7</sup> and

WHEREAS, Elliott Abrams has been named President Trump's Special Envoy to Venezuela, and is notorious for his central role in the 1980's as a top advisor to Presidents Reagan and Bush in the Iran-Contra scandal, which led to his conviction on criminal charges, and the arming of the Nicaraguan contras, the Salvadoran death squad government, and the genocidal regime in Guatemala responsible for the massacres of hundreds of thousands of indigenous people in that country;<sup>8</sup> and

Resolution: No U.S. intervention in Venezuela

CONSENT CALENDAR  
April 30, 2019

WHEREAS, the U.S. campaign of regime change in Venezuela is in violation of international law,<sup>9</sup> against the interests of the people of Venezuela and the people of the United States;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Berkeley affirms the sovereign right of the Venezuelan people to negotiate their political differences free from foreign intervention, and urges that the U.S. government withdraw its illegal, unilateral financial sanctions and refrain from military, or diplomatic intervention in the internal affairs of the sovereign state of Venezuela; and

BE IT FURTHER RESOLVED that the Council of the City of Berkeley requests the City Clerk to send a copy of this resolution to Congresswoman Barbara Lee, Congresswoman Nancy Pelosi, Senator Dianne Feinstein, Senator Kamala Harris, President Trump, and Secretary of State Mike Pompeo.





[Commission Name]

<sup>1</sup> “Trump's declaration on Venezuela sets stage for 'confrontational moment',” CNN, January 24, 2019,

<https://www.cnn.com/2019/01/23/politics/venezuela-us-showdown/index.html>

<sup>2</sup> “Coercion, whether military or economic, must never be used to seek a change in government in a sovereign state,” [said](#) Idriss Jazairy, a UN special rapporteur concerned with the negative impact of sanctions." From article: “The US is orchestrating a coup in Venezuela,” Marjorie Cohn, professor emerita at Thomas Jefferson School of Law, former president of the National Lawyers Guild, deputy secretary general of the International Association of Democratic Lawyers, February 2, 2019, <https://truthout.org/articles/the-us-is-orchestrating-a-coup-in-venezuela/>

<sup>3</sup> The United Nations and the Red Cross have refused to participate in Washington’s controversial aid plan to Venezuela. “We will not be participating in what is, for us, not humanitarian aid.” From article: “Red Cross, UN slam ‘Politicised’ USAID Humanitarian Assistance to Venezuela,” February 11, 2019, <https://venezuelanalysis.com/news/14316>

<sup>4</sup> OAS Charter--Article 15: “No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic and cultural elements.”

ARTICLE 16: “No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.”

<https://treaties.un.org/doc/Publication/UNTS/Volume%20119/volume-119-I-1609-English.pdf>

<sup>5</sup> “Measures were undertaken in 1970 to try to prevent a free and democratic election. There was a huge amount of black propaganda about how if Allende won, mothers would be sending their children off to Russia to become slaves-stuff like that. The US also threatened to destroy the economy, which it could-and did-do.

“Q: Nevertheless, Allende won. A few days after his victory, Nixon called in CIA Director Richard Helms, Kissinger and others for a meeting on Chile. Can you describe what happened?”

“A: As Helms reported in his notes, there were two points of view. The "soft line" was, in Nixon’s words, to "make the economy scream." The "hard line" was simply to aim for a military coup.

“Our ambassador to Chile, Edward Korry, who was a Kennedy liberal type, was given the job of implementing the ‘soft line.’ Here’s how he described his task: ‘to do all within our power to condemn Chile and the Chileans to utmost deprivation and poverty.’ That was the soft line.”

*Secrets, Lies, and Democracy*, Noam Chomsky, 1994, <https://chomsky.info/secrets04/>

<sup>6</sup> “These sanctions have cut off the means by which the Venezuelan government could escape from its economic recession, while causing a dramatic [falloff](#) in oil production and worsening the economic crisis, and causing many people to die because they can’t get access to life-saving medicines. Meanwhile, the US and other governments continue to blame the Venezuelan government — solely — for the economic damage, even that caused by the US sanctions,” Noam Chomsky, former UN Rapporteur Alfred de Zayas, Phyllis Bennis, Boots Riley, and some 65 other academics and experts, January 24, 2019, <https://www.commondreams.org/news/2019/01/24/open-letter-over-70-scholars-and-experts-condemns-us-backed-coup-attempt-venezuela>

“The threats, the economic war, the financial blockade and the sanctions violate both the UN Charter and the OAS Charter.” February 23, 2019, <https://dezayasalfred.wordpress.com/2019/02/23/open-letter-to-the-united-nations-secretary-general-antonio-guterres-and-to-the-high-commissioner-for-human-rights-michelle-bachelet/>

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<sup>7</sup> Perhaps most brazenly, [National Security Adviser John] Bolton appeared in [an interview on Fox Business](#) and disclosed that the U.S. government was in talks with American corporations on how to capitalize on Venezuela's oil reserves, which are proven to be the [world's largest](#). We're in conversation with major American companies now," he said. "I think we're trying to get to the same end result here. ... It will make a big difference to the United States economically if we could have American oil companies really invest in and produce the oil capabilities in Venezuela," Time Magazine, January 30, 2019, <http://time.com/5516920/inside-john-boltons-month-long-p-r-campaign-against-venezuelas-government/>

<sup>8</sup> "Why Ilhan Omar and Elliott Abrams Tangled Over U.S. Foreign Policy," <https://www.nytimes.com/2019/02/14/us/politics/ilhan-omar-elliott-abrams.html>

"Guatemalan Army Waged 'Genocide,' New Report Finds," <https://www.nytimes.com/1999/02/26/world/guatemalan-army-waged-genocide-new-report-finds.html>

<sup>9</sup> UN Charter—Article 2: "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." <http://www.un.org/en/sections/un-charter/un-charter-full-text/>

See also OAS Charter, above



Office of the City Manager

CONSENT CALENDAR

April 30, 2019

To: Honorable Mayor and Members of the City Council

From: Mental Health Commission

Submitted by: Councilmember Cheryl Davila

Subject: Proclaiming May 2019 as Mental Health Month

RECOMMENDATION

Adopt a Resolution proclaiming May 2019 as Mental Health Month in the City of Berkeley.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

The Substance Abuse and Mental Health Services Administration (SAMHSA) has determined that persons diagnosed with severe mental illness have a life expectancy of 25 years less than members of the general public. Through their National 10 x 10 Campaign they are bringing awareness to this devastating fact and have pledged to decrease that disparity by ten years in the next ten years. In the City's Mental Health Division many mental health clients also have co-occurring addiction disorders, exacerbating existing barriers to recovery and increasing the disparity in their life expectancy.

Mental Health America, an organization working to improve the mental health of all Americans, began observance of Mental Health Month during the month of May in 1949. Their primary goal was to promote awareness of mental health conditions and mental wellness for all. Local government agencies, public and private institutions, businesses and schools join in this annual campaign to raise public awareness and understanding of mental health and illness, and to reduce the stigma associated with mental health problems and treatment. Council is requested to join in this national campaign in order to promote increased awareness of mental health and mental disabilities in the City of Berkeley.

BACKGROUND

The mental health and well-being of the City of Berkeley's residents is a critical issue that affects not only quality of life, but also the health of our communities, families, and economic stability. Mental disorders and mental health problems affect residents of all backgrounds and all stages of life, and no one is immune from its affects. The World

Health Organization (WHO) found that mental illnesses is the top ranking cause of disability in the United States and the most prevalent health problem in America today – more common than cancer, lung and heart disease combined. Nationally, one in four adults lives with a diagnosable, treatable mental health condition. According to WHO, in a typical workplace with 20 employees, four will likely develop a mental illness this year. More than three out of four employees who seek care for workplace issues or mental health problems see substantial improvement in work performance after treatment. Although mental health treatment has been shown to be effective, an estimated two-thirds of adults and young people with mental health challenges are not receiving the care they need to improve their lives significantly.

Socioeconomic inequalities and disparities in health have been widening for decades. In the United States, the data consistently show that people living in poverty, and particularly those who are members of minority communities, bear a disproportionate burden of exposure to unhealthy environments and are at greater risk for mental and behavioral health-related conditions. The Health, Housing & Community Services (HHCS) Mental Health Division has recently initiated a Health Equity Committee to assess and address inequities in access to mental health services.

The City of Berkeley Mental Health Division has been engaged in Mental Health Services Act (MHSA) planning and implementation in recent years, with the intent to identify areas of greatest need and to increase effective mental health services that promote mental health recovery. The Mental Health Division will continue to participate in a comprehensive and inclusive planning process to transform services provided by the Mental Health Division in alignment with core MHSA principles.

To strengthen the Berkeley/Albany community, the Mental Health Division also provides Mental Health First Aid training to enable community members to better assist their friends, family and neighbors who may have signs and symptoms of a mental health crisis or illness. The Mental Health First Aid Training teaches participants how to use a 5-step action plan to help connect a person in distress to appropriate professional, peer, social or self-help care.

The basis for a Citywide May is Mental Health Month proclamation is to increase awareness of the importance of mental health, and that mental health and physical health go hand-in-hand. This awareness helps to demonstrate commitment and support to Berkeley/Albany residents who have a mental illness and their families. This event also promotes hope and encourages those with mental illness to recover and become productive members of the community.

The Mental Health Division and the Berkeley/Albany Mental Health Commission are hosting a “May Is Mental Health Month” celebration entitled: “Strengthening Mental Wellness in all Communities”. The free event will be held on Thursday, May 16 from

5:45-8:30pm at the South Berkeley Senior Center. The program will include a panel presentation, information sharing, food, entertainment, and prizes. Community achievement awards will be presented and the winning videos of the youth video contest will also be viewed at this event.

At its March 28, 2019 meeting, the Mental Health Commission passed the following motion: Approve the May Is Mental Health Month Council Item  
Ayes: Castro, cheema, Davila, Fine, Kealoha-Blake, Ludke, Posey; Noes: None;  
Abstentions: None;  
Absent: Heda.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Proclaiming May as Mental Health Month offers us the opportunity to bring awareness that treatment for mental health problems is effective, that the successes of people in recovery are often remarkable, and to acknowledge men and women in the field who dedicate their lives to help people with psychiatric disabilities and other mental health problems.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Cheryl Davila, Councilmember District 2, 510.981.7120  
Karen Klatt, Commission Secretary, Health, Housing & Community Services, 981.7644

Attachments:

1: Resolution PROCLAIMING MAY 2019 AS MENTAL HEALTH MONTH

RESOLUTION NO. ##,###-N.S.

PROCLAIMING MAY 2019 AS MENTAL HEALTH MONTH

WHEREAS, mental health is essential to everyone's overall health, productivity and well-being; and

WHEREAS, one in four American adults are affected by a mental illness; and

WHEREAS, mental health problems do not discriminate; they affect people regardless of race, creed, age, life style, or economic status; and

WHEREAS, Mental Health Recovery is possible with proper treatment and support empowering mental health consumers to lead full and productive lives; and

WHEREAS, as many as eight million Americans who have serious mental illnesses do not receive adequate treatment each year; and

WHEREAS, people who have untreated mental health issues use more general health services than those who receive mental health services when they need them; and

WHEREAS, The Substance Abuse and Mental Health Services Administration (SAMHSA) has determined that persons with severe mental illness have a life expectancy of 25 years less than members of the general public; and

WHEREAS, more than 50% of persons receiving treatment in the mental health system also have Co-Occurring Disorders compounding their barriers to recovery and increasing the disparity in their life expectancy; and

WHEREAS, the City of Berkeley has made a commitment to community-based systems of mental health care in which all residents can receive high-quality and consumer-centered services; and

WHEREAS, Mental Health First Aid training is available in Berkeley to enable community members to better assist their friends, family and neighbors who may have signs and symptoms of mental illness or be in a crisis; and

WHEREAS, the City of Berkeley has been actively involved in the planning and implementation of the Mental Health Services Act to increase effective mental health services that promote Mental Health Recovery in Berkeley; and

WHEREAS, we commend the Mental Health Division, for their outstanding work improving the quality of life for mentally disabled individuals in our community; and

April 30, 2019

WHEREAS, Mental Health America observes Mental Health Month every May to raise awareness and understanding of mental health and illness.

NOW THEREFORE, BE IT RESOLVED that I, Jesse Arreguin, Mayor of the City of Berkeley, do hereby proclaim May 2019 as Mental Health Month in the City of Berkeley and call upon all Berkeley citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illnesses.







Office of the Mayor

CONSENT CALENDAR

April 30, 2019

To: Members of the City Council

From: Mayor Jesse Arreguín

Subject: Appointing an Alternate Member to the Budget and Finance Committee and 3x3 Committee

RECOMMENDATION

Adopt a Resolution approving the appointment of Mayor Jesse Arreguin as the Alternate to the Budget and Finance Policy Committee and the 3x3 Joint BHA/City Council Committee until January 2020 or until new appointments are approved.

BACKGROUND

There are a number of Council appointments to various Partnership Committees, Regional Bodies and Liaisons to City Boards and Commissions. The Mayor is submitting his appointment as an Alternate member of the Budget and Finance Committee and 3x3 Joint BHA/City Council Committee to ensure that, in the absence of one or more members, the Committees will have a quorum to meet and conduct business.

FINANCIAL IMPLICATIONS

None

ENVIRONMENTAL SUSTAINABILITY

Not Applicable.

CONTACT PERSON

Mayor Jesse Arreguín      510-981-7100

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

APPOINTING MAYOR JESSE ARREGUIN AS AN ALTERNATE MEMBER OF THE BUDGET AND FINANCE POLICY COMMITTEE AND 3X3 COMMITTEE

WHEREAS, the City Council has numerous appointments to various Partnership Committees, Regional Bodies and Liaisons to City Boards and Commissions, and must make new appointments every two years following the General Municipal Election; and

WHEREAS, six new Standing Policy Committees were established by the City Council on December 11, 2018; and

WHEREAS, pursuant to Resolution No. 68,726-N.S. and the Governing Policies and Procedures for Standing Policy Committees, appointments to Council Standing Policy Committees must be made by January 31st each year; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley officially makes the following appointments for the period ending January 31, 2020 or until new appointments are approved:

**City Council Standing Policy Committees:**

Budget & Finance Committee

Appoint Councilmember Davila, Councilmember Droste and Councilmember Kesarwani  
Appoint Mayor Arreguin as Alternate

**Partnership Committees:**

3x3 Committee of the Berkeley City Council and the Berkeley Housing Authority

Appoint Councilmember Davila, Councilmember Harrison and Councilmember Kesarwani  
Appoint Mayor Arreguin as Alternate



Office of the Mayor

CONSENT CALENDAR

April 30, 2019

To: Honorable Mayor and Members of the City Council

From: Mayor Jesse Arreguín

Subject: Allocation of \$150,000 to the Berkeley Unified School District for Planning/Pre-Development for Employee Housing

RECOMMENDATION

Approve the allocation of \$150,000 of General Fund revenues from Measure U1 receipts to the Berkeley Unified School District for a planning and pre-development grant for teacher/workforce housing.

BACKGROUND

In November 2016, Berkeley voters overwhelmingly voted to approve Measure U1, raising the gross receipts tax on landlords of 5 or more units from 1.081% to 2.880%. The estimated \$3.5 million raised annually would be used for funding and programs to increase affordable housing and homeless prevention.

In October 2017, BUSD conducted a housing survey which received 800 responses, or over 60% of BUSD's workforce. Only 30% of employees live in Berkeley, with 20% having commutes of 40 minutes or more each direction. 78% of renters said that the high cost of housing has resulted in financial pressures, with 54% stating they have considered leaving BUSD as a result. 69% believe that the cost of housing negatively impacts their long-term ability to stay at BUSD. 31% have moved residences while working for the District due to increased housing costs.

On February 26, 2019, Superintendent Donald Evans and School Board Director Julie Sinai sent a letter to the City Council with an update on their efforts to create workforce housing (Attachment 1). They have conducted a preliminary inquiry which identified four sites owned by the District that could be used as a potential site. However, to move forward on planning and a public input process, planning and pre-development funding is needed. Once that phase is completed the School Board will be able to narrow down the site and begin with design and financing strategies. The BUSD seeks to partner with the City on this development with the end goal of creating 100 units or more units of affordable educator workforce housing by Spring 2022.

With 74% of BUSD employees expressing interest in living in BUSD-owned employee housing and 86% of renters saying such housing would increase the District's ability to recruit employees, there is clear momentum in moving forward with this idea.

The Housing Advisory Commission voted on April 4, 2019 to recommend to Council the allocation of \$150,000 to the Berkeley Unified School District from Measure U1 tax receipts for pre-development and planning for employee housing.

RATIONALE FOR RECOMMENDATION

The need for affordable housing has been identified as a top priority for Berkeley residents. Giving teachers and BUSD employees the opportunity to live in the city they work in improves health and wellness and creates stronger community bonds and allows teachers to engage more with students due to shorter commute times.

FINANCIAL IMPLICATIONS

\$150,000 from the General Fund from Measure U1 tax receipts.

ENVIRONMENTAL SUSTAINABILITY

Developing teacher housing will reduce long commutes and is consistent with the goals of the Climate Action Plan.

CONTACT PERSON

Mayor Jesse Arreguín      510-981-7100

Attachments:

1: Letter from BUSD



2020 Bonar Street, Berkeley, CA 94702  
(510) 644-6206 Fax: (510) 540-5358  
donaldevans@berkeley.net  
Donald Evans, Ed. D.  
Superintendent

February 26, 2019

*Dear Mayor Arreguín and Honorable Members of the Berkeley City Council:*

*On behalf of the Berkeley Unified School District (“BUSD”), with more than 1,200 employees, and almost 10,000 students, the Berkeley School Board would like to thank you for your unanimous decision to place Measure O on the November 2018 ballot. That measure—which passed with over 77% of the vote—enables the City “to issue \$135 million in bonds to create and preserve affordable housing for low-income households, working families, and individuals including teachers.”*

*The success of Measure O was due in no small part to its explicit inclusion of funding affordable housing for teachers. The explicit support of housing for teachers was in part why the Berkeley School Board unanimously supported Measure O, and it was why the Berkeley Federation of Teachers supported and actively campaigned for Measure O.*

*To address this housing crisis, the Board held its third Work Session on February 6<sup>th</sup>, which focused on Educator Workforce Housing on District property. I am pleased to report to you that the Berkeley School Board unanimously voted to move forward. We specifically decided the following:*

- Designate Director Julie Sinai and Superintendent Evans (or designee) to establish communication with the City, and to investigate sites, financing models and timelines and report back to the Board at its April 10, 2019 meeting.*
- Submit a letter to the Mayor and Council requesting Measure O support for educator workforce housing, as articulated in the measure, by expanding income eligibility to include up to 120% AMI.*
- Design a process to narrow the BUSD opportunity sites.*
- Engage the City in exploring a partnership to develop workforce housing for district staff - including but not limited to, financing from Measure O, timelines, and planning for site selection.*

*With the above direction, we respectfully recommend the Berkeley City Council consider the following:*

- 1. Amend the Housing Trust Fund and other relevant City of Berkeley housing policies to foster workforce housing for educators by expanding income eligibility to include up to 120% AMI.*
- 2. Support BUSD with an allocation of \$150,000 from Measure U1 or other appropriate sources for a planning and pre-development grant to conduct planning and pre-development work, including site analysis and selection, design and engage in a transparent public process, and to refine a timeline for project development.*
- 3. Work with the District to identify possible financing opportunities for capital development, including but not limited to, U1, Measure O, Developer Fees, and/or County or State sources.*

*Background:*

*The need for teacher housing, as well as housing for our classified employees, is urgent and is well documented. BUSD recently contracted with the Center for City and Schools at UC Berkeley to help conduct a housing survey of all district employees, certificated and classified employees. Over 800 employees responded, which corresponds to over 60% of all district employees. The survey results*

*make clear that the current affordability crisis is creating significant housing security pressures on BUSD employees. In fact, over half of the households for District employees who rent are “cost burdened” (i.e., they spend more than 30% of their family income on rent) and 20% are “severely cost burdened” (i.e., they spend more than 50% of their family income on rent). Additionally, 78% of District employees who are not homeowners experience financial pressures due to high housing costs, which impacts their ability to stay with BUSD long-term. Combined with the financial burden, the survey showed social and physical health issues related to a significant number of BUSD employees driving long distances to get to Berkeley. These long commutes are resulting in increased health and wellness burdens, and reduced student and community engagement. One of the key statistics that the School Board and District Administration are grappling with is the fact that of District employees who don’t own their own homes, 78% indicated that housing insecurity is impacting their ability to stay with BUSD long-term. Not surprisingly, then, there is significant interest among District employees in workforce housing.*

*Income Eligibility:*

*We recognize that for Measure O to fund housing for teachers, as described in the Measure, it must expand income-eligibility from household income of 60% of AMI or below to up to 120% of AMI for Workforce Housing. The income level for the vast majority of District teachers is higher than 60% of AMI; yet, as the results from the survey show, they still cannot afford to live in or near the community in which they teach.*

*The Berkeley School Board respectfully requests that the City Council explicitly allow the use of Measure O funds to finance affordable housing for District educators (teachers and classified staff) through income-eligible units at up to 120% AMI.*

*Financing:*

*At our work session, we discussed the financial building blocks needed to actualize educator workforce housing. With the contribution of land by BUSD, the ability to attract tax credits due to favorable State of California Laws (the Leno Law), and the fact that educators are working middle class and can pay rent, the core elements of financing are in sight. However, there will be a missing funding gap that must be filled in order to ensure that our educator housing is available to all levels of BUSD educators today and into the future.*

*Site Selection:*

*In 2016-2017, the District commissioned a study to identify District owned opportunity sites that could accommodate housing. While the initial study identified four potential sites, it was only a preliminary inquiry and did not provide the Board with the information needed to narrow the sites. To conduct the necessary planning and public input process, the District needs Planning and Pre-development funds as soon as possible.*

*Timing:*

*At this time, the District’s capital budget does not include housing development as an allowable use of funds, and the Board is in the process of making \$2 million in reductions of our General Fund due to inadequate State funding for public education and increasing costs. Once we get the planning stage compete, the Board can narrow the sites and select a transparent process to move forward with design and financing strategies.*

*We are seeking a partnership with the City. With the possibility of District land combined with feasible financing, together, we have the opportunity to provide 100 or more units of affordable educator workforce housing. We hope that the Council will seek avenues to secure funding in the first phase of Measure O bonds and/or other appropriate funding source such as U1, to support planning, predevelopment and development of educator housing.*

*Once the Board approves the site selection, we intend to move quickly to prepare a proposal for funding with the intention of completing a meaningfully educator (teachers and staff) workforce housing development by Spring 2022. Given the scale of our intended project, and the funding that can be secured outside of the City, providing the "gap" funding will allow the City to leverage the public financing tool available while meeting the ballot commitment in an efficient way. We look forward to partnering with you to make this a reality.*

*Sincerely,*



*Donald Evans, Ed.D  
Superintendent*



*Julie Sinai  
School Board Director*

*CC: Dee Williams, City Manager*







Office of the Mayor

CONSENT CALENDAR

April 30, 2019

To: Honorable Mayor and Members of the City Council

From: Mayor Jesse Arreguín

Subject: Prioritizing Affordable Housing for Homeless

RECOMMENDATION

Refer to the Housing Advisory Commission to develop an ordinance to set aside 20% of affordable housing units for individuals experiencing homelessness, with preference given to BUSD students.

BACKGROUND

An estimated 1,000 individuals experience homelessness in Berkeley in any given day, not including people who couch surf or live in vehicles. Over the course of a year, it is estimated up to 2,000 people will experience homelessness in Berkeley. The homeless population has been growing by approximately 10% every two years. In a meeting of the 2x2 Committee (Council + School Board) in October 2017, it was reported that 291 students experience some form of homelessness, ranging from temporary housing with other families (231 students) to completely unsheltered (8).

In April 2017, the City Council voted to have staff develop the 1,000 Person Plan to create a plan to house 1,000 homeless residents by 2028. In the referral response to the 1,000 Person Plan, staff conclude that “the single largest “missing piece” in Berkeley’s efforts to end homelessness is permanently subsidized, affordable housing.” One of the four strategic goals proposed in the response is the need to accelerate the creation of affordable housing, with a focus on alleviating homelessness.

All homeless services providers in Alameda County must adhere to the Housing First policy. Major programs in Berkeley, such as the Hub and STAIR Center, prioritize Housing First by working to achieve permanent housing for the highest-needs clients. While following a Housing First model is essential in the task of ending homelessness, it is meaningless if there is no means of providing the housing. The high cost of housing, even with an extreme level of subsidies, means being able to maintain rent payments is unattainable for many. The average rent of a 2 bedroom unit in Berkeley is three times as much as in Salt Lake City, which is often cited as an ideal example for Housing First policies. The reality is as long as there is a lack of affordable housing in Berkeley and the Bay Area, the challenges of homelessness will continue.

RATIONALE FOR RECOMMENDATION

Prioritizing housing for the homeless is an important step in addressing the homeless crisis. Reducing and ultimately eliminating homelessness of BUSD students is crucial in creating an environment that is conducive for learning.

FINANCIAL IMPLICATIONS

Staff Time

ENVIRONMENTAL SUSTAINABILITY

Not applicable.

CONTACT PERSON

Mayor Jesse Arreguín      510-981-7100



Cheryl Davila  
Councilmember  
District 2

**CONSENT CALENDAR**  
**April 30, 2019**

TO: Members of City Council  
FROM: Councilmember Cheryl Davila  
Subject: Authorizing Additional Inclement Weather Shelter at Old City Hall from April 15, 2019-June 30, 2019

**RECOMMENDATION**

1. Authorize the City Manager to maintain open an as-needed inclement weather shelter from April 15, 2019 - June 30, 2019, to provide safe, indoor locations for our unhoused community during inclement weather, including changing the cold temperature to below 45 degrees, rain, and add extreme heat and atmospheric pollution such as smoke.
2. Approving the allocation of \$60,000 in funding for this inclement weather shelter with funds from the budget appropriations for an expanded Emergency Shelter program or by State Homeless Emergency Aid Program (HEAP) funding.
3. Authorizing the City Manager to amend Contract No. 10577B with Dorothy Day House for the current operation of the as-needed inclement weather shelter, that will include this extension through June 30, 2019, and possible program expansion in order to increase number of unhoused people served.

**FINANCIAL IMPLICATIONS**

The City Council on June 26, 2018, by adoption of the FY 2019 Mid-Biennial Budget Update approved \$400,000 General Funds for an expanded Emergency Shelter program. Funding for the additional inclement weather shelter will come from this budget allocation or from State Homeless Emergency Aid Program (HEAP) funding. The City of Berkeley is expected to receive over \$3 million in HEAP funding.

**BACKGROUND**

Dorothy Day House (DDH) has operated the Berkeley Emergency Storm Shelter (BESS) for fifteen years. Up until FY17, DDH operated BESS as an overnight shelter on a first-come, first-served basis for up to 45 nights for a maximum capacity of 65 people each night. The BESS would open if rain or temperatures at or below 40 degrees were expected overnight. For the past several years, DDH had operated the BESS at different faith based and City of Berkeley owned sites.

At its October 31, 2017, meeting the City Council extended resolutions passed on January 19, 2016

and November 15, 2016, declaring a homeless shelter crisis in Berkeley through January 19, 2020. The extension authorizes the City Manager to allow homeless people to occupy designated City facilities as shelters during the period of the crisis.

In recognition of the homeless shelter crisis, and the growing number of unhoused persons in the City of Berkeley, the City Council in November 2018 directed the City Manager to utilize unused Old City Hall for uses that included emergency shelter. At its March 12, 2019, the City Council allocated funds totaling \$60,000 for BESS at 2134 MLK, Old City Hall under license with DDH.

While the City Manager currently is authorized to operate a nightly Emergency Shelter, through April 15, 2019, direction is needed from Council regarding to continuation of shelter services at Old City Hall through June 30, 2019.

**ENVIRONMENTAL SUSTAINABILITY**

There are no identifiable environmental effects or opportunities associated with the subject of this report.

**CONTACT PERSON**

Cheryl Davila  
Councilmember District 2  
510.981.7120

RESOLUTION NO. XXXX

**FY19 EXPANDED EMERGENCY SHELTER: ADDITIONAL ALLOCATION OF FUNDING AND AUTHORIZATION OF CONTRACT AMENDMENT WITH DOROTHY DAY HOUSE FOR INCLEMENT WEATHER SHELTER OPERATIONS AT OLD CITY HALL**

**WHEREAS**, the City of Berkeley is committed to providing a humane response to addressing homelessness; and

**WHEREAS**, on June 26, 2018, City Council allocated \$400,000 to Expanded Emergency Shelter Program efforts in FY19, which included funding for Dorothy Day House and for other costs incurred by City staff; and

**WHEREAS**, total spending on the Expanded Emergency Shelter Program so far exceeds the current \$60,000 allocation to Dorothy Day House to operate the Old City Hall (2134 MLK) shelter and for other costs incurred by the City and necessary to continue shelter operations; and

**WHEREAS**, the existing budget will fund shelter operations only through April 15, 2019, and \$60,000 is needed to extend the shelter through June 30, 2019; and

**WHEREAS**, \$60,000 in additional funds are needed to add to the original allocation of \$60,000 to provide expanded inclement weather shelter through June 30, 2019 and will be brought into the budget in the second Appropriations Ordinance; and

**WHEREAS**, Dorothy Day House has an existing contract (Contract No. 010577D) with the City of Berkeley totaling \$639,648 for both winter shelter and homeless breakfast services;

**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Berkeley that the City Council authorizes the City Manager or her designee to execute an amendment to Contract No. 10577E with Dorothy Day House to add \$60,000 to extend the operation of the Berkeley Emergency Storm Shelter (BESS) through June 30, 2019, for a total contract amount not to exceed \$60,000. A record copy of said agreement is on file with the City Clerk.





Cheryl Davila  
Councilmember  
District 2

**CONSENT CALENDAR**

April 30, 2019

To: Honorable Mayor and Members of the City Council

From: Councilmembers Cheryl Davila and Ben Bartlett

Subject: Refer to the Planning Commission and Housing Advisory Commission to Research and Recommend Policies to Prevent Displacement and Gentrification of Berkeley Residents of Color and African Americans

**RECOMMENDATION**

Refer to the Planning Commission and Housing Advisory Commission to research and recommend policies to prevent displacement and gentrification of Berkeley residents of color. Recommended policies should include real solutions. The Commission should do the following:

- Develop a policy to address the erosion of People of Color (POC), including the African American sector of our Berkeley society.
- Develop rules and regulations to halt the loss of People of Color including the African American communities.
- Develop a “right to return” for Berkeley’s People of Color including the African American communities who have been displaced by these economic and social developments, especially those who continue to be employed in our City, even after having to relocate beyond our boundaries.
- Solicit expert and lived experience testimonies regarding displacement and gentrification.
- Recommend alternatives to prevent displacement and gentrification of our valued Berkeley citizens of color and African Americans.

**CURRENT SITUATION**

Minority groups are being pushed out of the neighborhoods in which they live. According to a study from the California Housing Partnership, between 2000 and 2015 the number of low-income households of color in the nine Bay Area counties dropped by 28%. This was matched in time by a 30% increase in rent rates. At the same time, there was no change in the proportion of white households. In Berkeley, from a high of 23.5% in 1970,

the Black population has been more than cut in half. According to the United States Census Bureau, it is now less than 10% of the total composition of the city.

Experts agree that the rising costs of housing in the Bay Area, primarily due to the rising fortunes of Silicon Valley, have priced many of the older residents out of the city. This is especially true of those or their family members who don't own homes.

In short, displacement has had a large negative effect on long-term black residents of Berkeley, both as a community and as a fate suffered by individual persons and families at the hands of rent increases by landlords.

### **BACKGROUND**

Berkeley's neighborhoods were historically segregated based upon custom, as well as, contracts. Prior to 1948, so-called restrictive covenants by neighborhood groups blocked African American's and People of Color's access to "white communities". After the Supreme Court ruling *Shelley vs. Kraemer*, redlining or placing color codes on city maps to indicate where minorities could and could not live became the scheme to enforce housing discrimination. The result of this discrimination was that almost all Asian and Black Berkeleyans had to live south of Dwight Way and west of Martin Luther King Jr. Way (aka Grove Street) according to Charles Wollenberg, author of *Berkeley: A City in History*. Under these discriminatory conditions, "redlining" excluded Asian and Black Berkeleyans from most other parts of the City, thousands of Black families moved to South Berkeley during and after WWII.

According to *Redlining: The history of Berkeley's Segregated Neighborhoods*, by Jesse Barber, Berkeleyside.com, September 20, 2018, which stated, "They (Black residents after WWII) were cordoned off, not allowed to move to the north or to the east, so they built their own lives right there where they could find housing. Opening shops, stores, cobblers, food, etc. they prospered." The thriving *Lorin Station* business community in what is now called the "Adeline Corridor" developed organically to serve the needs of the growing South Berkeley African-American and Japanese citizenry. Fast forward to the 2000s: Minorities were being pushed out of the very neighborhoods in which they had been formerly compelled to live. According to a study from the California Housing Partnership, between 2000 and 2015 the number of poor households of color in the nine Bay Area counties dropped by 28%. This was matched in time by a 30% increase in rent rates. At the same time, there was no change in the proportion of white households.

In Berkeley, from a high of 23.5% in 1970, the African American population has decreased, significantly. According to the U.S. Census Bureau, it is now less than 10% of the total composition of the City, approximately 7%, currently.

Experts agree that the rising costs of housing in the Bay Area, primarily due to the rising fortunes of Silicon Valley, have priced many of the older residents out of our City. This is especially true of those or their family members who don't own homes.



In short, displacement has had a large negative effect on long-term African American and POC residents of Berkeley, both as a community and as a fate suffered by individual persons and families at the hands of rent increases by the unscrupulous.

### **ENVIRONMENTAL SUSTAINABILITY**

Our community will be made whole again by having a diverse community filled with people of color including African Americans who will no longer be displaced. Possible reduction in Green House Gas (GHG's) since commute times may be eliminated or reduced.

### **REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS**

There are currently few, if any, protections against the effects of gentrification; this, in conjunction with uncontrollably rising housing costs, makes it probable that Berkeley's declining Black population will continue to decrease. Therefore, the creation of this workshop will be the first steps towards creating legislation and policies to decrease or stop gentrification.

### **ACTIONS/ ALTERNATIVES CONSIDERED**

There are very few alternatives that the City can consider, as creating legislation with the guidance of experts on gentrification and displacement may be the best action to combat such issues.

### **OUTREACH OVERVIEW AND RESULTS**

This legislation is designed to enable the Berkeley City Planning Commission and Housing Advisory Commission to create a workshop in which it will partner with multiple experts towards finding solutions for the causes and effects of gentrification and displacement.

### **RATIONALE FOR RECOMMENDATION**

As the cost of housing and rent continue to rise in the Bay Area and Berkeley especially, low-income populations are struggling greatly to remain in their homes and many have already been displaced. A large proportion of this displaced population are from the black community. This recommendation will serve to protect those who are most vulnerable to the detrimental effects of development and rising housing costs as well as find a more equitable path of development.

### **IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT**

The workshop will be created and facilitated by the Berkeley City Planning and Housing Advisory Commissions and will work alongside experts and advisors on displacement and gentrification.

### **FINANCIAL IMPLICATIONS**

Staff time will be necessary to implement this workshop. The anticipated date for such a workshop is June 2019.

### **CONTACTS:**

|                                         |              |
|-----------------------------------------|--------------|
| Cheryl Davila, Councilmember District 2 | 510.981.7120 |
| Ben Bartlett, Councilmember District 3  | 510.981.7130 |



**SOPHIE HAHN**

Berkeley City Council, District 5  
 2180 Milvia Street, 5th Floor  
 Berkeley, CA 94704  
 (510) 981-7150  
 shahn@cityofberkeley.info

CONSENT CALENDAR

April 30, 2019

To: Honorable Mayor and Members of the City Council  
 From: Councilmember Sophie Hahn and Mayor Jesse Arreguin  
 Subject: Good Food Purchasing Program Resolution

RECOMMENDATION

Adopt a resolution in support of the Good Food Purchasing Program's core values and join San Francisco, Oakland, Los Angeles and Chicago as one of the first five cities nationwide to become a Good Food Purchasing partner, and refer to the City Manager to incorporate over time the vision and standards of the Good Food Purchasing Program (GFPP) into City of Berkeley food purchasing practices.

SUMMARY STATEMENT

When Berkeley purchases or contracts for food, we have the opportunity to express our health, environmental, labor and other values. The City has purchasing policies to ensure preference for local vendors, fair labor practices, and environmental sustainability (including the newly adopted requirement that foodware purchased by the City be reusable or compostable), but to date we have not adopted a clear set of values to express through the purchase of food. The Good Food Purchasing Program, based out of Berkeley, provides a comprehensive, practical and carefully researched set of progressive food values for Cities to adopt, and workable policies to incorporate over time.<sup>1</sup>

The Good Food Purchasing Program seeks to transform the way public institutions purchase food by creating a transparent and equitable food system built on five core values: local economies, health, valued workforce, animal welfare and environmental sustainability. In addition, The Center for Good Food Purchasing provides a set of tools, technical support and a verification system to help cities and other entities meet their goals. By becoming a Good Food Purchasing partner the City of Berkeley can ensure that these core values are expressed in the food purchased and served by the City of Berkeley.

BACKGROUND

Food purchasing choices have significant implications for the health and wellbeing of Berkeley residents, the working conditions and wages of food workers, the welfare of animals used in food production and the carbon footprint of our local community. Good Food Purchasing Policy is shifting government and school district purchasing decisions to mainstream better food procurement, combining social and economic food justice into a single framework.

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<sup>1</sup> Good Food Purchasing Program Overview. [Web](#).

GFPP makes recommendations and provides technical assistance to governments and school districts, setting targets and measuring the impact of changes with its professional staff. Since the City of Berkeley's food purchases are relatively limited, GFPP's practice of conducting a formal survey of contracts of partner institutions will not be pursued at this time. But an endorsement of the GFPP's values, partnerships for information sharing, and incremental changes by City departments engaged in food purchasing will improve Berkeley's own practices while strengthening the program's reach with food producers overall.

The City of Berkeley purchases food in a variety of ways, including the North Berkeley Senior Center, South Berkeley Senior Center, the Berkeley Police Department's jail facility, the administration of public events and meetings, and the administration of internal staff and council meetings. While the total expenditure of these food purchases are likely less than \$5 million annually, the threshold at which the GFPP recommends a formal purchasing study, the city can endorse and strive toward the value areas outlined by the program.

Many school districts and several local governments around the country have already created partnerships with GFPP, contributing to a movement that is expected to foster meaningful institutional change among food distributors and manufacturers.

In 2016, the Oakland Unified School District implemented the GFPP to complement their existing California Thursday program, which requires meals to be sourced from within the State, and Meatless Monday, which requires meals to be plant-based once a week. Since implementing the program, the district has moved from a 2-star to a 4 star rating.<sup>2</sup> The San Francisco Unified School District has implemented the GFPP, expanding the district's Buy American provision that requires that school meal resources to maximize benefits to American growers and producers.<sup>3</sup>

As an example of success, the Los Angeles Unified School District, the first government entity to adopt and implement the GFPP, cites the following accomplishments:<sup>4</sup>

- \$12 million redirected toward the purchase of local produce
- 150 new jobs created in Los Angeles County food chains
- Higher wages for local truck drivers and support for the United Farm Workers.
- 15 percent decrease in spending on meat and 19.6 million gallons of water saved each week via the implementation of Meatless Mondays
- Antibiotic-free Chicken
- Lower-sodium bread products without high fructose corn syrup
- Bread rolls from central California, rather than out of state

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<sup>2</sup> GFPP Presentation + District Commitment. Oakland Unified School District Legislative Information Center [Website](#).

<sup>3</sup> Board of Education Resolution 164-26A3, adopted May 24, 2016

<sup>4</sup> Measuring Impact. Good Food Purchasing Program [Website](#).

Entities that have implemented the GFPP include Washington D.C., Cook County (IL), Chicago Public Schools, Austin (TX), Austin Independent School District (TX), and the Land Stewardship Project of Twin Cities (MN).

In the context of Berkeley, the program has strong synergy with existing city efforts like Green Monday, which aims to reduce institutional meat consumption and promote plant-based food options. Conservative estimates put livestock emissions at 15 percent of global greenhouse gas emissions, more than the entire transportation sector combined.<sup>5</sup> And meat consumption continues to grow globally, as the United Nations predicts that consumption will double by 2050 without major changes in consumer choices.<sup>6</sup> This underscores how a program that reduces meat consumption and reduces supply chain emissions through local purchasing can help the City achieve important climate goals.

#### REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES & LAWS

The GFPP has strong synergies with Berkeley's Green Monday initiative, adopted by the City Council in September of 2018 to combat animal agriculture's role in climate change. The item referred to the City manager to serve plant-based foods on Mondays or another day of the week to reduce GHG and other impacts and raise awareness of the substantial environmental footprint of food choices.<sup>7</sup> Green Monday strengthened a 2015 resolution establishing Meatless Monday, which called for restaurants, grocery stores, and schools to offer a greater variety of plant-based options.

Additionally, the GFPP supports the City of Berkeley's 2009 Climate Action Plan and its 2018 Climate Emergency Declaration. The Climate Action Plan highlights how sustainable food systems "reduce the distances food must travel to get to our tables," "prioritize the consumption of organic food over conventional food, and the consumption of vegetables rather than meat... globally farm animals generate 18 percent of greenhouse gas emissions, according to estimates by the United Nations."<sup>8</sup> The Emergency Climate Declaration states that our community must mobilize "to reach zero greenhouse gas emissions across all sectors at wartime speed," mitigating and averting irreversible damage to our society and Earth's ecosystems.<sup>9</sup>

In terms of local purchases, partnering with the GFPP could strengthen the City's local vendor preferences, which extend a five percent preference to local business enterprises for supplies, equipment and nonprofessional services from \$100 to \$25,000.<sup>10</sup> Unlike GFPP, this policy does not define "localness" by miles of transport, but rather a business's physical presence within city limits.

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<sup>5</sup> Bailey, Rob; Froggatt, Antony; and Wellesley, Laura. Livestock – Climate Change's Forgotten Sector Global Public Opinion on Meat and Dairy Consumption. December 2014. [Web](#).

<sup>6</sup> Meat & Meat Products. United Nations; Food and Agriculture Organization. [Web](#).

<sup>7</sup> Resolution Establishing Green Monday. Berkeley City Council [Website](#).

<sup>8</sup> City of Berkeley Climate Action Plan. Chapter 3. p. 33. [Web](#).

<sup>9</sup> Resolution No. 68, Endorsing the Declaration of a Climate Emergency. [Web](#).

<sup>10</sup> Local Vendor Preferences. Berkeley City Finance Department [Website](#).

In terms of labor standards, the City of Berkeley requires that companies, nonprofits, and other entities with significant city contracts not discriminate in the provision of bereavement leave, family medical leave, or health benefits between its employees with domestic partners and employees with spouses.<sup>11</sup> In addition, the City's Living Wage ordinance requires that significant vendors pay employees living wages as defined by the City.<sup>12</sup>

These existing laws demonstrate the City's commitment to express residents' values through purchasing decisions.

#### ACTIONS/ALTERNATIVES CONSIDERED

An alternative considered was to partner with the GFPP to do a baseline assessment of Berkeley's food purchasing practices, at an approximate cost of \$15,000, and then referring to the City Manager to implement purchasing requirements aligned with the survey's results. However, since this review would require time and funds and the city's spending on food is estimated to be below \$5 million, a resolution endorsing GFPP's purchasing values and incremental changes by individual city departments appears to be a more effective approach.

#### CONSULTATION/OUTREACH OVERVIEW & RESULTS

Adoption of the Good Food Purchasing Policy has minimal direct impact on community members, since it only applies to food purchased by the City.

Councilmember Hahn's office conducted outreach with staff members at the Good Food Purchasing Program, including Anna Lappé, a coordinator for the Good Food Purchasing network, to discuss how the program can be feasibly implemented and the program's implications for labor standards and environmental impact. The Councilmember's office also consulted Alexa Delwiche, the executive director and co-founder of the Center for Good Food Purchasing, to understand formal requirements to enroll in the program, potential costs to the city, and how the GFPP's values could be adopted and implemented over time. Boston's recent endorsement and resolution language were also discussed.

Finally, staff in the City of Berkeley's Office of Energy & Sustainable Development were also consulted to discuss implementation and feasibility.

#### RATIONALE FOR RECOMMENDATION

The City of Berkeley is committed to expressing its values through its purchasing decisions, and this resolution will raise awareness of GFPP's five core values: local economies, health, valued workforce, animal welfare and environmental sustainability.

By establishing a formal relationship with GFPP through an endorsement of its principles, Berkeley will join a host of cities helping transition local, state and national entities to more ethical, humane and environmentally sound food production.

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<sup>11</sup> Equal Benefits to Employees of City Contractors. Chapter 13.29. [Web](#).

<sup>12</sup> City of Berkeley Living Wage Ordinance.

#### IMPLEMENTATION, ADMINISTRATION & ENFORCEMENT

This resolution will not require enforcement, but staff will be provided with information on how future contracts can effectively implement GFPP values and how GFPP staff can provide guidance in future decision making. It is hoped that staff involved in food purchasing for the City of Berkeley will review and incorporate components of the GFPP as possible.

The principles of the Good Food Purchasing Program can be found at <https://goodfoodpurchasing.org/program-overview/#values>

#### FISCAL IMPACTS

This recommendation could reduce or increase food purchasing costs as parts of the GFPP are implemented, but as this recommendation is not a specific mandate, there are no “imposed” costs or savings. It is expected that any possible savings that could help achieve the goals of the GFPP would be implemented, and some added costs could be incurred to support these objectives as well.

#### ENVIRONMENTAL SUSTAINABILITY

The item is consistent with Berkeley policies and vision on environmental sustainability, including Green Monday, the Climate Action Plan, the Resilience Plan and the Climate Emergency Declaration. Reducing meat and sourcing food locally results in significant reductions in GHGs, helping the City achieve its Climate Action Goals.

#### OUTCOMES & EVALUATION

The expected outcome of this item is that the City will receive guidance from GFPP on how to improve its purchasing decisions, setting an example for other cities, districts, and states around the country. Over time, it is hoped that the City will incorporate purchasing practices recommended by the GFPP. Information about implementation and outcomes should be included in the City’s biannual climate action report, since measures to implement GFPP food purchasing standards will support the plan’s goals.

#### CONTACT

Sophie Hahn, District 5, (510) 981-7150

RESOLUTION NO. \_\_\_\_\_

ENDORING THE VALUES OF THE GOOD FOOD PURCHASING PROGRAM (GFPP)

WHEREAS, the food system has substantial implications for the health of our communities, the resilience of our local economy, nutrition, the labor conditions of transportation and farm workers, the sustainability and climate goals of our cities, and animal welfare; and

WHEREAS, the Good Food Purchasing Program (GFPP) is leading efforts by cities and school districts to bring purchasing standards in line with these values; and

WHEREAS, the Los Angeles Unified School District, San Francisco Unified School District, Oakland Unified School District, Austin Independent School District (TX), Chicago Public Schools, Boston (MA), Washington D.C., Cook County (IL), Austin (TX), and the Land Stewardship Project of Twin Cities (MN) have partnered with GFPP; and

WHEREAS, these partnerships are forging a coalition that can encourage better food production standards by leveraging collective purchasing power; and

WHEREAS, the City of Berkeley already supports similar initiatives like Green Monday, a program encouraging institutions to incrementally replace animal products with plant-based food options with notable benefits for animal welfare, nutrition, and the environment; and

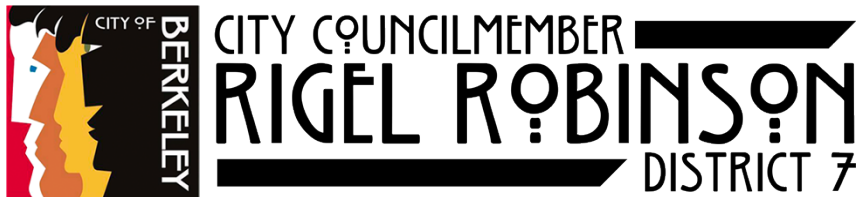
WHEREAS, the technical support and network of GFPP helped the Los Angeles Unified School District redirect \$12 million toward the purchase of local produce, create 150 new jobs in Los Angeles County food chains, achieved higher wages for local truck drivers and support for the United Farm Workers, achieved a 15 percent decrease in spending on meat, reduced water-use by 19.6 million gallons each week; and

WHEREAS, an endorsement of GFPP's values can help the city achieve progress in food purchasing standards and encourage institutions with larger food budgets to adopt the program.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley endorses the Good Food Purchasing Program's five core values of localness, nutrition, labor rights, environmental sustainability, and animal welfare, and seeks to implement these values over time through its own food purchasing practices.

BE IT FURTHER RESOLVED that the City of Berkeley endorses efforts by other institutions to formally adopt the review processes and implementation of the Good Food Purchasing Program.





CONSENT CALENDAR  
April 30, 2019

To: Honorable Mayor and Members of the City Council  
From: Councilmember Rigel Robinson  
Subject: Referral: Report on Public Realm Pedestrianization Opportunities

### RECOMMENDATION

Refer to the Transportation Commission to generate a report on potential public realm pedestrianization opportunities in Berkeley.

### BACKGROUND

In many ways, the City of Berkeley is at the forefront of smart, transit-oriented urban growth. Among all US cities of 100,000+ inhabitants, the US Census and American Community Surveys show that Berkeley ranks third in percentage of pedestrian commuters at 16%<sup>1</sup>, first in percentage of bicycle commuters at 10%<sup>2</sup>, and 13th in percentage of public transit ridership at 22%<sup>3</sup>. Berkeley plays a crucial role on the national stage when it comes to designing safe, inclusive, and sustainable urban environments for pedestrians, cyclists, transit, and motorists.

As urban centers have shifted to design around people instead of cars, cities like Detroit, Los Angeles, and New York have looked to pedestrian plazas and shared streets like those found in Europe or Asia. These cities have found that street-to-plaza conversions promote local businesses, encourage neighborhood interaction, increase pedestrian safety, stimulate non-motorized transportation, and contribute to the vibrant identity and community of the city.<sup>4</sup> Common concerns toward street closure include the effect of closure on street network connectivity and the capacity of adjacent streets.

An ideal solution to address these concerns would not only incorporate full access to pedestrians and cyclists, but also incorporate express access for public transit and emergency medical services through the use of bollards or planters.

<sup>1</sup> <https://web.archive.org/web/20060312115227/http://www.bikesatwork.com/carfree/carfree-census-database.html>

<sup>2</sup> [http://bikeleague.org/sites/default/files/Where\\_We\\_Ride\\_2014\\_data\\_web.pdf#12](http://bikeleague.org/sites/default/files/Where_We_Ride_2014_data_web.pdf#12)

<sup>3</sup> [https://en.wikipedia.org/wiki/List\\_of\\_U.S.\\_cities\\_with\\_high\\_transit\\_ridership](https://en.wikipedia.org/wiki/List_of_U.S._cities_with_high_transit_ridership)

<sup>4</sup> <http://www.deeproot.com/blog/blog-entries/the-rise-of-the-pedestrian-plaza-street-to-plaza-conversions-in-the-u-s>

When considering pedestrianization zones in Berkeley, the report should review prior recommendations as well as existing public realms that regularly undergo street closure. Telegraph Ave between Bancroft Way and Dwight Way has been previously recommended and regularly undergoes closure for the Telegraph Holiday Street Fair and Berkeley World Music Festival.<sup>5</sup> Center St or Allston St between Martin Luther King Jr Way and Milvia St are often closed for the Berkeley Farmers' Market on Saturdays or annually for the Bay Area Book Festival. Besides the Telegraph Ave entrance to campus, Center St between Shattuck Ave and Oxford St<sup>6</sup> as well as Euclid Ave between Hearst Ave and Ridge Rd function as other primary entrances to the campus area. Based on the City of Berkeley's Pedestrian Master Plan and Bicycle Plan, all of these destinations represent high injury corridors as well as concentrated areas of demand for pedestrians and cyclists.<sup>78</sup>

### FINANCIAL IMPLICATIONS

Staff time.

### ENVIRONMENTAL SUSTAINABILITY

Increasing non-motorized transportation and promoting walkable lifestyles reduces greenhouse gas emissions caused by automobile use.

### CONTACT PERSON

Councilmember Rigel Robinson, (510) 981-7170  
David Lin, Intern

### Attachments:

- 1: Telegraph Avenue Public Realm Plan (<https://www.berkeleyside.com/wp-content/uploads/2016/09/Telegraph-Public-Realm-Plan-Final-Low-Res.pdf>)
- 2: City of Berkeley Pedestrian Master Plan ([https://www.berkeleyside.com/wp-content/uploads/2019/02/Berkeley-PMP\\_2019-02-05-Worksession-Presentation.pdf](https://www.berkeleyside.com/wp-content/uploads/2019/02/Berkeley-PMP_2019-02-05-Worksession-Presentation.pdf))
- 3: City of Berkeley Bicycle Plan (<http://www.bikeberkeley.com/wp-content/uploads/2017/07/Berkeley-Bicycle-Plan-2017-Final.pdf>)

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<sup>5</sup> <https://www.berkeleyside.com/wp-content/uploads/2016/09/Telegraph-Public-Realm-Plan-Final-Low-Res.pdf>

<sup>6</sup> <https://ecocitybuilders.org/eco-plaza-in-the-heart-of-the-city/>

<sup>7</sup> [https://www.berkeleyside.com/wp-content/uploads/2019/02/Berkeley-PMP\\_2019-02-05-Worksession-Presentation.pdf](https://www.berkeleyside.com/wp-content/uploads/2019/02/Berkeley-PMP_2019-02-05-Worksession-Presentation.pdf)

<sup>8</sup> <http://www.bikeberkeley.com/wp-content/uploads/2017/07/Berkeley-Bicycle-Plan-2017-Final.pdf>

| Upcoming Workshops – <i>start time is 6:00 p.m. unless otherwise noted</i> |                                                                                                                                                                        |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Scheduled Dates                                                            |                                                                                                                                                                        |
| May 7                                                                      | <ol style="list-style-type: none"> <li>1. Proposed FY 2020 – FY 2021 Budget</li> <li>2. Bond Disclosure Training</li> </ol>                                            |
| June 18                                                                    | <ol style="list-style-type: none"> <li>1. Green Stormwater Infrastructure</li> <li>2. Arts and Culture Plan</li> </ol>                                                 |
| Sept. 17                                                                   | <ol style="list-style-type: none"> <li>1. UC Berkeley Student Housing Plan</li> <li>2. Transfer Station Feasibility Study</li> <li>3. Adeline Corridor Plan</li> </ol> |
| Oct. 22                                                                    | <ol style="list-style-type: none"> <li>1. Berkeley’s 2020 Vision Update</li> <li>2. Census 2020 Update</li> <li>3. Short Term Rentals</li> </ol>                       |
| Nov. 5                                                                     | <ol style="list-style-type: none"> <li>1. Zero Waste Rate Review</li> <li>2. Vision Zero Action Plan</li> </ol>                                                        |

| Unscheduled Workshops                                                               |
|-------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Cannabis Health Considerations</li> </ol> |

| Unscheduled Presentations                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. East Bay Municipal Utility District (presentation by the District, May 28 - tentative)</li> </ol> |

|    | <b>City Council Referrals to the Agenda Committee and Unfinished Business for Scheduling</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <p><b>61a. Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley</b> <i>(Referred from the July 24, 2018 agenda)</i><br/> <b>From: Housing Advisory Commission</b><br/> <b>Recommendation:</b> That the City Council not use U1 funds to backfill the Workers' Compensation Fund for the acquisition of the properties located at 1001, 1007, and 1011 University Avenue, and 1925 Ninth Street, City of Berkeley.<br/> <b>Financial Implications:</b> See report<br/> Contact: Amy Davidson, Commission Secretary, 981-5400</p> <p><b>61b. Companion Report: Use of U1 Funds for Property Acquisition at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley</b> <i>(Referred from the July 24, 2018 agenda)</i><br/> <b>From: City Manager</b><br/> <b>Recommendation:</b> Accept staff's recommendation to use \$4,730,815 of Measure U1 revenue over a 5 year period (\$946,163 annually) to repay the Workers' Compensation Fund for the acquisition of the properties located at 1001, 1007, and 1011 University Avenue and 1925 Ninth Street, Berkeley.<br/> <b>Financial Implications:</b> See report<br/> Contact: Dee Williams-Ridley, City Manager, 981-7000</p> |
| 2. | <p><b>68. Revisions to Ordinance No. 7,521--N.S. in the Berkeley Municipal Code to increase compliance with the city's short-term rental ordinance</b> <i>(Referred from the July 24, 2018 agenda. Agenda Committee to revisit in April 2019.)</i> <b>March 18, 2019 Action:</b> Item to be agendized at future Agenda and Rules Committee Meeting pending scheduling confirmation from City Manager.<br/> <b>From: Councilmember Worthington</b><br/> <b>Recommendation:</b> Refer the City Manager to look into adopting revisions to Ordinance No. 7,521--N.S by modeling after the Home-Sharing Ordinance of the City of Santa Monica and the Residential Unit Conversion Ordinance of the City of San Francisco in order to increase compliance with city regulations on short-term rentals of unlicensed properties.<br/> <b>Financial Implications:</b> Minimal<br/> Contact: Kriss Worthington, Councilmember, District 7, 981-7170</p>                                                                                                                                                                                                                                                                                                             |
| 3. | <p><b>4. Disposition of City-Owned, Former Redevelopment Agency Properties at 1631 Fifth Street and 1654 Fifth Street</b> <i>(Referred from the September 25, 2018 agenda)</i><br/> <b>From: City Manager</b><br/> <b>Recommendation:</b><br/> 1. Adopt first reading of an Ordinance authorizing the sale of two City-owned, former Redevelopment Agency properties at 1631 Fifth Street and 1654 Fifth Street at market rate and deposit the proceeds in the City's Housing Trust Fund (HTF).<br/> 2. Direct the City Manager to issue a Request for Proposals to select a real estate broker to manage the sale.<br/> <b>Financial Implications:</b> See report<br/> Contact: Kelly Wallace, Housing and Community Services, 981-5400</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4. | <p><b>26. Berkeley Economic Dashboards</b> <i>(Referred from the March 26, 2019 agenda)</i><br/> <b>From: City Manager</b><br/> Contact: Jordan Klein, Economic Development, 981-7530</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

5. **17. Short-term referral to City Manager and budget referral for creation of a “vehicle dweller program” in Berkeley** *(Referred from the April 2, 2019 agenda.)*

**From: Councilmember Davila**

**Recommendation:** Create a comprehensive program to support those living in their vehicles, including but not limited to RVs, to stay in Berkeley without fear of being criminalized, harassed, displaced, fined or having their vehicles confiscated, and with the support needed to have minimal impact on the neighborhoods in which they reside. The program could include: -Issuing 3-6 month permits for vehicles in running order with an option to renew if no validated complaints have been filed. -Creating a registration process that identifies any additional support needed. -Specifying a consistent, clear and transparent process for investigating complaints to determine validity and issuing warnings. -Distributing permits equally across all parking permit districts and identifying any restrictions on parking (i.e. near schools given bus access, etc.). -Creating an affordable sliding scale permit structure based on size of vehicle, weight, number of wheels, etc. -Providing pump-out services, waste disposal and social services as needed. -Creating a pump-out station for use by RVs within the City of Berkeley. - Creating a program for up to \$3,000 per a vehicle for mechanical and sanitation repairs as well as registration and offering a grace period to get vehicles into compliance for a permit. -Piloting a Safe Parking program modeled after Oakland’s pilot: 4-8 sites with 6-10 vehicles parked at business, school, community or faith-based site parking lots, including support and sanitation services.

Vehicles with permits are exempt from Berkeley Municipal Code (BMC) Chapter 12.76 and BMC Section 14.40.120.

**Financial Implications:** See report

Contact: Cheryl Davila, Councilmember, District 2, 981-7120

| CITY CLERK DEPARTMENT                                                                      |                      |                       |                                         |                   |
|--------------------------------------------------------------------------------------------|----------------------|-----------------------|-----------------------------------------|-------------------|
| WORKING CALENDAR FOR SCHEDULING LAND USE MATTERS<br>BEFORE THE CITY COUNCIL                |                      |                       |                                         |                   |
| Address                                                                                    | Board/<br>Commission | Appeal Period<br>Ends | Determination<br>on Appeal<br>Submitted | Public<br>Hearing |
| <b>NOD – Notices of Decision</b>                                                           |                      |                       |                                         |                   |
| 3212 Adeline St (add service of distilled spirits)                                         | ZAB                  | 4/17/2019             |                                         |                   |
| 2518 Durant Ave (add service of distilled spirits)                                         | ZAB                  | 4/17/2019             |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |
| <b>Public Hearings Scheduled</b>                                                           |                      |                       |                                         |                   |
| 1722 Walnut St (permit a ninth dwelling unit)                                              | ZAB                  |                       |                                         | 4/23/2019         |
| 2700 Tenth St (Pardee Parking Lot)                                                         | ZAB                  |                       |                                         | 4/30/2019         |
| 1444 Fifth St (construct four single-family dwellings)                                     | ZAB                  |                       |                                         | 5/14/2019         |
|                                                                                            |                      |                       |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |
| <b>Remanded to ZAB or LPC</b>                                                              |                      |                       |                                         |                   |
| 1155-73 Hearst Ave (develop two parcels)<br>90-Day Deadline: May 19, 2019                  | ZAB                  |                       |                                         |                   |
| 2701 Shattuck Ave (construct 5-story mixed-use building)<br>90-Day Deadline: June 30, 2019 | ZAB                  |                       |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |
| <b>Notes</b>                                                                               |                      |                       |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |
|                                                                                            |                      |                       |                                         |                   |

Last Updated: 4/11/19