

**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
REGULAR MEETING MINUTES**

**Thursday, November 21, 2019
10:30 AM**

2180 Milvia Street, 1st Floor – Cypress Room

Committee Members:

Councilmembers Lori Droste, Sophie Hahn, and Ben Bartlett

Roll Call: 10:34 a.m. All Present

Public Comment on Non-Agenda Matters – 2 speakers

Election of Chair: Councilmember Bartlett nominated to serve as Chair.

Action: M/S/C (Hahn/Droste) to elect Councilmember Bartlett as Chair of the Land Use, Housing, & Economic Development Committee.

Vote: All Ayes.

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - November 7, 2019

Action: M/S/C (Droste/Hahn) to approve the minutes of November 7, 2019.

Vote: Ayes – Droste, Hahn; Noes – None; Abstain – Bartlett; Absent – None.

Committee Action Items

The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair 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.

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.

Committee Action Items

2. **Spring 2019 Bi-Annual Report on Funding for Housing Programs** (*Item contains supplemental material*)

From: Housing Advisory Commission

Referred: September 10, 2019

Due: February 18, 2020

Recommendation: Accept the Housing Advisory Commission's (HAC) recommendations for the allocation of U1 General Fund revenues to increase the supply of affordable housing and protect residents of Berkeley from homelessness.

Financial Implications: See report

Contact: Mike Uberti, Commission Secretary, (510) 981-7400

Action: 3 speakers. Discussion held. The committee requested the following information from staff:

1. What are the outreach efforts of funded agencies working on anti-displacement activities?
2. Add language to contracts that requests agencies quantify and report their anti-displacement efforts and outcomes.

M/S/C (Hahn/Droste) to move the item with a positive recommendation to accept the Housing Advisory Commission's (HAC) recommendations for the allocation of U1 General Fund revenues in the format that staff presented in the Measure U1 Budget draft projections table including the following amendments: 1. Allocation of \$1M for small sites; 2. Addition of \$100K in FY 2022 and FY 2023 in organizational capacity building (BACLT); 3. Add \$150K in 2021-2023 for new programs under the category of development of new housing programs; 4. Allocate \$2.5M in 2023 for the Housing Trust Fund.

Vote: All Ayes.

Committee Action Items

3. Disposition of City-Owned, Former Redevelopment Agency Properties at 1631 Fifth Street and 1654 Fifth Street

From: City Manager

Referred: October 1, 2019

Due: March 10, 2020

Recommendation:

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).
2. Direct the City Manager to issue a Request for Proposals to select a real estate broker to manage the sale.

Financial Implications: See report

Note: *At the June 11, 2019 meeting, Council approved a recommendation directing the City Manager to issue a Request for Proposals to select a qualified organization to purchase the single family home at 1654 Fifth Street to operate as housing for the homeless.*

Contact: Kelly Wallace, Housing and Community Services, 981-5400

Action: 3 speakers. Discussion held.

M/S/C (Hahn/Droste) to move the item with a positive recommendation authorizing the sale of 1631 Fifth Street.

Vote: All Ayes.

4. Inclusionary Units in Qualified Opportunity Zones *(Item contains revised material)*

From: Councilmembers Harrison, Bartlett, Davila, and Hahn

Referred: October 15, 2019

Due: March 24, 2020

Recommendation:

1. Adopt an ordinance amending Berkeley Municipal Code chapter 23C.12.035 requiring onsite inclusionary units in owner-occupied developments in Qualified Opportunity Zones (QOZs).
2. Adopt a resolution establishing a similar practice for rental housing projects.
3. Refer to the Adeline Corridor Subcommittee of the Planning Commission to incorporate such a requirement into the Adeline Corridor Plan.

Financial Implications: See report

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

Item continued to next meeting on December 5, 2019.

Committee Action Items

5. **Proposed Formula Retail (Chain Store) Regulations** *(Item contains revised materials)*

From: Councilmembers Hahn and Harrison

Referred: October 29, 2019

Due: April 7, 2020

Recommendation:

1. Refer to the City Manager and Planning Commission to finalize and return to the City Council for adoption an Ordinance and related amendments to the Berkeley Municipal Code, if any, based on the Draft Formula Retail Ordinance attached hereto, to establish Formula Retail regulations for Commercial and Manufacturing Districts in the City of Berkeley.

2. Refer to the City Manager and Planning Commission to: (a) Recommend establishment of Business District boundaries and names, as provided for in Section 23E.18.030(B) of the proposed Formula Retail Ordinance, and (b) Through a process that includes public notice and input, as described in the proposed Formula Retail Ordinance, recommend for each Business District whether to allow unlimited Formula Retail, limited Formula Retail (some or all use categories allowed with a Use Permit, Neighborhood Notice, Design Review and findings) or to prohibit Formula Retail.

Financial Implications: See report

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

Item continued to a future meeting. Councilmember Hahn asked that the item be moved to Unscheduled until she can meet with retailers.

Unscheduled Items

These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.

- **None**

Items for Future Agendas

- **Discussion of items to be added to future agendas**

Adjournment

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

Vote: All Ayes.

Adjourned at 12:31 p.m.

I hereby certify that this is a true and correct record of the Land Use, Housing, & Economic Development Committee meeting held on November 21, 2019.

April Richardson, Assistant 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.