



Office of the Mayor

ACTION CALENDAR

September 13, 2018

To: Members of the City Council

From: Mayor Jesse Arreguin

Subject: Enforcement Policy for Downtown Berkeley BART Plaza

RECOMMENDATION

Adopt a Resolution setting enforcement priorities for the Downtown Berkeley BART Station Plaza ("BART Plaza") prohibiting lying and camping and directing the City Manager to enforce Penal Code Section 647(e) at BART Plaza, Berkeley Municipal Code Section 14.48.020 regarding unpermitted objects obstructing sidewalks, and Berkeley Municipal Code Chapter 13.36 relating to lying on public property, in addition to all other applicable laws.

BACKGROUND

Construction of the new Downtown Berkeley BART Station Plaza, on the west side of Shattuck Avenue between Center Street and Allston Way, is expected to be completed in September 2018. The \$7.6 million project is designed to improve both safety and walkability, creating more open space and activating underutilized sidewalk space.

The Plaza will serve as the main gateway for many people arriving to Downtown via BART, AC Transit, or UC Berkeley Bear Transit Shuttle, which combined has a total of 30,000 commuters daily at this location. To ensure the safety and promote a plaza that is welcoming to all, enforcement of the following regulations is needed:

- California Penal Code Section 647(e): Unpermitted lodging
- Berkeley Municipal Code Section 14.48.020: Items obstructing sidewalks
- Berkeley Municipal Code Section 13.36: Persons obstructing sidewalks

No new laws are being created; the purpose of the Resolution is to prioritize enforcement of existing laws.

FINANCIAL IMPLICATIONS

Staff time

CONTACT PERSON

Jesse Arreguin, Mayor 510-981-7100

Attachments:

1. Resolution



Attachment  
Not Received

This attachment has not been received from the  
submitting office.

**City Clerk Department**  
2180 Milvia Street  
Berkeley, CA 94704  
(510) 981-6900

**The City of Berkeley, City Council's Web site:**  
<http://www.cityofberkeley.info/citycouncil/>