Office of the City Manager

CONSENT CALENDAR
September 10, 2013

To: Honorable Mayor and Members of the City Council

From: Christine Daniel, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Minutes for Approval

RECOMMENDATION
Approve the minutes for the Council meetings of July 2, 2013 (special closed and regular) and July 16, 2013 (regular).

CONTACT PERSON
Mark Numainville, City Clerk, 981-6900

Attachments:
1. July 2, 2013–Special Closed City Council Meeting
2. July 2, 2013–Regular City Council Meeting
3. July 16, 2013–Regular City Council Meeting

MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
TUESDAY, JULY 2, 2013

5:30 P.M.

Council Chambers – 2134 Martin Luther King, Jr. Way

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – DARRYL MOORE
DISTRICT 3 – MAX ANDERSON
DISTRICT 4 – JESSE ARREGUIN
DISTRICT 5 – LAURIE CAPITELLI
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – GORDON WOZNIAK

Preliminary Matters

Roll Call: 5:30 p.m.

Present: Councilmembers Maio, Moore, Arreguin, Capitelli, Wengraf, Wozniak and Mayor Bates.

Absent: Councilmembers Anderson and Worthington.

Councilmember Worthington present at 5:36 p.m. Councilmember Anderson present at 5:38 p.m.

Public Comment - Limited to items on this agenda only – 0 speakers.

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. CONFERENCE WITH LABOR NEGOTIATOR; GOVERNMENT CODE SECTION 54957.6:

Negotiators: Christine Daniel, City Manager, William Rogers, Deputy City Manager, Teresa Berkeley-Simmons, Budget Manager, Margarita Zamora, Acting Employee Relations Manager, Sarah Reynoso, Assistant City Attorney, Gil Dong, Fire Chief, Eddie Kreisberg, Labor Negotiator, Jane Micallef, Director of Health, Housing and Community Services.

Employee Organizations: SEIU Local 1021, Community Services and Part-Time Recreation Leaders Association, Berkeley Fire Fighters Association.

Action: No reportable action taken.

OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

Adjournment

Adjourned at 6:40 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of July 2, 2013.

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Mark Numainville, City Clerk

MINUTES
BERKELEY CITY COUNCIL MEETING
TUESDAY, JULY 2, 2013
7:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – DARRYL MOORE
DISTRICT 3 – MAX ANDERSON
DISTRICT 4 – JESSE ARREGUIN
DISTRICT 5 – LAURIE CAPITELLI
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – GORDON WOZNIAK

Preliminary Matters

Roll Call: 7:00 p.m.

Present: Councilmembers Anderson, Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington, Wozniak and Mayor Bates.

Absent: None.

Ceremonial Matters:

1. Parks Make Life Better!® Month – July 2013
2. Recognition of Helen Meyer of Meyer Sound

City Manager Comments:

1. 4th of July Celebration at Cesar Chavez Park 11am-6pm, Fireworks at 9:00pm; Parking and Shuttle available at Golden Gate Fields.

Public Comment on Non-Agenda Matters: 5 speakers.

Public Comment on Consent Calendar and Information Items Only: 7 speakers.

Consent Calendar

Action: M/S/C (Bates/Capitelli) to adopt the Consent Calendar in one motion except as indicated.
Vote: All Ayes.

Consent Calendar – Continued Business

A. Repeal BMC Section 9.08.090 Prohibiting Fliers on Windshields *(Continued from June 25, 2013)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,302-N.S. repealing Berkeley Municipal Code Section 9.08.090, which prohibits placing fliers on vehicle windshields.
First Reading Vote: All Ayes.

Consent Calendar – Continued Business

Financial Implications: None
Contact: Zach Cowan, City Attorney, 981-6950
Action: Adopted second reading of Ordinance No. 7,302-N.S.

B. FY 2014 Annual Appropriations Ordinance *(Continued from June 25, 2013)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,303-N.S. adopting the FY 2014 Annual Appropriations Ordinance (AAO) in the amount of $364,296,041 (gross appropriations) and $313,633,047 (net appropriations).
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
Action: Adopted second reading of Ordinance No. 7,303-N.S.

Consent Calendar

1. Formal Bid Solicitation and Request for Proposal Scheduled For Possible Issuance After Council Approval on July 2, 2013
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: Various Funds - $907,000
Contact: Robert Hicks, Finance, 981-7300
Action: Approved recommendation.

2. Annual Investment Report, Revisions to Investment Policies and Designation of Investment Authority
From: City Manager
Recommendation: Adopt a Resolution accepting the Annual Investment Report, accepting the changes to the investment policies and renewing the delegation of authority to make investments to the Director of Finance for FY 2014, and retroactively approving the report for FY 2013 (which had no changes in policies).
Financial Implications: See report
Contact: Robert Hicks, Finance, 981-7300
Action: Adopted Resolution No. 66,238–N.S.

3. Contract No. 8460A Amendment: NextGen Healthcare Information Systems, Inc. for Electronic Health Records Implementation
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 8460A with NextGen Healthcare Information Systems, Inc., increasing the amount by $144,014, for a total not to exceed $468,211 from September 30, 2010 through June 30, 2016.
Financial Implications: General Fund - $144,014
Contact: Donna LaSala, Information Technology, 981-6500
Action: Adopted Resolution No. 66,239–N.S.

Consent Calendar

4. Contract No. 6096B Amendment: ESI Group for IBM Hardware and Software Lease
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 6096B with ESI Group for leasing, maintenance, technical support, and consulting services for International Business Machines (IBM) hardware and software, increasing the current contract by $112,000, for a total not to exceed $1,240,000 from June 2, 2003 through June 30, 2014.
Financial Implications: Various Funds - $112,000
Contact: Donna LaSala, Information Technology, 981-6500
Action: Adopted Resolution No. 66,240–N.S.

5. Commercial South Area (C-SA) "South Shattuck" Auto Sales Zoning Amendments, Amending BMC Chapter 23E.52
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 23E.52 (C-SA District) to allow new or relocated auto sales uses: a. with a Zoning Certificate (ZC) throughout the C-SA district when the business is conducted entirely indoors; b. with a Use Permit with Public Hearing (UPPH) in the Dealership Overlay Area if the business includes outdoor activities; c. subjecting all auto sales uses to specific development and performance standards that address neighborhood compatibility; and d. correcting typographical errors in the Chapter.
Financial Implications: See report
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Adopted first reading of Ordinance No. 7,304–N.S. Second reading scheduled for July 16, 2013.

6. Purchase Order: Folsom Lake Ford for 11 Police Patrol Vehicles
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order for 11 patrol vehicles with Folsom Lake Ford, in an amount not to exceed $290,000.
Financial Implications: Equipment Replacement Fund - $290,000
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted Resolution No. 66,241–N.S.

7. Donation: Public Art for the Berkeley Animal Shelter
From: Civic Arts Commission
Recommendation: Approve the Hewlett Packard Company's $1,500 in-kind donation of photo processing and framing and the matching donated time and materials of professional photographer Daniel McPartlan for Public Art at the Berkeley Animal Shelter.
Financial Implications: See report
Contact: Mary Ann Merker, Commission Secretary, 981-7000
Action: Approved recommendation.

Consent Calendar

8. Appointment of Jean Marie "Herve" Michel to the Mental Health Commission
From: Mental Health Commission
Recommendation: Adopt a Resolution approving the appointment of Jean Marie "Herve" Michel to the Mental Health Commission, as a representative of the Special Public Interest Category, for a three year term beginning July 3, 2013 and ending July 2, 2016.
Financial Implications: See report
Contact: Carol Patterson, Commission Secretary, 981-5100
Action: Adopted Resolution No. 66,242–N.S.

Council Consent Items

9. Support of Assembly Bill 551, Urban Agriculture Incentive Zones (UAIZ)
From: Councilmember Arreguin
Recommendation: Adopt a Resolution supporting Assembly Bill (AB) 551, authored by Assemblymember Phil Ting, which would allow a county or a city to establish by ordinance an Urban Agriculture Incentive Zone for the purpose of supporting urban agriculture. Copies of the resolution to be sent to Senator Pro Tem Darrell Steinberg, Senator Loni Hancock, Assembly Speaker John A. Pérez, and Assemblymembers Nancy Skinner and Phil Ting.
Financial Implications: None
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
Action: Adopted Resolution No. 66,243–N.S.

10. Transverse Rumble Strips
From: Councilmembers Arreguin and Wozniak
Recommendation: Refer to the Public Works, Transportation and Disability Commissions for study the possible application and impacts of transverse rumble strips as a traffic calming measure on select non-residential streets that experience high-volume pedestrian crossing.
Financial Implications: None
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
Action: Approved recommendation. Councilmember Maio added as a co-sponsor.

11. Marijuana Smoking, Tobacco Smoking and Alcohol Consumption by Minors, Particularly in the Environs of Civic Center Park
From: Councilmembers Capitelli and Arreguin
Recommendation: Request that the City Manager and Berkeley Police Department work with BUSD and the Berkeley Unified School District Board to: a. Create policies and procedures to more actively discourage marijuana smoking, tobacco smoking and alcohol consumption by minors, particularly in the environs of Civic Center Park. b. When there is opportunity for discretion, emphasize intervention and recovery, rather than enforcement and discipline. c. Research best youth diversion programs, for discussion of possible implementation in Berkeley. d. Ensure that effective interventions are available to assist students who use marijuana, tobacco, alcohol or other drugs. e. Report back to City Council at September 17 meeting with outline of recommendations and associated costs.

Council Consent Items

Financial Implications: Unknown
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
Action: Approved recommendation.

Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – Worthington.

12. Oppose H.R. 1797 Banning Abortions After 20-Weeks of Pregnancy
From: Councilmember Worthington
Recommendation: Send a letter to Congresswoman Barbara Lee, Senator Barbara Boxer, and Senator Dianne Feinstein expressing our opposition to H.R .1797.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Approved recommendation.

Action Calendar – Public Hearing

13. ZAB Appeal: 2401 Telegraph Avenue
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion adopt a Resolution approving Administrative Use Permit No. 12-20000089 to establish an incidental carry out food service establishment with take-out window within an existing retail use.
Financial Implications: None
Contact: Eric Angstadt, Planning and Development, 981-7400

a. Appeal
1. Gus Shamieh

b. Communications
None

Public Testimony: The Mayor opened the public hearing. 25 speakers.
M/S/C (Maio/Wengraf) to close the public hearing.
Vote: Ayes – Maio, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – Worthington; Abstain – None; Absent – Moore, Anderson.

Councilmember Moore absent 8:46 p.m. – 11:07 p.m.

Councilmember Anderson absent 9:20 p.m. – 9:35 p.m.

Action: Motion/Second/Failed (Capitelli/Wengraf) to adopt a Resolution approving Administrative Use Permit No. 12-20000089 to establish an incidental carry out food service establishment with take-out window within an existing retail use.
Vote: Ayes – Capitelli, Wengraf; Noes – Maio, Anderson, Arreguin, Worthington, Wozniak, Bates; Abstain – None; Absent – Moore.

Action Calendar – Public Hearing

Action: Motion/Second/Carried (Maio/Wozniak) to adopt Resolution No. 66,244–N.S. approving Administrative Use Permit No. 12-20000089 to establish an incidental carry out food service establishment within an existing retail use, without permission for activity outside the building, and with the condition that the project plans may be modified subject to the approval of the Zoning Officer to relocate the ice cream sales within the building.
Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – Worthington; Abstain – None; Absent – Moore.

Recess 10:02 p.m. – 10:10 p.m.

14. Public Hearing #2: City Council Redistricting Plan
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion direct staff to draft an ordinance to reflect the preferred redistricting plan.
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900

Action: M/S/F (Worthington/Anderson) to accept supplemental information from Councilmember Worthington on Item 14.
Vote: Ayes – Moore, Anderson, Arreguin, Worthington, Bates; Noes – Maio, Wozniak; Abstain – Capitelli, Wengraf.

Public Testimony: The Mayor opened the public hearing. 15 speakers.

Action: M/S/C (Bates/Moore) to close the public hearing.
Vote: Ayes – Maio, Moore, Capitelli, Wengraf, Wozniak, Bates; Noes – Arreguin, Worthington; Abstain – Anderson.

Action: M/S/F (Arreguin/Anderson) to direct staff to create a new map that revises Berkeley Student District Campaign (BSDC) map to include the Northside neighborhood currently in District 7 and to present the BSDC map, the Panzer map and the new map at the September 10 meeting. Also request staff to provide an analysis of the three proposals including age and demographic information.
Vote: Ayes – Anderson, Arreguin, Worthington; Noes – Maio, Moore, Capitelli, Wengraf, Wozniak, Bates.

Action: M/S/C (Wozniak/Wengraf) to direct staff to prepare an ordinance to appear on the September 10 agenda based on the Berkeley Student District Campaign plan.
Vote: Ayes – Maio, Moore, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – Anderson, Worthington.

Action Calendar – Public Hearing

15. Repeal and Reenact BMC Chapter 14.52 Parking Meters, Establish New Parking Rates for Off-Street Facilities for Implementation of the goBerkeley Pilot Project, and Re-enact the Disabled Persons Parking Placard Program for City Garages
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion:
1. Adopt first reading of an Ordinance repealing and reenacting Berkeley Municipal Code Chapter 14.52 Parking Meters to enable demand-responsive on street parking policies and rates in the goBerkeley Pilot Project Areas for the duration of the pilot project; and
2. Adopt a Resolution establishing new off-street parking policies and rates to enable demand-responsive off-street parking within the goBerkeley Pilot Project Areas; and
3. Adopt a Resolution re-enacting the Disabled Persons Parking Placard Program for City Garages; and
4. Rescind Resolutions 66,068-N.S. (Parking Garages) and 64,545-N.S. (Berkeley Way Lot).
Financial Implications: See report
Contact: Andrew Clough, Public Works, 981-6300

Action: M/S/C (Capitelli/Arreguin) to open the Public Hearing.
Vote: Ayes – Maio, Arreguin, Capitelli, Wengraf, Worthington, Wozniak, Bates; Noes – None; Abstain – None; Absent – Moore, Anderson.

Action: M/S/C (Maio/Arreguin) to accept supplemental material from staff on Item 15.
Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wozniak, Bates; Noes – None; Abstain – None; Absent – Moore, Wengraf, Worthington.

Councilmember Wengraf absent 10:10 p.m. – 10:15 p.m.

Councilmember Worthington absent 10:10 p.m. – 11:07 p.m.

Public Testimony: The Mayor opened the public hearing. 3 speakers.

Action: M/S/C (Bates/Wozniak) to close the public hearing.
Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – None; Abstain – None; Absent – Moore, Worthington.

Action: M/S/C (Wengraf/Maio) to suspend the rules and extend the meeting to 11:15 p.m.
Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – None; Abstain – None; Absent – Moore, Worthington.

Action Calendar – Public Hearing

Action: M/S/C (Maio/Arreguin) to:
1. Adopt first reading of Ordinance No. 7,305-N.S. to enable demand-responsive on street parking policies and rates in the goBerkeley Pilot Project Areas for the duration of the pilot project Second reading scheduled for July 16, 2013.
2. Adopted Resolution No. 66,245–N.S. establishing new off-street parking policies and rates to enable demand-responsive off-street parking within the goBerkeley Pilot Project Areas.
3. Adopted Resolution No. 66,246–N.S. re-enacting the Disabled Persons Parking Placard Program for City Garages.
4. Rescind Resolutions 66,068-N.S. (Parking Garages) and 64,545-N.S. (Berkeley Way Lot).
5. Direct staff to maintain the Elmwood hours to 6pm and return to Council with an Action item if the hours in any district are proposed to extend beyond 6pm.

Vote: Ayes – Maio, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – None; Abstain – Anderson; Absent – Moore, Worthington.

16. Amend BMC Section 14.52.120– Parking Meters: Establishing Policies and Rates for Credit Card Enabled Single-Space Meter
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of an Ordinance amending Berkeley Municipal Code Section 14.52.120 – Parking Meters to establish a 12-minute minimum transaction parking rate at credit card-enabled single-space meters.
Financial Implications: See report
Contact: Andrew Clough, Public Works, 981-6300
Action: M/S/C (Capitelli/Arreguin) to open the Public Hearing.
Vote: Ayes – Maio, Arreguin, Capitelli, Wengraf, Worthington, Wozniak, Bates; Noes – None; Abstain – None; Absent – Moore, Anderson.
Action: No action taken.

Action Calendar – Continued Business

C. Request the Occupational Safety and Health Administration (OSHA) to Move Forward with the Adoption of Draft Proposed Rule to Reduce Exposure to Life-Threatening Silica Dust *(Continued from June 25, 2013)*
From: Councilmember Worthington
Recommendation: Adopt a Resolution requesting OSHA move forward with the adoption of the draft proposed rule to reduce exposure to life-threatening silica dust and send a letter to the White House Office of Management and Budget.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Moved to Consent Calendar. Adopted Resolution 66,247–N.S. requesting OSHA move forward with the adoption of a rule to reduce exposure to life-threatening silica dust, revised to replace “the draft proposed rule” with “a new and strong rule” throughout, and send a letter, similarly revised, to the White House Office of Management and Budget.

Action Calendar – Old Business

17. Zoning Amendments to BMC Chapter 23C.08 - Demolition and Dwelling Unit Controls *(Continued from June 11, 2013)*
From: City Manager
Recommendation: Adopt first reading of an Ordinance repealing and reenacting Berkeley Municipal Code Sections 23C.08.020 and 23C.08.030, and adding Section 23C.08.035 to modify and clarify the conditions under which dwelling units may be demolished.
Financial Implications: See report
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Referred the original ordinance and the revised ordinance to the Housing Advisory Commission and the Planning Commission for consideration.

18. Commission Term Limits *(Continued from May 21, 2013)*
From: Councilmembers Capitelli and Wengraf
Recommendation: Refer to the City Manager an amendment to BMC 3.02.040 that imposes an eight-cumulative-year (in any ten year period) term limit for all commissioners now subject to an eight-year consecutive term limit and whose service commenced on or after December 1, 2004.
Financial Implications: Staff time
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
Action: Item removed from the Agenda and referred to the Agenda Committee.

Action Calendar – New Business

19. Voting Delegates - League of California Cities Annual Conference
From: City Manager
Recommendation: Designate, by motion, a voting delegate and alternate for the business meeting of the Annual League of California Cities meeting to be held on Friday, September 20, 2013, at the Sacramento Convention Center.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, 981-6900
Action: Moved to the Consent Calendar. Designated Councilmember Moore as the voting delegate and Councilmember Wengraf as the alternate voting delegate.

20. Parklets Pilot Program
From: City Manager
Recommendation: Affirm by motion the recommendation of the Transportation Commission to move forward with a three year pilot program allowing up to ten parklets in the commercial districts of the City of Berkeley subject to the procedures and conditions attached to the staff report.
Financial Implications: See report
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Moved to Consent Calendar. Affirmed recommendation.

Council Action Items

21. Referral to City Manager: Conduct an Investigation or Review of the Telegraph Food Truck Vendors' Concerns
From: Councilmember Worthington
Recommendation: Request that the City Manager provide clarification by doing an investigation or review of the Telegraph food truck vendors' belief that they would be allowed to return to their initial location at Telegraph and Bancroft and to clarify the agreements set forth during meetings between City staff and the vendors.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Moved to Consent Calendar. Approved recommendation revised to change investigation of vendor's "beliefs" to investigation of vendor's "concerns."

Information Reports

22. Settlement of Potential Lawsuit Concerning Refund of Property Tax Administration Fees
From: City Manager
Contact: Zach Cowan, City Attorney, 981-6950
Action: Received and filed.

Public Comment – Including Items Not Listed on the Agenda – 1 speakers.

Adjournment

Adjourned in memory of:

1. Warren Widener, former Mayor

2. Granite Mountain Hotshots Firefighters who lost their lives in the Yarnell Hill Fire.

Action: M/S/C (Maio/Wozniak) to adjourn the meeting.
Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – None; Abstain – None; Absent – Moore, Worthington.

Adjourned at 11:07 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of July 2, 2013 as approved by the Berkeley City Council.

_____
Mark Numainville, CMC, City Clerk

Communications

Item 17: Zoning Amendments to BMC Chapter 23C.08 - Demolition and Dwelling Unit Controls
1. Miles Imwalle

Pedestrian Safety Petition
2. Dan McMullan

Homeless Concerns
3. James Armstrong

Tobacco Free Multi-Unit Housing Ordinance
4. Carol Denney

FEMA/UC Berkeley Tree Clear-Cutting and Toxins
5. Sally Nelson

Commission Commentary
6. Avram Gur Arye

Bike Lanes on Tunnel Road
7. Tom Gandesbery

Commercial Lease at 2444 Durant Avenue
8. M. Eid Abdallah

Supplemental Communications and Reports 1

Item 11: Marijuana Smoking, Tobacco Smoking and Alcohol Consumption by Minors, Particularly in the Environs of Civic Center Park
9. Revised materials, submitted by Councilmembers Capitelli and Arreguin

Item 13: ZAB Appeal: 2401 Telegraph Avenue
10. Supplemental materials, submitted by Planning & Development

Item 15: Repeal and Reenact BMC Chapter 14.52 Parking Meters, Establish New Parking Rates for Off-Street Facilities for Implementation of the goBerkeley Pilot Project, and Re-enact the Disabled Persons Parking Placard Program for City Garages
11. Michael Katz

Item 17: Zoning Amendments to BMC Chapter 23C.08 - Demolition and Dwelling Unit Controls
12. Berkeley Tenants Union (60 petitions on file in City Clerk's Office)

Supplemental Communications and Reports 2

Item 11: Marijuana Smoking, Tobacco Smoking and Alcohol Consumption by Minors, Particularly in the Environs of Civic Center Park
13. Charles O'Neil

Supplemental Communications and Reports 2

Item 13: ZAB Appeal: 2401 Telegraph Avenue
14. JeffreyLeon

Item 15: Repeal and Reenact BMC Chapter 14.52 Parking Meters, Establish New Parking Rates for Off-Street Facilities for Implementation of the goBerkeley Pilot Project, and Re-enact the Disabled Persons Parking Placard Program for City Garages
15. John Caner, on behalf of Downtown Berkeley Association
16. Elizabeth Adams
17. Ellen Jacobs

Item 17: Zoning Amendments to BMC Chapter 23C.08 - Demolition and Dwelling Unit Controls
18. Brendan Darrow, on behalf of East Bay Community Law Center
19. Berkeley Rent Stabilization Board
20. Leila Moncharsh, on behalf of the Berkeley Architectural Heritage Association
21. Igor Tregub, on behalf of the Sierra Club Northern Alameda County Group
22. Linda Franklin
23. Berkeley Tenants Union

Item 18: Commission Term Limits
24. Avram Gur Arye

Supplemental Communications and Reports 3

Item A: Repeal BMC Section 9.08.090 Prohibiting Fliers on Windshields
25. Michael Katz

Item 13 ZAB Appeal: 2401 Telegraph Avenue
26. Kenneth Sarachan
27. Unknown

Item 14: Public Hearing #2: City Council Redistricting Plan
28. David Shiver
29. Berkeley Neighborhoods Council
30. DeeJay Pepito
31. James Chang

Item 15: Repeal and Reenact BMC Chapter 14.52 Parking Meters, Establish New Parking Rates for Off-Street Facilities for Implementation of the goBerkeley Pilot Project, and Re-enact the Disabled Persons Parking Placard Program for City Garages
32. Presentation and supplemental materials, submitted by Public Works

MINUTES

BERKELEY CITY COUNCIL MEETING

TUESDAY, JULY 16, 2013

7:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – DARRYL MOORE
DISTRICT 3 – MAX ANDERSON
DISTRICT 4 – JESSE ARREGUIN
DISTRICT 5 – LAURIE CAPITELLI
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – GORDON WOZNIAK

Preliminary Matters

Roll Call: 7:00 p.m.

Present: Councilmembers Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington and Wozniak.

Absent: Councilmember Anderson and Mayor Bates.

Councilmember Anderson present at 7:05 p.m.

Ceremonial Matters:

1. Recognition of Elmwood Merchants and Volunteers for Theater Restoration
2. Raymond Holbert Day – July 16, 2013
3. Recognition of Megan Voorhees from the Public Service Center

City Manager Comments:

1. Pedestrian sign reinstalled on University Avenue overcrossing.
2. National Night Out is August 6; Residents may register with BPD to host an event; Teen National Night Out on Oregon Street on August 6 at 3pm.

Public Comment on Non-Agenda Matters: 5 speakers.

Public Comment on Consent Calendar and Information Items Only: 7 speakers.

Consent Calendar

Action: M/S/C (Worthington/Moore) to adopt the Consent Calendar in one motion except as indicated.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Bates.

Consent Calendar

1. Commercial South Area (C-SA) "South Shattuck" Auto Sales Zoning Amendments, Amending BMC Chapter 23E.52
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,304-N.S. amending Berkeley Municipal Code Chapter 23E.52 (C-SA District) to allow new or relocated auto sales uses: a. with a Zoning Certificate (ZC) throughout the C-SA district when the business is conducted entirely indoors; b. with a Use Permit with Public Hearing (UPPH) in the Dealership Overlay Area if the business includes outdoor activities; c. subjecting all auto sales uses to specific development and performance standards that address neighborhood compatibility; and d. correcting typographical errors in the Chapter.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Adopted second reading of Ordinance No. 7,304-N.S.

2. Repeal and Reenact BMC Chapter 14.52 Parking Meters
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,305-N.S. repealing and reenacting Berkeley Municipal Code Chapter 14.52 Parking Meters to enable demand-responsive on street parking policies and rates in the goBerkeley Pilot Project Areas for the duration of the pilot project.
First Reading Vote: Ayes – Maio, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – None; Abstain – Anderson; Absent – Moore, Worthington.
Financial Implications: See report
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted second reading of Ordinance No. 7,305-N.S.

3. Contract: Downtown Berkeley YMCA for Fitness Center Memberships for City Employees
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of $201,600 for fitness center memberships for City employees for the period July 1, 2013 through June 30, 2014.
Financial Implications: Various Funds - $201,600
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
Action: Adopted Resolution No. 66,249–N.S.

4. Minutes for Approval
From: City Manager
Recommendation: Approve the minutes for the Council meetings of June 4, 2013 (special closed, special and regular), June 10, 2013 (special closed), June 11, 2013 (special and regular) and June 25, 2013 (regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, 981-6900
Action: Approved minutes as submitted.

Consent Calendar

5. Deferral of Development Fees for Priority Economic Development Projects
From: City Manager
Recommendation: Adopt a Resolution reinstating the City Manager's authority to defer building permit fees for priority economic development projects until June 28, 2014.
Financial Implications: See report
Contact: Michael Caplan, Economic Development, 981-7530
Action: Adopted Resolution No. 66,250–N.S.

6. Contract: Easy Does It to Provide Measure B Wheelchair Paratransit Services to Berkeley Residents
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a contract with Easy Does It (EDI) to provide Wheelchair Paratransit Services to eligible Berkeley residents from July 1, 2013 through June 30, 2014 in an amount not to exceed $50,000 with the option to extend for an additional two years contingent upon performance, for an annual contract amount not to exceed $50,000.
Financial Implications: General Fund - $50,000
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 66,251–N.S.

7. Alameda County Contracts to Support Programs in Aging Services Division in Fiscal Year 2014
From: City Manager
Recommendation: Adopt five Resolutions authorizing the City Manager or her designee to submit contract agreements to Alameda County, and execute any resultant revenue agreements and amendments to provide congregate and home-delivered meals, family caregiver support, senior center activities and information and assistance services to seniors for the following revenue agreements for Fiscal Year 2014:
1. Congregate Meals in the amount of $22,742.
2. Home Delivered Meals in the amount of $31,195.
3. Family Caregiver Support Program in the amount of $29,585.
4. Senior Center Activities in the amount of $20,905.
5. Information and Assistance Services in the amount of $41,048.

Financial Implications: See report
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 66,252–N.S. (Congregate Meals); Resolution No. No. 66,253–N.S. (Home Delivered Meals); Resolution No. 66,254–N.S. (Family Caregiver Support Program); Resolution No. 66,255–N.S. (Senior Center Activities); and Resolution No. 66,256–N.S. (Information and Assistance Services).

8. Revenue Agreement: Alameda County Transition to Independence Program for Berkeley Mental Health
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a revenue agreement with Alameda County Behavioral Health Care Services, and any

amendments thereto, for outpatient mental health services to transition age youth in the amount of $537,854 for the term July 1, 2013 through June 30, 2014, and approving the designations as listed on the Alameda County Health Care Services CBO Community Agency Contract Signature Authorization form.
Financial Implications: Alameda County TAY TIP - $537,854
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 66,257–N.S.

9. Contract No. 8439D Amendment: Youth Engagement Advocacy Housing Transition Age Youth Support Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 8439D with Youth Engagement Advocacy Housing for the provision of support services to homeless Transition Age Youth, in the amount of $76,326 for a total amount not to exceed $407,072 and to extend the expiration date to June 30, 2014.
Financial Implications: Mental Health Service Act - $76,326
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 66,258–N.S.

10. FY 2014 Funding for Resources for Community Development and Satellite Affordable Housing Associates
From: City Manager
Recommendation: Adopt two Resolutions approving operating funding in the amount of $28,638 each for FY 2014 for non-profit affordable housing developers, Resources for Community Development and Satellite Affordable Housing Associates.
Financial Implications: See report
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 66,259–N.S. (Resources for Community Development); and Resolution No. 66,260–N.S. (Satellite Affordable Housing Associates).

11. Contract: Bay Area Community Resources for Placement of AmeriCorps Interns
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an expenditure contract and any amendments or extensions with Bay Area Community Resources for the placement of AmeriCorps Interns in an amount not to exceed $70,000 for the period July 1, 2013 through June 30, 2014.
Financial Implications: Various Funds - $70,000
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Adopted Resolution No. 66,261–N.S.

Consent Calendar

12. Classification: Revenue Development Supervisor
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 64,250-N.S., Classification and Salary Resolution for Public Employees Union Local One, to establish the classification of Revenue Development Supervisor with a monthly salary range of $7,281 to $8,681 effective July 17, 2013.
Financial Implications: See report
Contact: David Abel, Human Resources, 981-6800
Action: Adopted Resolution No. 66,262–N.S.

13. Classification: Occupational Health and Safety Officer
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 65,376-N.S., Classification and Salary Resolution for Unrepresented Employees, to re-title the Occupational Health and Safety Coordinator classification to Occupational Health and Safety Officer effective July 17, 2013.
Financial Implications: None
Contact: David Abel, Human Resources, 981-6800
Action: Adopted Resolution No. 66,263–N.S.

14. Contract No. 7759 Amendment: Gruber Power Supply for Uninterrupted Power Supply Spare Parts and Maintenance
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 7759 with Gruber Power Supply for Uninterrupted Power Supply (UPS) spare parts and maintenance, increasing the amount by $11,485, for a total not to exceed $83,559, from July 1, 2008 through June 30, 2014.
Financial Implications: General Fund - $11,485
Contact: Donna LaSala, Information Technology, 981-6500
Action: Adopted Resolution No. 66,264–N.S.

15. Contract No. 7562B Amendment: Decade Software Company for Software Maintenance
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 7562B with Decade Software Company, increasing the amount by $109,242, for a total not to exceed $290,575 from February 21, 2008 to June 30, 2016.
Financial Implications: Various Funds - $109,242
Contact: Donna LaSala, Information Technology, 981-6500
Action: Adopted Resolution No. 66,265–N.S.

Consent Calendar

16. License Agreement: Bay Area Air Quality Management District – Air Monitoring Station Under the Pedestrian Bridge at Aquatic Park
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a license agreement with the Bay Area Air Quality Management District to install and operate an air monitoring station under the pedestrian bridge at Aquatic Park for five years with two five-year options to extend.
Financial Implications: General Fund - $134,592
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Adopted Resolution No. 66,266–N.S.

17. Contracts: Plan Checking Services
From: City Manager
Recommendation: Adopt three Resolutions authorizing the City Manager to approve contracts and any amendments with the following firms for plan checking services for a three year contract period:
1. Telesis Engineers, Inc., for an amount not to exceed $500,000, and
2. Interwest Consulting Group, for an amount not to exceed $500,000, and
3. West Coast Code Consultants, for an amount not to exceed $500,000.

Financial Implications: See report
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Adopted Resolution No. 66,267–N.S. (Telesis Engineers, Inc.); Resolution No. 66,268–N.S. (Interwest Consulting Group); and Resolution No. 66,269–N.S. (West Coast Code Consultants).

18. Contract No. 9180 Amendment: Chrisp Company for Roadway Thermoplastic Markings
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9180 with Chrisp Company for thermoplastic roadway markings, increasing the amount by $250,000 for a revised total contract not to exceed $1 million.
Financial Implications: Caltrans Fund - $250,000
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted Resolution No. 66,270–N.S.

19. Contract: ERA Construction, Inc., for Transfer Station Drainage Improvement Project - Phase II
From: Public Works
Recommendation: Adopt a Resolution: 1. Approving plans and specifications for the Transfer Station Drainage Improvement Project - Phase II, Specification Number 12-10656-C; and 2. Accepting the bid of ERA Construction, Inc., and authorizing the City Manager to execute a contract and any extensions or change orders until completion of the project in accordance with the approved plans and specifications, in an amount not to exceed $484,000.
Financial Implications: Capital Improvement Fund - $484,000
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted Resolution No. 66,271–N.S.

Consent Calendar

20. Contracts: CCTV Inspection, Manhole Inspection, and Condition Assessment for Sanitary Sewers
From: City Manager
Recommendation: Adopt three Resolutions authorizing the City Manager to execute 3 contracts, each for a 3-year term, and any amendments, extensions or other change orders for Closed Circuit TV inspection, manhole inspection, and condition assessment services, for a combined not-to-exceed total for all contracts of $1.2 million, as follows:
1. Empire Pipe Cleaning & Equipment, Inc. not to exceed $600,000.
2. Roto-Rooter not to exceed $300,000.
3. ABC Service not to exceed $300,000.

Financial Implications: Sanitary Sewer Operation - $1.2 million
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted Resolution No. 66,272–N.S. (Empire Pipe Cleaning & Equipment, Inc.); Resolution No. 66,273–N.S. (Roto-Rooter); and Resolution No. 66,274–N.S. (ABC Service).

21. Contract: HF&H Consultants, LLC, for a Sustainable Refuse Services Rate Study
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with HF&H Consultants, LLC, for a sustainable refuse services rate study and notice process, for an amount not to exceed $122,792 for the period July 17, 2013 through July 30, 2014.
Financial Implications: Refuse Collect Disposal Fund - $122,792
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted Resolution No. 66,275–N.S.

22. Purchase Order: Western Truck Parts & Equipment for Four 40-Yard Front Loading Refuse Trucks with Low Entry Cabs
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order with Western Truck Parts & Equipment for four 40-yard front loading refuse trucks with low entry cabs for an amount not to exceed $1,428,000.
Financial Implications: Equipment Replacement Fund - $1,428,000
Contact: Andrew Clough, Public Works, 981-6300
Action: Adopted Resolution No. 66,276–N.S.

23. Terminate the Elmwood Theater Business Improvement Area and Its Advisory Board ("Elmwood Advisory Board") and Allocate Surplus Revenues
From: Elmwood Advisory Board
Recommendation: Adopt a Resolution : 1) recognizing that assessments levied in the Elmwood Theater Business Improvement Area (hereafter, "the Area" or the "Elmwood BID") have repaid a 20-year City loan and additional financing to the Elmwood Theater Foundation (hereafter, "the Foundation"), thereby fulfilling the exclusive purpose of the Area; 2) directing City staff to remove any liens held by the City against the Elmwood Theater property, 2966 College, that secured the loans;

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3) allocating all surplus revenues collected in the Area to help repay additional City loans to the Foundation made in 2004-2005 for seismic improvements to the Theater; 4) terminating the Elmwood Theater Business Improvement Area established by Resolution No. 57,086-N.S. of July 20, 1993; 5) terminating the Advisory Board for the Elmwood Theater Business Improvement Area (hereafter "Elmwood Advisory Board" or "the Advisory Board") established by Resolution No. 56,802-N.S. of January 12, 1993 that had advised on the Area and the levying of assessments within it, and 6) rescinding Resolution No. 57,086-N.S. and Resolution No. 56,802-N.S.
Financial Implications: See report
Contact: Dave Fogarty, Commission Secretary, 981-7534

Action: M/S/C (Worthington/Arreguin) to adopt Resolution No. 66,277–N.S.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Capitelli (recused), Bates.

24. Support Maintaining HUD's Housing Choice Voucher Program at Pre-Sequestration Levels
From: Housing Advisory Commission
Recommendation: Adopt a Resolution supporting the continuing of pre-sequestration levels of funding for the Housing Choice Voucher Program and send copies to Congresswoman Barbara Lee and Senators Dianne Feinstein and Barbara Boxer.
Financial Implications: None
Contact: Kristen Lee, Acting Commission Secretary, 981-5427
Action: Adopted Resolution No. 66,278–N.S. revised as follows:
Title: SUPPORT FOR HUD MAINTAINING THE HOUSING CHOICE VOUCHER PROGRAM AT PRE-SEQUESTRATION LEVELS

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley supports HUD maintaining the Housing Choice Voucher Program at pre-sequestration levels.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Congresswoman Barbara Lee, Senators Dianne Feinstein and Barbara Boxer, HUD Secretary Shaun Donovan, and President Obama asking them to continue pre-sequestration levels of funding for the housing choice voucher program.

Council Consent Items

25. City Sponsorship of BrasArte's Brazilian Day Festival
From: Mayor Bates and Councilmember Arreguin
Recommendation: Adopt a Resolution co-sponsoring "BrasArte's Brazilian Day Festival" to be held on September 1, 2013 in collaboration with the Capoeira Arts Foundation which is housed at Casa de Cultura, located at 1901 San Pablo Avenue in Berkeley.
Financial Implications: None
Contact: Tom Bates, Mayor, 981-7100
Action: Adopted Resolution No. 66,279–N.S.

Council Consent Items

26. BrasArte's Brazil Day Festival: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Councilmember Arreguin
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $250 per Councilmember, including up to $250 from Councilmember Arreguin, to the BrasArte with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Jesse Arreguín, and any other Councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Fund - $250
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
Action: Adopted Resolution No. 66,280–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Arreguin - $250; Councilmember Anderson - $200; Councilmember Maio - $100.

27. Codornices Creek Habitat Restoration and Creation of Public Access, at San Pablo & Kains
From: Councilmember Maio
Recommendation:
1. Direct the City Manager to submit the appropriate grant application(s), in coordination with the City of Albany and the interested creek advocacy groups, to acquire funds to rehabilitate and restore the portion of Codornices Creek between Kains and San Pablo Avenue; and
2. Adopt a Resolution authorizing the City Manager to a) submit a grant application to the California Department of Water Resources for the Urban Streams Restoration Program to help mitigate flooding and erosion problems; b) accept the grant and execute any resultant agreements and amendments; and c) authorize the implementation of projects in compliance with the requirements of CEQA and allocate funding for related expenses, subject to securing the grant.
Financial Implications: See report
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: 1. Approved recommendation; and 2. Adopted Resolution No. 66,281–N.S.

28. Berkeley Electric Car Incentives
From: Councilmember Moore
Recommendation: Refer to the City Manager to explore parking policies that would provide incentives for electric car ownership.
Financial Implications: Unknown
Contact: Darryl Moore, Councilmember, District 2, 981-7120
Action: Approved recommendation.

29. Update on the Status of Electric Vehicle Charging Infrastructure in Berkeley
From: Councilmember Wengraf
Recommendation: Request that the City Manager return to Council with an updated and coordinated report from the various departments and commissions that have been evaluating the status of electric vehicle charging policy and infrastructure in the City of Berkeley. In addition, potential funding sources for grants and pilot programs and efforts to obtain such grants should be identified.

Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
Action: Approved recommendation.

30. Official City Sponsor of Berkeley High School All-Class Reunion and Its Charity Fun Run
From: Councilmember Moore
Recommendation: Approve City sponsorship of the Berkeley High School All-Class Reunion and the associated Charity Fun Run.
Financial Implications: Unknown
Contact: Darryl Moore, Councilmember, District 2, 981-7120
Action: Approved recommendation.

31. Downtown Berkeley Association: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Councilmember Arreguin
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $1,000 per Councilmember, including up to $1,000 from Councilmember Arreguin, to the Downtown Berkeley Association to help support the costs of the Downtown Berkeley Musicfest, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Arreguín and any other Councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Fund - $1,000
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
Action: Adopted Resolution No. 66,282–N.S. revised to include a contribution from Councilmember Arreguin in the amount of $500.

32. Public Calendars
From: Councilmember Arreguin
Recommendation: Refer to the City Manager and the Open Government Commission (OGC) for study the concept, as well as the feasibility, of requiring the calendars of City Councilmembers to be made public insofar that they relate to business, and request that the City Manager and OGC return to Council with a recommendation.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
Action: Moved to Action Calendar. 1 speaker. Motion/Second/Failed (Arreguin/Worthington) to refer to the City Manager and the Open Government Commission (OGC) for study the concept, as well as the feasibility, of requiring the calendars of City Councilmembers to be made public insofar that they relate to business, and request that the City Manager and OGC return to Council with a recommendation, amended to include Council aides and interns, a description of the discussion held, and issues regarding the disclosure of names.
Vote: Ayes – Arreguin, Worthington, Wozniak; Noes – None; Abstain – Maio, Anderson, Capitelli, Wengraf; Absent – Moore, Bates.

Council Consent Items

33. Polling for Community Priorities and Possible Funding Sources for November 2014 Election
From: Councilmembers Capitelli and Maio
Recommendation: Request that the City Manager conduct a telephone poll in the next 3 months to: 1) Assess community support for possible programs and projects relating to: a) Access to quality childcare, healthcare and preschool for Berkeley youth under five years of age b) Youth nutrition and gardening education; and 2) Assess community support for a range of possible funding mechanisms for priority projects and programs.
Financial Implications: $15,000-$20,000 (approx)
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
Action: Item removed from the Agenda by Councilmember Capitelli.

34. Proclamation in Honor of Kris Perry and Sandy Stier
From: Councilmembers Worthington, Moore, Anderson, and Arreguin
Recommendation: Adopt a proclamation honoring Kris Perry and Sandy Stier and recognize July 16th as Kris Perry and Sandy Stier Day.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Approved proclamation. Proclamation revised to change recognition date to September 10, 2013.

35. Refer Cannabis Commission September Presentation to Agenda Committee
From: Councilmember Worthington
Recommendation: Request to reschedule Medical Cannabis Commission presentation to September agenda.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Moved to Action Calendar. 0 speakers. M/S/C (Wozniak/Worthington) to approve the recommendation and request that the presentation include information on obtaining data from dispensaries for the number of patients, age of patients, and city of residence as well as potential new regulations to mitigate illegal dispensaries.

Vote: Ayes – Maio, Anderson, Arreguin, Wengraf, Worthington, Wozniak; Noes – Capitelli; Abstain – None; Absent – Moore, Bates.

Council Consent Items

36. Berkeley Pride: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Councilmember Worthington
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $1,000 per Councilmember, including up to $1,000 from Councilmember Worthington, to support the Pacific Center with funds relinquished to the City's general fund for this purpose that the City of Berkeley is able to come together to celebrate the local LGBT community and reflect on the issues they are facing and for costs of Berkeley Pride from the discretionary Council Office Budgets of Councilmember Worthington and any other Councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Fund - $1,000
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
Action: Adopted Resolution No. 66,283–N.S. revised to include a contribution from Councilmember Wengraf in the amount of $90.

37. Recognizing the Businesspeople and Professionals Whose Volunteer Activism Restored the Elmwood Movie Theater, 2966 College Avenue
From: Councilmember Wozniak
Recommendation: Adopt a Resolution recognizing Burl Willes, who initiated the campaign to save the Elmwood movie theater, 2966 College Avenue, as well as the merchants and professionals who, for 20 years, have served as volunteers on the Elmwood Theater Foundation and the Elmwood Advisory Board to purchase and restore this historic neighborhood movie theater.
Financial Implications: None
Contact: Gordon Wozniak, Councilmember, District 8, 981-7180
Action: Adopted Resolution No. 66,284–N.S.

Action Calendar – Public Hearing

38. Assessments: Telegraph Property and Business Improvement District
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, if no majority protests exists, adopt a Resolution confirming the Annual Report on the Telegraph Property and Business Improvement District (hereafter, the TBID or "the District") for FY 2013 and levying assessments in the District for FY 2014.
Financial Implications: See report
Contact: Michael Caplan, Economic Development, 981-7530
Public Testimony: The Vice-Mayor opened the public hearing. 0 speakers.
Action: M/S/C (Moore/Worthington) to close the public hearing.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Bates.
Action: M/S/C (Worthington/Capitelli) to adopt Resolution No. 66,285–N.S. confirming the Annual Report on the Telegraph Property and Business Improvement District (hereafter, the TBID or "the District") for FY 2013 and levying assessments in the District for FY 2014.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Bates.

Action Calendar – Public Hearing

39. Assessments: North Shattuck Business Improvement District
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, if no majority protests exist, adopt two Resolutions:
1. Confirming the Annual Report for the North Shattuck Business Improvement District (NSBID) for FY 2013 and levying assessments in the area for FY 2014.
2. Authorizing the City Manager to execute a sole source contract and any amendments with the North Shattuck Association to implement the Management District Plan for the NSBID.
Financial Implications: See report
Contact: Michael Caplan, Economic Development, 981-7530

Public Testimony: The Vice-Mayor opened the public hearing. 0 speakers.
Action: M/S/C (Moore/Arreguin) to close the public hearing.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Bates.

Action: M/S/C (Wengraf/Arreguin) to:
1. Adopt Resolution No. 66,286–N.S. confirming the Annual Report for the North Shattuck Business Improvement District (NSBID) for FY 2013 and levying assessments in the area for FY 2014.
2. Adopt Resolution No. 66,287–N.S. authorizing the City Manager to execute a sole source contract and any amendments with the North Shattuck Association to implement the Management District Plan for the NSBID.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Anderson, Bates.

Councilmember Anderson absent 8:25 p.m. – 8:32 p.m.

40. Assessments: Downtown Property and Business Improvement District
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, if no majority protests exist, adopt two Resolutions:
1. Confirming the Annual Report for the Downtown Property and Business Improvement District (DPBID) for FY 2013 and levying assessments in the area for FY 2014.
2. Authorizing the City Manager to execute a sole source contract and any amendments with the Downtown Berkeley Association (DBA) to implement the Management District Plan for the DPBID.
Financial Implications: See report
Contact: Michael Caplan, Economic Development, 981-7530

Public Testimony: The Vice-Mayor opened the public hearing. 0 speakers.
Action: M/S/C (Moore/Arreguin) to close the public hearing.
Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Anderson, Bates.

Action: M/S/C (Capitelli/Arreguin) to:

Action Calendar – Public Hearing

1. Adopt Resolution No. 66,288–N.S. confirming the Annual Report for the Downtown Property and Business Improvement District (DPBID) for FY 2013 and levying assessments in the area for FY 2014.
2. Adopt Resolution No. 66,289–N.S. authorizing the City Manager to execute a sole source contract and any amendments with the Downtown Berkeley Association (DBA) to implement the Management District Plan for the DPBID.

Vote: Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Anderson, Bates.

Action Calendar – Old Business

41. Referral to City Manager: Changes to Municipal Code Regarding Affordable Housing Requirement Implementation *(Continued from May 21, 2013)*
From: Councilmembers Arreguin and Capitelli
Recommendation: Refer to the City Manager and Housing Advisory Commission:
1. The proposed changes to Berkeley Municipal Code (B.M.C.) Section 22.20.065, relating to affordability requirements and implementation of the Affordable Housing Mitigation Fee. Request that the City Manager and HAC review these concepts and provide a recommendation to the City Council on possible changes to the ordinance.
2. Requesting a report from the City Manager about how staff implement the provision allowing for reductions or waiver of fees, B.M.C. Section 22.20.080, including: a. What information is requested of the applicant to provide "satisfactory factual proof" that the waiver/reduction is a "hardship"? b. What process does city staff go through to determine how fee requirements make a project "infeasible"? What standard does the city use to determine "infeasiblity"?
The report should also explore requiring that the applicant pay for a third party to evaluate financial information to determine how the fees affect financial feasibility. The City of San Carlos requires the applicant to pay for a third party to evaluate their pro forma to determine whether the fee would make the project infeasible.
Financial Implications: Unknown
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
Action: Item held over to September 10, 2013 by Councilmember Arreguin.

42. HERO Property Assessed Clean Energy Program *(Continued from June 11, 2013)*
From: Energy Commission
Recommendation: Postpone a decision regarding participation in the Home Energy Renovation Opportunity (HERO) program until federal regulations on residential Property Assessed Clean Energy (PACE) loans are clarified and send a letter to the Federal Housing Finance Agency (FHFA) urging the Agency to establish federal rulemaking procedures in connection with residential PACE financing and to rescind directives to Fannie Mae and Freddie Mac that threaten the viability of residential PACE programs throughout the nation.
Financial Implications: None
Contact: Neal DeSnoo, Commission Secretary, 981-7439
Action: Item held over to September 10, 2013.

Recess 8:50 a.m. – 9:02 p.m.

Action Calendar – New Business

43. Tax Exempt Status for Alta Bates Hospital

a. From: Community Health Commission
Recommendation:
1. Adopt a Resolution requiring that Alta Bates Summit Medical Center (ABSMC) provide an Annual Report to City Council to include specific detail on the qualified charity care reported as part of community benefits on tax returns; and
2. Direct the City Manager to designate two hours a week of Finance staff time to work with the Community Health Commission Alta Bates subcommittee to gather current data regarding ABSMC-Berkeley campuses' tax exempt status.
Financial Implications: See report
Contact: Janet Berreman, Commission Secretary, 981-5301

b. From: City Manager
Recommendation:
1. Adopt a Resolution, as recommended by the Community Health Commission, requiring that Alta Bates Summit Medical Center (ABSMC) provide an annual report to City Council to include specific detail on the qualified charity care and community benefits reported on tax returns and the value of the charity care and community benefits provided to Berkeley residents; and
2. Schedule a City Council work session to provide information to Council and the community about ABSMC's tax exempt status and to include a presentation by Alta Bates Summit Medical Center (ABSMC) regarding the community benefits and charity care provided to Berkeley residents.
Financial Implications: See report
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400

Action: 6 speakers. M/S/C (Moore/Arreguin) to adopt Resolution No. 66,290-N.S. as proposed by the Community Health Commission in Item 43.a. revised as follows:
1. Delete the second resolved clause referring to dedicated Finance staff time replace it with the second resolved clause from the staff resolution in 43.b. referring the issue to the Agenda Committee for scheduling of a worksession.
2. Delete paragraph d. from Exhibit A.
3. Revise paragraph a. from Exhibit A to add "…and projections of future dollar amounts of charity care for Berkeley residents."

Vote: Ayes – Maio, Moore, Anderson, Anderson, Arreguin, Capitelli, Wengraf, Worthington; Noes – Wozniak; Abstain – None; Absent –Bates.

44. a. Reducing Exposure to Anthropogenic Mercury
From: Community Environmental Advisory Commission
Recommendation: Adopt a Resolution: 1. Strongly supporting local, national, and worldwide efforts to reduce exposure to anthropogenic mercury; 2. Encouraging dentists practicing in Berkeley to limit use of mercury dental amalgam; 3. Requesting DBC to remind dentists that they have a legal obligation to provide fact sheet to new patients and to patients on their initial amalgam application; 4. Requiring dental offices to: a. Post standard Proposition 65 labels or posters regardless of the number of employees; b. Require all dentists to provide the Dental Board of California's Dental Materials Fact Sheet at each dental amalgam application; 5. Directing staff to write a letter to the Dental Board of California to update Dental

Material Fact Sheet; 6. Supporting continued education and advisories for Berkeley residents about potential risks associated with consuming fish caught in the Berkeley Marina and exposure to mercury from other sources; 7. Directing staff to provide copies of this resolution to the city's state and federal representatives and to the other cities in Alameda County with a request that they use their authority to take the necessary steps to phase-down the use of mercury in dentistry; 8. Writing to FDA and National Institute of Health (NIH) evaluate the knowledge gaps in risks of dental amalgam; 9. Supporting the United Nations efforts on use of mercury products; 10. Writing to the World Health Organization (WHO) to pledge support for the phase down of use of dental mercury; and 11. Directing staff to continue educating the community on dental amalgam and other products containing mercury.
Financial Implications: Minimal fiscal impact
Contact: Nabil Al-Hadithy, Commission Secretary, 981-7461

44. b. Reducing Exposure to Mercury in Dental Amalgam by Informed Consent
From: Community Health Commission
Recommendation: Adopt a Resolution requiring dentists practicing in Berkeley to: 1. Avoid or limit use of mercury dental amalgam, 2. Obtain documented informed consent from the patient before placement of each dental amalgam, and 3. Follow applicable regulations regarding dental amalgam practices and separators preventing mercury from reaching the environment.
Financial Implications: See report
Contact: Janet Berreman, Commission Secretary, 981-5301

c. Reducing Exposure to Anthropogenic Mercury
From: City Manager
Recommendation: Adopt a Resolution recommending that dentists in Berkeley take specific actions to reduce the use of dental amalgam and educate the public on its risks and benefits; continue education on reducing the exposure dental amalgam and other sources of anthropogenic mercury within the City; distribute the Resolution to the City's state and federal representatives and other cities in Alameda County and write letters to the U.S. Food and Drug Administration, the National Institute of Health, and the World Health Organization regarding the need for more research on dental amalgam and support for phasing down its use whenever possible.
Financial Implications: Minimal
Contact: Eric Angstadt, Planning and Development, 981-7400; Jane Micallef, Health, Housing and Community Services, 981-5400

Action: Item held over to September 17, 2013.

Action Calendar – New Business

45. Homeless Commission Site Visit Plan

a. From: Homeless Commission
Recommendation: Adopt a Resolution allowing the Homeless Commission to conduct 18 visits to City-funded homeless services provider sites during calendar year 2014, in addition to the Commission's regular meetings, and pursuant to the site visit plan submitted as part of this report.
Financial Implications: Minimal costs
Contact: Andrew Wicker, Acting Commission Secretary, 981-5418

b. From: City Manager
Recommendation: Take no action on the Homeless Commission's recommendation until September 2013, when all review Commissions have had a chance to review the proposed Site Visit Plan recommended by Staff.
Financial Implications: See report
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400

Action: Item 45.b. moved to Consent Calendar. Approved recommendation.

Councilmember Moore absent 9:23 p.m. – 11:14 p.m.

46. Regulate the Addition of Bedrooms in Certain Residential Districts to Reduce the Likelihood of Creating Mini-Dorms; Amending BMC Sub-Title 23D

a. From: Planning Commission
Recommendation:
1. Adopt first reading of an Ordinance amending the Zoning Ordinance to control the addition of bedrooms to existing parcels in the R-1, R-1A, R-2, R-2A, R-3. The ordinance increases the levels of discretion required to add a bedroom to a parcel in the noted districts, and adds “Bedroom” as a “Use” in each of the Use Tables for each of the noted districts.
2. Refer to the Planning Commission a request to develop an ordinance for regulating Mini-Dorms, which would replace Section 13.42 of the Berkeley Municipal Code. The proposed ordinance would become part of the Zoning Ordinance, rather than the Municipal Code.
Financial Implications: See report
Contact: Alex Amoroso, Commission Secretary, 981-7520

b. From: City Manager
Recommendation:
1. Adopt first reading of an Ordinance amending the Zoning ordinance to control the addition of bedrooms to existing parcels in the R-1, R-1A, R-2 and R-2A districts.
2. Refer to the City Manager modification of Chapter 13.42 (Mini-Dorms) of the Berkeley Municipal Code. The modifications should include a clarification of the definition of Mini-Dorm, and potentially additional operating standards and enforcement mechanisms.
Financial Implications: See report
Contact: Eric Angstadt, Planning and Development, 981-7400

Action: 13 speakers. M/S/C (Arreguin/Anderson) to:

Action Calendar – New Business

1. Adopt first reading of Ordinance No. 7,306–N.S. proposed by the Planning Commission in Item 46.a. amending the Zoning ordinance to control the addition of bedrooms to existing parcels in the R-1, R-1A, R-2, R-2A, R-3 districts amended to strike 23D.16.050.A.1., 23D.20.050.A.1., 23D.28.050.A.1., 23D.32.050.A.1., and 23D.36.060.A.1. Second reading scheduled for September 10, 2013.

2. Refer to the Planning Commission and the City Manager a request to develop an ordinance for regulating Mini-Dorms, which would replace Section 13.42 of the Berkeley Municipal Code including reviewing the San Luis Obispo ordinance, a possible overlay district, and looking at amending Section 13.42, or its potential successor, to have it apply to the R-1, R-1A and R-3 districts.

Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Moore, Bates.

Council Action Items

47. Establishing a Task Force to Improve Services to People Experiencing Mental Health Crises
From: Councilmember Arreguin
Recommendation: Direct the City Manager to establish a Task Force to address police response and services for people experiencing mental health crises, including individuals who have a history of non-compliance with treatment, have been unable to reach and engage in ongoing treatment, or have displayed aggressive behavior that is potentially harmful to themselves or to others. This task force should be comprised of representatives of the Mental Health Commission, Mental Health Division staff, Police Department staff, consumers, families, service providers, consumer advocates, County representatives and other stakeholders, with the goal of developing a set of recommendations for improving police response and the delivery of services to this population.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

Action: Revised to be a referral to the Mental Health Commission and referred to the Agenda Committee for scheduling of a worksession. Moved to Consent Calendar.

48. Referral to Planning Commission: Civic Center District Zoning Overlay
From: Councilmember Arreguin
Recommendation: Refer to the Planning Commission amending B.M.C. Chapter 23D.36 (R-3 District) and B.M.C. Chapter 23E.68 to establish a zoning overlay for properties designated as part of the Civic Center Historic District, restricting uses permitted to only the use categories listed below: Other Professionals and Government, Institutions, Utilities; Group Class Instruction for Business, Vocational or Other Purposes; Gyms and Health Clubs; Dance, Exercise, Martial Arts and Music Studios; Theaters, including Motion Pictures and Stage PerformanceLive Entertainment; Community Centers; Parks and Playgrounds; Public Safety and

Council Action Items

Emergency Services; Schools, Public or Private. The Planning Commission should make its recommendation to the City Council by September 2013.
Financial Implications: Staff time
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

Action: 10 speakers. M/S/C (Arreguin/Worthington) to approve the recommendation with the following revisions:

- Add a referral to the City Manager.
- Include R-2 properties in the Civic Center Historic District.
- Remove "Schools: Public or Private" from the list of uses.
- Strike the September 2013 date for delivering recommendations.
- Add that staff will review the proposed uses and make recommendations on adding or removing certain uses.

Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Moore, Bates.

Action: M/S/C (Wengraf/Arreguin) to suspend the rules and extend the meeting to 11:15 p.m.

Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Wozniak; Noes – None; Abstain – None; Absent – Moore, Worthington, Bates.

Councilmember Worthington absent 10:48 p.m. – 10:50 p.m.

49. City Manager Referral to Rent Out Vacant City-owned Storefronts
From: Councilmember Worthington
Recommendation: That the City Manager report back on September 10th to the City Council on the possible solutions to rent space in city-owned vacant storefronts at Telegraph/Channing Parking Garage.
Financial Implications: See report
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Action: Moved to Consent Calendar. Approved recommendation.

Information Reports

50. Update on Monitoring Inclusionary Housing Rental Units
From: City Manager
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400
Action: Item held over to September 10, 2013.

51. Letter of Interest: Priority Conservation Area Grant Program for the Bay Trail Extension Staging Area, Restroom, and Parking Lot Project
From: City Manager
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
Action: Received and filed.

Information Reports

52. LPC-NOD: 2425 Atherton Street
From: City Manager
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Received and filed.

53. LPC-NOD: 1542-1544 La Loma Avenue
From: City Manager
Contact: Eric Angstadt, Planning and Development, 981-7400
Action: Received and filed.

54. Update of Traffic Impacts Study for West Campus/Old Adult School Site
From: City Manager
Contact: Andrew Clough, Public Works, 981-6300
Action: Received and filed.

55. Audit Plan for Fiscal Year 2014
From: Auditor
Contact: Ann-Marie Hogan, Auditor, 981-6750
Action: Received and filed.

56. Update on Addressing Sex Trafficking
From: Councilmember Maio
Contact: Linda Maio, Councilmember, District 1, 981-7110
Action: Received and filed.

Public Comment – Including Items Not Listed on the Agenda – 1speakers.

Adjournment

Adjourned in Memory of:

1. Bob Evans, former Rent Board Commissioner
2. Thelma Ferguson, South Berkeley Activist
3. Charlie Louis Russell, Jr. Tribute on August 3 from 2pm – 4pm.

Action: M/S/C (Anderson/Worthington) to adjourn the meeting.
Vote: Ayes – Maio, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak; Noes – None; Abstain – None; Absent – Moore, Bates.

Adjourned at 11:14 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of July 16, 2013 as approved by the Berkeley City Council.

_____
Mark Numainville, CMC, City Clerk

Communications

Item 35: Refer Cannabis Commission September Presentation to Agenda Committee
1. Dan Rush

Item 43: Tax Exempt Status for Alta Bates Hospital
2. Pilar Schiavo, on behalf of the California Nurses Association

Pedestrian Safety Follow-Up
3. Daniel McMullan (2)

Increasing Minimum Wage
4. Terrence Regan

Eid's TV
5. M. Eid Abdallah

Tree Removal
6. Jerry Landis

Cannabis Collectives
7. Jenny Collins -- Referred to City Manager by Councilmember Maio

Seismic Day of Action
8. Housing Advisory Commission -- Referred to City Manager by Councilmember Arreguin

CNA Newsletter
9. Ted Edlin

Community Centers
10. Jessica Arroyo

3001 Telegraph Avenue
11. Nancy Carleton
12. Fred Krieger

Jaywalking Incident
13. Moni Law

Procedural Matters
14. Judith Scherr

Youth Spirit Artworks
15. Ann Johnson

Supplemental Communications and Reports 1

Item 32: Public Calendars
16. Revised materials, submitted by Councilmember Arreguin

Supplemental Communications and Reports 2

Item 27: Codornices Creek Habitat Restoration and Creation of Public Access, at San Pablo & Kains
17. Tom & Jane Kelly

Item 46: Regulate the Addition of Bedrooms in Certain Residential Districts to Reduce the Likelihood of Creating Mini-Dorms; Amending BMC Sub-Title 23D
18. David Shiver, on behalf of the Southside Neighborhood Consortium

Supplemental Communications and Reports 3

Item 27: Codornices Creek Habitat Restoration and Creation of Public Access, at San Pablo & Kains
19. Unknown

Item 44: Reducing Exposure to Anthropogenic Mercury
20. Whitney Johnson
21. Unknown

Guantanamo Detainees
22. Unknown

Clarification on Seismic Day of Action Communication
23. Igor Tregub

Eid's TV
24. M. Edi Abdallah

Post Office Benefit
25. Unknown