

SUMMARY

BERKELEY CITY COUNCIL REGULAR MEETING

TUESDAY, MAY 21, 2002

Preliminary Matters

Roll Call: 7:01 P.M. – All Present

Ceremonial Matters:

Recognition of Energy Officer, Neal De Snoo.

Comments from the City Manager:

1. The Northern California Chapter of the American Public Works Association has presented the City with the “2002 Distinguished Project of the Year” Award for the Martin Luther King Jr. Civic Center Renovation.

2. Public Works Week is May 19-25, 2002. The theme for this year is “Committed to Our Communities.” The Public Works Department will focus on community outreach.

Comments from the Public: 12 speakers.

Consent Calendar

Action: Moved, seconded, carried (Breland/Shirek) to adopt the Consent Calendar in one motion except as indicated:

- Downtown BART Station – Creation of Passenger Loading and Unloading Zone; and Taxi Stand Relocation** (*first reading 05/14/02 – unanimous*)
From: City Manager
Recommendation: Adopt second reading of an Ordinance amending the Berkeley Municipal Code (BMC) to add Section 14.40.160 to create a no-double parking zone for commercial vehicles along the taxi zone on Center Street.
Contact: Grace Maguire, 981-7008, Rene Cardinaux, Public Works, 981-6300, Fran David, Finance, 981-7300
Action: Adopted Ordinance No. 6689- N.S. Effective June 20, 2002.
- Easement: 725 Potter Street**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to accept an easement for a fire hydrant and fire apparatus access between parcels at 725 Potter Street and 700 Heinz Street.
Contact: Reginald Garcia, Fire Chief, 981-3473
Action: Adopted first reading of Ordinance. Second reading scheduled for May 28, 2002.

Consent Calendar

3. **Lockers for Homeless**
From: City Manager
Recommendation: Adopt a Resolution authorizing expenditures in an amount not to exceed \$39,000 to Shattuck Avenue Self-Storage to provide lockers for use by individuals experiencing homelessness for the period October 1, 2001 through September 30, 2002.
Contact: Fred Medrano, Health and Human Services, 981-5100
Action: Removed from Consent Calendar by Councilmember Maio and held over to the meeting of May 28, 2002.

4. **Public Agency Retirement System (PARS)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend and restate the plan document under the Public Agency Retirement System (PARS), which provides an Alternate Retirement System to Social Security for hourly-paid temporary and seasonal employees, to incorporate new provisions required by the IRS to comply with federal legislation.
Contact: Ron Brown, Human Resources, 981-6800
Action: Adopted Resolution No. 61,561-N.S

5. **Purchase Agreement: 1242 Josephine Street/1811 Berryman Street**
From: City Manager
Recommendation: Adopt a Resolution nullifying the amended June 27, 2001 purchase agreement relating to the acquisition of 1242 Josephine Street and 1811 Berryman Street; and directing the City Manager to secure a return of all funds placed in escrow relating to this transaction.
Contact: Stephen Barton, Housing, 981-5400
Action: Adopted Resolution No. 61,562 N.S.

6. **Contract: FY 2002 Spiral Sidewalk Project**
From: City Manager
Recommendation: Adopt a Resolution approving plans and specifications for the FY2002 Spiral Sidewalk Project; accepting the bid of AJW Construction, Inc.; and authorizing the City Manager to execute a contract and any amendments, in an amount not to exceed \$287,000 for the period May 21, 2002 to December 30, 2002.
Contact: Rene Cardinaux, Public Works, 981-6300
Action: Adopted Resolution No. 61,563 N.S.

Consent Calendar

7. **Purchase Orders: Litter/Recycling Receptacles**
From: City Manager
Recommendation: Adopt a Resolution: 1) accepting bids from Forms and Surfaces, Inc. for up to 500 decorative litter receptacles and from Ecopop, Inc. for recycling containers; 2) authorizing the City Manager to authorize purchase orders over the next five years for a total amount not to exceed \$612,000; and 3) accepting a credit of 3% from Forms and Surfaces for every litter receptacle sold to other cities or businesses that is an exact match in size and part number to Forms and Surfaces.
Contact: Rene Cardinaux, Public Works, 981-6300
Action: Adopted Resolution 61,564-N.S.
8. **Contract: Public Safety Building Tower Study**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to the contract with MACRO Corporation for the Public Safety Building (PSB) Communications Tower study, increasing the contract by \$43,296, for a total amount not to exceed \$93,296 for field strength tests of the possible tower replacement alternatives for the period May 15, 2002 through August 30, 2002.
Contact: Rene Cardinaux, Public Works, 981-6300; John Rosenbrock, Capital Projects, 981-6331
Action: Removed from Consent Calendar by Councilmember Armstrong and held over to the meeting of May 28, 2002.
9. **Fee Waiver: San Francisco Mime Troupe**
From: Councilmembers Maio and Armstrong
Recommendation: Adopt a Resolution waiving all fees associated with the performances of the San Francisco Mime Troupe for their Summer 2002 schedule of performances.
Contact: Councilmember Linda Maio, District 1, 981-7110; Councilmember Polly Armstrong, District 8, 981-7180
Action: Adopted Resolution 61,565- N.S.
10. **Affordable Housing Week**
From: Councilmember Maio
Recommendation: Adopt a Resolution declaring June 1, 2002 to June 9, 2002 “Affordable Housing Week” emphasizing the need for additional affordable housing and honoring the contributions of local housing organizations in working for affordable housing for all of Berkeley’s citizens.
Contact: Councilmember Linda Maio, District 1, 981-7110
Action: Adopted Resolution No. 61,566 -N.S.

Consent Calendar

11. **Humane Commission Funding Recommendations** *(to be delivered)*
From: Councilmember Spring
Recommendation: Approve the Commission's funding recommendations for FY2003.
Contact: Councilmember Dona Spring, District 4, 981-7140
Action: Removed from Consent Calendar by Councilmember Spring and held over to the meeting of May 28, 2002.

12. **Waive The Council Rules to Allow Action on Commission Items**
From: Councilmember Spring
Recommendation: Waive Council rules and take action on the Peace and Justice Commission's recommendation on oxidation-incineration and the Citizen's Humane Commission's funding allocations on tonight's agenda because they are time dated.
Contact: Councilmember Dona Spring, District 4, 981-7140
Action: Removed from Consent Calendar by Councilmember Spring and held over to the meeting of May 28, 2002.

13. **Peace and Justice Resolution Calling for an Injunction to Stop Oxidation Incineration**
From: Councilmembers Spring, Worthington
Recommendation: Approve the recommendations of the Commission and adopt a Resolution authorizing funds in the amount of \$15,000 to support a lawsuit, and an injunction to stop the oxidation-incineration of all radioactive mixed waste at the National Tritium Labeling Facility (NTLF), to be filed by the Committee to Minimize Toxic Waste, (CMTW) against the State of California Department of Toxic Substance Control for failure to require Lawrence Berkeley National Laboratory (LBNL) to do an Environmental Impact Report (EIR) under CEQA and an Environmental Impact Statement (EIS) under NEPA.
Contact: Councilmember Dona Spring, District 4, 981-7140; Kriss Worthington, District 7, 981-7170
Action: Removed from the Consent Calendar by Councilmember Armstrong and held over to the meeting of May 28, 2002.

14. **Fee Waiver: Seventh Annual Watershed Environmental Poetry**
From: Councilmember Worthington
Recommendation: Adopt a Resolution related to the 7th Annual Watershed Environmental Poetry Event to be held in the Martin Luther King Jr. Civic Center Park on Saturday, September 7, 2002: 1) extending the sound permit from 11-5 p.m.; 2) waiving all fees to secure the use of the Veterans Memorial Building for bathroom access for the public and the auditorium in the occurrence of rain; 3) waiving Berkeley Municipal Code (BMC) Section 20.24.040 to allow a Watershed Environmental Poetry banner in the downtown area (across Shattuck, 8/23-9/7), a stage banner above the Peace Wall; 4) waiving permits and providing staff assistance and necessary equipment associated with hanging the banners; and 5) allowing access to the kiosk (8/23-9/7)

Consent Calendar

located outside of downtown Berkeley BART station on Center Street to display a poster and any information relating to the Watershed Environmental Poetry Event.

Contact: Councilmember Kriss Worthington, District 7, 981-7170

Action: Adopted Resolution No. 61,567- N.S.

15. **Support Calpirg's Statement of Principles to Keep the Clean Air Act Intact**
From: Councilmember Worthington
Recommendation: 1) Support Calpirg's statement of principles to keep Clean Air Act intact; 2) send letters to President Bush, Environmental Protection Agency (EPA) Administrator Christine Todd Whitman opposing the EPA removing a provision of the Clean Air Act called the New Source Review; and 3) send letters to our congressional representatives in support of legislation H.R. 1256 (Waxman) and S.556 (Jeffords)
Contact: Councilmember Kriss Worthington, District 7, 981-7170
Action: Approved recommendation.

16. **Traffic Calming Emergency Response for the Most Dangerous Residential Streets**
From: Councilmember Spring
Recommendation: Request the City Manger take action to respond to the pedestrian death on Addison Street by convening a meeting to discuss temporary traffic calming measures on Addison, Allston and Jefferson Streets, the most dangerous residential streets for pedestrians; for the purposes of informing and taking public input from the affected residents regarding the long-awaited implementation of the ~~first phase of four~~ traffic calming measures. ~~on these streets as prepared by former traffic engineer, Jeff Knowles.~~
Contact: Councilmember Dona Spring , District 4, 981-7140
Action: Removed from Consent Calendar by Councilmember Armstrong. Moved, seconded, carried (Armstrong/Maio) to approve the recommendation as amended as noted above.

17. **Urge BART to Charge for Parking to Meet its Budget Deficit**
From: Councilmember Hawley
Recommendation: Ask the City Manager to inform the General Manager of BART and its Board of Directors that the Council opposes an increase in BART fares and cuts in the quality and amount of service as a way of balancing its budget, and urges the BART District to charge for parking at BART stations as an equitable and environmentally sound alternative. Since the BART Board of Directors will meet on May 23 to discuss this matter, this letter should be sent as quickly as possible.
Contact: Councilmember Mim Hawley, District 5, 981-7150
Action: Approved recommendation.

Consent Calendar

18. **Support BART Parking Fee Increases**
From: Councilmember Worthington
Recommendation: Support Resolution proposed by transit, labor, environmental, and consumer groups calling for BART parking fees instead of fare hikes, layoffs, and service cuts.
Contact: Councilmember Kriss Worthington, District 7, 981-7170
Action: Adopted Resolution No. 61,568-N.S.
19. **Opposing Racial Privacy Initiative**
From: Councilmembers Worthington, Breland, Maio
Recommendation: Adopt a Resolution opposing the Racial Privacy Initiative (RPI) submitted by Ward Connerly for the November 2002 Election that would prohibit state and local governments, public universities and school districts from collecting or using information about race, ethnicity, color or national origin. Also send letters of opposition to Governor Davis, State Assemblywoman Aroner and State Senator Perata.
Contact: Councilmember Worthington, District 7, 981-7170; Councilmember Breland, District 2, 981-7120; Councilmember Maio, District 1, 981-7110.
Action: Adopted Resolution No. 61,569-N.S.
20. **Support for April 9th Protesters**
From: Councilmember Worthington
Recommendation: Adopt a Resolution that requests University of California Chancellor Berdahl to not take away students' opportunity for education and drop the suspensions for the April 9th protest. Also, request the District Attorney drop the charges for participating in the demonstration and protest rally.
Contact: Kriss Worthington, District 7, 981-7170
Action: Removed from Consent Calendar by Councilmember Armstrong and held over to the meeting of May 28, 2002.
21. **Commendation: Energy Officer**
From: Berkeley Energy Commission
Recommendation: Adopt a Resolution honoring and thanking Neal De Snoo for his excellent service to the City and the residents of Berkeley during the many years he has served as the Berkeley Energy Officer, and particularly for his outstanding service during the recent California energy crisis.
Contact: Steven Barton, Housing, 981-5401
a. City Manager Report
Recommendation: Concurs with the content and recommendation of the Commission.
Contact: Stephen Barton, Housing, 981-5400
Action: Adopted Resolution No. 61,570- N.S.

Public Hearings on Land Appeals

22. **2517 Sacramento Street-** *(Continued only for limited purposes of taking comment on any new proposal or modification of proposals to the project as a result of mediation)*
- a. Appeal filed by Marie Bowman, appellant,** of the Zoning Adjustments Boards decision to approve a Mitigated Negative Declaration and Use Permit 01-10000085 to:
- a) demolish an existing commercial structure; and b) construct a four-story 40,171 square foot mixed-use building with 40 dwelling units above 3,620 square feet of retail space at 2517 Sacramento Street in the C-SA (South Area Commercial) Zoning District.
- Contact: Sherry M. Kelly, City Clerk, 981-6900
- b. City Manager Supplemental Report** *(to be delivered)*
Contact: Carol Barrett, Planning and Development, 705-8102
- c. City Manager Report** *(see agenda packet of May 7, 2002)*
Recommendation: Adopt a Resolution adopting a mitigated negative declaration and approving Use Permit 01-10000085 to: a) demolish an existing commercial structure, b) construct a four-story 40,171 square foot mixed-use building with 40 dwelling units above 3,620 square feet of retail space at 2517 Sacramento Street in the C-SA (South Area Commercial) Zoning District, and c) dismissing the appeal.
Contact: Carol Barrett, Planning and Development, 705-8102
- d. Communications** *(see agenda packet of May 7, 2002)*
1. Honor Thompson
 2. Shari Huebner
 3. Rachel Rupert, Berkeley Chamber of Commerce
 4. Nancy Bickel, Lois Brubeck, Jean Safir, League of Women Voters
 5. Rachel Peterson, Urban Ecology
- e. Communications** *(see agenda packet of March 19, 2002)*
6. Howie Muir
 7. Nancy Pearlman
 8. Lisa and Paul Gerrard
 9. Leeyo
 10. Richard Entenman
 11. Cara Eisenberg
 12. Marie Bowman
 13. Bill Gutierrez
 14. Donald Martin
 15. Rena Rickles
 16. Karl Golden
 17. Helene Hunter
 18. Rosemary Hunter
 19. Kevin Zwick
- f. Communications** *(May 21, 2002)*
20. Kevin Zwick
 21. Helen Rippier Wheeler
 22. Howie Muir
- Contact: Sherry M. Kelly, City Clerk, 981-6900

Public Hearings on Land Appeals

Action: Moved, seconded, carried (Breland/Hawley; Noes - Worthington) to approve the City Manager's recommendation that Council continue the public hearing to May 28, 2002 to allow additional time for staff, the applicant and neighbors to continue their negotiations in mediation.

23. 1102 Tenth Street

a. Appeal filed by Carl Brodsky and Susan Nabeta-Brodsky, property owner of the Landmarks Preservation Commission decision of February 4, 2002, which designated Thomas Jones House and Property, 1102 Tenth Street, as a Structure of Merit.

Contact: Sherry M. Kelly, City Clerk, 981-6900

b. City Manager Report (*See agenda packet of April 23, 2002*)

Recommendation: Conduct a Public Hearing and upon conclusion, remand the designation as a Structure of Merit to the Landmarks Preservation Commission to consider the issues raised in the appeal.

Contact: Carol Barrett, Planning and Development, 705-8102

c. Communications: (*See agenda packet of April 23, 2002*)

1. Daniel F. Reidy

Contact: Sherry M. Kelly, City Clerk, 981-6900

Public Testimony: The Mayor opened the public hearing. 5 speakers heard. Moved, seconded, carried (Maio/Armstrong) to close the public hearing.

Action: Moved, seconded, carried (Maio/Hawley) to direct staff to return to Council with findings to reverse the Landmarks Commission designation of the property as a Structure of Merit and upholding the appeal based on the oral and written testimony.

Public Hearing – Assessment Districts

24. Street Lighting Assessment District No. 1982-1 and Street Light Upgrading Assessment District No. 1999-1

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution confirming diagrams and assessments and levying assessments for Fiscal Year 2003 in the Berkeley Street Lighting Assessment District No. 1982-1 and the Berkeley Street Light Upgrading Assessment District No. 1999-1

Contact: Rene Cardinaux, Public Works, 981-6300

Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Armstrong/Maio) to close the public hearing.

Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,571-N.S.

Public Hearings on City Fees

25. Sidewalk Food Vending Continued Public Hearing (CF 178-01)

a. City Manager Report *(to be delivered)*

Recommendation: Continue the public hearing from April 16, 2002, and upon conclusion, adopt first reading of an Ordinance repealing and reenacting Chapter 9.49 of the Berkeley Municipal Code regulating Food Vending on Sidewalks and Rights-of-Way; and adopt a Resolution establishing food vending licensing fees, effective concurrently with the effective date of the ordinance.

Contact: Fran David, Finance, 981-7300

b. City Manager Report *(dated April 16, 2002)*

Recommendation: Conduct a public hearing on establishing food vending fees, and waive the rules in order to take action on the same night; and adopt first reading of an Ordinance repealing and reenacting Chapter 9.49 of the Berkeley Municipal Code regulating Food Vending on Sidewalks and Rights-of-Way; and adopt a Resolution establishing food vending licensing fees, effective concurrently with the effective date of the ordinance.

Contact: Fran David, Finance, 981-7300

Public Testimony: The Mayor opened the public hearing. 2 speakers. Moved, seconded, carried (Maio/Spring) to close the public hearing.

Actions: Moved, seconded (Worthington/Spring) a main motion to approve the ordinance, amended to include the number and location of sites would be in consultation with the merchants and adopt a resolution establishing food vending licensing fees.

Moved, seconded, carried (Armstrong/Olds; Noes: Breland, Maio, Spring and Worthington) a substitute motion to adopt first reading of an Ordinance amended to limit the ordinance to the Telegraph/Bancroft/College area and adopt Resolution No. 61,572-N.S. Second reading of Ordinance scheduled for May 28, 2002.

26. Environmental Health Fees

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt two Resolutions establishing fees for regulations and inspections, and development services for FY 2003 as required by Berkeley Municipal Code Title 12, and rescinding Resolutions Nos. 60,602-N.S. and 60,603-N.S.

Contact: Fred Medrano, Health and Human Services, 981-5100

Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Olds/Armstrong) to close the public hearing.

Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution Nos. 61,573-N.S. and 61,574-N.S.

Public Hearings on City Fees

27. **Senior Center Fees**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution increasing fees for the rental of senior center facilities and rescinding Resolution No. 57,507-N.S.
Contact: Fred Medrano, Health and Human Services, 981-5100
Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Olds/Armstrong) to close the public hearing.
Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,575-N.S.
28. **Marina Berthing and Nature Center Fees**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution authorizing: 1) an increase to the base berth rates by 3% beginning July 1, 2002; 2) an increase in fees for specific recreation programs at the Marina; 3) elimination of credit for dock boxes; and 4) rescinding Resolution No. 61,106-N.S.
Contact: Lisa Caronna, Parks and Waterfront, 981-6700
Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Spring/Armstrong) to close the public hearing.
Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,576-N.S.
29. **Collection of Refuse and Commercial Compostable Materials and Transfer Station Services Fees**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution setting rates for the collection of refuse and commercial organics, special services, and transfer station disposal; reconfirming existing refuse collection districts; and rescinding Resolution No. 61,083-N.S., and all amending resolutions, effective July 1, 2002.
Contact: Rene Cardinaux, Public Works, 981-6300
Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Spring/Armstrong) to close the public hearing.
Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,577-N.S.
30. **Sewer Service Fees**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, 1) adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Sections 17.04.010 and 17.04.015, sewer service charges, imposition of liens, and appeals; and 2) adopt a Resolution increasing sewer service charges for residential and non-residential categories for FY 2003.
Contact: Rene Cardinaux, Public Works, 981-6300

Public Hearings on City Fees

Public Testimony: The Mayor opened the public hearing. 2 speakers. Moved, seconded, carried (Armstrong/Shirek) to close the public hearing.

Action: Held over to meeting of May 28, 2002.

31. **Planning and Community Development and Toxics Management Fees**

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution: 1) establishing the fee schedule for the Permit Service Center Fund for development related services; 2) establishing the fee schedule for the Certified Unified Program Fund for hazardous substance management services; 3) Readopting Council's policy of limiting future unfunded fee waivers to seismic strengthening and granting other waivers only when there is substitute funding authorized by Council; and 4) rescinding Resolution No. 60,601-N.S.

Contact: Carol Barrett, Planning and Development, 705-8102

Public Testimony: The Mayor opened the public hearing. 1 speaker. Moved, seconded, carried (Hawley/Armstrong) to close the public hearing.

Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,578-N.S.

32. **Housing Code Inspection and Rental Housing Safety Program Fees**

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution increasing fees for housing code inspections, establishing a certification fee for the Rental Housing Safety Program, and rescinding Resolution No. 61,180-N.S.

Contact: Stephen Barton, Housing, 981-5400

Public Testimony: The Mayor opened the public hearing. 12 speakers. Moved, seconded, carried (Armstrong/Maio) to close the public hearing.

Action: Held over to the meeting of May 28, 2002.

33. **Police Department Administrative Fingerprinting Fees**

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Section 2.64.150 increasing the administrative fingerprinting fee from \$10 to \$20.

Contact: Dash Butler, Police Chief, 981-5700

Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Armstrong/Maio) to close the public hearing.

Action: Moved, seconded, carried (Armstrong/Worthington) to adopt first reading of an Ordinance. Second reading scheduled for May 28, 2002.

Public Hearings on City Fees

34. **Police Department Jail Administrative Booking and Daily Maintenance Fees**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution increasing individual booking fees and daily housing rates for the City Jail from \$75 to \$125 per individual; and rescinding Resolution No. 55,943-N.S.
Contact: Dash Butler, Police Chief, 981-5700
Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Shirek/Maio) to close the public hearing.
Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,579-N.S.
35. **Animal Care Shelter Fees**
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution adding and increasing fees charged at the Animal Care Shelter and rescinding Resolution No. 55,893-N.S..
Contact: Weldon Rucker, City Manager, 981-7000
Public Testimony: The Mayor opened the public hearing. No speakers. Moved, seconded, carried (Maio/Armstrong) to close the public hearing.
Action: Moved, seconded, carried (Armstrong/Worthington) to adopt Resolution No. 61,580-N.S.

Public Hearings on FY 2003 Budget

36. **Fiscal Year 2003 Biennial Budget** (*adoption of the FY2003 Budget Amendments are scheduled for the meeting of June 25, 2002*)
- a. City Manager Report** (*to be delivered*)
Contact: Phil Kamlarz, Deputy City Manager, 981-7006
- b. Transportation Commission Report**
Recommendation: a) Fully fund the Office of Transportation in the upcoming budget cycle; and 2) if the Office of Transportation needs more staffing in the future to accomplish the work plans and priorities outlined in a preliminary assessment memorandum, the upcoming budget cycle should allow for additional staffing.
Contact: Peter Hillier, Secretary, 981-7000
- c. Senior Center Saturday Program Information Report (CF 143-01)**
From: City Manager
Contact: Fred Medrano, Health and Human Services, 981-5178
- d. Shop Local/Shop Berkeley Marketing Campaigns Information Report**
From: City Manager
Contact: Tom Myers, Economic Development, 705-8181
Public Testimony: The Mayor opened the public hearing. 18 speakers. Moved, seconded, carried (Hawley/Maio) to close the public hearing.

Action: Budget discussions to be held at the meetings of May 28, 2002 and June 11, 2002. Second public hearing on the budget scheduled for June 18, 2002. Budget adoption scheduled for June 25, 2002.

Information Reports

37. **2 x 2 Committee Meeting**
From: City Manager
Contact: Arrietta Chakos, City Manager, 981-7000
38. **Health Disparities Program**
From: City Manager
Contact: Fred Medrano, Health and Human Services, 981-5100

Communications

Action: The following communications were read, noted, and filed, unless otherwise noted:

Page No.

1. Emily B. Longfellow, Miller, Starr & Regalia, regarding City programs and fees:
2. Regarding the Middle East
 - a. Jane Stillwater
 - b. Christine Bitar (3 communications)
 - c. Dave Loev
3. Roland Peterson, regarding food vending ordinance **Armstrong, Olds**
4. Howie Muir, regarding Growth in the Bay Area
5. Leuren Moret, regarding UC Berkeley Chancellor
6. Regarding Eastshore State Park planning.
 - a. Anita Feingold-Shaw
 - b. Suzanne Betterdeff
 - c. Amy Livingston
 - d. Carol Bledsoe
 - e. Michael Vandermant, PhD.
 - f. Suzanne Jones
 - g. Richard Calendar
 - h. Charles Hancock
 - i. Robert Nelson
7. Patrick Kennedy, regarding a different approach to parking.

SUPPLEMENTAL COMMUNICATIONS AND AGENDA REPORTS

Item 3 Lockers for Homeless

8. Jim Hultman **Olds**

Item 8 Contract: Public Safety Building Tower Study

9. Councilmember Dona Spring

Item 13 Peace and Justice Resolution calling for an Injunction to Stop Oxidation Incineration

10. Sara MacKusick, Chair, CEAC

Item 16 Traffic Calming Emergency Response

11. Victor J. Lab **Spring**
12. Becky & Paul Fullmer **Spring**
13. Catherine and Brett DeSchepper **Spring**
14. Morgan Fichter **Spring**
15. Wendy Alfsen **Spring**
16. Carrie Sprague **Spring**
17. Nancy Holland **Spring**

Item 17 Urge BART to Charge for Parking

18. Jason Meggs

Item 20 Support for April 9th Protesters

19. Jonathan Bresman

Item 22 2517 Sacramento Street

20. Honor Thompson
21. Alameda County Supervisor Keith Carson **Hawley**

Item 23 Appeal: 1102 Tenth Street

- 22. Carl Brodsky (with attachments)
- 23. Libby Smith
- 24. Bob Knight

Item 36 Fiscal Year 2003 Biennial Budget

Child Education Center

- 25. Bruce Stangeland
- 26. Gunilla A. Karlsson
- 27. Angela P. Harris
- 28. Sharee L. Barranco
- 29. Luis Barranco
- 30. Gary Forbes
- 31. Kazumi Yahata-Pettersson
- 32. Karen Glimme

Governor's Budget

- 33. Miriam Hawley

Green Building Funding

- 34. Patricia McCarty
- 35. Jim Harris
- 36. Greg Van Mechelen
- 37. Gary Gerber
- 38. Dennis Kirby
- 39. Devaki Chandra
- 40. Debbie Klein
- 41. Kevin Powell

42. Ed Gulick
43. Kathleen Smith
44. Keith McDade
45. Tom Lent
46. A. Ambrust
47. Larry Rosenthal
48. Robert Malone
49. Dennis and Connie McCullah

Adjournment

Action: Moved, seconded, carried (Worthington/Spring) to suspend Council Rules to extend the meeting to 11:30 p.m. to complete specific agenda items.

Adjourned at 11:12
P.M.