

DATE: 11/18/03

TO: All City Council  
City Manager

FROM: Betty Olds

RE: Item #19 Request for Information Regarding Compliance of Berkeley  
Development Projects from Councilmember Spring

Councilmember Spring raises important questions in her item regarding three projects built since 1997. The issues raised by Councilmember Spring are serious and likely to affect new developments. To ensure a careful review of City procedures and policies and an equal treatment of all development projects, I am requesting that the following additional questions be addressed in the staff report on development projects. The City Council as well as the residents of our City need to have a better understanding how all this works. These questions are intended to expand and clarify the questions raised by Councilmember Spring.

Provide a list of all projects approved since 1997:

- Include the address, project size (# of units)

- Amount and type of fee waivers granted by the City of Berkeley

- Amount and type of fees paid by each project

- What are expected annual taxes, fees and assessment for each project?

- Which projects are not paying taxes, fees and assessments?

- Which buildings are operating under temporary Certificates of Occupancy?

- For these buildings operating under TCO's, what is the schedule for securing permanent CO's?

For Affordable and Mixed-Income Housing Projects:

- How much money has been loaned to each project, including fee deferrals, from the City of Berkeley? What is the schedule for payment of loans?

How much money has been granted to each project, including fee waivers, from the City of Berkeley?

Which projects, if any, have been delinquent or defaulted on the loan or grant agreements?

How many units in each project are required by the terms of the Use Permits/ and or other agreements signed by the City of Berkeley to be rented or sold to lower income households? Are the projects in compliance with these agreements?

Please identify any projects with defaulted inclusionary and/ or other agreements.

Please provide a status report of projects funded by the Housing Trust Fund since 1997.