

## SUMMARY

### BERKELEY CITY COUNCIL MEETING

TUESDAY, JULY 18, 2006

7:00 P.M.

Council Chambers, 2134 Martin Luther King Jr. Way  
Teleconference Location – 1636 Channing Way, Berkeley, CA

#### Preliminary Matters

**Roll Call:** 7:03 p.m. All present.

#### **Ceremonial Matters:**

1. Presentation of a photograph of a barn owl, our new City Bird, by Kelley Feranec.
2. Proclamation presented to Randy Strong, a blown glass artist, by Councilmember Maio.
3. Proclamation presented to Cindy Shelby, Volunteer Manager, and Anne Barron, on behalf of Berkeley East Bay Humane Society for Bay to Barkers Day 2006.
4. Announcement on passing of Imogene Scott, the Mayor's appointee to the Commission on Aging.

**City Manager Comments:** The City Manager recognized and thanked retired City Clerk Sherry Kelly for accepting the position of Acting City Clerk until a new City Clerk is hired.

**Public Comment:** 26 speakers.

#### Consent Calendar

Moved, seconded, carried (Worthington/Maio) to adopt the Consent Calendar in one motion except as noted:

1. **FY 2007 Annual Appropriations Ordinance** (*First reading July 11, 2006 – Unanimous*)  
**From:** City Manager  
**Recommendation:** Adopt second reading of an Ordinance adopting the FY 2007 Annual Appropriations Ordinance (AAO) in the amount of \$350,740,656 (gross) and \$296,087,062 (net).  
**Financial Implications:** See Report  
Contact: Tracy Vesely, City Manager's Office, 981-7000  
**Action:** Adopted Ordinance No. 6,935–N.S. Effective August 17, 2006.

## Consent Calendar

2. **Standard Placards to Indicate the Condition of a Structure for Continued Occupancy** *(First reading July 11, 2006 – Unanimous)*  
**From: City Manager**  
**Recommendation:** Adopt second reading of an Ordinance repealing and reenacting Berkeley Municipal Code (BMC) Section 19.28.050, to authorize the posting of standard placards specifying the suitability of a structure for continued occupancy following a hazard event, such as earthquake, flood, wind storm or fire.  
**Financial Implications:** None  
Contact: Dan Marks, Planning and Development, 981-7400  
**Action:** Adopted Ordinance No. 6,936–N.S. Effective August 17, 2006.
3. **Parking Exemptions for City CarShare Vehicles Used for City Business** *(First reading July 11, 2006 – Unanimous)*  
**From: City Manager**  
**Recommendation:** Adopt second reading of an Ordinance repealing and reenacting Berkeley Municipal Code (BMC) Section 14.08.060 to correct administrative errors.  
**Financial Implications:** None  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Adopted Ordinance No. 6,937–N.S. Effective August 17, 2006.
4. **Pay-and-Display Dispensing Machine Ticket Display Guidelines** *(First reading July 11, 2006 – Unanimous)*  
**From: City Manager**  
**Recommendation:** Adopt second reading of an Ordinance amending Berkeley Municipal Code Section 14.52.040, Operational procedure to be followed, and Section 14.52.050, to change the operational procedures for displaying the pay-and-display dispensing machine ticket (DMT).  
**Financial Implications:** See report  
Contact: Claudette R. Ford, Public Works, 981-6300  
**Action:** Adopted Ordinance No. 6,938–N.S. Effective August 17, 2006.
5. **Landmarks Preservation and Zoning Ordinances** *(First reading July 11, 2006 – Noes – Olds, Worthington; Abstain – Spring)*  
**From: City Manager**  
**Recommendation:** 1) Adopt second reading of an Ordinance revising the City’s Landmarks Preservation Ordinance (Berkeley Municipal Code (BMC) Chapter 3.24; 2) Adopt second reading of associated amendments to the Zoning Ordinance (BMC Title 23); and 3) Repeal BMC Chapter 19.20 related to suspension and review of permits to demolish non-residential buildings over 40 years old.  
**Financial Implications:**  
Contact: Dan Marks, Planning and Development, 981-7400  
**Action:** Removed from the Consent Calendar by Councilmember Worthington.

Moved, seconded, carried (Maio/Moore) to rescind the first reading of Ordinance repealing and reenacting Berkeley Municipal Code Chapter 3.24 (Landmarks Preservation Ordinance).

Moved, seconded, carried (Maio/Capitelli; Noes – Worthington; Abstain – Spring and Olds)

## Consent Calendar

to adopt first reading of an Ordinance repealing and reenacting Berkeley Municipal Code Chapter 3.24 (Landmarks Preservation Ordinance) revised to include an effective date of November 1, 2006. Second reading scheduled for July 25, 2006.

Moved, seconded, carried (Maio/Capitelli; Noes – Worthington; Abstain – Spring) to adopt Ordinance No. 6,939-N.S. amending Berkeley Municipal Code Sections 23B.24.030 and 23B.32.050 (Zoning Ordinance) and Ordinance No. 6,940-N.S. repealing Berkeley Municipal Code Chapter 19.20 (Demolition Permit Applications) both with an effective date of August 17, 2006.

**6. Contract: Legislative Representation Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Lynn M. Suter & Associates to provide the City with legislative representation services in Sacramento from July 1, 2006 to June 30, 2007, in an amount not to exceed \$49,970.

**Financial Implications:** General Fund - \$49,970

Contact: Phil Kamlarz, City Manager, 981-7000

**Action:** Adopted Resolution No. 63,381–N.S.

**7. South Berkeley Revolving Loan Fund Certification**

**From: City Manager**

**Recommendation:** Adopt a Resolution endorsing the South Berkeley Revolving Loan Fund (RLF) Plan Certification as required by the federal Economic Development Administration (EDA).

**Financial Implications:** See Report

Contact: Thomas A. Myers, Acting Manager of Economic Development, 981-7500

**Action:** Adopted Resolution No. 63,382–N.S.

**8. Formal Bid Solicitations and Request for Proposals**

**From: City Manager**

**Recommendation:** Approve request for proposals (RFP) that will be, or are planned to be, issued upon final approval by the requesting department.

**Financial Implications:** Capital Improvement Fund - \$1,200,000

Contact: Fran David, Director, Finance, 981-7300

**Action:** Approved recommendation.

**9. Purchase Order: Office Supplies**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into purchase orders with Office Depot to supply all miscellaneous office supplies and 100% recycled processed chlorine-free (PCF) copy paper for a period of 3 years from July 1, 2006 through June 30, 2009, in an amount not to exceed \$550,000 per year.

**Financial Implications:** See report

Contact: Fran David, Finance, 981-7200

**Action:** Removed from the Consent Calendar by Councilmember Maio. Moved, seconded, carried (Capitelli/Wozniak; Noes – Spring; Abstain – Moore; Absent – Olds and Worthington) to adopt Resolution No. 63,383–N.S.

**10. Combating Alcohol and Other Drug Problems**

**From: City Manager**

**Recommendation:** Adopt a Resolution generally supporting the analysis in the report, 1) *City of Berkeley Taking the Lead in Combating Alcohol and Other Drug Problems* and 2) directing the City Manager to analyze the feasibility of implementing some or all of the recommendations in the report to develop an implementation plan, and report to the Council in December 2006.

**Financial Implications:** Unknown

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

**Action:** Adopted Resolution No. 63,384–N.S.

**11. Contract: Legal Advisory Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to the contract with Goldfarb and Lipman LLP for legal advisory services, increasing the contract amount by \$100,000 for a new contract amount not to exceed \$219,950 and expiring when services are no longer required.

**Financial Implications:** General Fund - \$100,000

Contact: Stephen Barton, Housing, 981-5400

**Action:** Adopted Resolution No. 63,385–N.S.

**12. Contract: Supplementary Retirement and Income Plan Self Directed Investment Account Third Party Administrator**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Prudential Insurance Company of America (Prudential) to provide administrative services for the Supplementary Retirement and Income Plan (SRIP) Self Directed Investment Account.

**Financial Implications:** None

Contact: David W. Hodgkins, Human Resources, 981-6800

**Action:** Adopted Resolution No. 63,386–N.S.

- 13. Donation: Aquatics Equipment**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation from the United Pool Council (UPC) in the amount of \$5,600 and an equipment donation valued at \$3,060.  
**Financial Implications:** See report  
Contact: Marc Seleznow, Parks Recreation & Waterfront, 981-6700  
**Action:** Adopted Resolution No. 63,387–N.S.
- 14. Off-street Parking in Required Yards on Residential Lots**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Title 23 to: 1) allow by-right one new parking space within a required side yard so long as the parking area is a permeable surface approved by the Public Works Department and Office of Transportation, vegetative screening is provided, and the impact on usable open space is minimized; 2) require an Administrative Use Permit (AUP) for new uncovered parking spaces in front and rear yards on residential lots, except when the space is for a by-right Accessory Dwelling Unit and not in the front yard; 3) revise the definition of “yard” to no longer prohibit parking in required yards; and 4) expand screening requirements for uncovered parking in rear yards, eliminate landscaping requirements along shared driveways, and clarify the intent and organization of the parking regulations.  
**Financial Implications:** See report  
Contact: Dan Marks, Planning and Development, 981-7400  
**Action:** Removed from the Consent Calendar by Councilmember Worthington. Moved, seconded, carried (Capitelli/Moore; Noes – Spring and Worthington; Abstain – Anderson; Absent – Olds) to adopt first reading of a revised Ordinance. Second reading scheduled for July 25, 2006.
- 15. Purchase Order: Telephone Directory Advertising**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a purchase order with SBC Smart Yellow Pages to advertise refuse collection and recycling services in an amount not to exceed \$34,437 for FY 2007.  
**Financial Implications:** Various Funds - \$34,437  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,388–N.S.
- 16. Contract: FY 2006 Curb Ramp Installation Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to: 1) approve plans and specifications for FY 2006 Curb Ramp Installation; 2) reject all bids submitted on March 30, 2006 and re-scope the project and re-advertise for bids; 3) accept the bid of AJW, Inc., submitted on April 20, 2006; and 4) authorize the City Manager to execute a contract and any amendments, in an amount not to exceed \$284,900 for a period of 120 calendar days for the period August 1, 2006 to December 1, 2006.  
**Financial Implications:** Community Development Block Grant - \$284,900  
Contact: Claudette R. Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,389–N.S.

- 17. Contract: Transit Benefits Program Administrator**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a three-year contract and any amendments in an amount not to exceed \$82,735 for the period of October 1, 2006 through September 30, 2009 to Conexis Benefits Administrators to administer the Transit Benefits Program for employees; and for options to extend the contract for two additional one-year periods up to a maximum of five years, at the City's discretion, for a total contract amount not to exceed \$134,400.  
**Financial Implications:** See report  
Contact: Claudette R. Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,390–N.S.
- 18. Lease: 2434 Durant Avenue**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement with Liaqat M. Choudary for 2434 Durant Avenue in the Telegraph Channing Shops, formerly known as Sather Gate Garage Shops, for the purpose of operating a dollar-style variety store.  
**Financial Implications:** Off Street Parking Fund - \$131,616 Revenue  
Contact: Claudette R. Ford, Public Works, 981-6300  
**Action:** Adopted first reading of Ordinance. Second reading scheduled for July 25, 2006.
- 19. Lease: 2432 Durant Avenue**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement with Kwi Ja Chon at 2432 Durant Avenue, Telegraph Channing Shops, formerly known as Sather Gate Garage Shops, for the purpose of operating a shoe repair shop.  
**Financial Implications:** Off Street Parking Fund - \$181,764 Revenue  
Contact: Claudette R. Ford, Public Works, 981-6300  
**Action:** Adopted first reading of Ordinance. Second reading scheduled for July 25, 2006.
- 20. Contract: On-Call Traffic Engineering Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to the contract with Korve Engineering for on-call traffic engineering services, increasing the amount by \$50,000 for a new contract total amount not to exceed \$90,000, and extending the term of the contract through October 31, 2007.  
**Financial Implications:** Bike Plan Implementation Fund and Traffic Calming Fund - \$50,000  
Contact: Claudette R. Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,391–N.S.
- 21. Contract: Security Guard Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution 1) accepting the bid of Securitas Security Services USA, Inc.; 2) authorizing the City Manager to execute a contract and any amendments with

## Consent Calendar

Securitas Security Services USA, Inc., for security guard services at the Corporation Yard and Solid Waste Management Center for the period September 1, 2006 to June 30, 2007 for an amount not to exceed \$170,375; and 3) approving options to extend the contract for two additional one-year periods with the amounts to be adjusted pursuant to the Consumer Price Index (CPI).

**Financial Implications:** See report

Contact: Claudette Ford, Public Works, 981-6300

**Action:** Adopted Resolution No. 63,392–N.S.

### 22. Final Tract Map 7696: 1406 San Pablo Avenue

**From: City Manager**

**Recommendation:** Adopt a Resolution approving the final Tract Map 7696, an eight-unit residential and commercial condominium located at 1406 San Pablo Avenue.

**Financial Implications:** See report

Contact: Claudette R. Ford, Public Works, 981-6300

**Action:** Adopted Resolution No. 63,393–N.S.

### 23. Speed Limit Reductions on Claremont Ave and Eastshore Highway

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Sections 14.24.150 and 14.24.220 to reduce the speed limit on Frontage Road between Hearst Avenue and Gilman Street from 40 mph to 35 mph and on Claremont Avenue between Ashby Avenue and Oakland city limit from 30mph to 25mph.

**Financial Implications:** Measure B Local Streets and Roads Fund - \$3,000

Contact: Claudette R. Ford, Public Works, 981-6300

**Action:** Adopted first reading of Ordinance. Second reading scheduled for July 25, 2006.

## Action Calendar – Appeal

### 24. 1201 San Pablo Avenue / 1100 Harrison Street

**a. From: City Manager**

**Recommendation:** Adopt a Resolution affirming the decision of the Zoning Adjustments Board (ZAB) to approve Use Permit No. 05-10000029 to construct a 30-unit, mixed-use project, and dismissing the appeal.

**Financial Implications:** None

Contact: Dan Marks, Planning and Development, 981-7400

**b. Appeal**

1. Susan Pinto and Kain/Stannage Neighbors who also join in the appeal.

**c. Communications**

1. James E. Hart

**Action:** Moved, seconded, carried (Maio/Anderson) to set the matter for a public hearing in September.

## Action Calendar – Public Hearing

### 25. Telegraph Property And Business Improvement District

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution confirming the Annual Report on the Telegraph Property and Business Improvement District for FY 2006 and levying assessments in the District for FY 2007.

**Financial Implications:** See report

Contact: Thomas A. Myers, Acting Manager of Economic Development, 981-7500

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

**Action:** Moved, seconded, carried (Worthington/Maio) to adopt Resolution No. 63,394–N.S.

### 26. In-Lieu Fees for Inclusionary Condominium Units

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 23C.12 by adding Section 23C.12.035 allowing an in-lieu fee in place of providing otherwise required inclusionary condominiums.

**Financial Implications:** See report

Contacts: Stephen Barton, Housing, 981-5400 and Dan Marks, Planning and Development, 981-7400

**Public Testimony:** The Mayor opened the public hearing. 5 speakers. Moved, seconded, carried (Capitelli/Anderson) to close the public hearing.

**Action:** Moved, seconded, carried (Capitelli/Worthington) to adopt first reading of Ordinance. Second reading scheduled for July 25, 2006.

Moved, seconded, failed (Worthington/Spring; Noes – Maio, Moore, Capitelli, Olds, Wozniak, Bates) to table any action on an evaluation for six months.

Moved, seconded, carried (Capitelli/Olds; Noes – Anderson, Spring, Worthington) to direct staff to consult with the Housing Advisory Commission and the Planning Commission and the development community regarding the fee structure including consideration of actual construction costs and return to Council with a report in November.

### 27. Transportation Services Fee (CF 69-01)

**a. From: City Manager** (*continued from July 11, 2006*)

**Recommendation:** Conduct a public hearing and upon conclusion: 1) adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Chapter 22.20, Mitigation and Fees--Conditions For Approval of Development Projects, to enact a Transportation Services Fee; 2) adopt a Resolution establishing the fee level, applicability, and procedures for assessing the Transportation Services Fee; and 3) direct the Planning Commission to remove all references to the previous Transportation Services Fee in the City's Zoning Ordinance and make any other necessary changes to the Zoning Ordinance.

**Financial Implications:** See report

Contact: Claudette R. Ford, Public Works, 981-6300

## Action Calendar – Public Hearing

### **b. From: City Manager**

#### **Supplemental Materials** (*July 11, 2006*)

1. Revised Resolution
2. Fact Sheet
3. Nelson/Nygaard Consulting Associates

Contact: Claudette R. Ford, Public Works, 981-6300

### **c. From: Transportation Commission** (*Held over from April 25, 2006*)

**Recommendation:** Adopt the Transportation Services Fee with the following conditions included in the ordinance: 1) tie the threshold for fee application to a discretionary permit and 1,000 square feet of new floor area; 2) use a five-year definition of vacancy; and 3) assess the full fee six months after adoption of the enabling ordinance.

**Financial Implications:** Unknown

Contact: Peter Hillier, Commission Secretary, 981-6300

### **d. From: Planning Commission**

**Recommendation:** Council not adopt the Transportation Service Fee at this time and that the Council direct staff and the appropriate commissions to develop alternative, broadly-based funding mechanisms that would fund the proposed projects.

Contact: Carli Paine, Commission Secretary, 981-7403

**Action:** Public hearing continued without taking testimony to the meeting of July 25, 2006.

## Action Calendar – Old Business

### **28. Implementation of Council Expense Reimbursement Policy Under AB 1234** (*held over from July 11, 2006*)

#### **From: City Manager**

**Recommendation:** Adopt two revised Resolutions to: 1) Establish a policy on expenditures and reimbursement for Mayor and Council expenses to conform to the City Charter and a new state law (AB 1234); and 2) Establish a policy governing reimbursement of expenses by City boards and commissions as is also required by AB 1234.

**Fiscal Implications:** See report

**Contact:** Manuela Albuquerque, City Attorney, 981-6950

**Action:** Held over to the meeting of July 25, 2006.

## Action Calendar – New Business

### **29. Worker Retention** (*to be delivered*)

#### **From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance to establish a requirement that whenever there is an ownership change in a business entity of specified employers within the Marina Zone, the successor entity must retain specified employees for at least ninety days.

**Financial Implications:** See report.

Contact: Manuela Albuquerque, City Attorney, 981-6950

**Action:** Moved to the Consent Calendar by Councilmember Worthington. Adopted first reading of revised Ordinance. Second reading scheduled for July 25, 2006.

## Action Calendar – New Business

### 30. Voting Delegates-League of California Cities

**From: City Manager**

**Recommendation:** Designate a voting delegate and alternate for the business meeting of the Annual League of California Cities meeting to be held on Saturday, September 9, 2006, at the San Diego Convention Center in San Diego, California and direct the City Clerk to forward the name of the delegate and alternate to the League no later than August 15, 2006.

**Financial Implications:** Conference fees - \$485 full conference; \$300 one-day pass

Contact: Phil Kamlarz, City Manager, 981-7000

**Action:** Moved, seconded, carried (Capitelli/Moore) to designate Councilmember Worthington as voting delegate and to approve reasonable travel expenditures be paid for out of the General Fund.

## Election Matters

### 31. Ballot Measure: Impeachment of President Bush and Vice President Cheney

**From: City Manager**

**Recommendation:** Review the ballot title, text and analysis prepared by the City Attorney and adopt a Resolution placing an advisory measure calling for the impeachment of President Bush and Vice President Cheney on the November 7, 2006 ballot.

**Financial Implications:** General Fund - \$10,000.

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

**Action:** Moved, seconded, carried (Worthington/Maio) to adopt Resolution No. 63,395–N.S. revised to change the language “call upon” to “petition”.

### 32. Ballot Measure: Greenhouse Gas Emissions

**From: City Manager**

**Recommendation:** Review the ballot title, text and analysis prepared by the City Attorney and adopt a Resolution placing an advisory measure supporting aggressive efforts to reduce greenhouse gas emissions on the November 7, 2006 ballot.

**Financial Implications:** General Fund - \$10,000.

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

**Action:** Moved, seconded, carried (Worthington/Maio; Abstain - Spring) to adopt Resolution No. 63,396–N.S. as revised.

### 33. Ballot Measure: Warm Water Pool (*to be delivered*)

**From: City Manager**

**Recommendation:** Discuss options to provide funding needed to build a new warm water pool, including putting a measure on the ballot for a future special election or certificates of participation.

**Financial Implications:** See report.

Contact: Phil Kamlarz, City Manager, 981-7000

**Action:** Moved, seconded, carried (Worthington/Spring) to direct the City Manager to take specific actions and define the schedule related to the possible financing and construction of a new warm water pool at the Berkeley High School (BHS) tennis court site, including but not limited to: 1) developing a full-scale project; 2) exploring options for: a) a special mail ballot election in 2007; b) a June or November election in 2008; or c) funding through

## Election Matters

certificates of participation; 3) moving this project up to the first tier of priorities in the City's workplan; and 4) authorizing the City Manager to expend the necessary monies from the General Fund already set aside for the warm water pool to accomplish Council's direction.

**34. Ballot Measure: Conversion of Rental Units to Condominiums**

**From: Councilmember Spring**

**Recommendation:** Consider placing a Council approved Ordinance amending Berkeley Municipal Code (BMC) Section 21.28.050 to allow conversion of rental units to condominiums with payment of an affordable housing mitigation fee and protection of sitting tenants on the November ballot. .

**Financial Implications:** None

Contact: Dona Spring, Councilmember District 4, 981-7140

**Action:** Withdrawn by Councilmember Spring.

**35. Conversion of Rental Units to Condominiums**

**From: Councilmembers Worthington and Anderson**

**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Section 21.28.050 prohibiting the conversion of rental units to condominiums for five years for specific terminations of tenancy and requiring notice to tenants regarding their rights before a request for allocation is filed with the City.

**Financial Implications:** None

Contact: Kriss Worthington, Councilmember District 7, 981-7170; Max Anderson, Councilmember District 3, 981-7130

**Action:** Moved, seconded, carried (Anderson/Worthington: Absent - Olds) to adopt first reading of Ordinance as revised. Second reading scheduled for July 25, 2006.

**36. Impact Report: Initiative amending Berkeley Municipal Code Chapter 21.28 to Encourage and Regulate Conversion of a Limited Number of Rental Units to Condominiums (to be delivered)**

**From: City Manager**

Contact: Stephen Barton, Housing, 981-5400

**Action:** Held over to meeting of July 25, 2006.

## Information Reports

**37. Use of Biodiesel Fuel**

**From: City Manager**

Contact: Claudette R. Ford, Public Works, 981-6300

**Action:** Received and filed.

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record.*

### **Ballot Measure: Impeachment of President and Vice President**

1. Glenn Hernandez
2. Charlie Jacob

### **Pedestrian Safety in College Avenue Neighborhoods**

3. Anne Whyte

## To Be Delivered and Supplemental Reports 1

### **Item 6: Contract: Legislative Representation Services**

- Revised Report, submitted by City Manager

### **Item 9: Purchase Order: Office Supplies**

- Revised Report, submitted by Finance

### **Item 14: Off-street Parking in Required Yards on Residential Lots**

- Revised Ordinance, submitted by Planning and Development

### **Item 29: Worker Retention**

- Revised Report, submitted by City Attorney

### **Item 33: Ballot Measure: Warm Water Pool**

- To Be Delivered Report, submitted by Finance

### **Item 36: Impact Report: Initiative amending Berkeley Municipal Code Chapter 21.28 to Encourage and Regulate Conversion of a Limited Number of Rental Units to Condominiums**

- To Be Delivered Report, submitted by Housing

## To Be Delivered and Supplemental Reports 2

### **Item 24: 1201 San Pablo Avenue / 1100 Harrison Street**

- Supplemental Report, submitted by Planning and Development

## Supplemental Communications 1

### **Item 5: Landmarks Preservation and Zoning Ordinances**

4. Joseph Stubbs

### **Item 14: Off-street Parking in Required Yards on Residential Lots**

5. Robert Lauriston

### **Item 25: Telegraph Property And Business Improvement District**

6. Barbara Ryken

## Supplemental Communications 1

### **Item 27: Transportation Services Fee (CF 69-01)**

7. John Blankenship
8. Miriam Walden, on behalf of Mike Friedrich and David Early
9. R. Clark Morrison

### **Item 32: Ballot Measure: Greenhouse Gas Emissions**

10. Tom Kelly
11. Tom and Jane Kelly

### **Item 33: Ballot Measure: Warm Water Pool**

12. Lupe Rivera-Perez
13. Alan Cunningham
14. Sheila McCormick
15. Denise Ramsey
16. Leticia Soto
17. Judith C. Dambowic

### **Item 35: Conversion of Rental Units to Condominiums**

18. Elaine Green, N.A.A.C.P.

## Supplemental Communications 2

### **Item 5: Landmarks Preservation and Zoning Ordinances**

19. Gale Garcia
20. Patti Dacty

### **Item 24: 1201 San Pablo Avenue / 1100 Harrison Street**

21. Susan M. Pinto

### **Item 31: Ballot Measure: Impeachment of President Bush and Vice President Cheney**

22. John Jenkel

### **Item 33: Ballot Measure: Warm Water Pool**

23. Joann Cook
24. Anne Marx

## Adjournment

Adjourned at 11:03 p.m. in memory of Imogene Scott and Thunder.