

AGENDA



BERKELEY CITY COUNCIL MEETING

TUESDAY, JUNE 12, 2007

7:00 P.M.

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

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO

DISTRICT 2 – DARRYL MOORE

DISTRICT 3 – MAX ANDERSON

DISTRICT 4 – DONA SPRING

DISTRICT 5 – LAURIE CAPITELLI

DISTRICT 6 – BETTY OLDS

DISTRICT 7 – KRISS WORTHINGTON

DISTRICT 8 – GORDON WOZNAK

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953, Teleconferencing. Any member of the public may attend this meeting at either location. Questions regarding this matter may be addressed to Pamyla Means, City Clerk, 981-6900

The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

1. Presentation: Mayor/Youth Representative

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Consent Calendar Items Only

Consent Calendar

The Council will consider removal and addition of items to the Consent Calendar prior to voting on the Consent Calendar. All items remaining on the Consent Calendar will be approved in one motion. Items removed from the Consent Calendar will be taken up after the "Action Calendar" unless the Council

Consent Calendar

reorders the agenda.

Items that are removed from the Consent Calendar and deemed by the Mayor to be controversial in nature will be considered at the end of the agenda. The Mayor will call for public comments on items on the Consent Calendar. For each item, the Mayor will entertain one speaker in support and ask that persons in the audience who are also in support stand to be recognized. The Mayor will then entertain one speaker in opposition and follow the same process for the speaker in support. If the Mayor determines that there are several persons wishing to speak to the item, the item will be removed from the Consent Calendar and considered at the end of the agenda.

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

From: City Manager

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

Financial Implications: Capital Improvement Fund - \$50,000

Contact: Robert Hicks, Finance, 981-7300

2. **Appropriations Limit for FY 2008**

From: City Manager

Recommendation: Adopt a Resolution providing notice that:

1. Council will adopt an appropriations limit for FY 2008 at its meeting of June 26, 2007; and
2. The amount of the limit and the background material used in its calculation will be available for public review by June 11, 2007.

Financial Implications: See report

Contact: Robert Hicks, Finance, 981-7300

3. **Fireman's Fund Heritage-Employee Grant Program**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from Fireman's Fund Heritage-Employee Grant Program in the amount of \$44,500 to develop a comprehensive water rescue program for the City of Berkeley.

Financial Implications: See report

Contact: Debra Pryor, Fire, 981-3473

4. **Contracts: Community-Based Mental Health Services**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute contracts and any amendments with Fred Finch Youth Center for intensive mental health support services to youth in an amount not to exceed \$151,260 and YEAH, under the fiscal auspices of the Lutheran Church of the Cross, for transition aged youth services in an amount not to exceed \$102,917 for the period June 1, 2007 through June 30, 2008;

Financial Implications: See report

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

Consent Calendar

- 5. Contract Amendment: Berkeley Food and Housing Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment with the Berkeley Food & Housing Project for operating funding for the Russell Street Residence supportive housing facility, in an amount not to exceed \$135,000.
Financial Implications: See report
Contact: Fred Medrano, Health and Human Services, 981-5100
- 6. Subdivision and Lease: Ursula Sherman Village**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to consider an application to subdivide the City-owned property currently under lease to Building Opportunities for Self-Sufficiency and prepare lease agreements for the two new parcels to allow for the financing, development, and continued operation of emergency and transitional housing on-site.
Financial Implications: See report
Contact: Lisa Caronna, Housing, 981-5400
- 7. Oxford Plaza Project - Amendment to the Housing Trust Fund and DDA Regulatory Agreement**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Amendment to the Disposition and Development Agreement and Housing Trust Fund Regulatory Agreement that in the event Project-Based Section 8 assistance to the Oxford Plaza Apartments project is terminated for reasons unrelated to any default by the Borrower under Section 8 requirements, the City Council agrees to permit Housing staff and the City Manager to consider, evaluate, and amend the Regulatory Agreement to increase the rent limitations applicable to any twenty percent and thirty percent of Area Median Income Units previously covered by Section 8 assistance, to levels no greater than the limitations applicable to fifty percent of Area Median Income, as necessary for the Oxford Plaza Apartments project to maintain economic feasibility in the reasonable determination by the City.
Financial Implications: See report
Contact: Lisa Caronna, Housing, 981-5400
- 8. Classification: Revenue Development Officer**
From: City Manager
Recommendation: Adopt a Resolution to amend Resolution No. 61,840–N.S., Classification and Salary Resolution for Public Employees Union Local One, to establish the Classification of Revenue Development Officer with a salary range of \$6,395 - 7,730 per month effective June 24, 2007.
Financial Implications: General Fund - \$23,875
Contact: David Hodgkins, Human Resources, 981-6800

Consent Calendar

9. Zoning Amendments: Telegraph Avenue Permit Streamlining for Economic Assistance

From: City Manager

Recommendation: Adopt a first reading of an Ordinance amending Chapter 23E.56, Telegraph Avenue Commercial District Provisions, to extend the evening by right hours of operation for uses that do not involve sales or service of alcohol; extend the evening hours of operation for businesses that do involve alcohol sales or service; allow quotas to be exceeded with a Use Permit; allow changes of use in existing tenant spaces without discretionary review; decrease the permit level for certain uses from a Use Permit to an AUP; require greater public notification for AUPs; and allow easier conversion of some tenant spaces into larger or smaller commercial units.

Financial Implications: See report

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

10. Contract: Phlebotomist Services (To Be Delivered)

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Central Medical Laboratory, Inc. to provide phlebotomist services for the Police Department, in an amount not to exceed \$10,000 annually for all services and expenses for the term ending June 31, 2010.

Financial Implications: See report

Contact: Douglas N. Hambleton, Police, 981-5900

11. Increase Purchase Order for Alameda County Medical Center (To Be Delivered)

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to increase Purchase Order No. 61813 to Alameda County Medical Center for sexual assault examinations by \$22,000 for a total amount not to exceed \$47,000 for FY2008.

Financial Implications: General Fund - \$22,000

Contact: Douglas N. Hambleton, Police, 981-5900

12. Contract: Gilman Street Overlay Project

From: City Manager

Recommendation: Adopt a Resolution:

1. Approving plans and specifications for the Gilman Street Overlay Project, 07-10211-C;
2. Accepting the bid of Interstate Grading & Paving, Inc.;
3. Authorizing the City Manager to execute a contract in an amount not to exceed \$824,615.40.

Financial Implications: Various funds - \$824,615

Contact: Claudette Ford, Public Works, 981-6300

Consent Calendar

- 13. Contract: South Berkeley Street Reconstruction Project**
From: City Manager
Recommendation: Adopt a Resolution:
1. Approving plans and specifications for the South Berkeley Street Reconstruction Project, 07-10198-C;
 2. Accepting the bid of Gallagher & Burk, Inc.;
 3. Authorizing the City Manager to execute a contract, in an amount not to exceed \$767,585.
- Financial Implications:** Various funds - \$767,585
Contact: Claudette Ford, Public Works, 981-6300
- 14. Final Tract Map 7581: 2530 Tenth Street**
From: City Manager
Recommendation: Adopt a Resolution approving the final map of Tract Map 7581, a seven unit commercial condominium located at 2530 Tenth Street.
Financial Implications: None
Contact: Claudette Ford, Public Works, 981-6300
- 15. Declaration of Intent - FY 2008 Street Lighting Assessments**
From: City Manager
Recommendation: Adopt a Resolution to:
1. Approve the Engineer's Report, Street Lighting Assessment District 1982-1, dated April 2007; and
 2. Set a public hearing for June 26, 2007 for FY 2007 of assessments of Street Lighting Assessment District No. 1982-1.
- Financial Implications:** See report
Contact: Claudette Ford, Public Works, 981-6300
- 16. FY 2008 Transportation Development Act Article 3 Fund Allocation**
From: City Manager
Recommendation: Adopt a Resolution:
1. Authorizing the City Manager to submit an allocation request to the Metropolitan Transportation Commission (MTC) for Transportation Development Act (TDA) Article 3 funds in the amount of \$30,000 in FY 2008 for the Bicycle/Pedestrian Safety Education program;
 2. Declaring that the City of Berkeley is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.
- Financial Implications:** See report
Contact: Claudette Ford, Public Works, 981-6300
- 17. Audit: Fire Department Ambulance Billing**
From: Auditor
Recommendation: Request the City Manager to report back before September 2008 regarding the implementation status of each of the City Auditor's recommendations in the attached report, and every six months thereafter, until all recommendations have been implemented.
Financial Implications: See report
Contact: Ann-Marie Hogan, Auditor, 981-6750

Consent Calendar

- 18. Amended and Restated Lease and Settlement Agreement with Boykin**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 6,981–N.S. authorizing the City Manager to execute the Amended and Restated Lease ("Amended Lease") and related Settlement Agreement with Boykin Berkeley LLC ("Boykin"), the owner of the Doubletree Hotel ("Hotel") located at the Berkeley Marina for a term effective from August 7, 2004 through December 31, 2058.
Financial Implications: See report
Contact: Marc Seleznow, Parks, Recreation and Waterfront, 981-6700
- 19. Real Property Acquisition - West Berkeley Industrial Park and Savo Island Redevelopment Plans**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 6,982–N.S. and Ordinance No. 6,983–N.S:
1) Adopting a description of the program for the acquisition of real property for the Redevelopment Plan for the West Berkeley Redevelopment Project Area, and related actions
2) Adopting a description of the program for the acquisition of real property for the redevelopment plan for the Savo Island Redevelopment Project Area.
Financial Implications: None
Contact: Dan Marks, Planning and Development, 981-7400

Council Consent Items

- 20. Appointment of Wise Allen to the Berkeley Housing Authority (BHA) Board of Commissioners**
From: Mayor Bates
Recommendation: Adopt a resolution confirming the Mayor's appointment of Wise Allen for a two year term to the Berkeley Housing Authority Board of Commissioners.
Financial Implications: None
Contact: Tom Bates, Mayor, 981-7100
- 21. Ensuring Equal Opportunity Employment Opportunities For People Re-Entering The Workforce After Prison**
From: Mayor Bates
Recommendation: Request the City Manager to:
1. Refer the review of the City of Berkeley's hiring process as it pertains to the consideration of conviction history, including but not limited to the application, the application review process and whether a nexus between a conviction and the vacant position must exist prior to a rejection of an applicant,
2. Return to Council with a report and recommendation that ensures equal opportunity employment opportunities for people re-entering the workforce after prison.
Financial Implications: See report
Contact: Tom Bates, Mayor, 981-7100

Council Consent Items

- 22. United States Food and Farm Bill**
From: Councilmember Maio
Recommendation: That City Council recommends to our federal representatives a Farm Bill that aligns United States food and farm policy with our public health policy and supports healthful and affordable food.
Financial Implications: None
Contact: Linda Maio, Councilmember, District 1, 981-7110
- 23. City Co-Sponsorship of the 21st Annual Berkeley Juneteenth Festival**
From: Councilmember Anderson
Recommendation: Adopt a resolution approving co-sponsorship of the 21st Annual Berkeley Juneteenth Festival to be held on Sunday, June 17, 2007.
Financial Implications: None
Contact: Max Anderson, Councilmember, District 3, 981-7130
- 24. Opposition to Reduction of Transit Funding in the Governor's FY 2008 Budget**
From: Councilmember Capitelli
Recommendation: That the City Council approve the accompanying resolution opposing Governor Schwarzenegger's proposal to transfer funds earmarked for transit into the General Fund; and that the City Manager direct staff to write letters to the Governor and our state elected officials informing them of our position.
Financial Implications: See report
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
- 25. Deadline Extension For Condominium Conversion Fee Waiver**
From: Councilmember Capitelli
Recommendation: Adopt first reading of an Ordinance amending BMC 21.28.065:
 1. Extending the deadline for complete applications for condominium conversion from July 1, 2007 to December 31, 2007 (21.28.065 A2);
 2. Delaying the sunset provision of the TIC exception from July 1, 2007 to December 31, 2007 for those applications in process before May 31, 2007 (all other restrictions apply) (21.28.065 A3)**Financial Implications:** None
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
- 26. Budget Surplus Allocation: SAVE the BAY**
From: Councilmember Olds
Recommendation: That the City Council pass a resolution to approve a grant of \$250.00 to be funded from Councilmember Olds' surplus non-personnel budget to Save the Bay for education programs.
Financial Implications: General Fund - \$250
Contact: Betty Olds, Councilmember, District 6, 981-7160

Council Consent Items

- 27. Budget Surplus Allocation: Citizens for East Shore Parks**
From: Councilmember Olds
Recommendation: That the City Council pass a resolution to approve a grant of \$250.00 to be funded from Councilmember Olds' surplus non-personnel budget to the Citizens for East Shore Parks to help fund the restoration of the Berkeley Meadow.
Financial Implications: General Fund - \$250
Contact: Betty Olds, Councilmember, District 6, 981-7160
- 28. Halcyon Commons Rejuvenation Project**
From: Councilmember Worthington
Recommendation: That the Berkeley City Council adopt a Resolution accepting the gift of the three elements of the Halcyon Commons Rejuvenation Project:
1. Archway at north end of the park with the words HALCYON COMMONS and animal cutouts related to park history;
 2. Bronze-cast sculpture of halcyon bird (a kingfisher associated with peace), which was planned as part of the original park design
 3. Refurbishment of the south end of the park, including in-fill planting from park palette and placement of boulders and flagstone.
- Financial Implications:** None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 29. Residential Preferential Parking Fee**
From: Councilmember Wozniak
Recommendation: The City Council recommends the City Manager review the City of Berkeley's Residential Preferential Parking (RPP) fee to ensure that they are adequate to cover the costs of this ongoing program and report back to council in October 2007 with recommendations for possible fee increases.
Financial Implications: Unknown
Contact: Gordon Wozniak, Councilmember, District 8, 981-7180
- 30. Landscaped Traffic Barriers**
From: Councilmember Spring
Recommendation: Refer to the City Manager the funding of the landscaping of permanent traffic calming barriers in the North Shattuck area from the traffic calming budget allocation as determined by the City Manager.
Financial Implications: See report
Contact: Dona Spring, Councilmember, District 4, 981-7140

Action Calendar – Appeals

Please be advised that the Mayor will allow up to five minutes for both the applicant and appellant to make any relevant comments to the Council prior to their deliberation and determination to do one of the following 1) affirm the decision of the Zoning Adjustments Board and dismiss the appeal; 2) refer the matter back to the Zoning Adjustments Board; or 3) set the matter for public hearing at a future date. No additional public comment will be entertained.

- 31. LPC Appeal: 1300 Martin Luther King Jr. - Maybeck House**
- a. From: City Manager**
Recommendation: Adopt a Resolution to affirm the decision of the Landmarks Preservation Commission to designate 1300 Martin Luther King Jr. Way, the Maybeck House, a City of Berkeley Landmark, and dismissing the appeal.
Financial Implications: None
Contact: Dan Marks, Planning and Development, 981-7400
- b. Appeal**
1. Howard Smukler
- c. Communications**
1. None.
- 32. ZAB Appeal: 2629-2635 Ashby Ave - Wright's Garage**
- a. From: City Manager (To Be Delivered)**
Recommendation: Adopt a Resolution affirming the decision of the Zoning Adjustment Board to approve Use Permit No. 06-10000098 to convert an existing three-unit commercial building (The Wright's Garage Building) into a 4 to 7 unit commercial building; and to change uses to one restaurant, one exercise/dance study, and up to 5 retail spaces, and dismissing the appeal.
Financial Implications: None
Contact: Dan Marks, Planning and Development, 981-7400
- b. Appeal**
1. Elmwood Merchants Association
 2. Elmwood Neighborhood Association
- c. Communications**
1. 89 Communications (*Please refer to Item 32c1, Communications Index and Packet, in the June 12, 2007 Council Agenda Packet*)

Action Calendar – Old Business

- 33. Public Commons for Everyone Initiative (Continued from May 22, 2007)**
- a. From: City Manager (May 8, 2007)**
Recommendation: That Council discusses and provides direction on options to:
1. Restrict smoking in public areas in commercial zones.
 2. Install better directional signage to public restrooms.
 3. Develop prohibitions and increased fines for public urination and defecation.
 4. Provide for strict enforcement of all existing laws affecting the quality of life in public spaces and parks
 5. Reduce warning provisions associated with regulation prohibiting lying on the sidewalk.
- Financial Implications:** See report
Contact: Jim Hynes, Office of the City Manager, 981-7000

Action Calendar – Old Business

b. From: Homeless Commission, Mental Health Commission and Human Welfare Commission (May 8, 2007)

Recommendation: The Homeless, Mental Health, and Human Welfare and Community Action Commissions recommend the Mayor and City Council to not take any action on May 8, 2007 on any of the proposals and recommendations contained in the Public Commons for Everyone Initiative or the City Manager's workplan submitted to Council on March 27, 2007. Additionally, the Commissions recommend that:

1. The Mayor and Council direct staff to provide additional information in order for the Commissions to properly advise the Mayor and Council. Without more detailed information, the Commissions believe they cannot support any elements of the proposal or workplan items.
2. The Mayor and Council allocate more money to a variety of needed services.
3. The Mayor, Council, and staff consult with the Commissions throughout the development of staff recommendations for implementation.
4. The Mayor hold a joint meeting with the Homeless Commission, the Mental Health Commission, and the Human Welfare and Community Action Commission to discuss the PCEI and staff workplan, preferably prior to May 8, 2007 City Council meeting.

Financial Implications Unknown

Contact: Jennifer Vasquez, Homeless Commission Secretary, 981-5400

c. From: Mayor (May 22, 2007)

Recommendation: Request that the City Manager return to the City Council by November 20, 2007 with:

1. A plan to increase the number of parking meters and the parking meter fees to generate income for PCEI and allied programs;
2. Support the City Manager's request for a 6 month FTE and ask that the City Manager draft program plans for diversion, street outreach teams, and community policing with input from the relevant commissions;
3. Draft language for a no-smoking ordinance in commercial areas and refer to Community Health Commission;
4. A plan for improving signage and accessible hours for public bathrooms;
5. Draft language for an ordinance prohibiting public urination and defecation as an infraction and refer to the Police Review Commission;
6. A plan to adhere and enforce our existing laws pertaining to street behavior (see list in City Manager's PCEI report of May 8th), and draft language to amend BMC 13.36.015 Lying on Sidewalks and rescind Resolution 61,042–N.S, and refer to the Police Review Commission;
7. A plan for public seating, economic development and redirecting street donations refer to the Economic Development;
8. A proposal to expand supportive housing opportunities linking Housing Trust Fund with Mental Health Services Act and other funds and refer to the Housing Advisory Commission; and,
9. Solicit feedback and proposals from the Mental Health, Homeless, Community Health, Police Review, Housing Advisory, and the Human Welfare and Community Action Commissions and key community stakeholders for consideration by the Council at the November 20th City

Action Calendar – Old Business

Council meeting.

Financial Implications: See report.

Contact: Tom Bates, Mayor, 981-7100

d. From: Mayor Bates (June 12, 2007)

Recommendation: Request that the City Manager include exploration of creating "designated smoking areas", along with drafting language for a no-smoking ordinance in commercial areas. As defined in the May 22nd PCEI item, this issue will be referred to the Community Health Commission for review and input.

Financial Implications: See report

Contact: Tom Bates, Mayor, 981-7100

e. From: Councilmember Worthington (June 12, 2007)

Recommendation:

1. Compile information on number of citations issued, prosecuted and convicted on quality of life citations currently happening in Berkeley, as well as adjoining jurisdictions.
2. Compile information on estimated cost of District Attorney time, Public Defender time, court time and police time for existing and proposed quality of life citations in Berkeley and nearby jurisdictions.
3. Delay consideration of any ordinance banning sitting on the sidewalk for one year until we see the results of a trial period of these other recommendations.
4. Delay implementation of urination ordinance (if proposed) until there is an increase in the number of public toilets and increased availability of existing public toilets.
5. Implement community involved policing features such as increasing police beat walking and communication with businesses, residents and the whole community and implementation of a dedicated cell phone or page should not be delayed for sixth months.
6. Sever recommendation number 6.

Financial Implications: None.

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

34. Discussion and Direction: 2008/2009 FY Budget – Including New Referrals

a. From City Manager

Recommendation:

Financial Implications: See report

Contact: Tracy Vesely, Budget Manager, 981-7000

b. New Referrals:

1. **Allocating \$1 Million to the Housing Trust Fund in Fiscal Year 2008 (To Be Delivered)**

From: Housing Advisory Commission

Recommendation: Approve allocating \$1 million to the Housing Trust Fund in Fiscal Year 2008.

Financial Implications: See report

Contact: Oscar A. Sung, Commission Secretary, 981-5410

Action Calendar – Old Business

2. Budget Referral - Berkeley Assessment, Screening, Treatment and Referral (Be A STAR) Program

From: Mayor Bates

Recommendation: Request that the City Council refer to the 2008-2009 Biennial budget process \$50,000 in one-time only funds for development of an implementation plan for Berkeley Assessment, Screening, Treatment and Referral (Be A STAR) program for healthy child development.

Financial Implications: General Fund - \$50,000

Contact: Tom Bates, Mayor, 981-7100

3. Budget Referral: Hypertension Program

From: Mayor Bates

Recommendation: Request that the City Council refer to the 2008-2009 biennial budget process \$100,000 in one-time only funds for the Hypertension Prevention and Treatment Program delivered through the Public Health division and in partnership with Lifelong Medical Care, Inc.

Financial Implications: General Fund - \$100,000

Contact: Tom Bates, Mayor, 981-7100

4. Co-Sponsorship of the 9th Annual "Run for Peace"

From: Councilmember Maio

Recommendation: That the City of Berkeley:

1. Co-Sponsor the 9th Annual "Run for Peace" organized by the United Nations Association-USA, East Bay Chapter to be held in Cesar Chavez Park on Sunday, October 7, 2007;
2. Waive all permit fees associated with the 9th annual "Run for Peace";
3. Contribute \$1,000 toward the organization of the 9th annual "Run for Peace" event.

Financial Implications: See report

Contact: Linda Maio, Councilmember, District 1, 981-7110

5. Budget Referral: Housing Rights, Inc.

From: Councilmember Moore

Recommendation: That the Berkeley City Council refers \$6,000 to the FY2008-2009 budget process for Housing Rights, Inc. to help fill a gap in services.

Financial Implications: General Fund - \$6,000

Contact: Darryl Moore, Councilmember, District 2, 981-7120

6. Budget Referral: Berkeley Youth Alternatives' Girls' Twilight Basketball

From: Councilmember Moore

Recommendation: That the Berkeley City Council refers \$45,000 to the FY2008-2009 budget process to maintain funding for Berkeley Youth Alternatives' Girls' Twilight Basketball.

Financial Implications: General Fund - \$45,000

Contact: Darryl Moore, Councilmember, District 2, 981-7120

Action Calendar – Old Business

7. Budget Referrals:2008 and 2009 Biennial Budget Process

From: Councilmember Anderson

Recommendation: Request the City Manager develop a proposal and cost estimate to restore funding to

1. BOSS in the amount of \$49,434,
2. The South Berkeley Community Church in the amount of \$10,000,
3. The Berkeley Drop-In Center in the amount of \$13,683
4. YAYA California in the amount of \$25,000 for FY 2008 and 2009 biennial budget deliberations.

Financial Implications: See report

Contact: Max Anderson, Councilmember, District 3, 981-7130

8. City Sponsorship Of The 33rd Annual Solano Stroll

From: Councilmember Capitelli

Recommendation: That the City of Berkeley cosponsor the 2007 Solano Stroll to be held on Solano Avenue on Sunday, September 9, 2007; that the Council

1. Give permission for use of the name of the City of Berkeley and the City's logo in media coverage of the Solano Avenue Stroll (this includes print, internet, radio and television media);
2. Provide services from Police, Transportation and Public Works departments.

Financial Implications: See report

Contact: Laurie Capitelli, Councilmember, District 5, 981-7150

9. Budget Referral: Sweatshop-Free Ordinance Implementation

a. From: Councilmember Worthington

Recommendation: Refer to the budget review process a recommendation to appropriate \$ 35,000 to fund the Sweat free Consortium as well as additional staffing needs of the City of Berkeley Purchasing Department to implement the Sweatshop-Free Ordinance.

Financial Implications: General Fund - \$35,000

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

b. From: City Manager *(Continued from May 22, 2007)*

(Information report that was moved to the Action Calendar at the April 30, 2007 Agenda Committee meeting.)

Recommendation: Discussion and direction.

Contact: Michael Caplan, Office of the City Manager, 981-7000

10. Budget Referral: \$280,000 for BOSS Ursula Sherman Village Project

From: Councilmember Worthington

Recommendation: That the Council refer to the budget process a one-time request of \$280,000 for BOSS (Building Opportunities for Self-Sufficiency) to complete rehabilitation and construction for Ursula Sherman Village project including the Harrison House Singles Program, Families Program, and the Children's Learning Center.

Financial Implications: General Fund - \$280,000

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

Public Comment – Items Not Listed on the Agenda

Information Reports

35. **Status Report: Instant Runoff Voting for Municipal Elections (To Be Delivered)**
From: City Manager
Contact: Pamyla Means, City Clerk, 981-6900
36. **Investment Report: Quarter Ended March 31, 2007**
From: City Manager
Contact: Robert Hicks, Finance, 981-7300
37. **The Work Force Report**
From: City Manager
Contact: David Hodgkins, Human Resources, 981-6800
38. **Unrepresented Temporary Employees**
From: City Manager
Contact: David W. Hodgkins, Human Resources, 981-6800
39. **Update: Implementation of FUND\$ Change Management Audit Recommendations**
From: City Manager
Contact: Chris Mead, Information Technology, 981-6500
40. **LPC NOD: 2611 Ashby Avenue**
From: City Manager
Contact: Dan Marks, Planning and Development, 981-7400
41. **LPC NOD 2307 Piedmont Avenue**
From: City Manager
Contact: Dan Marks, Planning and Development, 981-7400
42. **Installation of Surveillance Cameras (To Be Delivered)**
From: City Manager
Contact: Douglas N. Hambleton, Police, 981-5900
43. **Amendment to Fiscal Year 2007 Audit Plan: Police Asset Forfeiture Account**
From: Auditor
Contact: Ann-Marie Hogan, Auditor, 981-6750

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply:*
1) *No lawsuit challenging a City decision to deny (Code Civ. Proc., 1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of*

Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

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City Clerk Department
2180 Milvia Street
Tel: 510-981-6900
TDD: 510-981-6903
Fax: 510-981-6901
Email: clerk@ci.berkeley.ca.us

Libraries:
Main - 2090 Kittredge Street
Claremont Branch – 2940 Benvenue
West Branch – 1125 University
North Branch – 1170 The Alameda
South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

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Please refrain from wearing scented products at public meetings.



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I hereby certify that the agenda for this Regular meeting of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website on Thursday, June 7, 2007.

A handwritten signature in black ink that reads "Pamyla Means". The signature is fluid and cursive.

Pamyla Means, MMC, City Clerk

*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.*

**Item 33: Public Commons for Everyone Initiative**

1. Vincent Casalaina, Willard Neighborhood Association
2. Doris Moskowitz

**Anti-Discrimination Ordinance**

3. Barbara Ann Berwick

**Replant Piedmont Way**

4. Bob Joyce

**Himalayan Fair**

5. Troy Reicherter

**Washington Elementary Solar Panel Project**

6. Juliet Lamont

**Budget Cuts – Civic Arts Coordinator**

7. Lisa Bullwinkel, Berkeley Cultural Trust

**Whistle-Blowing Residents**

8. Anne Whyte

**WiFi**

9. Leonard Schwartzburd

**Bus Lanes on Telegraph**

10. Doris Moskowitz

**Public Transportation**

11. angele@\*\*\*\*.com

**Yassir Chadly**

12. Ying Mei Tcheou (3)

**Bicycle Issues**

13. H. Scott Prosterman (3)

**Critical Mass Incident**

14. Robin Wright
15. Mark Furlong
16. Jason Meggs

**Green Agenda**

17. Barbara Gilbert
18. Cisco DeVries, Office of Mayor Bates

**Parking Lot in Elmwood District**

19. Linda Moyer

**Pacific Steel Casting**

- 20. Janice Schroeder, West Berkeley Alliance
- 21. Martin Bourque, Ecology Center
- 22. Jason Kibbey, Community Environmental Advisory Commission

**Berkeley Housing Authority**

- 23. Sharon Hudson

**Telegraph Avenue: Similar to Haight Street**

- 24. Barbara Gilbert

**School Bussing**

- 25. Barbara Gilbert

**The Shipyard Art Space/Artist Evictions**

- 26. Corbett Griffith
- 27. Kal Spelletich
- 28. Anthony Peterson
- 29. Todd Reed
- 30. Sarah Sobel
- 31. Rudy Rucker
- 32. Richard Fong
- 33. Herbie Hatman
- 34. Ray Russ
- 35. Susan Jette
- 36. Lena Strayhorn
- 37. Dawn Stott
- 38. Jonathan Spear
- 39. Sharon Hudson (2)
- 40. Natalie Schumacher
- 41. Christopher Schardt
- 42. Mary Zimmerle
- 43. Background information, submitted by City Manager

**Priority Development Area Application**

- 44. Memorandum, submitted by City Manager

