

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING  
TUESDAY, NOVEMBER 27, 2007**

**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 WOZNIAK

## **Preliminary Matters**

**Roll Call: 7:00 p.m.** All present.

### **Ceremonial Matters:**

1. Proclamation Celebrating Community Partnership to revitalize the West Branch Berkeley Library

## **Public Comment – Non-Agenda Items – 2**

## **Public Comment – Consent Calendar Items Only – 1**

M/S/C (Maio/Moore) to reorder the agenda to take Item No. 29 (Ed Roberts Campus) after Consent Calendar and Item No. 28 (Public Commons for Everyone Initiative) after Item No. 29.

## **Consent Calendar**

**Action:** M/S/C (Maio/Anderson) to adopt Consent Calendar in one motion except: Item No. 19 - withdrawn; Item No. 27 (Emergency Actions San Francisco Oil Spill) moved to Consent; Item No. 32 (Dredging in Aquatic Park) moved to Action; Item No. 33 (Underground Policy for Rule 20A Monies) moved to Action; Item No. 20 (Support for Increased Access and Protections for Workers and Consumers) moved to Action; Item No. 11 (East Stockton Transfer Recycle Contract) continued to 12/18/07; and Item No. 16 (General Assistance Budget Reductions) continued to 12/11/07.

### **1. Adoption of Revisions to Berkeley Municipal Code 13.46 (Indoor Entertainment Events)**

**From: City Manager**

**Recommendation:** Adopt second reading of Ordinance No. 7,004–N.S amending Berkeley Municipal Code Chapter 13.46 Indoor Entertainment Events.

**First Reading** Ayes – Maio, Moore, Anderson, Spring, Capitelli, Olds, Worthington, Wozniak, Bates; Noes – None.

**Financial Implications:** None

Contact: Debra Pryor, Fire, 981-3473

**Action:** Adopted second reading of Ordinance No. 7,004–N.S. Effective date December 27, 2007.

## Consent Calendar

- 2. Downtown Berkeley Business Improvement District**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the 2008 Annual Report of the Downtown Berkeley Business Improvement District (BID); declaring Council's intention to levy an annual assessment for the Downtown Berkeley Business Improvement District for calendar year 2008; and directing the City Clerk to schedule a public hearing for December 18, 2007, to consider levying a renewed assessment for the year 2008.  
**Financial Implications:** Downtown BID Fund - \$250,000  
Contact: Michael Caplan, Economic Development, 981-7530  
**Action:** Adopted Resolution No. 63,889–N.S.
- 3. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of October 23, 2007 (closed and regular).  
**Financial Implications:** None  
Contact: Pamyla Means, City Clerk, 981-6900  
**Action:** Approved minutes as submitted.
- 4. Revised December 2007 City Council Meeting Schedule**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution amending Resolution 63,559-N.S. to revise the City Council regular meeting schedule for December 2007.  
**Financial Implications:** None  
Contact: Pamyla Means, City Clerk, 981-6900  
**Action:** Adopted Resolution No. 63,890–N.S.
- 5. Formal Bid Solicitations and Request for Proposals**  
**From: City Manager**  
**Recommendation:** Approve the new invitation for bid/request for proposal (RFP) that will be, or is planned to be, issued in the next 30 days upon final approval by the requesting department or division.  
**Financial Implications:** See report  
Contact: Robert Hicks, Finance, 981-7300  
**Action:** Approved recommendation.
- 6. Safety Members' Pension Fund Annual Reports for FY 2007**  
**From: City Manager**  
**Recommendation:** Accept the Safety Members Pension Fund (SMPF) annual reports for fiscal year ended June 30, 2007.  
**Financial Implications:** None  
Contact: Robert Hicks, Finance, 981-7300  
**Action:** Approved recommendation.

## Consent Calendar

- 7. Contract 7282 Amendment: Housing Retention Program Fiscal Agent** *(To be delivered)*  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to increase the contract amount (Contract No. 7282) for Berkeley Food and Housing Project (BFHP) by \$166,123 to provide fiscal agent services to the City's Housing Retention Program, formerly the Homeless Prevention Grants Program.  
**Financial Implications:** See report  
Contact: Renelda Mary, Housing, 981-5400  
**Action:** Adopted Resolution No. 63,891–N.S.
- 8. Lease Agreement: Property at 711 Harrison Street** *(To be delivered)*  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance authorizing the City Manager to execute a lease agreement and any amendments with Building Opportunities for Self-Sufficiency to lease a City-owned parcel of property to be created at 711 Harrison Street for the continued operation of emergency shelter and transitional housing at the site, and to allow BOSS to apply for State of California financing to rehabilitate the existing facility.  
**Financial Implications:** See report  
Contact: Renelda Mary, Housing, 981-5400  
**Action:** Adopted first reading of Ordinance No. 7,006–N.S. Second reading scheduled for December 11, 2007.
- 9. Recognition of Service Employees International Union Local 1021**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute and implement a Side Letter of Agreement with Service Employees International Union (SEIU) to recognize SEIU Local 1021 as the sole and exclusive representative for employees assigned to Representation Units currently represented by SEIU Local 790, Local 535, and the Part-Time Recreation Leaders Association/SEIU Local 535.  
**Financial Implications:** None  
Contact: David Hodgkins, Human Resources, 981-6800  
**Action:** Adopted Resolution No. 63,892–N.S.
- 10. Agreement: Build It Green**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a sole source agreement with Build It Green for the period September 15, 2007 through September 14, 2009 in the amount of \$50,040 for development of a solar energy program.  
**Financial Implications: See report**  
Contact: Dan Marks, Planning and Development, 981-7400  
**Action:** Adopted Resolution No. 63,893–N.S.

## Consent Calendar

- 11. Contract: East Stockton Transfer Recycle for Construction & Demolition Waste Processing** (*Held over from November 6, 2007*)  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a contract with East Stockton Transfer Recycle to sort construction and demolition waste for an annual amount not to exceed \$1,382,500 in FY 2008 and a total contract amount not to exceed \$5,727,500 for FY 2008, FY 2009 and FY 2010, for the period November 12, 2007 to June 30, 2010.  
**Financial Implications:** Refuse Fund - \$1,382,500  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Continued to December 18, 2007.
- 12. Contract: Kappe + Du Architects for On-Call Architectural Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Kappe + Du Architects in an amount not to exceed \$100,000 to provide on-call architectural services for various City facility projects for a period of 42 months from December 1, 2007 through June 30, 2011.  
**Financial Implications:** See report  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,894–N.S.
- 13. Easement Agreement: 1310 University Avenue - Berkeley Montessori School Providing Public Access**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance authorizing the City Manager to accept the Easement Agreement granting public access on a 10-foot wide path through the property at 1310 University Avenue between the owner of the property, Berkeley Montessori School, and the City of Berkeley for a continuation of a pedestrian and bicycle path along West Street and south of University Avenue to Strawberry Park at Addison Street.  
**Financial Implications: None**  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Adopted first reading of Ordinance No. 7,007–N.S. Second reading scheduled for December 11, 2007.
- 14. Designation of New FEMA Pre-Disaster Mitigation Grant Authorized Agents**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution designating the Public Works Director, Deputy City Manager, and Budget Manager as authorized agents for the FEMA Pre-Disaster Mitigation Grant for the Ratcliff Building Seismic Retrofit project.  
**Financial Implications:** See report  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,895–N.S.

## Consent Calendar

15. **Contract: Noll & Tam Architects for On-Call Architectural Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Noll & Tam Architects in an amount not to exceed \$100,000 to provide on-call architectural services for various City facility projects for a period of 42 months from December 1, 2007 through June 30, 2011.  
**Financial Implications:** See report  
Contact: Claudette Ford, Public Works, 981-6300  
**Action:** Adopted Resolution No. 63,896–N.S.
16. **Proposed General Assistance Budget Reductions in FY08**  
**From: Homeless Commission**  
**Recommendation:** Adopt a Resolution opposing the County of Alameda's Social Service Agency's plan to limit General Assistance to six months of the year in this fiscal year for people the Agency determines are "employable".  
**Financial Implications:** None  
Contact: Jennifer Vasquez, Commission Secretary, 981-5400  
**Action:** Continued to December 11, 2007.

## Council Consent Items

17. **Priority Permit Process for Green Buildings Initiative**  
**From: Councilmember Olds**  
**Recommendation:** Request that the City Council refer to the Planning Commission the concept of giving priority in the permit process to buildings that will use environmentally sound practices and return to the City Council with recommendations for standards of eligibility and a process that can be adopted by the Planning Department.  
**Financial Implications:** Unknown  
Contact: Betty Olds, Councilmember, District 6, 981-7160  
**Action:** Approved recommendation.
18. **Urging The State Department Of Pesticide Regulation To Refuse Approval Of Methyl Iodine For Use In California**  
**From: Councilmember Worthington**  
**Recommendation:** Send a letter to the state Department of Pesticide Regulation urging them to refuse approval of methyl iodine use in California.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Approved recommendation.
19. **Opposing the Lockout of Workers at Metro Lighting**  
**From: Councilmember Worthington**  
**Recommendation:** Express opposition to the lockout of workers at Metro Lighting in Berkeley.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Withdrawn.

## Council Consent Items

### 20. Support Of Increased Internet Access And Protections For Workers And Consumers

**From: Councilmember Worthington**

**Recommendation:** Adopt Resolutions establishing City policy that all employees who enter homes for utility work must be employees of a utility franchise holder; establishing a city policy establishing standards for users of the public right of way and requiring that they must be employees of a franchise holder; and endorsing the Speed Matters initiative.

Resolution A: Establishing a City of Berkeley policy to require that all employees who enter homes for utility work should be employees of a utility franchise holder.

Resolution B: Establishing standards for users of the public right of way and requiring that all users should be employees of a franchise holder

Resolution C: Endorsing speed matters initiative.

**Financial Implications:** None

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

Removed from Consent Calendar for discussion.

Public Comments – 1

M/S/C (Worthington/Maio) to continue the meeting to 11:59 p.m. Vote: Ayes – Maio, Anderson, Capitelli, Worthington and Bates; Noes – Moore; Abstain – Spring, Wozniak; Absent – Olds.

**Action:** M/S (Worthington/Wozniak) to adopt resolutions and direct staff to report in the spring regarding the status of options for citywide wireless. M (Spring) to sever the staff report on citywide wireless. Motion failed. Vote: Ayes – Moore, Capitelli, Wozniak, Bates; Noes – Maio, Anderson, Spring; Abstain – Worthington; Absent – Olds. Main motion adopted Resolution No. 63,897–N.S. (employees of a utility franchise holder) (with correction as noted); Resolution No. 63,898–N.S. (public right of way); and Resolution No. 63,899–N.S. (speed matters initiative). Vote: Ayes – Maio, Moore, Anderson, Spring, Capitelli, Worthington, Bates; Abstain – Wozniak; Absent – Olds.

### 21. Opposing Land Lease Near The Teshekpuk Lake In The National Petroleum Reserve In Alaska

**From: Councilmember Worthington**

**Recommendation:** Send a letter to the U.S. Department of the Interior opposing the leasing of any land north and east of the Teshekpuk Lake in the National Petroleum Reserve in Alaska.

**Financial Implications:** None

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

**Action:** Approved recommendation. Abstain – Capitelli.

## Items Removed From Consent Calendar

**Capitelli absent – 11:08 p.m.**

## Action Calendar – Public Hearings

### 22. Ambulance User Fee Increase

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution increasing the Ambulance User Fee to match the Alameda County's ambulance user fee schedule set and approved by the Alameda County Board of Supervisors effective October 1, 2007, included as an updated addendum to the Ambulance Provider Agreement.

**Financial Implications: See report**

Contact: Debra Pryor, Fire, 981-3473

**Public Testimony:** The Mayor opened the public hearing, there were no speakers. M/S/C (Maio/Wozniak) to close the public hearing.

**Action:** M/S/C (Maio/Wozniak) to adopt Resolution No. 63,900–N.S. Absent – Capitelli.

### 23. Adoption of the 2007 California Fire Code with Local Amendments

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion,

- 1) Adopt second reading of Ordinance No. 7,003–N.S. repealing and re-enacting the Berkeley Fire Code Chapter 19.48 and related procedural and stricter provisions.
- 2) Adopt a Resolution reenacting BMC Chapter 19.48 and related procedural and stricter provisions to take effect on January 1, 2008.

**Financial Implications: See report**

Contact: Debra Pryor, Fire, 981-3473

**Public Testimony:** The Mayor opened the public hearing, there were no speakers. M/S/C (Maio/Anderson) to close the public hearing.

**Action:** M/S/C (Maio/Moore) to adopt:

- 1) Ordinance No. 7,003–N.S. Effective date December 27, 2007;
- 2) Resolution No. 63,901–N.S.

Absent – Capitelli.

### 24. Adoption of Berkeley Building Codes

**From: City Manager**

**Recommendation:** Conduct a public hearing, and, upon conclusion,

- 1) Adopt second reading of Ordinance No. 7,005–N.S. repealing and re-enacting the Berkeley Building, Electrical, Mechanical and Plumbing Codes and related procedural and stricter provisions in BMC Chapters 19.28, 19.30, 19.32 and 19.36;
- 2) Adopt a Resolution (Attachment 2) setting forth findings of local conditions that require more stringent regulations than those provided by the 2007 California Building Code and rescinding Resolution No. 60,862–N.S. to take effect on January 1, 2008.

**Financial Implications: See report**

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

**Public Testimony:** The Mayor opened the public hearing, there were no speakers. M/S/C (Moore/Maio) to close the public hearing

**Action:** M/S/C (Wozniak/Maio) to adopt (with amendments as noted):

- 1) Ordinance No. 7,005–N.S. Effective date December 27, 2007;
- 2) Resolution No. 63,902–N.S.

Absent – Capitelli.

## Action Calendar – Public Hearings

### Capitelli present 11:12 p.m.

#### 25. ZAB Appeal: 1365 Summit Road

##### a. From: City Manager

**Recommendation:** Conduct a Public Hearing and upon conclusion, adopt a Resolution to modify the Zoning Adjustments Board's approval of Use Permit No. 06-10000105 for the demolition of the existing home at 1365 Summit Road and to permit its replacement with a new single family residence, incorporating changes agreed to by both the applicant and the appellant.

**Financial Implications:** None

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

##### b. Appeal

1. Robin Gal

##### c. Communications

None

**Public Testimony:** The Mayor opened the public hearing, there were no speakers. M/S/C (Olds/Wozniak) to close the public hearing.

**Action:** M/S/C (Olds/Moore) to adopt Resolution No. 63,903–N.S. with amended conditions and drawings as agreed to by staff and the applicant/appellant.

#### 26. Tract Map Appeal: 1423 Walnut Street

##### From: City Manager

**Recommendation:** Conduct a public hearing and adopt a Resolution affirming the Notice of Decision (NOD) for converting five (5) units at 1423 Walnut to condominiums. The 50-day action period expired on July 6, 2007 without action by the Planning Commission as required by State law and the applicant declined the Planning Department's request for an extension of the time period. Therefore, this five-unit residential condominium conversion project was approved, with conditions, by operation of law on July 6, 2007.

**Financial Implications:** See report

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

##### b. Appeal

1. 1423 Walnut, LLC

##### c. Communications

None

M/S/C (Anderson/Maio) extend meeting to 11:45 p.m. Vote: Ayes – Maio, Anderson, Capitelli, Worthington, Bates; Noes – Olds; Abstain – Moore, Spring, Wozniak.

### Olds absent at 11:27 p.m.

**Public Testimony:** The Mayor opened the public hearing. 4 speakers. M/S/C (Anderson/Wozniak) to close the public hearing.

**Action:** M/S/C (Anderson/Wozniak) to adopt Resolution No. 63,904–N.S. approving the alternate plan submitted, directing staff to work with tenants regarding tenant rights. Vote: Ayes – Anderson, Capitelli, Worthington, Wozniak, Bates; Abstain – Moore, Spring; Absent – Olds; Pass – Maio.

## Action Calendar - New Business

### 27. Emergency Actions Related to San Francisco Bay Oil Spill

**From: City Manager**

**Recommendation:**

- 1) Ratify the City Manager's proclamation of emergency related to San Francisco Bay oil spill.
- 2) Confirm the City Manager's emergency proclamations regulating:
  - a. Public access to the shoreline
  - b. Boat washing
  - c. Dogs off-leash at the Berkeley Marina

**Financial Implications:** None

Contact: Phil Kamlarz, City Manager, 981-7000

**Action:** Moved to Consent Calendar and:

- 1) Ratified the City Manager's proclamation of emergency related to San Francisco Bay oil spill;
- 2) Confirmed the City Manager's emergency proclamations regulating public access to the shoreline, boat washing and dogs off-leash at the Berkeley Marina.

### 28. Public Commons for Everyone Initiative

**a. From: City Manager**

**Recommendation:** Council to approve the following plan to improve Berkeley's public areas to make them safer and healthier environments for everyone:

- 1) Direct City Manager to raise parking meter fees \$.25/hour to support services and capital improvements. (Approved)
- 2) Contingent upon funding approval, direct City Manager to implement services and capital improvements that include: increasing accessibility to public toilets; providing for additional permanent supportive housing, transitional age youth programs, SSI benefits advocacy, an additional outreach worker, and centralized homeless intake system; developing a Berkeley Host Program; providing additional public seating and trash receptacles; and investigating future development of a community court. (Approved)
- 3) Discussion and possible adoption which would include first reading of ordinances and amendment to a resolution as follows:
  - a. Amend BMC 13.36.015 to extend restriction on lying on certain commercial sidewalks during daytime hours to all commercial zones (Approved);
  - b. Amend BMC 12.70 to ban smoking in various locations in the City, including sections of commercial zones, recreation areas, and near health facilities (Approved as amended);
  - c. Amend Resolution 61,042 to require one warning and no complaint to enforce public lodging provision of Penal Code 647j, with enforcement to remain a low priority between 10:00 p.m. and 6:00 a.m. (Approved as amended)

**Financial Implications:** See report

Contact: Phil Kamlarz, City Manager, 981-7000

## Action Calendar – New Business

### **b. From: Homeless Commission**

**Recommendation:** The Homeless Commission recommends that the Mayor and City Council support the City Manager's proposal to further research and develop the social services component of PCEI's implementation strategy and to formally require that the Homeless Commission be involved in the ongoing PCEI discussion and review potential funding that may be recommended to expand homeless services programs.

**Financial Implications:** See report

Contact: Jennifer Vasquez, Commission Secretary, 981-5400

### **c. From: Peace and Justice Commission (Information Report)**

Contact: Manuel Hector, Commission Secretary, 981-5100

### **d. From: Human Welfare and Community Action Commission (To be delivered)**

**Recommendation:** The Human Welfare and Community Action Commission recommends that the Mayor and City Council support the City Manager's proposal to increase essential social services as well as changes in the enforcement of clearly defined rules that prohibit behavior that make members of the public feel unsafe or threatened.

**Financial Implications:** See report

Contact: Angellique De Coud, Secretary, Human Welfare and Community Action Commission, 981-5400

### **e. From: Community Health Commission (To be delivered)**

**Recommendation:** That the Public Commons for Everyone Initiative address the over concentration of alcohol outlets and incorporates input from the Berkeley Alcohol Policy Advocacy Coalition.

**Financial Implications:** See report

Contact: Kimi Sakashita, Commission Secretary, 981-5300

Public Comments – 47

Recess – 9:43 p.m. – 9:52 p.m.

**Action:** M/S (Wozniak/Capitelli) to approve the City Manager's recommendations outlined in 3 a., b. and c on the agenda with an amendment to 3.b. to extend the no smoking boundaries to Martin Luther King (from Addison, Center and Alston).

Sever (Worthington) Item 3.c. Vote on Item 3.c. Ayes – Moore, Capitelli, Olds, Wozniak, Bates; Noes – Anderson, Spring, Worthington; Abstain – Maio.

Sever (Worthington) Item 3.a. Vote on Item 3.a. Ayes – Maio, Moore, Capitelli, Olds, Wozniak, Bates; Noes – Spring, Worthington; Abstain – Anderson.

Vote on main motion to approve Item 1, 2 and 3.b. Ayes – Maio, Moore, Spring, Capitelli, Olds, Worthington, Wozniak, Bates; Abstain – Anderson.

M/S/C (Maio/Capitelli) to extend the meeting to 11:30 p.m. Vote: Ayes – Maio, Moore, Anderson, Capitelli, Worthington, Bates; Noes – Spring; Abstain – Olds, Wozniak.

## Action Calendar – New Council Items

### 29. Ed Roberts Campus

**From: Mayor**

**Recommendation:** Adopt a Resolution authorizing the City Manager to allocate \$2 million to the Ed Roberts Campus (ERC) to partially match \$4.5 million in new funds from the Metropolitan Transportation Commission (MTC) for the construction of the Ed Roberts Campus (ERC). The funding would come from a transfer of \$1.5 million from the Aquatic Park Sound Wall project and \$500,000 of General Fund Capital Projects. Request the City Manager return to Council with a report on the impacts to the Deferred Capital Projects

**Financial Implications:** See report

Contact: Tom Bates, Mayor, 981-7100

Public Comments – 8

**Action:** M/S/C (Worthington/Maio) to adopt Resolution No. 63,905–N.S. and directed staff to provide a status report and referred the matter to the Parks & Recreation Advisory Commission for comment.

Recess – 8:01 p.m. – 8:13 p.m.

## Information Reports

### 30. Solano Avenue Business Improvement District

**From: City Manager**

Contact: Michael Caplan, Economic Development, 981-7530

**Action:** Received and filed.

### 31. Parcel-Based Special Taxes, Fees and Assessments Audit -- Status Report

**From: City Manager**

Contact: Robert Hicks, Finance, 981-7300

**Action:** Received and filed.

### 32. Dredging in Aquatic Park *(To be delivered)*

**From: City Manager**

Contact: Claudette Ford, Public Works, 981-5400

**Action:** Moved to Action Calendar and continued to December 18, 2007.

### 33. Underground Policy for Rule 20A Monies

**From: Public Works Commission**

Contact: Jeff Egeberg, Secretary, Public Works Commission, 981-5400

**Action:** Moved to Action Calendar and continued to December 11, 2007.

M/S/C (Maio/Capitelli) to extend the meeting to 12:15 a.m., Wednesday, November 28, 2007. Vote: Ayes – Maio, Anderson, Spring, Capitelli, Worthington, Wozniak, Bates; Noes – Moore; Absent – Olds.

## Public Comment – Including Items Not Listed on the Agenda – 4

**Adjournment** – 12:04 a.m., Wednesday, November 28, 2007

## Communications – 11/27/07

### Action: Communication from M. Clegg referred to the City Manager

#### Item 2: Downtown Berkeley Business Improvement District

1. John Roberts

#### Support for Cedar Street No. 19 Bus Line

2. Kent Lewandowski

#### Departing City Attorney

3. Peter Mutnick

#### Cell Phone Towers

4. Peter Mutnick

#### Code Enforcement Review Commission

5. Carrie Olson, Berkeley Architectural Heritage Association

#### Neighborhood Harassment\*

6. Charles Jackson

\* Photos on file at City Clerk's Office

### Supplemental Communications and Reports 1

#### Item 10: Agreement: Build It Green

- Revised attachment, submitted by City Clerk Department

#### Item 19: Opposing the Lockout of Workers at Metro Lighting

7. Tim Hansen
8. Terry Geiser

#### Item 24: Adoption of Berkeley Building Codes

9. M. Clegg

#### Item 25: ZAB Appeal: 1365 Summit Road

10. Craig Baum
11. Robin Gal

#### Item 26: Tract Map Appeal: 1423 Walnut Street

12. William Flynn
13. Serena Orloff
14. Brad Andrews

#### Item 28: Public Commons for Everyone Initiative

- Supplemental materials, submitted by Lauren Lempert
15. Lauren Lempert (9)
  16. Deborah Pitts, on behalf of Michelle Donnell, Alta Bates Summit Medical Center
  17. Barbara Gilbert
  18. Renate Crocker

## Supplemental Communications and Reports 1

### **Item 29: Ed Roberts Campus**

- 19. Vic Bull
- 20. Mark Liolios
- 21. Kate Obenour
- 22. Nancy Carleton

### **Item 30: Solano Avenue Business Improvement District**

- 23. Patricia Benson (attachments on file at City Clerk Department)

### **Item 31: Parcel-Based Special Taxes, Fees and Assessments Audit -- Status Report**

- 24. Barbara Gilbert

## Supplemental Communications and Reports 2

### **Item 7: Contract 7282 Amendment: Housing Retention Program Fiscal Agent**

- To Be Delivered, submitted by Housing Department

### **Item 8: Lease Agreement: Property at 711 Harrison Street**

- To Be Delivered, submitted by Housing Department

### **Item 25: ZAB Appeal: 1365 Summit Road**

- Revised report, submitted by Planning and Development Department

### **Item 26: Tract Map Appeal: 1423 Walnut Street**

- Revised attachment, submitted by City Attorney

### **Item 27: Emergency Actions Related to San Francisco Bay Oil Spill**

- To Be Delivered, submitted by City Manager

### **Item 28: Public Commons for Everyone Initiative**

- To Be Delivered, submitted by Human Welfare and Community Action Commission
- 25. Dona Spring
  - 26. Carol Denney
  - 27. Heather Hensley
  - 28. Peter Mutnick
  - 29. Maryam Bloori

### **Item 29: Ed Roberts Campus**

- 30. Norman La Force
- 31. Susan Schwartz

### **Item 30: Solano Avenue Business Improvement District**

- 32. Susan Boat
- 33. Greymuir Miller
- 34. Concerned Members of the Solano Avenue BID

### **Item 32: Dredging in Aquatic Park**

- To Be Delivered, submitted by Public Works