

MINUTES

AGENDA COMMITTEE MONDAY, MARCH 8, 2004

1. **Roll Call:** 2:34 p.m.
Present: Councilmembers Hawley, Maio and Mayor Bates.
Absent: None.
2. **Public Comment:** Merillie Mitchell
3. **Approval of Minutes of Meeting of March 1, 2004.**
Action: Moved, seconded, carried (Hawley/Maio) to approve minutes.
4. **Review and Action on draft Work Session Agenda for March 16, 2004.**
Action: All items approved for placement on the agenda.
5. **Review and Action on draft Housing Authority Agenda for March 16, 2004.**
Action: All items approved for placement on the agenda.
6. **Review and Action on draft City Council Agenda for March 16, 2004.**
Action: All items approved for placement on the agenda with the following additions, deletions or changes:

Item 4 Proclamation Honoring Cesar Chavez

From: Mayor Bates

Recommendation: 1) Approve a proclamation declaring March 31, 2004 as Cesar Chavez Service to the Community Day; and 2) direct that the City website list appropriate Chavez-related commemoration events.

Contact: Tom Bates, Mayor, 981-7100

Action: Added the sponsorship of Councilmember Worthington.

Item 5 Specifying Cultural Spaces for Density Bonus

From: Councilmember Spring

Recommendation: Specify: 1) the two-story additional height bonus of residential development in exchange for cultural space be given to only nonprofit cultural and/or arts organizations; 2) the cultural space granted to these organizations must be used as public venues which allows for the public to experience cultural and arts events in the space; 3) the upper two floors of the density bonus cannot be rented or sold until the cultural space is granted to an arts organization(s); 4) if the two floors of cultural space is vacant for more than three months, the development will be deemed out of compliance with its use permit; 5) a change of cultural use shall be approved by the Zoning Adjustments Board as is the current practice; and 6) the additional two floors of housing granted as a bonus for cultural space shall also be required to meet requirements for 20% inclusionary housing.

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

Action: Revised as an Action Report by Councilmember Spring.

**Item 7 Support New Management for Claremont Hotel and Spa
From: Councilmember Worthington**

Recommendation: Adopt a Resolution encouraging the new owners of Claremont Hotel and Spa to bring in new management to avoid previous problems with the community and union.

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

Action: Added the sponsorship of Mayor Bates and Councilmember Maio.

7. Review and Action on scheduling of Calendar, Public Hearings, Presentations and Work Session topics.

Action: City Attorney to provide the Agenda Committee at its next meeting materials related to the public hearing on April 20th on the Council Rule on ex parte contact in quasi-judicial hearings.

8. Discussion and Action regarding process for review of the Agenda Committee and amendments to Council Rules of Procedure.

Action: Discussion regarding revisions to the Council Rules of Procedure as it relates to public comment. Mayor Bates proposed that no change to the three-minute public comment rule be recommended at this time, but that staff include other revisions proposed by the Agenda Committee in a recommendation from the Agenda Committee to the Council.

9. Adjournment: 3:05 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the Agenda Committee meeting of March 8, 2004 as approved by the Berkeley City Council Agenda Committee.

Sherry M. Kelly, City Clerk