

MINUTES
AGENDA COMMITTEE
MONDAY, JANUARY 9, 2006

1. **Roll Call:** 2:34 p.m.
Present: Mayor Bates and Councilmembers Maio and Wozniak
Absent: None.
2. **Public Comment:** Barbara Gilbert, Jennifer Mary Pearson, Merrilie Mitchell.
3. **Approval of Minutes of Meeting of December 5, 2005.**
Action: Moved, seconded, carried (Maio/Wozniak) to approve the minutes.
4. **Review and Action on Draft Housing Authority Special Agenda for January 17, 2006.**
Action: All items approved for placement on the agenda.
5. **Review and Action on Draft Housing Authority Agenda for January 17, 2006.**
Action: All items approved for placement on the agenda.
6. **Review and Action on Draft City Council Agenda for January 17, 2006.**
Action: All items approved for placement on the agenda with the following additions, deletions or changes:

Standards for Care of Dogs Kept Outdoors

a. From: Citizens Humane Commission (*First Reading December 13, 2005 – Unanimous*)
Recommendation: Adopt second reading of an Ordinance adding Berkeley Municipal Code Section 10.04.140, specifying requirements for minimum standards of care for owners/guardians who keep their dogs outdoors. This includes shelter, water, feeding and confinement.

Financial Implications: None

Contact: Kate O’Conner, Secretary, 981-6601

b. From Councilmember Spring (*January 17, 2006*)

Recommendation: Adopt first reading of an amended ordinance adding to the Berkeley Municipal Code 10.04.140 specifying requirements for minimum care for guardians/owners who keep their dogs outdoors.

Financial Implications: None

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

Action: Moved to Action Calendar.

Application: HUD Section 108 Loan Guarantee for the Oxford Plaza and David Brower Center
From: City Manager

Recommendation: Adopt a Resolution: 1) approving participation in the U.S. Department of Housing and Urban Development’s (HUD) Section 108 Loan Guarantee Program and authorizing the submission of a HUD Section 108 Loan Guarantee Program application for the Oxford Plaza and David Brower Center development in the amount of \$4,000,000; and, 2) authorizing the use of current and future Community Development Block Grant funds to secure a loan for the Oxford Plaza and David Brower Center up to the amount of \$4,000,000.

Financial Implications: See report

Contact: Stephen Barton, Housing, 981-5400

Action: Held over to January 24, 2006.

Support Diversity on Boards and Commissions

From: Councilmember Maio

Recommendation: Encourage diversity, reflective of Berkeley's population, on its boards and commissions and assist in this effort by referring qualified candidates from under-represented categories to an applicant pool that Councilmembers can access; that Council review the categories commonly used in defining diversity and determine the appropriate diversity profile for Berkeley; and that the Clerk prepare a report on the diversity of our boards and commissions each year for Council information, enabling us to track the success of our efforts.

Financial Implications: None

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

Action: Held over to February 7, 2006.

Support Inclusion of Students on Boards and Commissions

From: Councilmember Maio

Recommendation: Go on record as supporting student representation on boards and commissions and request that Mayor Bates discuss with the administrations of appropriate academic institutions (U.C., Vista, and any others deemed pertinent) the strengthening of programs that encourage participation in local government, perhaps for class credit, via appointments to Berkeley's +/- 40 Boards and Commissions, thereby creating a central repository of applicants that can be accessed by Councilmembers when a vacancy occurs.

Financial Implications: None

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

Action: Held over to February 7, 2006.

Disappearing Newsracks and the Constitutionality and Practicality of the Interpretation and Implementation of Newsrack Regulations *(Held over from October 18, 2005)*

From: Councilmember Worthington

Recommendation: Refer to the City Manager to review city ordinances, interpretations, and operations in regards to Newsrack regulation. As one part of this review, to invite persons responsible for distribution of newspapers to identify problem areas, including but not limited to the disappearance of newsracks without notification to the newspapers, possibly eliminating the part of the City ordinance that allows City removal of newsracks with zero notice, and making sure that the City is not creating impediments to fair placement for all publications.

Financial Implications: Staff time

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

Action: Held over to March 7, 2006.

Support Commission Diversity *(Held over as amended from November 29, 2005)*

From: Councilmember Worthington

Recommendation: Adopt a Resolution to: 1) encourage City Councilmembers to actively seek to fill vacant positions with consideration of the needs and benefits of a more representative and diverse commission roster; and 2) implement semi-annual reviews of its progress to determine if additional steps should be taken to ensure that these goals are met.

Financial Implications: None

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

Action: Held over to February 7, 2006.

Support Berkeley Newspapers (*Held over from December 13, 2005*)

From: Councilmember Spring

Recommendation: Request the City Manager to implement a policy of advertising city events in locally produced newspapers as widely as possible.

Financial Implications: See report

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

Action: Withdrawn by Councilmember Spring.

Contract: Community Choice Aggregation

a. From: Energy Commission

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment with Navigant Consulting Inc. for the development of a business plan and other tasks related to community choice aggregation in the amount of \$67,992, for a total amount of \$96,492 for the period December 3, 2003 to June 30, 2007.

Financial Implications: FY 2006 General Fund - \$67,992

Contact: Neal De Snoo, Secretary, 981-5434

b. From: City Manager

Recommendation: The City Manager concurs with the content and recommendations of the report.

Contact: Stephen Barton, Housing, 981-5400

Action: Approved as amended.

Added to Consent Calendar:

Support Assembly Bill 583

From: Mayor Bates and Councilmember Maio

Recommendation: Adopt a Resolution in support of Assembly Bill 583 (AB583), Hancock, the California Clean Money and Fair Elections Act of 2006.

Financial Implications: None

Contact: Tom Bates, Mayor, 981-7100

Support “Plug-In Berkeley” Campaign

From: Mayor Bates

Recommendation: Adopt a Resolution which: 1) supports the effort to create a viable market for “plug-in” hybrid electric vehicles (PHEVs); 2) supports policy initiatives at all levels of government that encourage the use of PHEVs; 3) encourages the City to strongly consider the purchase of PHEVs when they become available; and 4) directs the City Manager to report to the Plug-In Hybrid Campaign the possible number of PHEVs the City may be interested in purchasing in the future.

Financial Implications: None

Contact: Tom Bates, Mayor, 981-7100

Council Certification Affirming Zoning Adjustments Board Approval of Use Permit Modification No. 05-7000040

From: Councilmembers Moore and Maio and Mayor Bates

Recommendation: Certify the Zoning Adjustments Board’s (ZAB) approval of Use Permit Modification No. 05-7000040 (modifying Use Permit No.’s 04-7000039 and 01-10000102), and affirming ZAB’s upholding of the project’s Final Design Review Approval.

Financial Implications: None

Contact: Darryl Moore, Councilmember District 2, 981-7120; Linda Maio, Councilmember District 1, 981-7110; Tom Bates, Mayor, 981-7100

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

a. Master Calendar

b. Land Use Matters

Action: None

8. Adjournment: 3:12 p.m.