

MINUTES
AGENDA COMMITTEE
MONDAY, FEBRUARY 27, 2006

1. **Roll Call:** 2:31 p.m.
Present: Mayor Bates and Councilmembers Wozniak and Anderson
Absent: Councilmember Maio
2. **Public Comment:** Barbara Gilbert, Davis Baltz, and Pamela Sihvola
3. **Approval of Minutes of Meeting of February 14, 2006.**
Action: Moved, seconded, carried (Wozniak/Anderson) to approve the minutes.
4. **Review and Action on Draft Closed Session Agenda for March 6, 2006.**
Action: All items approved for placement on the agenda.
5. **Review and Action on Draft Work Session Agenda for March 7, 2006.**
Action: All items approved for placement on the agenda.
6. **Review and Action on Draft City Council Agenda for March 7, 2006.**
Action: All items approved for placement on the agenda with the following additions, deletions or changes:

Mobile Disaster Fire Protection System

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Kuiken Hytrans BV for portions of the Mobile Disaster Fire Protection System in an amount not to exceed \$5,000,000.

Financial Implications: Measure Q Disaster Fire Protection Tax and Fire Protection Bond Fund - \$5,000,000

Contact: Debra Pryor, Fire, 981-3473

Action: Withdrawn by City Manager

Waiving Reimbursement for Police Testimony in Civil Action

From: City Manager

Recommendation: Rescind Resolution No. 57,530-N.S. and authorize the City Attorney, upon a showing of good cause to execute stipulations waiving the City's entitlement to salary reimbursement under Government Code Section 68097.2 for the appearance and testimony of Berkeley Police Officers in civil actions regarding the elimination of public nuisance or illegal drug activity which impacts a neighborhood in the City of Berkeley.

Financial Implications: See report

Contact: Douglas N. Hambleton, Police, 981-5700

Action: Held over to April 18, 2006

Independent Scheduling of Land Use Public Hearings

From: Councilmember Worthington

Recommendation: Consider two options to improve scheduling and noticing of land use public hearings: 1) to publicly notice and indicate in the agenda a set time that a land use public hearing would begin at City Council Meetings; or 2) to separate and hold individual Council meetings at a specifically noticed time for land use related public hearings.

Financial Implications: None

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

Action: Moved to Action Calendar.

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: Withdrawn by Councilmember Worthington

Installation of Small Wind Turbine at Shorebird Nature Center Park

From: City Manager

Contact: Stephen Barton, Housing, 981-5400

Action: Withdrawn by City Manager

Added to Action Calendar:

Landmarks Preservation Commission Notice of Decision

From: Councilmember Spring

Recommendation: 1) Refer the Structure of Merit Designation to the Landmarks Preservation Commission for exploration of options for addressing issues of concern that have been raised by Councilmembers; and 2) assure that the Landmarks Preservation Ordinance is in compliance with the Permit Streamlining act by adding the word “disapprove” to the statement, “If the application is for a permit to demolish, the commission shall approve, [DISAPPROVE], or modify the application in whole or in part..”

Financial Implications: None.

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

Instant Runoff Voting

From: Councilmember Wozniak

Recommendation: Require that the specific Instant Runoff or Ranked Choice Voting system chosen for any upcoming Berkeley and Alameda County election satisfy the following conditions: 1) treat all voters the same; 2) count all votes; and 3) ensure that each voter has a vote in all rounds, including the final round.

Financial Implications: None.

Contact: Gordon Wozniak, Councilmember District 8, 981-7180

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

a. Master Calendar

Action: Added 1) Worksession, City Infrastructure, on May 23, 2006; 2) Worksession, Public Safety and Fire Preparedness, on June 13, 2006; and 3) Special City Council Meeting on June 27, 2006

b. Land Use Matters

Action: None.

8. Adjournment: 2:57 p.m.