

**MINUTES**  
**AGENDA COMMITTEE**  
**MONDAY, JUNE 5, 2006**

1. **Roll Call:** 2.32 p.m.  
**Present:** Mayor Bates and Councilmember Wozniak  
**Absent:** Councilmember Maio
2. **Public Comment:** None
3. **Approval of Minutes of Meeting of May 22, 2006.**  
**Action:** Minutes approved by unanimous consent.
4. **Review and Action on Draft Special Agenda for June 13, 2006.**  
**Action:** Draft Special Agenda approved by unanimous consent.
5. **Review and Action on Draft City Council Agenda for June 13, 2006.**  
**Action:** At the Committee's request the order of the agenda was modified by grouping all City Council budget referrals together at the end of the Action Calendar immediately after the Budget Update. All items approved for placement on the agenda with the following additions, deletions or changes:

**Appeal: 3027 Adeline Street – Black and White Liquors**

**From:** City Manager

**Recommendation:** City Manager report submitting proposed findings on Black and White Liquors, 3027 Adeline Street (nuisance abatement appeal).

**Financial Implications:** See report

Contact: Manuela Albuquerque, City Attorney, 981-6950

**Action:** Moved to the June 20, 2006 meeting at the request of the City Attorney.

**Contract: Community Conservation Center**

**From:** City Manager

**Recommendation:** Adopt a Resolution amending Contract No. 6856 with Community Conservation Center to increase the not-to-exceed amount from \$238,000 to \$380,000 in FY 2006 to correct an error and reinstate the previously authorized contract amount.

**Financial Implications:** \$380,000 - Various Funds

Contact: Claudette R. Ford, Public Works, 981-6300

**Action:** Moved to the June 20, 2006 meeting at the request of the City Manager.

**Oppose Senate Bill 1404: Parking Citations Related to Street Sweeping**

**From:** City Manager

**Recommendation:** Oppose SB 1404, which would require that citations issued for violating parking restrictions related to street sweeping be cancelled once contested if the city cannot prove that the street was cleaned on the date of the violation; and send a letter of opposition to the Senate Appropriations Committee; Senator Mike Machado; the League of California Cities Department of Public Safety, Transportation and Public Works; and the City's State Lobbyist.

**Financial Implications:** None

Contact: Claudette R. Ford, Public Works, 981-6300

**Action:** Moved to the June 20, 2006 meeting at the request of the City Manager.

**Ballot Measure: A Clean Water Measure to Address Severe Flooding, Sewage Contamination, Creek and Culvert Improvements**

**From: Councilmembers Maio and Moore**

**Recommendation:** Request placement of a measure on the November ballot to address severe flooding, sewage contamination, creek and culvert improvement-A Clean Water measure.

**Financial Implications:** To be determined

Contacts: Linda Maio, Councilmember District 1, 981-7110 and Darryl Moore, Councilmember District 2, 981-7120

**Action:** Removed from the Consent Calendar and moved to Action by Mayor Bates.

**Changes to West Berkeley Zoning**

**From: Councilmembers Maio, Capitelli, Moore and Mayor Bates**

**Recommendation:** Refer to the Planning Commission the request that the City make changes to the West Berkeley zoning to achieve more rational use of space and facilitate arts and crafts uses to locate in the M district.

**Financial Implications:** See report

Contacts: Linda Maio, Councilmember District 1, 981-7110; Laurie Capitelli, Councilmember District 5, 981-7150; Darryl Moore, Councilmember District 2, 981-7120; and Tom Bates, Mayor, 981-7100

**Action:** Removed from the Consent Calendar and moved to Action by Mayor Bates. Councilmember Moore and Mayor Bates added as co-sponsors.

**Proclamation: Designating June as Lesbian, Gay, Bisexual and Transgender Month**

**From: Councilmembers Worthington and Moore**

**Recommendation:** Support a proclamation to honor June as Lesbian Gay Bisexual Transgender and Questioning Pride Month in the City of Berkeley and authorize the City Manager to fly the Rainbow Flag for the rest of June.

**Financial Implications:** None

Contacts: Kriss Worthington, Councilmember District 7, 981-7170 and Darryl Moore, Councilmember District 2, 981-7120

**Action:** Councilmember Moore added as a cosponsor.

**Civic Arts Work Plan for FY 2007 and West Berkeley Arts Inventory**

**a. From: Civic Arts Commission**

**Recommendation:** Adopt a Resolution accepting the Civic Arts Commission Work Plan for FY 2007 and adopt a Resolution to fund an intern to assist in the inventory of artists, art organizations and creative businesses in West Berkeley.

**Financial Implications:** General Fund - \$12,000

Contact: Mary Ann Merker, Secretary to the Civic Arts Commission, Economic Development, 981-7530

**b. From: City Manager**

**Recommendation:** Refer to the budget process.

Contact: Thomas Myers, Economic Development, 981-7530

**Action:** Removed from the Consent Calendar and moved to Action by the City Manager.

**Restore Public Art Funds and Restore the Civic Arts Grant Program Funding**

**From: Civic Arts Commission**

**Recommendation:** Direct the City Manager to restore to the annual budget for the Civic Arts Program one FTE position including salary and benefits from General Fund revenues, and to restore the Public Art Fund 657 for revenues expended during the current Fiscal Year in excess of 0.5% allowed under Resolution No. 60,048-N.S. for the management costs for projects; and adopt a Resolution to restore the Civic Art Grant Program to \$300,000 for FY07.

**Financial Implications:** See report

Contact: Mary Ann Merker, Secretary to the Civic Arts Commission, Economic Development, 981-7530

**b. From: City Manager**

**Recommendation:** Refer to the budget process.

Contact: Thomas Myers, Economic Development, 981-7530

**Action:** Removed from the Consent Calendar and moved to Action by the City Manager.

**Added to the Consent Calendar**

**Designating May 19, 2006 as “Wayne Dismuke Day”**

**From: Mayor Bates and Councilmembers Moore, Anderson and Worthington**

**Recommendation:** Adopt a resolution commemorating May 19th as “WAYNE DISMUKE DAY” in remembrance of the incredible life spirit of Captain Wayne S. Dismuke

**Financial Implications:** None

Contacts: Tom Bates, Mayor, 981-7100; Darryl Moore, Councilmember District 2, 981-7120; Max Anderson, Councilmember District 3, 981-7130; and Kriss Worthington, Councilmember District 7, 981-7170

**Recognizing the Dramatic Philanthropic Divide Between Minority-led Nonprofits and Non-minority-led Nonprofits**

**From: Councilmembers Moore and Anderson**

**Recommendation:** Adopt a Resolution recognizing the dramatic philanthropic divide between minority-led nonprofits and non-minority-led nonprofits.

**Financial Implications:** None

Contacts: Darryl Moore, Councilmember District 2, 981-7120 and Max Anderson, Councilmember District 3, 981-7130

**Added to the Action Calendar**

**Budget Referral: \$10,000 for the Operating Budget for the West Berkeley Neighborhood Development Corporation and Costs Associated with the 2<sup>nd</sup> Annual International Food Festival**

**From: Councilmembers Moore and Maio**

**Recommendation:** Refer a request for \$10,000, \$4000 of which is to be used for the operating budget for the West Berkeley Neighborhood Development Corporation and \$6000 for costs associated with the 2<sup>nd</sup> Annual Berkeley International Food Festival.

**Financial Implications:** \$10,000

Contacts: Darryl Moore, Councilmember District 2, 981-7120; and Linda Maio, Councilmember District 1, 981-7110

**Budget Referral: Restore Funding for Staffing of the Office of Emergency Services**

**From: Councilmember Spring**

**Recommendation:** Refer to the budget process up to \$120,000 to restore funding for staffing of the Office of Emergency Services.

**Financial Implications:** See report

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

**Budget Referral: \$10,000 for the Center for Accessible Technology**

**From: Councilmember Spring**

**Recommendation:** Refer the request for an additional \$10,000 annually starting this fiscal year for the Center for Accessible Technology to the budget process.

**Financial Implications:** See report

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

**Budget Referral: Create a Public Safety Commission**

**From: Councilmember Wozniak**

**Recommendation:** Refer to the budget process a recommendation that the City Manager establish a new City Commission focused on reducing crime and improving public safety.

**Financial Implications:** See report

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

**Budget Referral: Sweatfree Berkeley Ordinance Monitoring and Enforcement**

**From: Councilmember Worthington**

**Recommendation:** Refer fifty thousand dollars (\$50,000) to the Budget process to be considered for allocation for the monitoring and enforcement component of the Sweatfree Berkeley ordinance.

**Financial Implications:** \$50,000

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

**Protection of Local Telecommunication Revenue and Maintenance of Control over the Public Right of Way**

**From: Mayor Bates and Councilmember Wozniak**

**Recommendation:** Adopt a Resolution in support of the Telecommunication Principles of the League of California Cities; and authorize the City Manager to appropriately and timely respond to any State or Federal legislative or regulatory action, or to other legal action, which may threaten the City's revenue derived from telecommunications, the City's control over the Public Right-of-Way, or the City's ability to negotiate or govern cable/video service agreements within its boundaries.

**Financial Implications:** See report

Contacts: Tom Bates, Mayor, 981-7100 and Gordon Wozniak, Councilmember, District 8, 981-7180

**Added to the Information Calendar**

**Update from City Attorney Regarding Placement of a Public Financing of Elections Measure on the November 2006 Ballot**

**From: City Manager**

Contact: Manuela Albuquerque, City Attorney, 981-6950

**6. Review and Action on Scheduling of Calendar, Public Hearings, Presentations and Worksession topics.**

**a. Master Calendar**

**b. Land Use Matters**

**Action:** Calendars reviewed. No action.

**Adjournment:** 2:57 p.m.

**Communications** None