



INDIGENOUS PEOPLES DAY

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11/29/2022
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Berkeley, CA

Dear Landmarks Preservation, Civic Arts, Parks Recreation & Waterfront Commissioners,

The Indigenous Peoples Day Committee unanimously supports the designs and plans approved by Lee Sprague and Marlene Watson, the original creators of the Turtle Island Monument. The Native community is fully behind them and their vision for the construction of the Turtle Island Monument in Civic Center Park. To build this monument to Native people without the Native Community approving its design would be a travesty of the values the Monument is striving to convey. We ask all involved to work together so that this great project of renewal can be completed in the same creative spirit that it was begun over thirty years ago.

For the Berkeley Indigenous Peoples Day Committee,
John Curl
Sharilane Suke
Gino Barichello
Moni T. Law

Riemer, Allison

From: Mari Carvalho <mariselacarvalho@icloud.com>
Sent: Wednesday, November 30, 2022 9:14 AM
To: Landmarks Preservation Commission
Subject: URGENT: LANDMARK CALIFORNIA THEATER PDF FILES
Attachments: Landmark Cal Theater PDF.pdf; Landmark Codes & References PDF.pdf

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Good morning. I did not see the public notice in time to submit documents prior to seven days before the Commission meets. I will come by the office (located at 1947 Center Street) this afternoon to deliver 11 copies for the Commission to review. If this is not the correct address, please let me know.

Also, I will be including a letter written by my son. I will write a follow-up e-mail and include any supporting documents I may have missed.

In the meantime, I hope these e-mail copies can be delivered to the Commission before the meeting. It is a lengthy letter and I'm afraid that it will not be well received due to the short notice. This is an important issue affecting families. I insist that the information contained in my letter be given proper attention.

If there is a chance to speak at a city meeting, I would like to include my son Dylan Carvalho. He is a fifth grader. He is well spoken and is not afraid to speak out on social justice issues. I am going through this process not only to hopefully create positive changes but also to be an example for my son that change IS possible. I am teaching him to base arguments on facts and not emotions. I am teaching him how to be a leader so this new generation can carry on the GOOD work.

Thank you.
Marisela Carvalho

November 30, 2022

Dear Committee Members,

My name is Marisela Carvalho. I am a long-time Berkeley resident that currently resides at Oxford Plaza Apartments located at 2175 Kittredge Street. I write on behalf of myself, my 10-year-old son, and the dozens of deserving Berkeley residents living at the Oxford Plaza. It is this particular community that will be primarily affected by the project decision on the City Landmark: California Theater building (located on 2113-2115 Kittredge).

At best, the City of Berkeley and the University of California have been ignoring the special needs that apply to a population that is already under-resourced and vulnerable. Oxford Plaza Apartments is considered an affordable housing complex. Many residents do live on a fixed income. Most, however, are hard-working and taxing individuals. We **all** deserve better.

In recent years, the City and the UC have approved construction projects that have had severe negative impacts on the residents of Oxford Plaza. In 2019, the residents lived through the demolition of a structure located on the UC campus, on Oxford Street, right across the street from the Oxford Plaza building. This area has been turned into a parking lot.

There is current construction on Kittredge Street. Student housing is being built at 2150 Kittredge, on the same street as Oxford Plaza. Beginning with the removal of the Touchless Car Wash and Gasoline station, this project is already in its second year. It is expected to last at least another year. When it is all said and done, this new building will tower over ours, blocking the sun. Again, the long-term impact of this project will be felt only by the residents of Oxford Plaza.

I would like to highlight just some other problems that the City of Berkeley and the UC have created for the residents of Oxford Plaza:

STREETS and SIDEWALKS: The construction has made these streets more dangerous for individuals that are visually impaired and/or use mobility devices. I, myself, have brittle bones disease which requires me to use a power wheelchair. Downtown now has too many sidewalks and streets that are blocked, making it difficult for individuals with disabilities to maneuver around. There are potholes and cones to contend with. Having to find alternate (longer) routes in daily life hurt bodies that are already pushed to its limit. These are minor inconveniences, however, when compared to the actual possibility of death. Wheelchair users, children, short-statured individuals, and anyone who cannot react quick enough is in danger of being involved in a fatal accident. I fear for my safety in Downtown. It has changed for the worst in terms of being an accessible haven for the disabled.

On October 20, Mr. William Evans, a marine veteran, was crossing Bancroft street with his wheelchair, when he was struck by a truck that did not see him. [Police report is forthcoming].

DELIVERIES: Kittredge Street has become a one-way street. This has affected the delivery of essential goods, mail, and medical supplies that residents rely on. Furniture delivery is impossible on weekdays.

DUST, GAS, & WATER: Since construction at 2150 Kittredge Street, the residents of Oxford Plaza has had to deal with a gas leak, water shut-off, toxic water, and daily dust. The Oxford building does not have central air conditioning. In the summer, many do not have a choice but to leave windows open. This is physically harmful.

[See attached list of references]

NOISE POLLUTION: The noise pollution that residents experience is incessant. Monday through Saturdays, garbage and recycling trucks start as early as 3:55 a.m. Adding to that is the noise from the actual construction which does not sometimes obey the noise ordinance rules. Finally, I would like to address the newly added stress of the constant towing occurring on the parking lot owned by the UC. As mentioned earlier, this is directly across the street from the Oxford Plaza building. The towing occurs every home game, including last Friday's game against UCLA. This is a day typically reserved for resting and leftovers. That is not what Oxford residents were served. The towing went on for at least 5 hours. On weekdays, towing has started as early as 4:30 a.m. This is unacceptable.

There is extensive research concluding that noise pollution causes an increase in cardiovascular diseases; sleep disturbances; stress; type 2 diabetes; cognition problems (including memory impairment); childhood learning delays; low birth weight; and of course, hearing loss. It is also linked to a loss of productivity.

Research findings also show that individuals and households of lower socio-economic status (SES) are more susceptible to these adverse effects. A study conducted by Denham & Schell (2003) states that, "**Disproportionate pollutant exposure by socioeconomically disadvantaged groups exacerbates risk of poor health and well being**" (p. 111). Additionally, individuals who are undergoing tremendous stress are more likely to engage in risky behaviors such as tobacco use or substance abuse.

Was this information not available to one of the leading research institutes in the nation or was it simply ignored?

[See attached list of references]

Berkeley was the epicenter of the Disability Rights Movement. Leaders like Ed Roberts and Judy Heumann fought for access and independence. The first Center for Independence office was opened on Telegraph Avenue in 1972. I love that about Berkeley and it is why I moved here. I craved access and I craved community.

Over time, I have found community. It is this same community that I may be forced to leave because these are no longer sustainable living conditions. Due to the housing crisis and high cost of living, most residents are not able to move. The City should take this into consideration when making major project decisions that primarily affect this community. The City has provided this community with affordable housing but it has not provided a quality of life for its residents.

Oxford Plaza is comprised of mothers, grandmothers, educators, nursing students, Cal graduates, retired lawyers, Uber drivers, hospice caretakers, and most importantly, children.

Does the City of Berkeley care only about its Cal students and wealthy residents?

Thank you for your time and thoughtful consideration.

Sincerely,



Marisela Carvalho

APPLICABLE MUNICIPAL CODES
CITY OF BERKELEY

Title 11: ENVIRONMENTAL HEALTH

Title 12: HEALTH AND SAFETY

Title 13: PUBLIC PEACE, MORALS AND WELFARE

**Chapter 13.24
DISCRIMINATION AGAINST FAMILIES WITH CHILDREN AND STUDENTS
IN PROPERTY RENTAL

**Chapter 13.40
GENERAL NOISE

Title 14: VEHICLES AND TRAFFIC

Title 16: STREETS, SIDEWALKS, AND OTHER PUBLIC PROPERTY

Title 19: BUILDINGS AND CONSTRUCTION

Full text available: <https://berkeley.municipal.codes/>

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