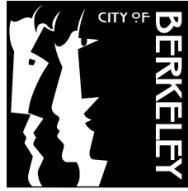


# AGENDA



## BERKELEY CITY COUNCIL MEETING

TUESDAY, APRIL 7, 2015

7:00 P.M.

Council Chambers – 2134 Martin Luther King Jr. Way

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO  
DISTRICT 2 – DARRYL MOORE  
DISTRICT 3 – MAX ANDERSON  
DISTRICT 4 – JESSE ARREGUIN

DISTRICT 5 – LAURIE CAPITELLI  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – KRISS WORTHINGTON  
DISTRICT 8 – LORI DROSTE

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, CMC, City Clerk, 981-6900.*

*The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.*

## Preliminary Matters

### Roll Call:

**Ceremonial Matters:** *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

**City Manager Comments:** *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

**Public Comment on Non-Agenda Matters:** *Persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.*

**Public Comment on Consent Calendar and Information Items Only:** *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Up to three speakers will be entitled to two minutes each to speak in opposition to or support of a Consent Calendar Item. The Presiding Officer will ask additional persons in the audience to stand to demonstrate their respective opposition to or support of the item.*

*In the event that there are more than three persons wishing to speak either in opposition to or support of a "Consent" item, the Presiding Officer will move the item to the beginning of the Action Calendar. Prior to moving the item, the Presiding Officer will fully inform those persons in the audience of this process.*

*Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.*

## **Consent Calendar**

*The Council will first determine whether to move items on the agenda for action or "Information" to the "Consent Calendar", or move "Consent Calendar" items to action. Items that remain on the "Consent Calendar" are voted on in one motion as a group. "Information" items are not discussed or acted upon at the Council meeting unless they are moved to "Action" or "Consent".*

*After hearing from public speakers regarding items remaining on the Consent Calendar, any Council Member may move any Information or Consent item to "Action", however no additional items can be moved onto the Consent Calendar at that point. Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.*

*For items removed from the Consent Calendar to the Action Calendar for additional public comment, at the time the matter is taken up during the Action Calendar, public comment will be limited to persons who have not previously addressed that item during the Consent Calendar related public comment period.*

- 1. Revision to Berkeley Municipal Code Definition of Art; Amending BMC Section 6.14.010**  
**From: Civic Arts Commission**  
**Recommendation:** Adopt second reading of Ordinance No. 7,400-N.S. amending Berkeley Municipal Code Section 6.14.010 ("Definitions") regarding the definition of Art.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** None  
Contact: Mary Ann Merker, Commission Secretary, 981-7000
  
- 2. Council Rules of Procedure and Order**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution revising the City Council Rules of Procedure and Order to amend the procedure for voting to consider corrections or supplements to items already included in the agenda packet, consistent with recent updates to Berkeley Municipal Code Chapter 2.06 on Open Government, and rescinding Resolution No. 66,912-N.S.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900

## Consent Calendar

- 3. Elmwood Theater Foundation Loan Modification**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution directing the City Manager to modify the outstanding loan from the Citywide Loan Fund to the Elmwood Theater Foundation to waive outstanding late fees through June 2015, modify the repayment schedule and extend the term of the loan.  
**Financial Implications:** See report  
Contact: Michael Caplan, Economic Development, 981-7530
- 4. Formal Bid Solicitation and Request for Proposal Scheduled for Possible Issuance After Council Approval on April 7, 2015**  
**From: City Manager**  
**Recommendation:** Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.  
**Financial Implications:** Various Funds - \$4,494,500  
Contact: Dee Williams-Ridley, Finance, 981-7300
- 5. Contract: Premier COMP Medical Group for Medical Examinations and Wellness/Fitness Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Premier COMP Medical Group for occupational health annual and pre-employment medical examinations, as well as a wellness/fitness component for all sworn Fire Department personnel in the amount of \$90,000 per fiscal year for the period May 1, 2015 through April 30, 2017 with an option to extend for two additional two-year terms, for a total not to exceed \$540,000.  
**Financial Implications:** See report  
Contact: Gil Dong, Fire, 981-3473
- 6. Contract: ECMS, Inc. for Turnout Testing, Inspection, and Repair**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with ECMS, Inc. for annual turnout testing, inspection and repair for all fire personnel for the term May 1, 2015 to May 30, 2016 in the amount of \$30,000 per fiscal year with an option to extend for two additional one-year terms for a total cost not to exceed \$90,000.  
**Financial Implications:** See report  
Contact: Gil Dong, Fire, 981-3473

## Consent Calendar

### 7. Shelter Plus Care Program Renewal Grants

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to receive funds and execute any agreements and amendments resulting from the renewal of the following grants: 1. Five Shelter Plus Care grants from U.S. Department of Housing and Urban Development: a) an estimated \$2,274,286 for tenant-based rental assistance for the period May 24, 2015 through May 23, 2016; b) an estimated \$143,395 for sponsor-based rental assistance for the Supportive Housing Network for the period of May 28, 2015 through May 27, 2016, with Resources for Community Development as the project sponsor; c) an estimated \$139,604 for sponsor-based rental assistance for the Pathways Project for the period June 1, 2015 through May 31, 2016, with Bonita House, Inc. as the project sponsor; d) an estimated \$518,038 in tenant-based rental assistance for the COACH Project grant for the period of December 14, 2015 through December 13, 2016; and e) an estimated \$217,428 in tenant-based rental assistance for the HOAP grant for the period of November 1, 2015 through October 31, 2016. 2. One grant from the County of Alameda for an estimated \$298,363 to provide tenant-based rental assistance to individuals who have HIV/AIDS and their families from March 1, 2015 through February 29, 2016.

**Financial Implications:** See report

Contact: Jane Micallef, Health, Housing and Community Services, 981-5400

### 8. Amendment to BMC Chapter 9.80 - Tobacco Retailers

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Sections 9.80.010, 9.80.020 and 9.80.035, and adding Sections 9.80.037 and 9.80.095, effective January 1, 2016, to: 1. Require a Tobacco Retail License (TRL) to sell Electronic Nicotine Delivery Systems (ENDS); 2. Prohibit sale of all tobacco products within a 1,000 foot buffer zone around schools and public parks, with a grace period of one to two years to minimize economic hardship; and 3. Define violation of Chapter 9.80 as a public nuisance.

**Financial Implications:** See report

Contact: Jane Micallef, Health, Housing and Community Services, 981-5400

### 9. Contract 7645D Amendment: NEOGOV Job Applicant Tracking System

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 7645D in the amount of \$36,500 with NEOGOV Inc. for a job applicant tracking system and service, for a revised total contract amount not to exceed \$156,500, and extending the term of the contract from May 17, 2015 through May 16, 2018.

**Financial Implications:** General Fund - \$36,500

Contact: David Abel, Human Resources, 981-6800

## Consent Calendar

- 10. Designating City's Labor Negotiators Under Govt. Code Section 54957.6**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution establishing a standing list of representatives of the City of Berkeley designated to participate in closed sessions with the City Council to discuss labor negotiations with certain unions and unrepresented employees, and rescinding Resolution No. 66,565-N.S.  
**Financial Implications:** None  
Contact: David Abel, Human Resources, 981-6800
- 11. Contract No. 9627 Amendment: Hubb Systems LLC (dba Data911) Mobile Data Computers for Police and Fire Vehicles**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend contract No. 9627 with Hubb Systems LLC for Mobile Data Computer (MDC) hardware and maintenance, increasing the amount by \$371,000, for a total not to exceed \$416,428 for the period April 14, 2014 through June 30, 2017.  
**Financial Implications:** Various Funds - \$371,000  
Contact: Donna LaSala, Information Technology, 981-6500
- 12. Donation: Berkeley Partners For Parks for Tree Plantings**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$1,860 from Berkeley Partners For Parks for the purchase and planting of City trees.  
**Financial Implications:** \$1,860 (Revenue)  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
- 13. Property Assessed Clean Energy ("PACE") Seismic Financing**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution consenting to the inclusion of properties within the City of Berkeley's jurisdiction in the California Statewide Communities Development Authority (CSCDA) Open PACE program; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within Berkeley; and authorizing related actions.  
**Financial Implications:** See report  
Contact: Eric Angstadt, Planning and Development, 981-7400
- 14. East Bay Corridors Initiative Memorandum of Understanding**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution entering into a Memorandum of Understanding with the Association of Bay Area Governments (ABAG) and participating local jurisdictions for the East Bay Corridors Initiative.  
**Financial Implications:** None  
Contact: Eric Angstadt, Planning and Development, 981-7400

## Consent Calendar

- 15. Section 106 Consultation: Downtown Berkeley Plaza and Transit Area Improvement Project**  
**From: City Manager**  
**Recommendation:** Consider the Landmarks Preservation Commission comments and adopt a motion concurring with the finding of no adverse effect under Section 106 for the proposed Downtown Berkeley Plaza and Transit Area Improvement Project.  
**Financial Implications:** None  
Contact: Andrew Clough, Public Works, 981-6300
- 16. Contract: MCK Services Inc. for FY 2015 Street Rehabilitation**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving plans and specifications for the Street Rehabilitation FY 2015 Project, Specification No. 15-10884-C; 2. Accepting the bid of MCK Services Inc. as the lowest responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications in an amount not to exceed \$2,624,971.  
**Financial Implications:** Various Funds - \$2,624,971  
Contact: Andrew Clough, Public Works, 981-6300
- 17. Contract: Gallagher & Burk Inc. for FY 2015 Measure M Street Resurfacing and Reconstruction**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving plans and specifications for the FY 2015 Measure M Street Resurfacing and Reconstruction Project, Specification No. 15-10923-C; 2. Accepting the bid of Gallagher & Burk Inc. as the lowest responsive and responsible bidder; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications in an amount not to exceed \$5,865,565. 4. Authorizing the City Manager to execute a Reimbursement Agreement with the East Bay Municipal Utility District for the replacement of existing water valve covers.  
**Financial Implications:** Various Funds - \$5,865,565  
Contact: Andrew Clough, Public Works, 981-6300
- 18. Reject Bid for FY 2015 Measure M Street Surface Seal Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to reject the bid and direct staff to re-advertise the FY 2015 Measure M Street Surface Seal Project.  
**Financial Implications:** See report  
Contact: Andrew Clough, Public Works, 981-6300

## Council Consent Items

- 19. Budget Referral: Telegraph Foot Patrol**  
**From: Mayor Bates**  
**Recommendation:** Refer to the FY 2015/2016 budget process establishing a regular, full-time police foot patrol officer on Telegraph Avenue five days a week, contingent upon the University of California Police Department's providing a foot-patrol officer the other two days, dedicated to the current physical boundaries of the C-T Telegraph District Commercial Zone.  
**Financial Implications:** See report  
Contact: Tom Bates, Mayor, 981-7100
- 20. Council Committee on a More Open Government**  
**From: Mayor Bates**  
**Recommendation:** Confirm the appointment of Councilmembers Jesse Arreguin, Lori Droste, Laurie Capitelli and Susan Wengraf to serve as an ad hoc committee to consider recommendations for more open government and report back to the Council in less than a year.  
**Financial Implications:** None  
Contact: Tom Bates, Mayor, 981-7100
- 21. Berkeley Public Schools Fund: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds**  
**From: Councilmember Maio**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$170 per councilmember, including \$170 from Councilmember Maio, to the Berkeley Public Schools Fund with funds relinquished to the city's general fund for this purpose from the discretionary council office budget of Councilmember Maio and any other councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Fund - \$170  
Contact: Linda Maio, Councilmember, District 1, 981-7110
- 22. Residential Parking Permit Pilot Program**  
**From: Councilmember Maio**  
**Recommendation:** Refer to the City Manager the implementation of a Residential Permit Parking (RPP) pilot program of 100 blocks to impacted areas, an expansion that is sensitive to the mix of uses that are both residential and commercial, such as exist in West Berkeley.  
**Financial Implications:** Staff time  
Contact: Linda Maio, Councilmember, District 1, 981-7110

## Council Consent Items

- 23. Our Family Coalition's First Annual Night Out: Relinquishment of Council Office Budget**  
**From: Councilmember Moore**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$300 per Councilmember, including up to \$300 from Councilmember Moore, for attendance at Our Family Coalition's First Annual Night Out, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Moore and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Fund - \$300  
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 24. Co-sponsor the American Cancer Society's 2015 Relay for Life**  
**From: Councilmember Moore**  
**Recommendation:** Co-sponsor the American Cancer Society's 2015 Relay for Life to be held on May 2 through May 3 at the Berkeley High School Track, and that the Council give permission for use of the name of the City of Berkeley and the City's logo in media coverage of the Relay for Life Berkeley.  
**Financial Implications:** Unknown  
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 25. Official City Sponsor of Heart to Heart Health Day**  
**From: Councilmember Moore**  
**Recommendation:** Approve City sponsorship of Heart to Heart Health Day.  
**Financial Implications:** Unknown  
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 26. Official City Sponsor of Walk with a Doc Berkeley**  
**From: Councilmember Moore**  
**Recommendation:** Approve City sponsorship of Walk with a Doc, Berkeley.  
**Financial Implications:** Unknown  
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 27. Recognize Nancy Skinner for Her Service to Berkeley**  
**From: Councilmember Moore**  
**Recommendation:** Adopt a Resolution honoring Nancy Skinner for her service to our Berkeley and East Bay community.  
**Financial Implications:** None  
Contact: Darryl Moore, Councilmember, District 2, 981-7120



## Council Consent Items

- 28. Request for Forgiveness of California Department of Housing and Community Development Loan to the Berkeley Housing Authority**  
**From: Councilmember Moore**  
**Recommendation:** Adopt a Resolution requesting the California Department of Housing and Community Development (HCD) to forgive a loan in the amount of \$763,689 made to Berkeley Housing Authority (BHA) in 1982 to help fund construction of 14 units of 3- and 4-bedroom units for low and extremely-low income households. The City Clerk shall send a letter to Governor Jerry Brown, with copies to the Director of the HCD, Claudia Cappio; the Chair of the Berkeley Housing Authority Board of Commissioners, Carole Norris; Berkeley Mayor Tom Bates and Senator Loni Hancock.  
**Financial Implications:** See report  
Contact: Darryl Moore, Councilmember, District 2, 981-7120
- 29. Refer \$125,000 to the FY 2015-2016 to Provide Housing Support Stipends for Transition Age Youth, Ages 18-25**  
**From: Councilmember Anderson**  
**Recommendation:** Refer \$125,000 in funding for Fiscal Year 2015-2016 to provide housing support stipends for transition age youth, ages 18-25. This funding will be used to help youth move into independent, stable housing.  
**Financial Implications:** \$125,000  
Contact: Max Anderson, Councilmember, District 3, 981-7130
- 30. Encouraging Economic Development and Increasing City Revenue from Business Activity- Amendment to BMC 23E.60.040**  
**From: Councilmember Capitelli**  
**Recommendation:** Extend the deadline set forth in BMC 23E.60.040 C regarding numerical limitations on food service establishments to July 31, 2019.  
**Financial Implications:** Unknown  
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150
- 31. Budget Referral: Annual Grant for Sunday Streets Events**  
**From: Councilmembers Capitelli and Moore**  
**Recommendation:** Refer to the FY 2016 & 2017 budget process an annual budget allocation of \$30,000 each year to cover City-related services, materials, permits and fees for two Sunday Streets events in Berkeley. The events will be held on Shattuck Ave and San Pablo Ave.  
**Financial Implications:** \$30,000  
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150

## Council Consent Items

- 32. Support SB 695: Affirmative Consent Education for High School Students**  
**From: Councilmember Wengraf**  
**Recommendation:** Adopt a Resolution supporting Senate Bill (SB) 695 and write a letter urging our representatives to pass this bill. Letters should be sent to State Senator Loni Hancock, Kevin de Leon, Hannah Beth Jackson and Assemblyman Tony Thurmond.  
**Financial Implications:** Minimal  
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
- 33. Budget Referral: Housing Trust Fund Allocation**  
**From: Councilmembers Worthington, Anderson, and Arreguin**  
**Recommendation:** Refer \$1,000,000 to the 2015-2016 budget process to be allocated to the Housing Trust Fund.  
**Financial Implications:** \$1,000,000  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 34. San Francisco Lesbian-Gay-Bisexual-Transgender Pride Parade: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$1,000 per Councilmember, including up to \$1,000 from Councilmember Worthington, to support the Pacific Center with funds relinquished to the City's General Fund for this purpose so that the City of Berkeley be represented at the San Francisco Lesbian-Gay-Bisexual-Transgender (LGBT) Pride Parade and for costs of having a contingent in the Parade from Councilmember Worthington's discretionary Council Office Budget and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Fund - \$1,000  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

## Action Calendar

*The public may comment on each item listed on the agenda for action as the item is taken up. Where an item was moved from the Consent Calendar to Action no speaker who has already spoken on that item would be entitled to speak to that item again.*

*The Presiding Officer will request that persons wishing to speak line up at the podium to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.*

*Action items may be reordered at the discretion of the Chair with the consent of Council.*

## Action Calendar – Old Business

35. **Support of CA Senate Bill 277: End California's Vaccine Exemption Loophole**  
*(Continued from March 17, 2015)*  
**From: Councilmember Wengraf**  
**Recommendation:** Adopt a Resolution supporting California Senate Bill 277. This legislation proposes to end all vaccination loopholes in California, including exemptions based purely on parents' personal beliefs. Send letters of support to Senators Richard Pan and Ben Allen, Senator Loni Hancock, Assemblymember Tony Thurmond and Governor Jerry Brown.  
**Financial Implications:** See report  
Contact: Susan Wengraf, Councilmember, District 6, 981-7160

## Action Calendar – New Business

36. **Sanitary Sewer Program: Rate Structure and Financial Sustainability**  
**From: City Manager**  
**Recommendation:**  
A. Select Option 1 for the Sanitary Sewer Rates, with phased-in increases over 5 Years of 25% in FY 2016, 24% in FY 2017, 14% in FY 2018, 7% in FY 2019, and 3.6% in FY 2020; and  
B. Direct staff to initiate a Proposition 218 protest process, and schedule a Public Hearing for June 9, 2015 for the Sanitary Sewer rate increases.  
**Financial Implications:** See report  
Contact: Andrew Clough, Public Works, 981-6300

## Council Action Items

37. **Public Comment and Council Discussion on Significant Community Benefits for New Tall Buildings in the Downtown**  
**From: Mayor Bates and Councilmembers Arreguin, Capitelli, and Moore**  
**Recommendation:** Receive public input and hold a Council discussion on April 7 about the "significant community benefits" that are required for development projects over 75 feet in Berkeley's Downtown - for the purpose of considering whether to quantify and further define what constitutes "significant community benefits." Approaches to consider include financial contributions that a project could make as well as specific community benefits that could be provided by the project directly.  
**Financial Implications:** See report  
Contact: Tom Bates, Mayor, 981-7100
38. **Extend the Affordable Impact Housing Fee Discount**  
**From: Mayor Bates**  
**Recommendation:** Adopt a Resolution amending Resolution No. 66,809-N.S. to maintain the affordable housing impact fee discount at \$20,000 until such time as the Council decides to amend it.  
**Financial Implications:** See report  
Contact: Tom Bates, Mayor, 981-7100

## Council Action Items

39. **Setting a Fifty Percent Citywide Solar Goal and Establishing a Solar Taskforce**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a Resolution setting a citywide solar goal of obtaining fifty percent of the City's energy needs from solar power by 2030 and establishing a solar taskforce to prioritize potential steps to achieve this goal.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

## Information Reports

40. **Audit Update: Construction Permits: Monitor Performance and Fee Assessments to Ensure Excellent and Equitable Customer Service**  
**From: City Manager**  
Contact: Eric Angstadt, Planning and Development, 981-7400
41. **Pedestrian Safety on Sacramento Street between University and Dwight**  
**From: City Manager**  
Contact: Andrew Clough, Public Works, 981-6300
42. **Report of the Alameda County Transportation Commission, January 29, 2015 and February 26, 2015**  
**From: Councilmember Capitelli**  
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150

## Public Comment – Items Not Listed on the Agenda –

## Adjournment

**NOTICE CONCERNING YOUR LEGAL RIGHTS:** *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via internet accessible video stream at <http://www.cityofberkeley.info/video> and KPFB Radio 89.3. Archived indexed video streams are available at <http://www.cityofberkeley.info/citycouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street as well as posted on the City's website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.cityofberkeley.info/citycouncil> and may be read at reference desks at the following locations:

City Clerk Department  
2180 Milvia Street  
Tel: 510-981-6900  
TDD: 510-981-6903  
Fax: 510-981-6901  
Email: [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info)

Libraries:  
Main - 2090 Kittredge Street  
Claremont Branch – 2940 Benvenue  
West Branch – 1125 University  
North Branch – 1170 The Alameda  
South Branch – 1901 Russell

#### COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346(V) or 981-7075 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on March 26, 2015.*

A handwritten signature in black ink, appearing to read "Mark Numainville".

Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record.*

### **Item 35: Support of CA Senate Bill 277: End California's Vaccine Exemption Loophole**

1. Sumant Ranji
2. Maya Nicholls
3. Jeanette Regalado

### **Item 37: Public Comment and Council Discussion on Significant Community Benefits for New Tall Buildings in the Downtown**

4. Housing Advisory Commission

### **Cooking and Gardening Programs at BUSD**

5. Lisa Handwerker
6. Joshua Room
7. Michelle Oram
8. Nate Byerley
9. Eileen DeVaney

### **Off-Leash Area at Cesar Chavez Park**

10. Carol Denney

### **2211 Harold Way**

11. Anthony Zueck
12. Richard McBurnie
13. Lisa Songster
14. Richard Rosman
15. LuLu Ortegon
16. Kelly Hammargren (2)
17. Brian Hanlon
18. Patricia Marsh
19. June Hunt

### **Berkeley Go Solar**

20. Cameron Ishee

### **Hearst Avenue “Complete Streets”**

21. Michael Katz

### **Cell Phone Radiation Documentary**

22. Phoebe Sorgen

### **California Housing**

23. Patrick Kennedy

### **Support for Art Spaces**

24. David Davis

### **Property Matter**

25. Calvin Justice

### **SF Chronicle Article – Roman Catholic Archdiocese**

26. W.B.C.

### **Annual Meetings of Commission Appointees**

27. Police Review Commission

### **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.

- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day of the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.

