

ROUGHLY EDITED COPY
CITY OF BERKELEY
ZONING ADJUSTMENTS BOARD
REMOTE BROADCAST CAPTIONING
SEPTEMBER 27, 2018

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>> VICE CHAIR D. PINKSTON: OKAY, GOT IT.

THANK YOU.

LET'S CALL THE MEETING TO ORDER.

WELCOME TO THE ZONING ADJUSTMENTS BOARD MEETING
TONIGHT.

FIRST ITEM ON THE AGENDA IS ROLL CALL AND EX PARTE
COMMUNICATIONS.

>> THANK YOU.

BOARD MEMBER SHEAHAN.

>> NO EX PARTE, HERE.

>> BOARD MEMBER KAHN.

>> HERE, NO EX PARTE.

>> BOARD MEMBER KIM.

>> HERE, NO EX PARTE.

>> BOARD MEMBER OLSON.

>> PRESENT, NO EX PARTE.

>> AND ACTING CHAIR PINKSTON.

>> VICE CHAIR D. PINKSTON: PRESENT, NO EX PARTE.

NEXT ITEM ON THE AGENDA IS PUBLIC COMMENT ON ITEMS NOT
ON THE AGENDA.

I HAVE ONE CARD FROM LOUISE ROSENCRANTZ WHO WOULD LIKE
TO SPEAK TO SOMETHING NOT ON THE AGENDA.

IS THERE SOMEONE ELSE IN THE AUDIENCE WHO WOULD LIKE
TO SPEAK ON SOMETHING NOT ON THE AGENDA TONIGHT?

YOU GUYS ARE ALL TOGETHER?

>> WE ARE.

>> VICE CHAIR D. PINKSTON: OKAY.

SO WE HAVE ONE SPEAKER CARD.

IF YOU WANT TO BE REPORTED AS SPEAKING, PLEASE FILL
OUT SEPARATE CARDS.

GO AHEAD, LOUISE.

>> GOOD EVENING, ZAB MEMBERS.

TONIGHT WE WANT TO EXPLAIN HOW THE PROJECT APPROVAL
AND USE PERMITS THAT ZAB ISSUED FOR HONDA AT 2777 SHATTUCK ARE
IMPACTING OUR LIVES.

AS SOON AS BERKELEY HONDA BEGAN OPERATIONS AT 2777
SHATTUCK, NEIGHBORS NOTICED USE PERMIT VIOLATIONS AND CALIFORNIA
VEHICLE CODE.

AS SUGGESTED BY THE ZAB, WE BOUGHT THE VIOLATIONS TO
THE ATTENTION OF CITY STAFF.

WE WERE TOLD WE WOULD NEED TO DOCUMENT OUR COMPLAINTS,
SO WE DID.

FOR EXAMPLE, HONDA'S AGENTS REPEATEDLY ASSURED ZAB AND
THE COMMUNITY THAT VEHICLE PARTS AND DELIVERY WOULD BE MADE FROM
ADELINE STREET NOT SHATTUCK.

THEY ASSURED EVERYONE THAT CARS WOULD NOT PARK ON
NEIGHBORHOOD RESIDENTIAL STREETS.

YET THESE PHOTOS SHOW EXAMPLES OF BOTH.

IN THE FIRST PHOTO WE HAVE A LARGE CAR DELIVERY CARRIER PARKED PRETTY FAR UP ON 2,100 BLOCK OF STEWART STREET.

YOU MIGHT WONDER HOW WE KNOW THE CAR CARE YEAR WAS PART OF THE HONDA DELIVERY.

THE NEIGHBOR WHOSE HOUSE IT WAS PARKED OUT IN FRONT OF WENT OUT AND TALKED TO THE DRIVER.

HOW ABOUT THIS PHOTO OF A LARGE DELIVERY TRUCK PARKED ON SHATTUCK FACING THE WRONG DIRECTION AS A DELIVERY IS BEING MADE TO HONDA?

THIS TUESDAY MORNING DELIVERY STARTED AT 7:15 AND LASTED FOR HALF AN HOUR.

BASED ON ASSURANCES BEFORE ZAB, BOTH OF THESE VEHICLES SHOULD HAVE BEEN MADE TO DELIVER AND PARK ON ADELINE STREET.

A LOT OF THE USE PERMIT HEARING FOCUSED ON PEDESTRIAN AND BICYCLE SAFETY.

NEIGHBORS EXPRESSED CONCERN ABOUT THE SIDEWALK BEING BLOCKED.

WE WERE ASSURED THIS WOULDN'T HAPPEN.

AND YET AS THIS PHOTO SHOWS, IT DOES.

HERE IS A TOW TRUCK PARKED IN THE ENTRANCE ACROSS THE SIDEWALK, PARKING, AND TRAVEL LANES.

FORCING THE GLASS DELIVERY TRUCK INTO THE LANE FOR SOUTHBOUND TRAFFIC.

YOU MIGHT ASSUME THESE ARE ISOLATED VIOLATIONS, BUT IN FACT, WE HAVE QUITE A PHOTO ARCHIVE OF THE VIOLATIONS THAT WE COULD SHARE WITH YOU.

BUT HERE IS THE PROBLEM.

NEIGHBORHOOD DOCUMENTATION HAS NOT LED TO ANY ENFORCEMENT BY STAFF THAT WE ARE AWARE OF, NOR HAS IT LED TO ANY CHANGE IN HONDA'S PRACTICES.

INSTEAD, ENCOURAGING NEIGHBORS TO DOCUMENT VIOLATIONS HAS LED TO A CERTAIN UNEASINESS IN THE NEIGHBORHOOD.

UNFORTUNATELY, NEIGHBORS HAVE BEEN SUBJECTED TO PERSONAL RESPONSES BY HONDA OWNER MR. BENKE.

ON NUMEROUS OCCASIONS HE HAS TAKEN PHOTOS OR VIDEOTAPED US AS WE TOOK DOCUMENTATION PHOTOS.

HE HAS FOLLOWED NEIGHBORS FOR MORE THAN HALF A BLOCK, VIDEOING THEM AT LEAST TWICE AND TOLD THEM THE POLICE ARE COMING.

HE EVEN FOLLOWED A NEIGHBOR AND TOOK PHOTOS THROUGH THE WINDOW WHILE THE NEIGHBOR HAD LUNCH AT SCONEHENGE CAFE.

I HAVE TWO SENTENCES.

THERE NEEDS TO BE A BETTER WAY FOR USE PERMITS AND TRAFFIC ORDINANCES TO BE MONITORED AND ENFORCED.

WHEN THE CONTINUED VIOLATIONS OF TRAFFIC AND SAFETY CODE ARE MAKING OUR NEIGHBORHOOD LESS SAFE, SO TOO IS THE DOCUMENTATION AND REPORTING SYSTEM THAT THE CITY HAS ENCOURAGED US TO USE.

THANK YOU.

>> VICE CHAIR D. PINKSTON: THANK YOU.

THANK YOU FOR COMING FORWARD AND BRINGING THE PHOTOS.

IF YOU HAVEN'T SUBMITTED THESE IN WRITING TO THE CITY,
I SUGGEST THAT YOU EVEN JUST SUMMARIZE YOUR STATEMENT IN A
LETTER AND ATTACH THE PHOTOGRAPHS AS EXAMPLES, AS YOU DID IN
YOUR PRESENTATION, AND SEND THOSE TO THE ZAB MEMBERS AS WELL AS
TO CITY STAFF.

>> THESE HAVE ALREADY BEEN SUBMITTED TO THE CITY.

SHALL I SEND THEM TO YOU SO YOU CAN SEND THEM TO THE
ZAB MEMBERSHIP?

>> VICE CHAIR D. PINKSTON: I JUST WANT TO MAKE SURE
THE PHOTOS GET IN THE RECORD IN A WRITTEN FORM.

>> SO THIS IS A GOOD QUESTION WHILE WE ARE ALL HERE.
THROUGH THE ZAB INBOX TO MYSELF AND GREG POWELL AS
WELL AS OTHERS, CITY DEPARTMENTS AND DIVISIONS, WE ARE
GETTING -- I WOULD SAY WE GET E-MAILS FROM BOTH THE NEIGHBORS
AND FROM HONDA ONCE A WEEK, TWICE A WEEK.

AND WHAT I HAVE BEEN DOING AS A LAND USE PLANNER ON
THAT, I HAVE BEEN COLLECTING THOSE AND DISTRIBUTING THEM ACROSS
CITY STAFF.

WHAT I HAVEN'T DONE IS PUT FOUR E-MAILS IN EVERY ZAB
PACKET THAT GOES OUT TO YOU.

I THINK IT IS MORE MEANINGFUL AND COMPREHENSIVE TO
BRING THEM ALL.

BUT IF THE ZAB IS INTERESTED IN THEM IN MORE REALTIME,
I CAN --

>> VICE CHAIR D. PINKSTON: I THINK GIVING THEM TO US
AS A PACKET IS MORE POWERFUL.

IT IS MORE LIKELY THEY WILL BE READ AND DIGESTED THAN
IF WE GET THEM --

WE DID TALK ABOUT THE LAST TIME YOU FOLKS WERE HERE
SCHEDULING A HEARING TO TALK ABOUT USE PERMIT ENFORCEMENT.

I DON'T THINK WE CAN SCHEDULE IT TONIGHT, AND WE CAN'T
PICK A DATE TONIGHT BECAUSE IT IS NOT TECHNICALLY AN ACTION WE
CAN TAKE, BUT I WOULD LIKE TO HAVE SCHEDULED A USE PERMIT
COMPLIANCE HEARING FOR HONDA.

>> S. ALLEN: THAT IS A DIRECTION THAT STAFF WAS
PROVIDED SEVERAL MONTHS AGO, AND WHAT IS LAND USE PLANNING
STAFF, ALONG WITH CODE ENFORCEMENT AND TRANSPORTATION IS LOOKING
TO PROVIDE THAT, ZAB HAD ASKED FOR A COMPREHENSIVE RESPONSE TO
EACH OF THE CONDITIONS OF APPROVAL AND HOW THOSE WERE BEING
IMPLEMENTED.

ONE OF THOSE CONDITIONS OF APPROVAL WAS COMING BACK
SIX TO EIGHT MONTHS AFTER THE BUILDING IS OCCUPIED AND DOING A
CIRCULATION STUDY AND SO SIX TO EIGHT MONTHS IS NOW.

BUT THE CORNER, THE WARD AND SHATTUCK CORNER IS UNDER
CONSTRUCTION FOR THE SAFE ROUTES TO SCHOOL WORK IT HAVE THE
NEIGHBORS SAY, SHANNON, SHANNON, IS THAT TRUE?

AND FROM AN ANALYSIS STANDPOINT WE NEED THAT CORNER NOT TO BE UNDER CONSTRUCTION SO THE CIRCULATION STUDY CAN BE DONE.

WE NEED TO FINISH CONSTRUCTION, A WEEK, TWO, THREE, WHATEVER TRANSPORTATION SAYS SINCE THAT CONSTRUCTION IS DONE SO THAT CARS UNDERSTAND THE FLOW AND THEN THAT ANALYSIS CAN BE DONE QUICKLY.

THERE IS A SCOPE OF WORK FOR THAT CIRCULATION STUDY THAT HAS BEEN PROVIDED BY THE APPLICANT TEAM THAT IS UNDER REVIEW.

SO WE WOULD LIKE TO BRING, WE, I THINK IS THE NEIGHBORS, HONDA, MULTIPLE CITY DEPARTMENTS WOULD LIKE TO BRING THAT TO ZAB AS AS QUICKLY AS WE CAN, BUT WE NEED THAT TRANSPORTATION PIECE.

>> VICE CHAIR D. PINKSTON: I UNDERSTAND.

WHAT I WOULD LIKE TO HAVE BACK FROM YOU IS SOME WRITTEN CORRESPONDENCE FROM THE NEIGHBORS THAT IS A DEFINITIVE SCHEDULE SO THEY DON'T HAVE TO KEEP SAYING WHEN, WHEN, WHEN, WE SAY BY THIS DATE.

AND YOU PICK THE DATE.

>> S. ALLEN: SO I CAN'T GIVE A DEFINITIVE SCHEDULE BECAUSE THAT INTERSECTION IS UNDER CONSTRUCTION.

THERE IS AN ESTIMATED COMPLETION DATE AND IT IS --

>> VICE CHAIR D. PINKSTON: WHICH IS WHAT.

>> S. ALLEN: THE MIDDLE OF OCTOBER.

AND THEN I'M NOT -- ONE OF THE THINGS THAT MY PEERS IN TRANSPORTATION HAVE SAID IS LET'S NOT TALK ABOUT WHEN THE QUEUEING AND CIRCULATION STUDY WILL BE DONE.

WE DON'T WANT THAT BROADCAST SO THAT PEOPLE, HONDA OR NEIGHBORS CHANGE THEIR BEHAVIOR.

THAT IS THE PRACTICE, THAT IT WILL BE CONDUCTED AND WE WON'T BROADCAST AHEAD OF TIME WHEN IT WILL BE CONDUCTED, BUT WE WOULD LIKE TO HAVE IT CONDUCTED CERTAINLY BEFORE THE MIDDLE OF DECEMBER.

BUT AN ANALYSIS CAN BE DONE.

>> VICE CHAIR D. PINKSTON: MY PREFERENCE WOULD BE TO HOLD A USE COMPLIANCE HEARING ON EVERYTHING BUT THE TRAFFIC STUDY, IDENTIFY ADDITIONAL QUESTIONS, BECAUSE UNDOUBTEDLY THEY WILL COME UP, AND THEN WAIT TO HAVE THEM ANSWER WHEN WE GET THE TRAFFIC STUDY.

SO RATHER THAN PUSH IT ALL OFF UNTIL WHAT WILL PROBABLY BE JANUARY, LET'S GO AHEAD AND GET INFORMATION, SCHEDULE A MEETING BEFORE THE END OF THE YEAR IN THE FALL, PREFERABLY NOT DECEMBER, AND GET AN ON THE CALENDAR SO THAT PEOPLE CAN GET THEIR INFORMATION ON THE RECORD AND THEN ZAB CAN UNDERSTAND WHAT THE ISSUES ARE AND START GOING OUT AND SEEING FOR OURSELVES.

I'M NOT SURE WE WILL TAKE AN ACTION THEN BUT I THINK WE NEED TO START LOOKING AT IT.

>> S. ALLEN: I DON'T THINK THE DIRECTION FROM ZAB PREVIOUSLY WAS TO TAKE ACTION.

IT WAS TO BRING IT BACK, ANOTHER INFORMATIONAL HEARING, AND TAKE ACTION.

>> VICE CHAIR D. PINKSTON: WE MAY HAVE MORE THAN ONE CONVERSATION ABOUT THIS, AND I AM OKAY WITH.

PATRICK, YOU HAVE BEEN RAISING YOUR HAND.

>> P. SHEAHAN: I WOULD LIKE TO PROPOSE AS A BOARD WE SUGGEST A DATE KNOWING THAT IT COULD WELL GET CONTINUED FOR A LACK OF INFORMATION.

BUT LET'S SAY THE SECOND MEETING IN OCTOBER.

ONE MONTH FROM NOW.

THAT IS THE DATE.

>> S. ALLEN: THE STAFF REPORT WOULD BE DUE TODAY.

WE NEED TIME TO PREPARE IT.

>> P. SHEAHAN: WELL, THEN THE FIRST MEETING IN NOVEMBER.

HOW ABOUT THAT?

>> S. ALLEN: I WILL REVIEW THAT WITH -- I JUST FEEL LIKE I'M DOING THIS AND I GET THAT.

>> P. SHEAHAN: WE ARE JUST AS A BOARD WANTING TO SAY, OKAY, WAS THE DATE?

BECAUSE WHAT WE HEAR IS -- THIS IS HOW LONG AGO THAT YOU WERE HERE LAST?

THAT WAS SOME TIME AGO ALREADY.

AND WE THOUGHT WE WOULD BE SCHEDULING A DATE TO LAND ABOUT NOW.

AND SO NOW TO SAY BY THE END OF THE YEAR, BUT THEN IT WILL PROBABLY BE JANUARY JUST SEEMS UNACCEPTABLE.

>> VICE CHAIR D. PINKSTON: I'M COMFORTABLE RECOMMENDING A DATE AND THEN STAFF, I WOULD LIKE YOU TO TELL US WHAT YOU CAN ACTUALLY ACCOMPLISH.

SO IT LOOKS LIKE IN NOVEMBER WE HAVE A NOVEMBER 8TH MEETING AND A NOVEMBER 22ND MEETING.

THE 22ND IS THANKSGIVING.

THERE IS ONLY ONE MEETING.

>> S. ALLEN: CORRECT.

>> VICE CHAIR D. PINKSTON: EITHER NOVEMBER 8TH OR THE FIRST DECEMBER MEETING, WHICH WOULD BE THE --

>> S. ALLEN: 13TH.

>> C. OLSON: CAN WE TRY FOR NOVEMBER BECAUSE IT ACTUALLY MAKES IT FALL?

I KNOW, BUT THERE ARE HOLIDAYS T OTHER ISSUES.

>> VICE CHAIR D. PINKSTON: WE JUST WANT TO MAKE SURE THAT WHEN WE HAVE THE HEARING WE CAN GET EVERYTHING BUT THE TRAFFIC FROM STAFF.

SO, SHANNON, WHAT I WOULD LIKE YOU TO DO IS REPORT BACK ON THE NEXT MEETING ABOUT WHETHER YOU CAN GET THE MATERIALS TOGETHER FOR NOVEMBER OR DECEMBER.

AND PICK A DATE CERTAIN.

>> THANK YOU VERY MUCH.

>> S. ALLEN: AND I WILL SAY TO THE NEIGHBORS, WHEN WE PICK A DATE CERTAIN AT THE NEXT ZAB MEETING, IT WILL BE NOTIFIED SO YOU DON'T HAVE TO ATTEND THE MEETING TO HEAR IT.

YOU CERTAINLY CAN ATTEND AND HEAR IT AND THEN WE WILL DO THE 300 FOOT RADIUS NOTICING FOR THE NEXT TIME FOR WHEN IT COMES TO ZAB IN NOVEMBER OR DECEMBER.

>> SO WE CAN SORT OF PLAN ON EITHER NOVEMBER OR DECEMBER.

>> S. ALLEN: AND THE TWO DATES, THE FIRST MEETING IN NOVEMBER IS NOVEMBER 8TH, AND SO NOVEMBER 8TH IS THE ONLY NOVEMBER ZAB MEETING AND DECEMBER 13TH IS THE ONLY DECEMBER ZAB MEETING.

>> C. OLSON: I'M HORRIFIED TO KNOW THAT THE BUSINESS IS HOUNDING THE NEIGHBORS.

MAYBE WE CAN ASK THEM NOT TO.

>> VICE CHAIR D. PINKSTON: THANK YOU VERY MUCH FOR COMING.

>> [OFF MIC].

>> VICE CHAIR D. PINKSTON: IF THIS IS A LONG COMMENT AS OPPOSED TO A QUESTION, YOU NEED TO FILL OUT A CARD.

>> MY QUESTION IS, IN THE MEANTIME, HOW DO WE DOCUMENT CONTINUED VIOLATIONS?

BECAUSE WE ARE BEING TOLD VARIOUS DIFFERENT THINGS.

AND I'M SORRY, I WOULD LIKE TO ASK SHANNON ON THE SPOT AND ASK HER HOW WE SHOULD DO THIS TOMORROW, THE NEXT DAY, AND ON SATURDAY WHEN STAFF WILL NOT BE AVAILABLE.

>> S. ALLEN: I GUESS I SUGGEST THAT YOU KEEP DOCUMENTING IT IN THE WAY THAT YOU HAVE BEEN DOCUMENTING IT.

THERE IS E-MAILS THAT COME WITH PHOTO ATTACHMENTS.

THEY ARE SENT TO THE ZONING ADJUSTMENTS BOARD.

THEY ARE BEING COMPILED.

IF YOU WOULD PUT YOUR HAND DOWN UNTIL I FINISH SPEAKING, THAT WOULD BE EXCELLENT.

IF WHAT YOU ARE OBSERVING IS A HAZARD, THEN I WOULD CALL 911.

AND IF WHAT YOU ARE OBSERVING IS A VIOLATION OF A CONDITION OF APPROVAL, THEN DOCUMENTING IT AND PROVIDING IT TO STAFF ON FRIDAY VERSUS MONDAY IS FINE.

THE RESPONSE TO YOUR QUESTION OF WHERE SHOULD WE SEND THIS DOCUMENTATION, I CHECKED IN WITH MY COLLEAGUES IN CODE ENFORCEMENT, AND THEIR RECOMMENDATION FOR THE CODE ENFORCEMENT VIOLATIONS IS THROUGH 311 BECAUSE THAT GOES INTO A SYSTEM WHICH THEN IS TRACKED BY MULTIPLE DEPARTMENTS.

BUT I'M FINE TO TAKE THEM INTO ZAB.

I HAVE GOT A LOCATION ON THE NETWORK WHICH CAN BE ACCESSED BY CODE ENFORCEMENT, LAND USE/PLANNING, AND THE CITY ATTORNEY'S OFFICE.

SO KEEP SENDING THEM.

IN TERMS OF SOMEONE AVAILABLE ON A SATURDAY OR SUNDAY TO ACCEPT YOUR E-MAIL OR REPLY, I DON'T THINK THAT PERSON EXISTS IN THE CITY, AND IF YOU WOULD LIKE EXPANSION OF HOURS OF OPERATION, I SUGGEST YOU REACH OUT TO YOUR COUNCIL MEMBER.

>> MY CONCERN IS --

>> VICE CHAIR D. PINKSTON: THIS IS NOT THE TIME FOR A CONVERSATION BETWEEN YOU AND STAFF.

YOU ARE WELCOME TO CONTACT THEM.

IF YOU SEND WRITTEN CORRESPONDENCE TO THE CITY IT BECOMES PUBLIC RECORD AND IT BECOMES PART OF THE RECORD THAT WE REVIEW.

IT SEEMS LIKE YOU ARE DOING A GOOD JOB OF DOCUMENTING IT.

IT SEEMS LIKE HONDA IS AWARE THEY ARE BEING DOCUMENTED.

SO WE WILL HOLD A HEARING ON THE THINGS YOU BRING FORWARD.

PATRICK.

>> P. SHEAHAN: JUST ONE COMMENT.

SHANNON, I SUGGEST BEING VERY CAUTIOUS ABOUT THE USE OF 911.

THAT IS AN EMERGENCY, NOT NECESSARILY A HAZARDOUS CONDITION.

HAZARD IS IN THIS EYE OF THE BEHOLDER.

>> S. ALLEN: SO THE NON-EMERGENCY POLICE LINE.

>> P. SHEAHAN: IT HAS TO BE AN EMERGENCY.

>> VICE CHAIR D. PINKSTON: THANK YOU ALL VERY MUCH.

SO THE NEXT ITEM THAT WE HAVE, IS THERE ANYONE ELSE
HERE TO TESTIFY ON AN ITEM NOT ON THE AGENDA?

YOU HAVE A CARD.

>> COULD I SPEAK ABOUT CALLING --

>> VICE CHAIR D. PINKSTON: SURE.

DO YOU WANT TO TELL US YOUR NAME?

>> SURE.

JANE KITCHALL.

I DID CALL AND HAD A TALK WITH A DISPATCHER WHO
HAPPENED TO HAVE SOMEONE FROM PARKING ENFORCEMENT THERE AT THE
TIME.

AND IN ORDER FOR THIS TO BE EFFECTIVE, WE ARE GOING TO
NEED SUPPORT FROM PARKING ENFORCEMENT.

AND THAT HASN'T BEEN PARTICULARLY FORTHCOMING IN THE
PAST.

SO I JUST WANT TO PUT THAT OUT THERE.

I HAVE BEEN TOLD TO DO THINGS LIKE CALL CELL PHONE
NUMBERS THAT DON'T ANSWER AND CALL PEOPLE THAT DON'T RESPOND.

AND I THINK THAT IF WE ARE GOING TO BE ADVISED TO CALL
NON-EMERGENCY POLICE FOR THIS, PARKING ENFORCEMENT IS GOING TO
HAVE TO BE AWARE OF THE USE PERMIT CONDITIONS SO THAT THEY KNOW
THAT ALL DELIVERIES ARE TO BE AN ADELIN.

OTHERWISE, AS THE WOMAN WHO WAS THERE SAID, WELL, THEY
HAVE TO PARK.

>> VICE CHAIR D. PINKSTON: THANK YOU.

MOVING ON.

WE HAVE THE CONSENT CALENDAR NEXT.

THE 1353 BERKELEY WAY ITEM HAS BEEN REQUESTED TO BE
PULLED OFF THE CALENDAR.

WE WILL HEAR THAT AFTER 1331 ASHBY.

LAST TIME THAT WAS THE LAST ITEM AND THERE WERE
FAMILIES WITH KIDS.

I WOULD LIKE TO TAKE THAT ON THE ACTION CALENDAR.

>> [OFF MIC].

>> VICE CHAIR D. PINKSTON: ITEM FIVE BY PATRICK.

ARE THERE ANY OTHER CHANGES TO THE CONSENT CALENDAR OR
A MOTION TO APPROVE THE CONSENT CALENDAR?

>> C. OLSON: I'LL MOVE WE APPROVE THE CONSENT CALENDAR
EXCEPT FOR ITEM FIVE.

>> SECOND.

>> VICE CHAIR D. PINKSTON: MOVED AND SECONDED.

ALL THOSE IN FAVOR SAY AYE.

ABSTENTIONS?

MOTION CARRIES.

WE APPROVE THE CONSENT CALENDAR.

WE ARE NOW ONTO ACTION CALENDAR.

>> S. ALLEN: I APOLOGIZE.