

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING**

**TUESDAY, JUNE 3, 2014**

**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 – GORDON WOZNIAK

**Preliminary Matters**

**Roll Call:** 7:04 p.m. All present.

**Ceremonial Matters:**

1. Tim DeWolf, Volunteer at John Muir Elementary
2. Berkeley Police Department Special Response Team
3. Lt. Andrew Rateaver, Det. Melissa Kelly, Det. Ana Baber for Heroism
4. Remembrance for UC Santa Barbara Victims of Violence

**City Manager Comments:** None.

**Public Comment on Non-Agenda Matters:** 5 speakers.

**Public Comment on Consent Calendar and Information Items Only:** 5 speakers.

**Consent Calendar**

**Action:** M/S/C (Capitelli/Arreguin) to adopt the Consent Calendar in one motion except as indicated.

**Vote:** All Ayes.

**1. Amending Berkeley Municipal Code Chapter 9.52 Taxicabs and Automobiles for Hire**

**From:** City Manager

**Recommendation:** Adopt second reading of Ordinance No. 7,336-N.S. amending Berkeley Municipal Code (BMC) Chapter 9.52 (Taxi Ordinance) to allow video advertising within taxicabs and automobiles for hire; and to create new accessible taxi regulations for accessible taxi service.

**First Reading Vote:** All Ayes.

**Financial Implications:** None

Contact: William Rogers, City Manager's Office, 981-7000

**Action:** Adopted second reading of Ordinance No. 7,336-N.S.

## Consent Calendar

- 2. Amendments to BMC Chapter 13.42 - Operating Standards for Mini-Dorms**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,337-N.S. amending Berkeley Municipal Code (BMC) Chapter 13.42 to change the definition of mini-dorm, expand the zones in which the mini-dorm rules apply to coincide with the zones where the City has discretionary review of additional bedrooms and define what constitutes an unruly gathering.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** None  
Contact: Eric Angstadt, Planning and Development, 981-7400  
**Action:** Adopted second reading of Ordinance No. 7,337-N.S.
- 3. Policy for City Expenditures for Web Hosting Services for Mayor and Councilmembers**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution adopting a policy for City expenditures for web hosting services for the Mayor and Councilmembers.  
**Financial Implications:** None  
Contact: Zach Cowan, City Attorney, 981-6950  
**Action:** Item held over to July 1, 2014.
- 4. Notice of Appropriations Limit for Fiscal Year 2015**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution providing notice that: 1. Council will adopt an appropriations limit for Fiscal Year 2015 at its meeting of June 24, 2014; and 2. the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk's Office on or before June 9, 2014.  
**Financial Implications:** See report  
Contact: Robert Hicks, Finance, 981-7300  
**Action:** Adopted Resolution No. 66,604–N.S.
- 5. Contract: Berkeley Unified School District for Workplace Skills Training for YouthWorks Employment Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an expenditure contract and any amendments or extensions with the Berkeley Unified School District (BUSD) to provide workplace skills training to prepare YouthWorks participants for summer employment in an amount not to exceed \$5,000 for the period June 16, 2014 through July 31, 2014.  
**Financial Implications:** General Fund - \$5,000  
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 66,605–N.S.

## Consent Calendar

- 6. Contract No. 7167E Amendment: SunGard Public Sector Software Maintenance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 7167E with SunGard Public Sector for maintenance and support of the City's FUND\$ system, increasing the contract amount by \$248,966 for a total not to exceed \$1,343,966 from July 1, 2006 through June 30, 2016.  
**Financial Implications:** General Fund - \$248,966  
Contact: Donna LaSala, Information Technology, 981-6500  
**Action:** Adopted Resolution No. 66,606–N.S.
- 7. Contract: Environmental Systems Research Institute, Inc. (ESRI) for Software Maintenance and Service**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Environmental Systems Research Institute, Inc. (ESRI), for Geographic Information Systems (GIS) professional software maintenance and related services, for a total contract amount not to exceed \$171,000, for the period of July 1, 2014 through June 30, 2017.  
**Financial Implications:** General Fund - \$171,000  
Contact: Donna LaSala, Information Technology, 981-6500  
**Action:** Adopted Resolution No. 66,607–N.S.
- 8. Contract No. 8318A Amendment: Routesmart Technologies, Inc. for Zero Waste Route Optimization Software**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 8318A with Routesmart Technologies, Inc. for software licensing, maintenance, and related services, increasing the contract by \$45,000, for a total not to exceed of \$154,000 from April 28, 2010 to June 30, 2017.  
**Financial Implications:** Refuse Collect Disposal Fund - \$45,000  
Contact: Donna LaSala, Information Technology, 981-6500  
**Action:** Adopted Resolution No. 66,608–N.S.
- 9. Contract No. 6096B Amendment: ESI Group for IBM Hardware and Software Lease**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 6096B with ESI Group for leasing, maintenance, technical support, and consulting services for International Business Machines (IBM) hardware and software, increasing the current contract by \$164,000, for a total not to exceed \$1,404,000 from June 2, 2003 through June 30, 2016.  
**Financial Implications:** Various Funds - \$164,000  
Contact: Donna LaSala, Information Technology, 981-6500  
**Action:** Adopted Resolution No. 66,609–N.S.

## Consent Calendar

- 10. HERO Property Assessed Clean Energy Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to a Joint Powers Agreement (JPA) with the West Riverside Council of Governments (WRCOG) to participate in the HERO Property Assessed Clean Energy (PACE) program.  
**Financial Implications:** See report  
Contact: Eric Angstadt, Planning and Development, 981-7400  
**Action:** Item removed from agenda by City Manager.
- 11. Contract: AECOM Transportation for On-Call Traffic Engineering Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with AECOM Transportation for on-call traffic engineering services in an amount not to exceed \$1,000,000 for 3 years from July 7, 2014 to June 30, 2017 with two 1-year options to extend.  
**Financial Implications:** See report  
Contact: Andrew Clough, Public Works, 981-6300  
**Action:** Adopted Resolution No. 66,610–N.S.  
**Vote:** Ayes – Maio, Moore, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – Anderson, Worthington.
- 12. Recommendation to Support AB 2175 (Daly), Restoration and Expansion of State Renter Tax Assistance**  
**From: Housing Advisory Commission**  
**Recommendation:** Adopt a Resolution expressing City of Berkeley Mayor and Council's support for AB 2175 (Daly), Restoration and Expansion of State Renter Tax Assistance, and send letters to State Senator Hancock, Assemblymember Skinner, and Governor Brown to communicate the City of Berkeley's support for AB 2175.  
**Financial Implications:** Staff time  
Contact: Kristen Lee, Commission Secretary, 981-5400  
**Action:** Adopted Resolution No. 66,611–N.S.

## Council Consent Items

### 13. Minimum Wage Task Force

**From: Mayor Tom Bates**

**Recommendation:** Establish a nine member task force to make recommendations on further amendments on a city wide minimum wage ordinance superseding a Council action on May 6, 2014 establishing a 10 member task force on the minimum wage. The task force will have nine members comprised of three City Council members, three members of the business community, and three members of the labor community. Appointments by Council members will be on a first come first serve basis until all positions are filled. No Council member running for reelection in November of 2014 shall be eligible to serve. The task force will be required to present their findings and recommendations to the City Council by December 9, 2014.

**Financial Implications:** None

Contact: Tom Bates, Mayor, 981-7100

**Action:** Moved to Action Calendar. 5 speakers. M/S/C (Capitelli/Wengraf) to hold the item over to July 1, 2014.

**Vote:** All Ayes.

### 14. City Sponsorship of BrasArte's Brazilian Day Festival on August 31, 2014

**From: Councilmembers Maio and Arreguin**

**Recommendation:** Adopt a Resolution co-sponsoring "BrasArte's Brazilian Day Festival" to be held on August 31, 2014 in collaboration with the Capoeira Arts Foundation (CAF) which is housed at Casa de Cultura, located at 1901 San Pablo Avenue in Berkeley.

**Financial Implications:** None

Contact: Linda Maio, Councilmember, District 1, 981-7110

**Action:** Adopted Resolution No. 66,612–N.S.

### 15. BrasArte Brazilian Day Festival 2014: Relinquishment of Council Office Budget Fund to General Fund and Grant of Such Funds

**From: Councilmembers Maio and Arreguin**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per council member, including \$250 from Councilmember Maio, to BrasArte with funds relinquished to the city's general fund for this purpose from the discretionary council office budget of Councilmember Maio and any other council members who would like to contribute.

**Financial Implications:** Councilmember's Discretionary Fund - \$250

Contact: Linda Maio, Councilmember, District 1, 981-7110

**Action:** Adopted Resolution No. 66,613–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Arreguin - \$250; Councilmember Wengraf - \$100; Councilmember Anderson - \$150.

## Council Consent Items

16. **Berkeley Public School Gardening Program Gala: 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 \$200 per council member, including \$200 from Councilmember Maio, to the Berkeley Public School Gardening Program with funds relinquished to the city's general fund for this purpose from the discretionary council office budget of Councilmember Maio and any other council members who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Fund - \$200  
Contact: Linda Maio, Councilmember, District 1, 981-7110  
**Action:** Adopted Resolution No. 66,614–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$100; Councilmember Anderson - \$150.
17. **Supporting the United States' Active Involvement in the Rescue of the Recently Abducted Nigerian Schoolgirls**  
**From: Councilmember Moore**  
**Recommendation:** Adopt a Resolution requesting that the United States be actively and earnestly engaged in the search and return of the students who were abducted from their school in Chibok, Nigeria.  
**Financial Implications:** Unknown  
Contact: Darryl Moore, Councilmember, District 2, 981-7120  
**Action:** Adopted Resolution No. 66,615–N.S.
18. **City Co-Sponsorship and Budget Referral: Bay Area Book Festival**  
**From: Councilmember Arreguin**  
**Recommendation:** Adopt a Resolution approving city co-sponsorship of the nonprofit Bay Area Book Festival to be held from June 6-7, 2015 in downtown Berkeley, and refer a request for \$25,000 and various fee waivers to help support the festival to the City Manager.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Referred the \$25,000 request to the FY 2014 Budget Process and referred the various fee waivers to staff for consideration in FY 2015. Adopted Resolution No. 66,616–N.S.
19. **1414 University Avenue**  
**From: Councilmember Arreguin**  
**Recommendation:** Send a letter to Berkeley Bazaar Partnerships (BBP), owners of 1414 University Avenue, urging for an amicable resolution with neighboring Strawberry Walk (1432 University Avenue), regarding access along the property line.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Approved recommendation.  
**Vote:** Ayes – Maio, Moore, Anderson, Arreguin, Worthington, Wozniak, Bates; Noes – None; Abstain – Capitelli, Wengraf.

## Council Consent Items

20. **City Sponsorship of the First Annual Relay for Life of Berkeley**  
**From: Councilmembers Capitelli, Anderson, and Moore**  
**Recommendation:** Co-sponsor the American Cancer Society's 2014 Relay for Life to be held on August 16 through August 17 at the Martin Luther King Middle 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:** None  
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150  
**Action:** Approved recommendation.
21. **Security Camera Database to Help Solve Crimes**  
**From: Councilmembers Wozniak and Wengraf**  
**Recommendation:** Ask the City Manager to report on the possibility of setting up a database under the purview of the Berkeley Police Department that would allow individuals to register private security surveillance cameras with the City. The goal is to set up a resource for police to help them contact nearby camera owners after a crime has been committed.  
**Financial Implications:** Unknown  
Contact: Gordon Wozniak, Councilmember, District 8, 981-7180  
**Action:** Moved to Action Calendar. 10 speakers. M/S/C (Wozniak/Wengraf) to approve the recommendation amended to include only Part 1 crimes and to also refer the item to the Police Review Commission.  
**Vote:** Ayes – Maio, Moore, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – Anderson; Abstain – None; Absent – Worthington.

Councilmember Worthington absent 8:37 p.m. – 9:06 p.m.

Recess 9:06 p.m. – 9:16 p.m.

## Action Calendar – Public Hearing

22. **FY 2015 Budget - Public Hearing #2**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing regarding the FY 2015 proposed budget.  
**Financial Implications:** See report  
Contact: Teresa Berkeley-Simmons, Budget Manager, 981-7000
- Public Testimony:** The Mayor opened the public hearing. 15 speakers. M/S/C (Maio/Moore) to close the public hearing.  
**Vote:** All Ayes.
- Action:** Discussion held.

## Action Calendar – Public Hearing

- 23. Revision of Housing and Child Care Mitigation Fees for Commercial Development**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt two Resolutions:  
1. Establishing new fees for, and making other changes in, the City's requirement that applicants for large-scale office, retail, industrial or other commercial development projects offset their impact on the demand for affordable housing in Berkeley; and  
2. Establishing new fees for, and making other changes in, the City's requirement that applicants for large-scale office, retail, industrial or other commercial development projects offset their impact on the demand for affordable child care.  
**Financial Implications:** See report  
Contact: Michael Caplan, Economic Development, 981-7530
- Public Testimony:** The Mayor opened the public hearing. 4 speakers. M/S/C (Moore/Worthington) to close the public hearing.  
**Vote:** All Ayes.
- Action:** M/S/C (Capitelli/Worthington) to adopt:  
1. Resolution No. 66,617–N.S. (Affordable Housing)  
2. Resolution No. 66,618–N.S. (Affordable Child Care)  
**Vote:** All Ayes.

## Action Calendar – Old Business

- 24. a. Ballot Measures Nov. 2014: Discussion and Possible Action** *(Continued from May 20, 2014)*  
**From: City Manager**  
**Recommendation:** Provide direction to the City Manager regarding language for possible ballot measures on the November 2014 Ballot.  
**Financial Implications:** See report  
Contact: William Rogers, City Manager's Office, 981-7000  
**Action:** M/S/C (Worthington/Bates) to hold over Items 24.a. and 24.b. to June 10, 2014 and to hold over Items 26 and 27 to June 24, 2014.  
**Vote:** All Ayes.
- b. Ballot Measures Nov. 2014: Discussion and Possible Action** *(Continued from May 20, 2014)*  
**From: City Manager**  
**Recommendation:** Consider the draft ballot label for the "corporate personhood" advisory measure.  
**Financial Implications:** None  
Contact: Zach Cowan, City Attorney, 981-6950  
**Action:** See Item 24.a.



## Action Calendar – Old Business

25. **Citizens Redistricting Commission Charter Amendment** *(Continued from May 20, 2014)*  
**From: Councilmembers Arreguin and Capitelli**  
**Recommendation:**
1. Adopt a motion expressing the City Council's intent to submit to the voters at the November 4, 2014 General Municipal Election, the attached amendment to the City Charter to establish an independent Citizens Redistricting Commission; and
  2. Direct the City Manager to request that the City Attorney write the ballot question and analysis of the proposed measure as required by Elections Code Section 9280, and bring back to the City Council as soon as possible a resolution to submit the Charter Amendment to the voters along with the City Attorney's analysis and ballot question.
- Financial Implications:** See report  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Item held over to June 10, 2014.

## Action Calendar – New Business

26. **Placing a Recall Charter Amendment Measure on the November 4, 2014 Ballot**  
**From: City Manager**  
**Recommendation:**
1. Adopt a Resolution submitting an Amendment to Article IV of the City Charter regarding the recall of elective officers to a vote of the electors at the November 4, 2014 General Municipal Election.
  2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.
- Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** M/S/C (Worthington/Bates) to hold over Items 24.a. and 24.b. to June 10, 2014 and to hold over Items 26 and 27 to June 24, 2014.  
**Vote:** All Ayes.
27. **Referendum Petition Regarding Redistricting Ordinance**  
**From: City Manager**  
**Recommendation:**
1. Adopt a Resolution submitting Ordinance No. 7,320-N.S. to a vote of the electors at the November 4, 2014 General Municipal Election.
  2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.
- Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** M/S/C (Worthington/Bates) to hold over Items 24.a. and 24.b. to June 10, 2014 and to hold over Items 26 and 27 to June 24, 2014.  
**Vote:** All Ayes.

## Action Calendar – New Business

### 28. Minimum Distance Between Drugstores: Amending BMC Titles 23F and 23E to Define and Regulate Drugstores

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Sections 23F.04.010, 23E.40.030, 23E.44.030, 23E.48.030 and 23E.60.030 to create a definition of Drugstore, apply size and distance threshold between drugstores in all Neighborhood Commercial districts, except the South Area Commercial District (C-SA).

**Financial Implications:** None

Contact: Eric Angstadt, Planning and Development, 981-7400

**Action:** M/S/C (Maio/Arreguin) to suspend the rules and extend the meeting to 11:30 p.m.

**Vote:** Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Wozniak, Bates; Noes – None; Abstain – None; Absent – Worthington.

Councilmember Worthington absent 10:42 p.m. – 10:55 p.m.

**Action:** 10 speakers. M/S/C (Capitelli/Arreguin) to hold over the item to the June 17, 2014 special meeting and request that the City Manager draft new findings for inclusion in the ordinance.

**Vote:** Ayes – Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Wozniak, Bates; Noes – None; Abstain – None; Absent – Maio.

Councilmember Maio absent 10:55 p.m. – 11:03 p.m.

### 29. a. Medical Cannabis Ordinance Revisions and Dispensary Selection Process

**From: Medical Cannabis Commission**

**Recommendation:**

1. Adopt first reading of an Ordinance amending the Berkeley Municipal Code (BMC) Sections 12.26.030 and 12.26.150 with changes added in response to Council concerns;
2. Adopt first reading of an Ordinance amending the BMC by creating a new Chapter 12.27, including changes added in response to Council concerns and the Medical Cannabis Commission's recommendations (Alternative A);
3. Adopt a Resolution establishing a ranking process for the selection of additional medical cannabis dispensaries in Berkeley, including changes added in response to Council concerns; and
4. Refer to the Planning Commission an amendment to BMC Section 23E.16.070 to increase the number of dispensaries permitted from four to six.

**Financial Implications:** See report

Contact: Eric Angstadt, Planning and Development, 981-7400

## Action Calendar – New Business

### 29. b. Medical Cannabis Ordinance Revisions and Dispensary Selection Process

**From: City Manager**

**Recommendation:**

1. Adopt first reading of an Ordinance amending the Berkeley Municipal Code (BMC) Sections 12.26.030 and 12.26.150 with changes added after the September 17 Council hearing;
2. Adopt first reading of an Ordinance amending the BMC by creating a new Chapter 12.27, including changes added in response to Council concerns and the staff recommendations (Alternative B);
3. Adopt a Resolution establishing a ranking process for the selection of additional medical cannabis dispensaries in Berkeley, including changes added in response to Council concerns; and
4. Refer to the Planning Commission an amendment to BMC Section 23E.16.070 to increase the number of dispensaries permitted from four to six.

**Financial Implications:** See report

Contact: Eric Angstadt, Planning and Development, 981-7400

**Action:** M/S/C (Maio/Worthington) to suspend the rules and extend the meeting to 11:35 p.m.

**Vote:** All Ayes.

**Action:** 5 speakers. M/S/C (Maio/Moore) to hold the item over to the June 17, 2014 special meeting.

**Vote:** All Ayes.

### 30. a. Update of the 5-Year Street Paving Plan, FY 2015 - FY 2019

**From: Public Works Commission**

**Recommendation:** Adopt a Resolution updating the City's 5-Year Street Paving Plan for FY 2015 and the Woolsey Street green infrastructure improvements in FY 2016.

**Financial Implications:** See report

Contact: Sean Rose, Commission Secretary, 981-6300

### b. Annual Report for Measure M Implementation and Update of the 5-Year Street Paving Plan, FY 2015 to FY 2019

**From: City Manager**

**Recommendation:**

1. Adopt the recommendation from the Public Works Commission; and
2. Review the Annual Report for Measure M Implementation and Update to the Rolling 5-Year Street Paving Plan, FY 2015 to FY 2019.

**Financial Implications:** See report

Contact: Andrew Clough, Public Works, 981-6300

**Action:** Item 30.b. moved to Consent Calendar. Adopted the recommendation from the Public Works Commission adopting Resolution No. 66,619-N.S. updating the City's 5-Year Street Paving Plan for FY 2015 and the Woolsey Street green infrastructure improvements in FY 2016.

## Council Action Items

### 31. Implementation of Fair and Impartial Policing Policy, General Order B-4

**From: Councilmember Arreguin**

**Recommendation:** Adopt a motion: 1. Expressing the City Council's support for proposed General Order B-4, Fair and Impartial Policing Policy 2. Directing the City Manager to request that the Berkeley Police Department give final approval to General Order B-4 and implement the policy immediately, sending a Training and Information Bulletin to all department personnel on the new policy. While the pedestrian stop data collection may take time to fully implement, officers should be informed and implement the basic policy of fair and impartial policing with respect to race, gender, national origin, or sexual orientation.

**Financial Implications:** Unknown

Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

**Action:** Item held over to the June 17, 2014 special meeting.

### 32. a. Scheduling of City Council Meeting in July or August

**From: Councilmember Arreguin**

**Recommendation:** Schedule a regular meeting of the City Council, after the July 8, 2014 Council meeting, for the sole purpose of submitting to the voters any initiatives that have qualified as of July 8, 2014.

**Financial Implications:** Staff time

Contact: Jesse Arreguin, Councilmember, District 4, 981-7140

### b. Scheduling a Special Meeting of the City Council on July 29, 2014

**From: Mayor Bates**

**Recommendation:** Schedule a Special Meeting of the City Council on July 29, 2014 for the purpose of considering measures to place on the ballot of the Nov. 4, 2014 general election.

**Financial Implications:** Staff time

Contact: Tom Bates, Mayor, 981-7100

**Action:** Items 32.a. and 32.b. removed from the agenda by their respective authors.

## Council Action Items

- 33. a. Analysis Under Elections Code Section 9212: Green Downtown and Public Commons Initiative**  
**From: Councilmember Arreguin**  
**Recommendation:** Refer to the City Manager, Housing Advisory Commission, Landmarks Preservation Commission, Commission on Labor, Commission on Disability and Community Environmental Advisory Commission, the attached initiative for a report to Council as to any of the impacts specified under Elections Code Section 9212. The report shall be presented to City Council by the July 8, 2014 meeting at the latest. This item should be added to the June meeting agendas of the various commissions this item was referred to and those commissions should provide their input at their June meeting so their analysis can be included in staff's report back to the City Council.  
**Financial Implications:** Staff time  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- b. Report on Impacts of “Initiative Ordinance Amending Downtown Zoning Provisions and Creating Civic Center Historic District Overlay Zone”**  
**From: Mayor Bates**  
**Recommendation:** Request that the City Manager prepare a report on the impacts of the proposed initiative measure titled “Initiative Ordinance Amending Downtown Zoning Provisions and Creating Civic Center Historic District Overlay Zone.” The range of impacts to be considered should include those listed in Section 9212 of the California Elections Code (also listed below in the “Background” section of this item), plus the impact on city policies regarding the Civic Center Historic District. The report should be submitted to the Council no later than July 29, 2014.  
**Financial Implications:** Staff time  
Contact: Tom Bates, Mayor, 981-7100
- Action:** 0 speakers. M/S/C (Bates/Capitelli) to adopt Item 33.b. to request that the City Manager prepare a report on the impacts of the proposed initiative measure titled “Initiative Ordinance Amending Downtown Zoning Provisions and Creating Civic Center Historic District Overlay Zone.” The range of impacts to be considered should include those listed in Section 9212 of the California Elections Code (also listed below in the “Background” section of this item), plus the impact on city policies regarding the Civic Center Historic District.  
**Vote:** All Ayes.
- 34. Telegraph Avenue Zoning Changes Referral to Planning Commission**  
**From: Councilmember Worthington**  
**Recommendation:** Refer to the Planning Commission potential zoning changes to Telegraph Avenue for Entertainment Establishments, Amusement Arcades, Theatres, and standardizing alcohol beverage services with Downtown standards.  
**Financial Implications:** Unknown  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item held over to the June 17, 2014 special meeting.

## Information Reports

35. **Update on Outstanding Audits**  
**From: City Manager**  
Contact: William Rogers, City Manager's Office, 981-7000  
**Action:** Received and filed.
36. **Audit of Citywide Payment-Card Acceptance: Is Cardholder Information Safe?**  
**From: City Manager**  
Contact: Robert Hicks, Finance, 981-7300  
**Action:** Received and filed.
37. **Investment Report: Quarter Ended March 1, 2014**  
**From: City Manager**  
Contact: Robert Hicks, Finance, 981-7300  
**Action:** Received and filed.
38. **Status of Property Assessed Clean Energy (PACE) Loan Programs**  
**From: City Manager**  
Contact: Eric Angstadt, Planning and Development, 981-7400  
**Action:** Item removed from the agenda by the City Manager.
39. **Clean Stormwater Program and Street Sweeping on Euclid Avenue Between Cedar Street and Hearst Avenue**  
**From: City Manager**  
Contact: Andrew Clough, Public Works, 981-6300  
**Action:** Received and filed.
40. **Report on April 24, 2014 Alameda County Transportation Commission**  
**From: Councilmember Worthington**  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda – 0 speakers.**

## Adjournment

Adjournment In Memory of:

1. Judge Jennie Rhine
2. UC Santa Barbara Victims of Violence
  - Cheng Yuan Hong, 20, of San Jose, Calif.
  - George Chen, 19, of San Jose, Calif.
  - Weihan Wang, 20, of Fremont, Calif.
  - Katherine Breann Cooper, 22, of Chino Hills, Calif.
  - Veronika Elizabeth Weiss, 19, of Westlake Village, Calif.
  - Christopher Ross Michaels-Martinez, 20, of Los Osos, Calif.
3. Maya Angelou, Poet
4. Jerrie Meadows, Local Activist
5. Wesley Hester, Former Berkeley Councilmember
6. Yuri Kochiyama, Peace Activist

Adjourned at 11:35 p.m.

## **Communications**

### **Citation Issue**

1. George Woodward

### **BART Plaza**

2. Matthew Taecker

### **311 Service**

3. Renate Crocker

### **Gilman Exit**

4. Christopher Chambers-Ju

### **Harassment**

5. Leroy Moore

## **Supplemental Communications and Reports 1**

### **Item 22: FY 2015 Budget - Public Hearing #2**

6. Shelly Mandel
7. Claudia Olague
8. Sharon Seidenstein
9. Eleni Sotos, on behalf of Friends of Berkeley Animal Care Services
10. Karen Anderson

### **Item 24: Ballot Measures Nov. 2014: Discussion and Possible Action**

11. Parks & Waterfront Commission
12. Kwong Szeto

### **Item 28: Minimum Distance Between Drugstores: Amending BMC Titles 23F and 23E to Define and Regulate Drugstores**

13. Dorothea Dorenz

### **Item 30a: Update of the 5-Year Street Paving Plan, FY 2015 - FY 2019**

14. Ernest Isaacs

## **Supplemental Communications and Reports 2**

### **Item 22: FY 2015 Budget - Public Hearing #2**

15. Jenny Maxwell
16. Elizabeth Shaughnessy
17. Dianne Sequoia

### **Item 28: Minimum Distance Between Drugstores: Amending BMC Titles 23F and 23E to Define and Regulate Drugstores**

18. Andrew Sabey, on behalf of Walgreen Company

### **Item 30a: Update of the 5-Year Street Paving Plan, FY 2015 - FY 2019**

19. Sean Rose

## **Supplemental Communications and Reports 3**

### **Item 20: City Sponsorship of the First Annual Relay for Life of Berkeley**

20. Unknown

### **Item 22: FY 2015 Budget - Public Hearing #2**

21. Moni Law

### **Item 23: Revision of Housing and Child Care Mitigation Fees for Commercial Development**

22. Presentation, submitted by City Manager's Office

### **Item 29a: Medical Cannabis Ordinance Revisions and Dispensary Selection Process**

23. Presentation, submitted by Medical Cannabis Commission