

**ANNOTATED AGENDA  
BERKELEY CITY COUNCIL MEETING  
TUESDAY, SEPTEMBER 9, 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:** 7:00 p.m. All present.

### **Ceremonial Matters:**

1. Pledge of Allegiance to the Flag

### **City Manager Comments:**

1. Recognition of Berkeley CERT program by FEMA
2. Worksession on MTA Report scheduled for October 7

**Public Comment on Non-Agenda Matters:** 2 speakers.

**Public Comment on Consent Calendar and Information Items Only:** 19 speakers.

## **Consent Calendar**

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

**Vote:** All Ayes.

## **Recess Items**

### **1. Contract: Management Partners for Finance Department Support**

**From:** City Manager

**Recommendation:** Adopt a Resolution ratifying the recess action of the City Manager to enter into a contract with Management Partners, Inc. to provide the services of Rob Stout and Bob Leland to assist the Finance Department through November 28, 2014.

**Financial Implications:** General Fund - \$70,000

Contact: Christine Daniel, City Manager, 981-7000

**Action:** Adopted Resolution No. 66,747–N.S.

**Vote:** Ayes – Maio, Moore, Anderson, Capitelli, Wengraf, Worthington, Wozniak, Bates; Noes – Arreguin.

## Recess Items

**2. Formal Bid Solicitation and Request for Proposal Scheduled for Possible Issuance During Council Recess**

**From: City Manager**

**Recommendation:** Ratify the action taken by the City Manager during recess to 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:** MTC Fund - \$853,000

Contact: Christine Daniel, Finance, 981-7300

**Action:** Approved recommendation.

**3. Contract: County of Alameda for Shelter Plus Care**

**From: City Manager**

**Recommendation:** Adopt a Resolution ratifying the action of the City Manager taken during recess to execute a renewal contract and any related amendments with the County of Alameda for the total amount of \$297,130, to provide tenant-based rental assistance through the Shelter Plus Care Program for the 12-month period of March 1, 2014 through February 28, 2015.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 66,748–N.S.

**4. Contract: Berkeley Free Clinic for Clinical Laboratory Services**

**From: City Manager**

**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to execute an expenditure contract and any amendments or extensions with the Berkeley Free Clinic (BFC) in an amount not to exceed \$50,000 for the period July 1, 2014 through June 30, 2015.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 66,749–N.S.

## Recess Items

### 5. **Contract: CNW Construction for Echo Lake Camp Dining Hall Structural Remediation**

**From: City Manager**

**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Echo Lake Camp Dining Hall Structural Remediation (Bid Specification No. 14-10864-C); 2. Confirming that the lowest bidder, Belz Construction, has been relieved of its submitted bid after discovering that a material error was contained therein; 3. Accepting the bid of the second lowest responsive, responsible bidder, CNW Construction, for the amount of their bid of \$228,000; 4. Authorizing the City Manager and her designee to execute a construction contract with CNW Construction in the amount of their bid, and to execute change orders, amendments and/or time extensions; and 5. Authorizing a 15% construction contingency for an amount not to exceed \$34,200 for a total spending authority not-to-exceed \$262,200.

**Financial Implications:** Playground Camp Fund - \$262,200

Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700

**Action:** Adopted Resolution No. 66,750–N.S.

## Consent Calendar

### 6. **Lease Agreements: Five Businesses at 125-127 University Ave at the Berkeley Marina**

**From: City Manager**

**Recommendation:** Adopt second reading of five Ordinances authorizing the City Manager to execute lease agreements with five businesses at 125-127 University Avenue at the Berkeley Marina for terms of three years each:

1. Ordinance No. 7,361-N.S. with Impact Fund
2. Ordinance No. 7,362-N.S. with Zorro Productions, Inc.
3. Ordinance No. 7,363-N.S. with International Child Resource Institute
4. Ordinance No. 7,364-N.S. with Leventhal / Kline Mgt, Inc.
5. Ordinance No. 7,365-N.S. with La Tourangelle, Inc.

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

**Financial Implications:** See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700

**Action:** Adopted second reading of Ordinance No. 7,361-N.S. (Impact); Ordinance No. 7,362-N.S. (Zorro); Ordinance No. 7,363-N.S. (International); Ordinance No. 7,364-N.S. (Leventhal); Ordinance No. 7,365-N.S. (La Tourangelle).

## Consent Calendar

- 7. Amending BMC Chapter 9.04 Business Licenses; Relating to Appeal Deadlines**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Chapter 9.04 Business Licenses.  
**Financial Implications:** None  
Contact: Zach Cowan, City Attorney, 981-6950  
**Action:** Adopted first reading of Ordinance No. 7,366-N.S. Second reading scheduled for September 30, 2014.
- 8. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of June 3, 2014 (special and regular), June 9, 2014 (special closed), June 10, 2014 (special and regular), June 17, 2014 (special), June 24, 2014 (regular), July 1, 2014 (special and regular) and July 8, 2014 (regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Approved minutes as submitted.
- 9. Establish 2015 City Council Meeting Schedule**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution establishing the City Council regular meeting schedule for 2015, with starting times of 7:00 p.m.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Adopted Resolution No. 66,751–N.S.
- 10. Contract: Konica Minolta Business Services, Inc. for Electronic Content Management System and Agenda Management and Workflow System**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Konica Minolta Business Services, Inc. for software licensing, implementation, maintenance, and related services for OnBase, an Electronic Content Management System (ECMS) and agenda management and workflow system, for an amount not to exceed \$366,004 from September 15, 2014 to September 14, 2019.  
**Financial Implications:** General Fund - \$366,004  
Contact: Mark Numainville, City Clerk, 981-6900  
**Action:** Adopted Resolution No. 66,752–N.S.

## Consent Calendar

- 11. Formal Bid Solicitation and Request for Proposal Scheduled for Possible Issuance After Council Approval on September 9, 2014**  
**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 - \$10,125,000  
Contact: Christine Daniel, Finance, 981-7300  
**Action:** Amended to remove the On Site Fleet Supply and Inventory Management System Project. Approved recommendation.
- 12. Maintain the Maximum Household Very Low-Income Level at \$37,400, to Qualify for City Tax and Fee Refunds, Animal License Fee Waiver, and Community Service Eligibility**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution maintaining the maximum income level for 1-2 person households in order to qualify for the Very Low Income (VLI) exemption from specified local taxes and fees, Animal Licensing fee waiver, and Community Service eligibility at \$37,400 effective July 1, 2014, and: rescind Resolution No. 65,827-N.S.  
**Financial Implications:** See report  
Contact: Christine Daniel, Finance, 981-7300  
**Action:** Adopted Resolution No. 66,753–N.S.
- 13. Exclusive Negotiating Rights Agreement Between the City and Bridge Housing for the Berkeley Way Parking Lot**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to negotiate and enter into an Exclusive Negotiating Rights Agreement (ENRA) with Bridge Housing regarding the development of the City-owned Berkeley Way parking lot at 2012 Berkeley Way. Bridge Housing's development team consists of Bridge Housing, Leddy Maytum Stacy Architects (LMSA) and the Berkeley Food and Housing project (BFHP).  
**Financial Implications:** See report  
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 66,754–N.S.

## Consent Calendar

- 14. Transfer Tax Refund for the David Brower Center and Oxford Retail**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to grant \$138,000 to the David Brower Center (DBC) and \$45,000 to Resources for Community Development (RCD), in the form of a total transfer tax refund of \$183,000, in support, respectively, of the operations of the David Brower Center and the retail component of the Oxford Plaza development.  
**Financial Implications:** General Fund - \$183,000  
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400  
**Action:** Adopted Resolution No. 66,755–N.S.
- 15. Amending Berkeley City Council Procedures on Building Official Appeals; BMC Sections 19.44.020, 19.44.030, 19.44.040 and 19.44.090**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Sections 19.44.020, 19.44.030, 19.44.040 and 19.44.090 (Rules of Procedure, Appeals and Hearing By Council) to reflect current practice regarding procedures, allow for more time to process and appeal, and allow automatic public hearings on any appeal of a Commission decision.  
**Financial Implications:** See report  
Contact: Jane Micallef, Health, Housing and Community Services, 981-5400  
**Action:** Adopted first reading of Ordinance No. 7,367-N.S. Second reading scheduled for September 30, 2014.
- 16. Contracts: AppleOne Employment Services and PsiNapse Technology Ltd. for Temporary Staffing Service**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute and implement contracts and any amendments with AppleOne Employment Services, and PsiNapse Technology Ltd., to provide limited-term temporary staffing services. Each contract will be an amount not to exceed \$150,000 for the period October 1, 2014 through September 30, 2017.  
**Financial Implications:** Various Funds - \$300,000  
Contact: David Abel, Human Resources, 981-6800  
**Action:** Adopted Resolution No. 66,756–N.S. (AppleOne) and Resolution No. 66,757–N.S. (PsiNapse).
- 17. Donation: Jauregui for Memorial Bench in Cesar Chavez Park**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 from Ann Jauregui for a memorial bench to be placed in Cesar Chavez Park.  
**Financial Implications:** \$3,400 (Donation)  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 66,758–N.S.

## Consent Calendar

- 18. Donation: Rust for Memorial Bench in Cesar Chavez Park**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 from Edgar Rust for a memorial bench to be placed in Cesar Chavez Park.  
**Financial Implications:** \$3,400 (Donation)  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 66,759–N.S.
- 19. Contract: United Site Services of California, Inc. for Portable Toilet Rental and Service**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments for the rental and service of portable toilet units from United Site Services of California, Inc., in an amount not to exceed \$315,000 for a period of three years, with an option to extend for two 12-month periods for a total amount not to exceed \$525,000.  
**Financial Implications:** Various Funds - \$525,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700  
**Action:** Adopted Resolution No. 66,760–N.S.
- 20. Changes to the Planning and Development Department’s Master Fee Schedule Chapter C – Toxics Management (Certified Unified Program Agency – CUPA)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the revised master fee schedule of the Planning and Development Department to correct clerical formatting changes to Chapter C – Toxics Management (Certified Unified Program Agency – CUPA) of the Planning and Development Department’s Master Fee Schedule; and rescinding Resolution No. 66,598-N.S.  
**Financial Implications:** None  
Contact: Eric Angstadt, Planning and Development, 981-7400  
**Action:** Adopted Resolution No. 66,761–N.S.
- 21. Contract: California Office of Historic Preservation for Certified Local Government Grant Proposal**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the California Office of Historic Preservation for the period of October 1, 2014 through September 30, 2015, in the amount of \$30,000 in revenues to complete the Downtown Shattuck Avenue Commercial Corridor Survey Project (Survey Project).  
**Financial Implications:** See report  
Contact: Eric Angstadt, Planning and Development, 981-7400  
**Action:** Adopted Resolution No. 66,762–N.S.

## Consent Calendar

- 22. Contract No. 8216B Amendment for VeriPic, Inc. for Digital Evidence Management System**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 8216B with VeriPic, Inc., increasing the amount by \$14,497, for a total not to exceed \$107,049 from December 21, 2009 through June 30, 2016.  
**Financial Implications:** General Fund - \$14,497  
Contact: Michael Meehan, Police, 981-5900  
**Action:** Adopted Resolution No. 66,763–N.S.
- 23. Easement Acceptance: 700 Heinz Street and 717 & 725 Potter Street**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance accepting an Amendment and Restatement Grant of Easement for ingress and egress for fire and related purposes for a portion of 700 Heinz Street and 717 and 725 Potter Street.  
**Financial Implications:** Staff time  
Contact: Andrew Clough, Public Works, 981-6300  
**Action:** Adopted first reading of Ordinance No. 7,368-N.S. Second reading scheduled for September 30, 2014.
- 24. Contract No. 9027A Amendment: IPS Group, Inc. Single Space Parking Meters**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9027A with IPS Group, Inc. to provide parking meters, parts and support services, increasing the contract amount by an additional \$710,788 for a total contract amount not to exceed \$2,123,562 through June 30, 2015.  
**Financial Implications:** Parking Meter Fund - \$710,788  
Contact: Andrew Clough, Public Works, 981-6300  
**Action:** Adopted Resolution No. 66,764–N.S.
- 25. Annual Report on Gifts Received in Excess of \$1,000 Aggregate Value**  
**From: Board of Library Trustees**  
**Recommendation:** Adopt a Resolution accepting the Library's annual gift report to the Berkeley City Council as presented and recommended by the Board of Library Trustees.  
**Financial Implications:** None  
Contact: Donna Corbeil, Commission Secretary, 981-6100  
**Action:** Adopted Resolution No. 66,765–N.S.



## Consent Calendar

**26. Calling on Sutter Alta Bates Summit Medical Center to Stop Their Attacks on Our Local Nurse Workforce and Improve Staffing to Protect Both the Nurses and Patients of Berkeley**

**From: Commission on Labor**

**Recommendation:** Adopt a Resolution calling on Sutter Alta Bates Summit Medical Center to stop their attacks on our local nurse workforce and improve staffing to protect both the nurses and patients of Berkeley.

**Financial Implications:** None

Contact: Delfina Geiken, Commission Secretary, 981-5400

**Action:** Moved to Action Calendar. M/S/C (Bates/Moore) to accept revised material from Councilmember Maio on Item 26.

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

Councilmember Worthington absent 9:01 p.m. – 9:16 p.m.

**Action:** Adopted Resolution No. 66,766–N.S. revised to read as follows:

CALLING ON SUTTER ALTA BATES SUMMIT MEDICAL CENTER (ABSMC) TO STOP ~~Their Attacks on Our Local Nurse Workforce and~~ reductions of our local nurse workforce and IMPROVE STAFFING TO PROTECT BOTH THE NURSES AND PATIENTS OF BERKELEY

WHEREAS, Berkeley has a long standing tradition of respecting and promoting the rights of workers to be represented by a union and collectively bargain; and;

WHEREAS, Berkeley has always valued nurses and their contribution to the city by providing valuable services as the frontline advocates for patients and families; and

WHEREAS, ABSMC and the services it is charged with providing as a Not for Profit are critical to the health and well being of the community of Berkeley and its residents; and

WHEREAS, ABSMC's nurse contract is the longest standing CNA contract and covers nearly 1700 nurses in the Berkeley community; and

WHEREAS, ~~ABSMC as noted in the arbitration decision of April 10, 2014, ABMC has repeatedly engaged in mass significant violations of the nurses' rights provided for in their contract; and as supported by an arbitration decision dated April 10, 2014;~~

WHEREAS, ~~the ABSMC stable nurse workforce reports that ABSMC has continually perpetuated a false need~~ continually creates a situation of serious short staffing which is used to justify for nurse layoffs through an orchestrated campaign of dangerous, critical short staffing and and then substitutes use of a shadow, non-union workforce of over 100 traveler nurses who are contracted from all over the country at great cost; and

WHEREAS, ABSMC uses the false premise of layoffs in order to reduce eligibility for benefits and specifically force long term senior nurses, many with over 30 years experience, out of the nursing profession; and

## Consent Calendar

WHEREAS, ABSMC has engaged in activities that have resulted in cutting of critical services, resulting in diminished care, ~~dangerous conditions~~, loss of life (as evidenced by a fatality) and undo suffering; and

WHEREAS, CNA and the nurses have repeatedly tried to remedy the situation through the appropriate contract, National Labor Relations Board and regulatory channels; and

WHEREAS, CNA and the nurses delivered 500 documented incidences of unsafe health care practices over the last year to notify ABSMC administration of the dangerous conditions for patients; and

WHEREAS, CNA and the nurses alerted the Department of Public Health to 152 separate violations of state staffing requirements at ABSMC just between November 2013 and February 2014; and

WHEREAS, ABSMC declined the invitation to attend the Commission on Labor public meeting, depriving the Commission of their input.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Berkeley City Council strongly urges Sutter Alta Bates Summit Medical Center to cease all unneeded layoffs and ~~protect the jobs of its~~ ensure that the Berkeley community is served by a dedicated, local nursing staff and providing safe legal staffing levels for the Berkeley community.

BE IT FURTHER RESOLVED that the Berkeley City Council ~~condemns, in no uncertain terms, the conduct of ABSMC management that is an attack on our nurses of the Berkeley community and wantonly puts Berkeley patients in harm's way.~~ is seriously and deeply concerned about the diminution of health care services as evidenced by the practices outlined above which places our residents, and those of neighboring communities, at great risk.

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

**27. Support of SB 1159 (Lara) Professions and Vocations: License Applicants: Individual Tax Identification Number**  
**From: Community Health Commission**

**Recommendation:** Adopt a Resolution supporting SB 1159 by California State Senator Ricardo Lara, which would allow 40 state boards to accept a federal tax identification number in lieu of a Social Security number.

**Financial Implications:** None

Contact: Gail Feldman, Commission Secretary, 981-5400

**Action:** Amended third Resolved clause to read “that the City of Berkeley urges Governor Brown to sign SB 1159.” Adopted Resolution No. 66,767–N.S.

## Consent Calendar

- 28. Investigate the Creation of a PACE Program to Finance Seismic Retrofits for Multi-Family Buildings**  
**From: Housing Advisory Commission**  
**Recommendation:** Adopt a Resolution referring to the City Manager and Energy Commission to investigate the creation of a Property Assessed Clean Energy (PACE) program that includes the option to finance seismic retrofits in addition to standard energy efficiency improvement projects for Multi-Family Buildings by referring this issue to the City Manager and Energy Commission.  
**Financial Implications:** Staff time  
Contact: Amy Davidson, Commission Secretary. 981-5400  
**Action:** Adopted Resolution No. 66,768–N.S.
- 29. Creating Additional Administrative Powers of Zoning Officer to Grant or Recommend New Permits as Related to Code Enforcement**  
**From: Housing Advisory Commission**  
**Recommendation:** Refer to the City Manager and Berkeley Planning Commission to explore the creation of a mechanism that would explicitly allow staff new discretionary powers to prevent applicants from being granted new residential permits until they have abated outstanding noncompliance issues or code violations in other buildings they own in Berkeley within a reasonable time frame or taken good faith measures to commence doing so.  
**Financial Implications:** Staff time  
Contact: Amy Davidson, Commission Secretary, 981-5400  
**Action:** Moved to Action Calendar. M/S/C (Bates/Worthington) to approve the recommendation.  
**Vote:** All Ayes.
- 30. Filling Vacancies Among the Elected Representatives for the Poor**  
**From: Human Welfare and Community Action Commission**  
**Recommendation:** Adopt a Resolution confirming the appointment of Ms. Belen Trigueros (District 2), as an elected representative of the poor on the Human Welfare Community Action Commission with a term expiring November 19, 2014.  
**Financial Implications:** None  
Contact: Wing Wong, Commission Secretary, 981-5400  
**Action:** Adopted Resolution No. 66,769–N.S.
- 31. Achieving a Better Life Experience (ABLE) Act of 2013 (S. 313/H.R.647)**  
**From: Human Welfare and Community Action Commission**  
**Recommendation:** Adopt a Resolution expressing support for the Achieving a Better Life Experience (ABLE) Act of 2013 and send a letter to the U.S. Senate and House of Representatives asking them to bring the ABLE Act of 2013 to a vote.  
**Financial Implications:** None  
Contact: Wing Wong, Commission Secretary, 981-5400  
**Action:** Adopted Resolution No. 66,770–N.S.

## Consent Calendar

- 32. Ghadar Day: November 1, 2014**  
**From: Peace and Justice Commission**  
**Recommendation:** Adopt a Resolution declaring November 1, 2014 as Ghadar Day in the City of Berkeley.  
**Financial Implications:** None  
Contact: Eric Brenman, Commission Secretary, 981-5400  
**Action:** Adopted Resolution No. 66,771–N.S.  
**Vote:** Ayes – Maio, Moore, Anderson, Arreguin, Worthington, Bates; Noes – None; Abstain – Capitelli, Wengraf, Wozniak.

## Council Consent Items

- 33. Berkeley Film Foundation (BFF): Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Mayor Bates**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$10,000 per Councilmember including up to \$10,000 from Mayor Bates for the Berkeley Film Foundation through the Berkeley Convention & Visitors Bureau, who serves as the fiscal sponsor of BFF with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Bates and any other Councilmembers who would like to contribute.  
**Financial Implications:** Mayor's Discretionary Fund - \$10,000  
Contact: Tom Bates, Mayor, 981-7100  
**Action:** Adopted Resolution No. 66,772–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$500; Councilmember Anderson - \$100; Councilmember Maio - \$100; Councilmember Moore - \$100.
- 34. Adding BART Crime Reports to CrimeMapping.com**  
**From: Councilmember Maio**  
**Recommendation:** Request the BART police to add their crime reports to CrimeMapping.com.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110  
**Action:** Approved recommendation.
- 35. Oppose the Use of Old DOT-111 to Transport Hazardous Crude By Rail**  
**From: Councilmember Maio**  
**Recommendation:**  
1. Send a letter to our Washington delegation requesting that they ensure that old DOT-111 tank cars will immediately be retired from transporting hazardous crude by rail, counter to the Department of Transportation's plans to operate them under current conditions while DOT rulemaking proposals are being circulated;  
2. Comment on the DOT proposal to object to the inadequate DOT-111 cars being allowed to be used under speed restrictions for up to five years.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110  
**Action:** Approved recommendation.

## Council Consent Items

- 36. Review of Occupancy Level as Part of Zoning Adjustments Approval Process**  
**From: Councilmember Maio**  
**Recommendation:** Include occupancy level to be established as part of the Zoning Adjustments review process.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110  
**Action:** Clarified to apply to commercial applications only. Approved recommendation.
- 37. Welcoming and Accompanying Children at the Border**  
**From: Councilmembers Maio, Moore, and Worthington**  
**Recommendation:** Adopt a Resolution directing the City Council to send letters to our state, and federal representatives urging them to recognize unaccompanied children and their guardians as refugees and grant them appropriate immigration status to ensure their security.  
**Financial Implications:** None  
Contact: Linda Maio, Councilmember, District 1, 981-7110  
**Action:** Adopted Resolution No. 66,773–N.S.
- 38. Humanitarian Response to Unaccompanied Minors Along U.S.-Mexico Border**  
**From: Councilmembers Arreguin and Worthington**  
**Recommendation:** Adopt a Resolution: 1. Expressing strong concern about the humanitarian crisis along the U.S.-Mexico border, which has resulted in thousands of unaccompanied immigrant children being detained pending deportation, and urging the federal government to expedite release of these youth to families in the United States; 2. Welcoming the children and families to the City of Berkeley that have recently come across the U.S.-Mexico border, fleeing violence and crippling poverty; 3. Urging the County of Alameda to develop a “local host” program and expressing the City’s desire to work with the County of Alameda to develop a “local host” program; 4. Urging the federal government to ensure the humane treatment of the thousands of minors being detained and to extend the necessary level of protections, including comprehensive and uninterrupted access to schooling and educational services, humanitarian relief, advocacy, legal support and expeditious reunification of minors with their families, 5. Urging the federal government to take a more active role in resolving the current crisis and work to resolve the structural causes for mass Central American migration; 6. Supporting Assembly Bill 1477 and Senate Bill 873. Copies of the Resolution are to be sent to President Barack Obama, Senator Dianne Feinstein, Senator Barbara Boxer, Minority Leader Nancy Pelosi, State Senator Loni Hancock, State Assemblymember Nancy Skinner, and the Alameda County Board of Supervisors  
**Financial Implications:** Unknown  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Adopted Resolution No. 66,774–N.S. amended 7<sup>th</sup> Resolved clause to read “that the City of Berkeley hereby supports SB 873 and urges Governor Brown to sign the bill into law; and” and amended the final Resolved clause to add Congresswoman Barbara Lee and Governor Jerry Brown to the list of officials to receive the resolution.

## Council Consent Items

- 39. Establish Pedicab Policy and Regulations**  
**From: Councilmember Moore**  
**Recommendation:** Refer to the City Manager and Transportation Commission the creation of an ordinance that would establish regulations for pedicab operators.  
**Financial Implications:** Unknown  
Contact: Darryl Moore, Councilmember, District 2, 981-7120  
**Action:** Approved amended recommendation to change “creation” to “consideration.”
- 40. \*\*Removed from Agenda by Councilmember\*\* Oppose Hobby Lobby Decision**  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 41. Support USPS Workers and Labor’s Boycott of Staples**  
**From: Councilmember Arreguin**  
**Recommendation:** Adopt a Resolution supporting United States Postal Service (USPS) Workers and the labor boycott of Staples, and opposing the outsourcing of USPS Services to Staples. Copies of the Resolution are to be sent to United States Postmaster Patrick R. Donahoe, USPS Pacific Facilities Service Vice President Diana K. Alvarado, the Berkeley Postmaster, and Staples CEO Ronald Sargent.  
**Financial Implications:** Unknown  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Adopted Resolution No. 66,775–N.S. amended in the final Resolved clause to send the resolution to Mark Dimondstein, President of the American Postal Workers Union, and Mark Martinez, USPS Bay Valley District Manager.
- 42. Sunday Streets 2014: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Capitelli and Mayor Bates**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$5,000 per Councilmember including \$1,000 from Councilmember Capitelli and \$5,000 from Mayor Bates, to the North Shattuck Association on behalf of Sunday Streets 2014, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Capitelli and Mayor Bates and any other Councilmembers who would like to contribute.  
**Financial Implications:** Councilmember's Discretionary Fund - \$5,000  
Contact: Laurie Capitelli, Councilmember, District 5, 981-7150  
**Action:** Adopted Resolution No. 66,776–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Wengraf - \$500; Councilmember Anderson - \$100; Councilmember Worthington - \$250; Councilmember Maio - \$100; Councilmember Moore - \$100; Councilmember Wozniak - \$500; Councilmember Arreguin - \$500.

## Council Consent Items

- 43. Support California Proposition 47: The Safe Neighborhoods and School Act**  
**From: Councilmember Worthington**  
**Recommendation:** Support California Proposition 47, the Safe Neighborhoods and School Act on the November 2014 ballot which would reduce the penalty for most nonviolent crimes from a felony to a misdemeanor.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Approved recommendation.
- 44. Proclamation Honoring Disabled Students' Residence Program 40th Anniversary**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a proclamation honoring the 40th Anniversary and the UC Berkeley Disabled Students' Residence Program.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Adopted proclamation.
- 45. City Manager Referral: Create and Adopt an LGBTQ Equal Housing Ordinance**  
**From: Councilmember Worthington**  
**Recommendation:** Refer to the City Manager to create and adopt an LGBTQ Equal Housing Ordinance  
**Financial Implications:** Unknown  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Approved recommendation. Councilmembers Moore and Arreguin added as co-sponsors.
- 46. City Manager Referral: Implementing BigBelly Solar Compactor Bins**  
**From: Councilmember Worthington**  
**Recommendation:** Refer to the City Manager to examine the feasibility of procuring BigBelly Solar Compactor Bins to save money, meet zero waste goals, and reduce Berkeley's greenhouse gas emissions.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item held over to September 30, 2014.
- 47. City Manager Referral of Draft Language Reducing Cell Phone Theft by Banning Automated Purchasing Machines**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a Resolution for a City Manager referral of draft language reducing cell phone theft by Banning Automated Purchasing Machines.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Adopted Resolution No. 66,777–N.S.

## Council Consent Items

- 48. Support HR 1150 Protection of Antibiotics for Medical Treatment Act/Prevention of Antibiotic Resistance Act**  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a Resolution calling upon the federal government to: 1. stop the misuse of antibiotics in factory farms; 2. support the Protection of Antibiotics for Medical Treatment Act (PAMTA)/Prevention of Antibiotic Resistance Act (PARA); and 3. send a letter to Congresswoman Barbara Lee and US Senators Barbara Boxer and Dianne Feinstein to thank them for their leadership on calling for a ban on the non-therapeutic use of antibiotics in livestock agriculture and to co-sponsor the PAMTA/PARA.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Adopted Resolution No. 66,778–N.S.
- 49. Letter to UC Regents Board Regarding Fossil Free UC's Divestment Campaign to Divest from the Fossil Fuel Industry**  
**From: Councilmember Worthington**  
**Recommendation:** Send a letter to the UC Regents Board in support of the Fossil Free UC's campaign to divest from the fossil fuel industry and begin a reinvestment plan taking into account climate risk.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Approved recommendation.  
**Vote:** Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Bates; Noes – None; Abstain – Wozniak.

## Action Calendar – Old Business

- 50. Expansion of Residential Preferential Parking Citywide, Adjacent to Commercial Areas** *(Continued from June 24, 2014)*  
**From: City Manager**  
Contact: Andrew Clough, Public Works, 981-6300  
**Action:** 2 speakers. M/S/C (Maio/Worthington) to direct the City Manager to move forward with CEQA analysis for a citywide RPP program, and request that staff recommend a fee structure for cost recovery.  
**Vote:** All Ayes.



## Action Calendar – Old Business

51. **Referral to Planning Commission: Amendment to B.M.C. Section 23B.44.030 - Variance from Setback Requirements for Downtown Hotel Projects** (*Continued from July 8, 2014*)  
**From: Councilmember Arreguin**  
**Recommendation:** Refer to the Planning Commission the proposed amendment to Berkeley Municipal Code (B.M.C.) Section 23B.44.030 ("Findings for Issuance or Denial [of Variances]") to amend required findings for the issuance of a Variance to establish an exception from setback requirements for hotel projects exceeding 75 feet in height in the Commercial Downtown Mixed Use District (C-DMU).  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Removed from the agenda by Councilmember Arreguin.
52. **Vacancy Registration Fee** (*Continued from July 8, 2014*)  
**From: Councilmember Arreguin**  
**Recommendation:** Refer to the City Manager the establishment of a registration fee for vacant ground floor commercial spaces as well as undeveloped vacant lots throughout the City of Berkeley.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140  
**Action:** Item held over to October 7, 2014.
53. **City Manager Referral: Create System of Regulation of Rideshare Companies** (*Continued from July 8, 2014*)  
**From: Councilmember Worthington**  
**Recommendation:** Refer to City Manager to create appropriate regulations of rideshare companies to ensure the collection of fees from business licenses as well as safety standards for drivers and passengers alike.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item held over to September 30, 2014.
54. **City Manager Referral: Promote and Publicize Services for Small Businesses Offered by the Alameda County Small Business Development Center** (*Continued from July 8, 2014*)  
**From: Councilmember Worthington**  
**Recommendation:** Refer to the City Manager to consider promoting and publicizing the Alameda County Small Business Development Center (SBDC) services for small businesses in the City of Berkeley.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Moved to Consent Calendar.  
**Vote:** Ayes – Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington; Noes – Wozniak, Bates; Abstain – Maio.

## Action Calendar – Old Business

55. **Oppose the Trans-Pacific Partnership and Trans-Atlantic Free Trade Agreement and Create a TPP and TAFTA Free Zone** *(Continued from July 8, 2014)*  
**From: Councilmember Worthington**  
**Recommendation:** Adopt a Resolution opposing the Trans-Pacific Partnership (TPP) and Trans-Atlantic Free Trade Agreement (TAFTA) and to create a TPP and TAFTA Free Zone in Berkeley. Copies of the Resolution are to be sent to the National League of Cities, the US Conference of Mayors, the National Association of Counties, the Western Governors Association, US Representatives Barbara Lee, Rosa DeLauro and George Miller, US Senators Dianne Feinstein and Barbara Boxer, President Barack Obama and US Trade Representative Michael Froman.  
**Financial Implications:** None  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** 11 speakers. M/S/C (Capitelli/Worthington) to adopt Resolution No. 66,779–N.S.  
**Vote:** Ayes – Maio, Moore, Anderson, Arreguin, Capitelli, Wengraf, Worthington, Bates; Noes – None; Abstain – Wozniak.
56. **City Manager Referral: Protect Public Safety from Illegal Construction** *(Continued from July 8, 2014)*  
**From: Councilmember Worthington**  
**Recommendation:** Refer to the City Manager to protect public safety from illegal construction.  
**Financial Implications:** See report  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item held over to September 30, 2014.
57. **City Manager Referral: Cell Phone Safety Sticker Referral to City Manager and Community Health Commission** *(Continued from July 8, 2014)*  
**From: Councilmembers Worthington and Anderson**  
**Recommendation:** Refer to City Manager and Community Health Commission for the creation of an ordinance to require cell phone retailers to place a sticker on cell phone boxes, either at the point of purchase or prior to having the products placed on the shelves, warning consumers of the risk of brain cancer when using cell phones within a 10 mm distance of their body.  
**Financial Implications:** Minimal  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item removed from the agenda by Councilmember Worthington.
58. **City Manager Referral: Consider Implementing a Neighborhood Notification System for the City of Berkeley** *(Continued from July 8, 2014)*  
**From: Councilmembers Worthington and Wozniak**  
**Recommendation:** Refer to the City Manager to look into a mass communication system for the City of Berkeley as a way for Berkeley's government departments to send residents important notifications through text messages, email, and the web.  
**Financial Implications:** Unknown  
Contact: Kriss Worthington, Councilmember, District 7, 981-7170  
**Action:** Item held over to the Action Calendar on October 21, 2014.

## Action Calendar – New Business

**59. Regulation of Electronic Smoking Devices; Amending Berkeley Municipal Code Chapter 12.70**

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance adding Berkeley Municipal Code Section 12.70.031 and amending 12.70.010, 12.70.020, 12.70.035, 12.70.037 to prohibit the use of electronic smoking devices in all places where smoking is currently prohibited, with exceptions for the electronic delivery of medical cannabis as follows: Inside a medical cannabis dispensary, by dispensary members; Within 50 feet of a medical cannabis dispensary, by dispensary members; Within the enclosed area of a unit in multi-unit housing.

**Financial Implications:** See report

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

**Action:** Moved to Consent Calendar. Three speakers. Moved to Action Calendar. 10 speakers. Adopted first reading of Ordinance No. 7,369-N.S. Second reading scheduled for September 30, 2014.

**Vote:** All Ayes.

**60. Civic Center District Overlay Berkeley Municipal Code Chapter 23E.98**

**From: City Manager**

**Recommendation:**

1. Adopt a Resolution adopting the 2014 Civic Center District Overlay Negative Declaration, and
2. Adopt first reading of an Ordinance adding Berkeley Municipal Code Chapter 23E.98, the Civic Center District Overlay.

**Financial Implications:** none

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

**Action:** Moved to Consent Calendar.

1. Adopted Resolution No. 66,780–N.S. as written in Supplemental Reports 1.
2. Adopted first reading of Ordinance No. 7,370-N.S. Second reading scheduled for September 30, 2014.

## Action Calendar – New Business

**61. Decision Regarding Participation in Property Assessed Clean Energy (PACE) Programs**

**From: City Manager**

**Recommendation:** Either:

1. 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.

-OR-

2. Authorize the City Manager to withdraw the City from participation in the CaliforniaFIRST PACE program.

**Financial Implications:** See report

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

**Action:** Moved Option 1 to Consent Calendar. Adopted Resolution No. 66,781–N.S. 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.

**62. EPA Litigation Settlement and Amend BMC Chapter 17.24 Abatement of Nonconforming/Substandard Sewer Laterals on Private Property**

**From: City Manager**

**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 17.24 Abatement of Nonconforming/Substandard Sewer Laterals on Private Property.

**Financial Implications:** See report

Contact: Andrew Clough, Public Works, 981-6300

**Action:** Moved to Consent Calendar. Adopted first reading of Ordinance No. 7,371–N.S. Second reading scheduled for September 30, 2014.

## Council Action Items

### 63. Referral to Planning Commission: Tobacco Free School Zones

**From: Councilmembers Arreguin and Moore**

**Recommendation:**

1. Refer either proposed zoning ordinance (A) or (B) to the Planning Commission to create Tobacco Free School Zones, conforming two previous referrals prohibiting the sale of tobacco products near schools; and
2. Refer to the City Manager to coincide with any Tobacco Free School Zones ordinance the issue a tougher penalty schedule, including license revocation after a third violation of selling tobacco to minors and/or third violation of the ordinance.

**Financial Implications:** Unknown

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

**Action:** 2 speakers. M/S/C (Arreguin/Wozniak) to:

1. Refer proposed zoning ordinance (B) to the Planning Commission to create Tobacco Free School Zones, conforming two previous referrals prohibiting the sale of tobacco products near schools; and
2. Refer to the City Manager to coincide with any Tobacco Free School Zones ordinance the issue a tougher penalty schedule, including license revocation after a third violation of selling tobacco to minors and/or third violation of the ordinance.
3. Refer to staff the development of regulatory methods through the business license tax and the tobacco retail licensing ordinance.

**Vote:** All Ayes.

## Information Reports

### 64. Status of Council Referrals: 2012, 2013, 2014

**From: City Manager**

Contact: Christine Daniel, City Manager, 981-7000

**Action:** Moved to Consent Calendar and re-scheduled to October 28, 2014.

### 65. City Auditor's Office 2013-14 Report

**From: Auditor**

Contact: Ann-Marie Hogan, Auditor, 981-6750

**Action:** Received and filed.

### 66. Fiscal Year 2015 Audit Plan

**From: Auditor**

Contact: Ann-Marie Hogan, Auditor, 981-6750

**Action:** Received and filed.

### 67. Support for Georgetown University Energy Prize Application

**From: Energy Commission**

Contact: Neal DeSnoo, Commission Secretary, 981-7400

**Action:** Received and filed.

### 68. Downtown Plan Ballot Initiative - 9212 Report

**From: Housing Advisory Commission**

Contact: Amy Davidson, Commission Secretary, 981-5400

## Information Reports

**Action:** Received and filed.

**69. Report of the Alameda County Transportation Commission, June 2014 and July 2014**

**From: Councilmember Capitelli**

Contact: Laurie Capitelli, Councilmember, District 5, 981-7150

**Action:** Received and filed.

**70. Alameda County Lead Poisoning Prevention Joint Powers Authority Board of Directors Meeting and Administration and Finance Committee Meeting**

**From: Councilmember Wengraf**

Contact: Susan Wengraf, Councilmember, District 6, 981-7160

**Action:** Received and filed.

**71. ABAG: Spring General Assembly Report on Regional Bodies Participation**

**From: Councilmember Wengraf**

Contact: Susan Wengraf, Councilmember, District 6, 981-7160

**Action:** Received and filed.

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

### Adjournment in memory of:

1. Bill Cain, Local Volunteer and Albany Councilmember
2. Donald Odwyer, Berkeley Resident
3. Ron Penndorf, Local Activist
4. Louise Brown, Community Activist

**Action:** M/S/C (Moore/Maio) to adjourn the meeting.

**Vote:** All Ayes

Adjourned at 10:03 p.m.

## Communications

**Item 55: Oppose the Trans-Pacific Partnership and Trans-Atlantic Free Trade Agreement and Create a TPP and TAFTA Free Zone**

1. Phoebe Sorgen

**Off-Street Parking Glendale La Loma Park**

2. Ferd Leimkuhler

**Foxtails at Cesar Chavez Park**

3. Patricia Jones, on behalf of Citizens for East Shore Parks
4. Claudia Kawczynska, on behalf of Friends of Cesar Chavez Park Off Leash Area
5. Carol Denney

### **Gas Pumps**

6. Beatriz Manz

### **Parks Measures**

7. Nancy Carleton

### **Power Washing Streets**

8. Maris Arnold

### **2201-2205 Blake Street / 2204 Dwight Way**

9. Michael Brown

## **Supplemental Communications and Reports 1**

### **Item 38: Humanitarian Response to Unaccompanied Minors Along U.S.-Mexico Border**

10. Supplemental materials, submitted by Councilmember Arreguin

11. Deborah Turner, on behalf of BUSD Board of Education

### **Item 60: Civic Center District Overlay Berkeley Municipal Code Chapter 23E.98**

12. Supplemental materials, submitted by Planning & Development Department

## **Supplemental Communications and Reports 2**

### **Item 26: Calling on Sutter Alta Bates Summit Medical Center to Stop Their Attacks on Our Local Nurse Workforce and Improve Staffing to Protect Both the Nurses and Patients of Berkeley**

13. Stacey Wells, on behalf of Alta Bates Summit Medical Center/Sutter East Bay

### **Item 50: Expansion of Residential Preferential Parking Citywide, Adjacent to Commercial Areas**

14. Stephen Wollmer

### **Item 55: Oppose the Trans-Pacific Partnership and Trans-Atlantic Free Trade Agreement and Create a TPP and TAFTA Free Zone**

15. Stephanie Thomas

### **Item 60: Civic Center District Overlay Berkeley Municipal Code Chapter 23E.98**

16. Mary Anne Brewin

17. Sally Sommer

## **Supplemental Communications and Reports 3**

### **Item 11: Formal Bid Solicitation and Request for Proposal Scheduled for Possible Issuance After Council Approval on September 9, 2014**

18. SEIU Local 1021

### **Item 26: Calling on Sutter Alta Bates Summit Medical Center to Stop Their Attacks on Our Local Nurse Workforce and Improve Staffing to Protect Both the Nurses and Patients of Berkeley**

19. Unknown

### **Item 32: Ghadar Day: November 1, 2014**

20. Unknown

**Item 33: Berkeley Film Foundation (BFF): Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

21. Unknown

**Item 59: Regulation of Electronic Smoking Devices; Amending Berkeley Municipal Code Chapter 12.70**

22. Liz Williams, on behalf of American for Nonsmokers Rights

**Item 60: Civic Center District Overlay Berkeley Municipal Code Chapter 23E.98**

23. Chimey Lee

24. Clark Morrison, on behalf of the United States Postal Service

**Worksession Postponement**

25. Mansour Id-Deen