

Commission on Disability AGENDA

Regular Meeting

**North Berkeley Senior Center
Workshop B
1901 Hearst Ave. (at MLK)
Berkeley, CA 94709**

**Wednesday
July 20, 2016
6:30 PM**

The Commission may take a break at approximately 8:00 pm.

A. PRELIMINARY BUSINESS

- 1) Call to Order by Chair Singer
- 2) Roll Call by Secretary
- 3) Public Comment on Items Not on the Agenda. (Up to 3 minutes per speaker)
- 4) Approval the Draft Action Minutes of **June 15, 2016***.
- 5) Approval and Order of Agenda
- 6) Update by Administration/Staff
- 7) Announcements

B. DISCUSSION/ACTION ITEMS

- * Written material included in packet
- ** Written material to be delivered at meeting
- *** Written material previously mailed

The public may speak at the beginning of any item.

- 1. Universal Design/ Visitability in Berkeley- invited speaker 15 min/ questions 15 min ***
Alex Ghenis//Commissioner Upadhyay
- 2. Portable Sign Pilot Program* 20 min**
Commissioner Weiss
- 3. Schedule for commission meetings** Leeder/Singer
- 4. Center Street Garage Parking 10 min**
Staff/Commissioner Singer
- 5. Results of City Council Referral Prioritization Process* 20 minutes**
Complete list of Mayor and Council ratings is in the July 20 packet on the web (40 pages):
http://www.cityofberkeley.info/Clerk/Commissions/Commissions_Commission_on_DisabilityHomepage.aspx
Staff /Commissioner Singer
- 6. Service Animals Welcome* –information for businesses to go out with business license renewals---10 minutes**
Weiss/Staff
- 7. Bikes on sidewalks/signage---Commissioner Graham/singer**

8. City of Berkeley ADA and access services office status—10 minutes
Staff/Singer

C. INFORMATION ITEMS AND SUBCOMMITTEE REPORTS

Information items can be moved to Discussion or Action by majority vote.

1. Subcommittee Reports

a. Accessible Transportation, Parking, Sidewalk and Pedestrian Safety
Impacts of Bicyclists and Bicycle Traffic on Vulnerable Pedestrian Populations
Verbal Report by Commissioner Graham.

b. Rights of Persons with Disabilities (CRPD)

D. COMMUNICATIONS

1. Berkeley CERT newsletter *

E. FUTURE AGENDA ITEMS (from adopted work plan, referrals, etc)

1. Accessible Website, Digital Media and Information Technology
2. US Census Access

F. ADJOURNMENT

Agenda Posted: Wednesday July 13, 2016

A complete agenda packet is available for public review on the web at http://www.cityofberkeley.info/Clerk/Commissions/Commissions_Commission_on_Disability_Homepage.aspx, and at the Public Works/Engineering Division front desk, 1947 Center Street, 4th Floor.

ADA Disclaimer



“This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346 (V) or 981-6903 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.”

Communications Disclaimer

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If*

Commission on Disability
Regular Meeting Agenda July 20, 2016

you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Commission Secretary: Carmella Rejwan, AIA, Disability Compliance Coordinator, 1947 Center St., 4th Floor, Berkeley, CA, 94704, Telephone (510) 981-6341, Fax: (510) 981-6340 TDD: (510) 981-6347 email: crejwan@cityofberkeley.info



Commission on Disability DRAFT ACTION MINUTES

Regular Meeting

June 15, 2016

North Berkeley Senior Center
Workshop B
1901 Hearst Avenue (at MLK)
Berkeley, CA 94709

A. PRELIMINARY BUSINESS

1. Call to Order

Chair Martha Singer called the meeting to order at approximately 6:38 PM

2. Roll Call:

Commissioners Present: Leeder (arrives 6:50), Singer, Upadhyay, Weiss.
Commissioners Absent: Graham (L/A), Murray, Walsh (L/A)
Staff Present: Carmella Rejwan, Office of Access Services

3. Public Comment (on items not on the Agenda):

Speakers: None

4. Approval of Draft Action Minutes:

Action: It was moved, seconded, carried (Weiss/Upadhyay) Unanimous to approve the Draft Action Minutes of May 18 as amended.

Ayes: Leeder, Singer, Upadhyay, Weiss. Noes: None Abstain: None Absent: Murray.

Motion carried (4-0-0-1)

5. Approval and Order of Agenda:

The order was changed to take up items in the following order: B4, B3, B5, B2 and B1.

6. Update by Administration/Staff

7. Announcements:

B. DISCUSSION/ACTION ITEMS

1. Portable Sign Program.

Commissioner Weiss brought to the meeting a draft report concerning the Portable Sign Pilot Program. Commissioner Weiss will prepare a draft Council report for approval by the commission at the July meeting.

Action: It was M/S (Weiss/Leeder) that the commission will prepare a Council item regarding the portable sign pilot program.

Ayes: Leeder, Singer, Upadhyay, Weiss. Noes: None Abstain: None Absent: Murray.

Wednesday, May 18, 2016

Motion carried (4-0-0-1)

2. Center Street Garage Parking

Action: It was M/S (Weiss/Leeder) to approve the draft Council item regarding the addition of five (5) accessible parking spaces in the new Center Street Garage as amended.

Ayes: Leeder, Singer, Upadhyay, Weiss. Noes: None Abstain: None Absent: Murray.

Motion carried (4-0-0-1)

3. Universal Design

Action: It was M/S (Leeder/Weiss) to approve the draft Council item concerning Universal Design, with two attachments B1b.1 and B1b.2.

Ayes: Leeder, Singer, Upadhyay, Weiss. Noes: None Abstain: None Absent: Murray.

Motion carried (4-0-0-1)

4. Service Animal Welcome

a. Staff reported that the decals/stats arrived and they are at 1947 Center St, fourth floor to be picked up at the engineering division. Samples were distributed in the meeting. One thousand decals and one thousand stats have been prepared for distribution to Berkeley businesses. There will be a reprint of the same quantity when more are needed.

b. Staff reported that Wilhelmina Parker-Bentum of the City of Berkeley Human Resources staff is in charge of employee training. She requested that the commission propose to staff base line requirements of such training.

5. Easy Does It, Emergency Services, Quarterly Report.

Nikki Brown-Booker gave a presentation. The yearly fiscal report will be ready at the end of July and will be scheduled for the September meeting.

No action taken.

6. Meeting Efficiency

Action: It was M/S (Leeder/Upadhyay) to limit all comments from public speakers to 3 minutes per person, which will be timed by staff, and the chairperson will determine the length and timing of the invited guest's presentation.

Ayes: Leeder, Singer, Upadhyay, Weiss. Noes: 0 Abstain: 0 Absent: Murray

Motion carried (4-0-0-1)

7. Meeting process including Re-review of previously approved item on Universal design and discussion of process for writing motions, educational and action items, and procedure for tracking council requests:

Commissioner Weiss requested that the meetings will be recorded.

C. INFORMATION ITEMS AND SUBCOMMITTEE REPORTS

- 1) Berkeley Research Collaborative.
- 2) Legislative update
- 3) Educational Access
- 4) Subcommittee Reports
Convention on the Rights of Persons with Disabilities

D. COMMUNICATIONS

E. FUTURE AGENDA ITEMS

1. Approving Council item on Portal Sign Program.
2. Weighted ranking of all outstanding Council referrals to the City Manager.
3. Possible Recommendation to Council for ADA - Training on Service Animals for public accommodations, public conveyances, city departments.
4. Commissioner Upadhyay will forward name and phone number for UA speaker.
5. Progress of mailing the decals.
6. Impact of Bicyclists and Bicycle Traffic on Vulnerable Pedestrian Populations.
Commissioner Graham.
- 5) Accessible Website, Digital Media and Information Technology
6. US Census Access

F. ADJOURNMENT

It was M/S (Walsh/Murray) to adjourn the meeting at 9:45 PM.

Ayes: Leeder, Singer, Upadhyay, Weiss. Noes: None Abstain: None Absent: Murray

Motion carried (4-0-0-1)

Public Present: 1 Total Speakers: 0

Commission Interim Secretary: Carmella Rejwan, Disability Coordinator, 1947 Center St.,
4th Floor, Berkeley, CA, 94704, Telephone (510) 981-6341, Fax: (510) 981-6340

email: crejwan@ci.berkeley.ca.us,

Minutes on the web:

http://www.cityofberkeley.info/Clerk/Commissions/Commissions_Commission_on_Disability_Homepage.aspx



Kriss Worthington

Councilmember, City of Berkeley, District 7
 2180 Milvia Street, 5th Floor, Berkeley, CA 94704
 PHONE 510-981-7170, FAX 510-981-7177, EMAIL
 kworthington@ci.berkeley.ca.us

B1

CONSENT CALENDAR
 September 15, 2015

To: Honorable Mayor and Members of the City Council
 From: Councilmember Kriss Worthington

Subject: Refer to the City Manager, Disability Commission, and Planning Commission to Develop an Ordinance Requiring New Residential Buildings to Provide Auto-door Openers and Roll-in Showers

RECOMMENDATION:

Refer to the City Manager, Disability Commission, and Planning Commission to require new residential buildings in Berkeley to include essential wheelchair-accessible modifications such as auto door openers and roll-in showers.

BACKGROUND:

Tenants with disabilities residing in Berkeley residential buildings still don't have access to two essential aspects of daily life: automatic door openers at the building's main entrance and the unit, as well as a roll-in shower. The City of Berkeley has many disabled residents and agencies in Berkeley provide essential services to the East Bay disabled community. It is imperative that we expedite the development of this proposed ordinance.

Alex Ghenis is a disabled tenant who reports, "I paid about \$20,000 for a bathroom remodel, \$2000 for an auto door opener in the apartment, and \$3000 for hardwood floor in the bedroom as an "accessibility modification." His landlord paid the \$5000 for the automatic door opener at the main entrance.

Other cities, such as Portland, Oregon, require new residential buildings to make essential accommodations for tenants with disabilities. The City of Portland adopted an ordinance requiring, "A minimum of 5% (no less than one unit) must be fully accessible." In addition, section 504 also states, "All of the units must be designed to allow for future adaptability into accessible units."

For more information: please see page 110 in Section 504 on Accessible Housing for the City of Portland www.portlandoregon.gov/phb/56531

FINANCIAL IMPLICATIONS:

Minimal.

ENVIROMENTAL SUSTAINABILITY:

Consistent with Berkeley's Environmental Sustainability Goals and no negative impact.

CONTACT PERSON:

Councilmember Kriss Worthington 510-981-7170

Kaili Meier 510-981-7170



[Commission Name]

B2.a

[CONSENT OR ACTION]
CALENDAR

September 13, 2016

To: Honorable Mayor and Members of the City Council

From: Commission on Disability

Submitted by: Martha Singer, Chairperson, Commission on Disability

Subject: Portable Sign Pilot Program

RECOMMENDATION

Approve with conditions the expansion of the Portable Sign Pilot Program and direct the City Manager to determine how compliance with the conditions will be ensured at time of expansion and ongoing.

FISCAL IMPACTS OF RECOMMENDATION

Unknown

CURRENT SITUATION AND ITS EFFECTS

Since 2009, the City of Berkeley has allowed portable signs for businesses on public property (sidewalk and median strips) as a pilot program with limitations of dates and locations.

On March 2012, the City Council directed staff to develop a pilot program that would allow fixed location merchants on Telegraph Ave. to use the sidewalk for display and sale of retail items.

On June 11, 2013 the City Manager submitted an Action Calendar asking to amend the Berkeley Municipal Code (BMC) chapters 9.48, chapter 14.48 and chapter 16.18 to establish a two year program authorizing sidewalk displays by fixed location merchants on Telegraph Ave. The proposed amendments allow an as-of-right permitting process for all merchants to use the sidewalk for display and sales during the pilot period.

On November 19, 2013 Councilmember Jesse Arreguin submitted a Consent Calendar asking the City Manager, the Commission on Disability (COD) and the Transportation Commission to consider the expansion of the existing portable sign program that enables businesses to place portable signs on sidewalks and medians.

BACKGROUND

On January 8, 2014 the COD considered the proposed program expansion. COD Minutes of the January meeting state,

In order for the Commission to provide a substantive response regarding an expansion of the pilot program, it will seek answers to the following questions:

- What is the time frame for COD to prepare and submit a response?
- Is there any oversight of the current pilot program?
- Is there any evaluation of the current Pilot Program?
- Have there been complaints about the current Pilot program?
- Why do COD members see portable signs in areas of the City outside of the Pilot program area? e.g. Shattuck Ave. between Virginia St. and Rose St.
- Who or which groups are requesting the expansion of the Pilot Program?
- Is there any connection with consideration of portable signs at Sunday Streets events?

Requested staff to forward these questions to the appropriate staff for additional information prior to taking a vote.

On July 9, 2014 the COD, having no response to its questions, did not take further action. To date, the COD has not received responses to the questions from any source.

On June 15, 2016, the COD voted to prepare a Council Item recommending APPROVAL WITH CONDITIONS the expansion of the Portable Sign Pilot Program and direct the City Manager to determine how compliance with the conditions will be ensured at time of expansion and ongoing. The Conditions are:

Permit Process and Sign Location, Placement and Code Violations

- A. The Transportation Commission recommendations included the submission of a diagram of the surrounding area with dimensions to the curb and front property and a Photograph of the sign in the proposed location. A graphic demonstration of the following should also be required:
 1. How the six-foot Open Space Requirement for the sidewalk path of travel will be maintained, and,
 2. How any sidewalk near a parking curb where a vehicle may legally stop and the door may become ajar will remain unobstructed, and,
 3. That signs will not/are not placed adjacent to a disabled parking space, bus stop, taxi curb or a loading dock
- B. Specification of the enforcement procedures should be added including how complaints may be made/filed, steps for timely City response, timeline for complaint resolution and compliance by permittee, and how these procedures will be made known to the public. REQUIRE ALL PORTABLE SIGNS TO INCLUDE CITY CONTACT INFORMATION FOR SUBMITTING CONCERNS OR COMPLAINTS.

Permit Fee

The City should retain a partial processing fee if a permit application is being denied.

Approval Criteria

Include and ensure consideration of the actual width of the sidewalk and other obstructions already present. The current program allowing portable signs in front of businesses along any public path of travel does not take into account areas where portable signs may be inherently more of an obstruction and should not be considered.

Alternatively, removal of other obstructions such as planters, benches, café tables and chairs, or underground elevators or vaults may be pursued. Efforts must be made to develop and maintain a balance between the interests of the business community and the interests of pedestrians using accessible paths of travel in the public right of way.

ENVIRONMENTAL SUSTAINABILITY

Unknown

RATIONALE FOR RECOMMENDATION

Barriers to access and obstructions to the public right of way/path of travel may be caused by the placement of portable signs. Signs can obstruct either the six-foot required open space and/or the sidewalk near a parking curb. Persons with a disability and others may exit from the driver side of a vehicle but for added safety, go to the passenger side to open the door and retrieve items as well as to have a Service Animal exit the vehicle safely. There may be a conflict between avoiding a portable sign placed on the sidewalk near the curb while maintaining personal safety.

One area of concern noted is Shattuck Avenue between University Avenue and Rose Street where portable signs add to other obstructions including sidewalk planters, locked bicycles, and café tables and chairs making it difficult and at times not possible for persons with a disability to proceed on foot, with or without a cane or walker, or using another assistive mobility device e.g. manual wheelchair, power chair, electric scooter.

Inclusion of conditions will preserve accessible paths of travel in the public right of way for Berkeley's diverse pedestrians including persons with a disability, persons walking with babies and children, and seniors and others who may be at risk.

ALTERNATIVE ACTIONS CONSIDERED

Do not expand the current Portable Sign Pilot Program.

CITY MANAGER

The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.

Note: If the City Manager does not (a) concur, (b) takes any other position, or (c) refer to the budget process, a council action report must be prepared. Indicate under the CITY MANAGER heading, "See companion report."

CONTACT PERSON

Carmella Rejwan, Secretary of Commission on Disability, Department of Public Works,
(510) 981-6341

Attachments: Transportation Commission Meeting Minutes of September 18, 2014

Attachment: Exerts from Minutes of the Transportation Committee dated September 18, 2014

B2. Council Referral: Portable Sign Pilot Project

Speakers: None

Action: It was MSC (Zander/Humbert) to adopt the recommendations of the Pedestrian Subcommittee as amended and to review the pilot after one year from enactment.

The Transportation Commission recommends the Portable Sign Pilot program should be expanded city-wide within the City of Berkeley. Consideration of the portable sign pilot program should include, but not be limited to, the following:

City of Berkeley business owners who are required to have a business license and who wish to place a portable sign on public property should provide to the appropriate City of Berkeley agency the following items:

1. Completed application
2. Permit fee (checks, cash or money order or credit card) | **(The permit program should be financially self-sustaining)**
3. Pay the initial application fee (one-time payment)
4. If the permit is denied, the fee will be refunded in full.
5. Consent form (to place a sign in front of another property)
6. General Liability Insurance of a minimum of \$500,000
7. Said insurance must name the City of Berkeley as Additional Insured on the certificate of insurance
8. Release of Liability Form
9. Measurements of the portable sign to ensure it meets the design requirements
10. Diagram of the surrounding area with dimensions to the curb and front property
11. Photograph of the sign in the proposed location

Portable Sign Design Requirements

1. The sign shall be free-standing A-frame design, Inverted T-frame, or Flag style with a professional standard finish.
2. The sign area of a single-sided portable sign shall be no longer than twelve (12) square feet in area. Each face of double-faced or sandwich board sign shall be no longer than two and a half feet wide and five feet high. (ord. 7120-NS 8 (part), 2009)
3. The base of the sign must be sufficiently weighted down to maintain stability. It cannot be affixed to trees, bus stop poles, utility poles or lighting fixtures, must not contain any moving or spinning parts or lights, vulgar or indecent photos and/or language, and may not have any mirrored finishes, which may distract drivers.
4. All corners of the sign must be rounded with no sharp edges.
5. Signs must be durable to withstand rainy and/or windy conditions without tipping over, sliding or rocking.

Sign and Permit Location, Placement & Code Violations

1. The permit must be prominently displayed in full public view.
2. Signs must be moved indoors when the business is closed.
3. Signs must not impede pedestrian travel on the sidewalk or block entry to the public right of way or any other property.
4. Signs must be at least 6 feet from property line and 20 inches from the curb.
5. No signs may be placed in a center median or close to ramps.
6. Signs may be located at the business frontage.
7. Signs may not block or obstruct access to fire hydrants, parking meters, bicycle racks or be placed on the sidewalk near a parking curb where a vehicle may legally stop and the door may become ajar.
8. Signs are not permitted adjacent to a disabled parking space, a bus stop, taxi curb or a loading dock.
9. Owners who receive more than two code violations within a year shall have their permit revoked.

Sign Maintenance

1. Sign must be keep in good condition at all times and placed in the approved location
2. Replacement businesses require a modified permit
3. The sign must be professional, clean, not have any cracks, broken chips, missing letters or any other visible impairments that would be associated with blight.

Examples of Sign Styles

1. A-Frame Style	2. Inverted T-Frame	3. Flag Style
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B2.b



Ayes: Gerhardstein, Humbert, Lathbury, McCaughrin, Roberts, Thomas, Zander
Noes: None Abstain: None Absent: Watson **Motion passed (7-0-0-1)**



City Clerk Department

June 3, 2016

To: Commission Secretaries

From: *WN* Mark Numainville, City Clerk

Subject: Results of City Council Referral Prioritization Process

On May 24, 2016 the City Council approved the final weighted rankings of all outstanding Council referrals to the City Manager. These rankings are the result of a process that the Council approved in March 2016 called Re-Weighted Range Voting (RRV). The RRV process uses a formula to incorporate the weighted ratings that the Councilmembers assign to the referrals.

The purpose of providing this list to your commission is to inform them of what the Council views as its top priorities at this time. It was recommended by the Council that commissions may wish to use this list to inform or align its annual workplan with that of the Council and the department that staffs the commission. Please agendaize this topic for discussion by the commission.

The complete staff report and attachments is included with this memo. I have also attached the final rankings as a separate document for easier review.

Please contact me directly if you have any questions.

Enc.

cc: Dee Williams-Ridley, City Manager
Department Heads



Office of the City Manager

B5.b

ACTION CALENDAR
May 24, 2016

To: Honorable Mayor and Members of the City Council

From:  Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: City Council Referral Prioritization Process Using Re-Weighted Range Voting

RECOMMENDATION

- 1) Review the completed Re-Weighted Range Voting rankings for all outstanding City Council referrals;
- 2) Approve the removal of referrals that have been marked as rescinded by the sponsoring Councilmember;
- 3) Adopt a Resolution approving the list of prioritized referrals to city staff.

FISCAL IMPACTS OF RECOMMENDATION

There are no direct fiscal impacts related to the review and approval of the referral list.

CURRENT SITUATION AND ITS EFFECTS

Currently there are 79 outstanding referrals from January 17, 2012 – April 5, 2016 that have not yet been completed by staff. At its March 8, 2016, meeting, the City Council adopted a system of Re-weighted Range Voting (RRV) to prioritize City Council referrals to staff. The RRV system enables City Council to provide direction to staff on which referrals are highest priority and should be completed first.

The Mayor and Council have assigned a rating to each outstanding referral and the RRV spreadsheet shows the raw ratings of each Councilmember (Attachment 1). Staff has pre-ranked the referrals based on the raw scoring using the RRV formula. These pre-ranked results will be used to guide the staff in the order that the referrals will be addressed. Some flexibility in the order in which the referrals are assigned will need to be exercised by the City Manager to ensure that the work is more evenly distributed among departments and that staff in each department has the available capacity to start work on the highly rated referrals.

During the scoring process, Councilmembers had the option to mark an “X” for the referrals they sponsored to indicate that the referral is no longer needed and should be removed from the prioritization process (Attachment 2). The full Council will have an opportunity to vote to remove or retain the referrals that were marked with an “X” by sponsoring Councilmembers.

Reweight Range Voting (RRV) is a proportional representation voting system designed for a blend of fairness and consensus, meaning that it ensures some representation for minority views as well. It accomplishes this by reducing the influence of Councilmembers in proportion to the points they have awarded to the referrals prioritized thus far.

Under RRV, Each Councilmember rates every referral on a scale of 0-5 (zero being the least support and five being the most support) using a basic scoresheet. There is no limit to repeat scores (i.e. a Councilmember could give every referral a five). When the scores are tallied, the referral with the highest total score becomes the 1st priority. Once the first referral is assigned, the scores for the remaining referrals are reweighted based on how much influence each Councilmember has had up to that point (based on the score they assigned, 0-5). If a Councilmember assigns high scores to several referrals, they use up the strength of their weighted vote more quickly and exercise diminishing influence when the scores are reweighted for subsequent referrals. This guarantees equal influence throughout the full list.

Councilmembers rated each referral by placing a number from 0 (low priority) – 5 (high priority) in the “RRV Rating” column. If a Councilmember did not rate a referral, the default score was set to zero.

There were two instances wherein the scores for items were the same value. The first instance was Items 41 and 42. In this case, staff ranked the oldest referral above the newer referral.

6/24/2014	Imposing Fees When Multifamily Properties are Destroyed Due to Fault of Property Owner
10/21/2014	Fair Chance Ordinance

The second instance of a tie, was Items 48 and 49. In this case staff ranked the public safety item ahead of the warning label item.

11/3/2015	City Manager Referral: Campus National Night Out to Reduce Crime
11/18/2014	Fuel Station Carbon Dioxide Labels

BACKGROUND

The spreadsheet in Exhibit A to Attachment 3 includes all referrals adopted by City Council from January 17, 2012 – April 5, 2016 that have not yet been completed by staff. Any referral that was already completed by staff or that will be completed within the next approximately three months is not listed in the spreadsheet, because complete or near-complete referrals do not need to be included in the RRV prioritization process.

The spreadsheet includes a basic staff analysis of each adopted referral based on the following criteria:

- Staff time required to complete the referred project
- Cost required to complete the referred project, including cost of staff time
- Benefit of the referred project, including potential cost savings and how broadly the benefit would be experienced across the community

For each referral, staff gave the criteria a value of 1 – 5 (Note that for “staff time” and “cost,” 1 is low and 5 is high, whereas for “benefit,” 1 is high and 5 is low. Thus, the lowest possible score would be 3, which would be referral that can be completed with the least staff time and cost and highest benefit). The analysis is qualitative and based on the knowledge and experience of senior staff. The analysis was intended as a helpful reference as Council rated the adopted referrals.

Under the new referral prioritization system, the following steps will occur:

- Staff will schedule an annual meeting for City Council to review and approve its prioritization of adopted referrals.
- Staff will provide an interim status report between annual prioritization meetings on the referrals that have been completed and which new referrals have been taken up by staff.
- “New” referrals adopted in between annual referral prioritization sessions will go into a holding position until they are prioritized at the next annual prioritization session, unless Council designates the referral as urgent to protect life safety or to avoid losing time-sensitive funding, or unless staff designates the referral as “short-term,” meaning that it can be addressed within approximately three months.
- To assist Council to prioritize referrals, staff will provide City Council with a basic score of each referral based on estimated staff time, cost, and benefit of the referred work.
- Sponsoring City Councilmembers will have an opportunity to identify any referrals that are no longer needed and that should therefore be removed from the referral prioritization process.
- Once the Berkeley Strategic Plan is completed, all referrals should have a nexus to the Strategic Plan.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

This recommendation carries out the direction of the Council to implement a prioritization process for City Council referrals to staff.

ALTERNATIVE ACTIONS CONSIDERED

Council may decide to forgo a prioritization process and continue the referral process with no structured tracking or prioritization of referrals.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

- 1: Complete ratings provided by the Mayor and each Councilmember
- 2: List of referrals marked by sponsoring Councilmember for removal
- 3: Resolution

Exhibit A: RRV Prioritized Referral List

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
10/27/2015	27. Green Affordable Housing Package (Continued from October 6, 2015)	Refer that the Planning Commission and City Manager investigate the following two policies as ways to reduce barriers for the creation of affordable housing. City Council requests that commissions and staff address and propose solutions and/or an implementation plan using the recommendations in the report by September 1, 2016. Policy 1: Designate units and funding for affordable housing by prioritizing housing over parking spaces in new developments. Policy 2: Remove the structural and procedural barriers to creating more housing.	8	Planning	4	5	0	4	5	4	4	5	5
4/5/2016	Analyzing All City-Owned Properties for Potential for Housing Development	Request that the City Manager explore the opportunity for the City of Berkeley to build housing on city-owned property: conduct an inventory of city owned properties and return to City Council as soon as possible with an evaluation and analysis of those properties that are appropriate for the development of affordable housing.	6	HHCS	2	0	5	4	4	5	4	5	5
4/5/2016	Neighborhood Preference in Affordable Housing to Reduce the Impact of Displacement and Ellis Act Evictions (Continued from March 29, 2016)	Refer to the City Manager and Planning Commission an ordinance to clarify existing preferences in allocating City affordable housing units to Berkeley residents living within ½ mile of any new development and tenants evicted under the Ellis Act, expand the second category of preference for eligible tenants displaced under the Ellis Act to include certain tenants displaced through an Owner Move-In or (Measure Y) eviction.	1, 2, 5, 8	Planning	5	0	5	5	4	5	4	5	0
2/10/2015	Berkeley Police Department Use of Police Vehicle In-Vehicle and Body-Worn Cameras	Refer to the City Manager to develop a plan to implement the use of dash cameras and body-worn cameras for the Berkeley Police Department. The report should be presented to the City Council within 3 months.	4, 1, 2	Police	3	5	0	5	4	4	3	4	5

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
1/26/2016	Customer Service Improvements to Land Use Permit Process	Direct staff to make structural improvements to the Zoning Ordinance, communication improvements to better explain complex technical and procedural elements to the public, and organizational improvements to the Land Use Planning Division; and authorize the issuance of a request for proposals (RFP) for the selection of consultants to make structural improvements to the Zoning Ordinance and develop graphic communication elements in an amount not to exceed \$300,000.	CMO	Planning	4	4	0	5	5	5	1	4	5
11/17/2015	Protecting our Parks from Unsafe, Unsanitary Conditions	Request the City Manager to implement the following recommendations for Ohlone Park and utilize them for other parks where appropriate. 1. Increase nighttime enforcement and enable police to enter the parks at night with their cars (being sensitive to landscaping), to enforce park rules and ordinances. 2. (Requires further discussion.) 3. Consider the presence of needles, traces of drugs like meth and heroin, human feces, a public health threat and involve the Health Department to cordon off areas of encampment for the purpose of clearing the areas of contamination and insuring the areas are safe for public use. Monitor areas used for encampment for public health risks to enable additional action. 4. Determine where additional signage is needed regarding camping rules, park hours, and use of the park especially in locations where encampments frequently occur. 5. Place covered trash and recycling receptacles in high use areas in Ohlone, such as at McGee/Hearst. Determine other areas where such receptacles are needed. 6. Assess Ohlone Park for need of additional porta potties. Northwest area of park at Grant and Hearst has been reported as "public bathroom."	1	City Manager	5	4	0	3	4	3	1	3	5

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
10/21/2014	City Manager Referral: Consider Potential Additional Ambulances a High Priority for an Amendment to This City Budget	Refer to the City Manager to consider the addition of new ambulances to the Berkeley Fire and EMS Services as a high priority for an amendment to the city budget if determined necessary by the Fire Chief and City Manager.	7	Fire	4	4	0	5	4	5	5	0	0
3/29/2016	Multi-Departmental Homelessness Working Group	1. Establish a Multi-Departmental Homelessness Working Group (modeled after the City Sustainability Working Group) 2. Initiate a public process to develop a comprehensive plan to address homelessness in Berkeley, taking into consideration all of the ideas put forward by the Homeless Commission and Homeless Task Force, with the goal of creating more transitional and permanent housing for our city homeless population.	4	Health, Housing & Community Services	1	0	5	5	1	5	5	1	0
11/17/2015	Improve Conditions on Our Community Sidewalks; Amending Berkeley Municipal Code Chapters 13.36 and 14.48	Discuss and refer the following services and ordinances to the City Manager for implementation, and adopt first reading of three Ordinances: 1. Adding Section 13.36.085 to the Berkeley Municipal Code prohibiting urination and defecation in public places. 2. Amending Sections 14.48.020 and 14.48.170 of the Berkeley Municipal Code regulating use of sidewalks. 3. Adding Section 13.36.040 to the Berkeley Municipal Code prohibiting obstruction of City-owned planters and trees. Additional Services: 1. Create a secure storage facility for personal belongings; bins must be of adequate size, of reasonable number (estimate of 50 – 100 at the outset) and ensure reasonable access, with posted hours. 2. Provide additional bathrooms in the Downtown and Telegraph areas. 3. Provide mobile showers and bathrooms for public use.	1, 5, 8	Health, Housing & Community Services	5	3	0	0	5	5	0	5	5

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
11/18/2014	City Manager Referral: Implement the PayByPhone Parking Technology as Used by San Francisco and UC Berkeley	Refer to the City Manager to examine the feasibility of implementing the PayByPhone parking technology as used by the City of San Francisco and UC Berkeley.	7, 8	Public Works	3	3	0	4	3	3	5	0	5
7/14/2015	Referral to Planning Commission: Guiding Development on San Pablo Avenue	Refer to the Planning Commission the development of a Plan to guide development on San Pablo Avenue.	1, 2	Planning	2	5	0	4	3	4	3	4	0
1/19/2016	City Manager Referral: Streamline the Permit Process for Housing Projects with a Majority or More Affordable Units	Refer to City Manager to create an ordinance that will streamline the permit process for housing projects with a majority or more affordable units if it includes at least 20 percent of units at 50% AMI, after consideration of Austin and Santa Fe policies and policies proposed in San Francisco.	7	Planning	4	3	0	5	1	3	5	4	0
1/26/2016	Condition of Approval for Major Development Projects	Refer to the City Manager to generate an ordinance requiring all projects that include new construction of greater than 30,000 square feet and that are not subject to local, state or federal prevailing wage requirements or do not have a valid Project Labor or Community Workforce Agreement to adhere to the requirements as outlined below. The City Manager is requested to provide a history of the wage theft problem in Berkeley.	5, 2, 7, 1	Attorney	4	3	0	3	4	3	5	3	0
1/20/2015	Referral to Planning Commission to Amend Zoning Ordinance	Refer to the Planning Commission an amendment to the Zoning Ordinance to create a use permit process to allow non-commercial use on the ground floor where commercial might otherwise be required.	6	Planning	4	2	0	0	4	5	2	2	5

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
10/6/2015	Referral to the City Manager: Prioritize Climate Action Plan's Policy to Redesign/Rebuild the Berkeley Transfer Station and Material Recovery Facility into a State of the Art Zero Waste Facility	Referral to the City Manager: Prioritize the City of Berkeley's Climate Action Plan's policy to redesign/rebuild the Berkeley Transfer Station and the material recovery facility into a state of the art Zero Waste facility.	7	Planning	4	3	0	5	3	2	5	3	0
9/9/2014	Creating Additional Administrative Powers of Zoning Officer to Grant or Recommend New Permits as Related to Code Enforcement	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.	Commission	Planning	4	2	0	3	3	4	2	0	5
9/15/2015	Mandatory Green Stormwater Infrastructure in New Developments	Refer to the City Manager and Planning and Community Environmental Advisory Commissions to develop an ordinance requiring large residential developments of 100 units or more or commercial developments that result in 5,000 square feet of new or replaced impervious surface, to incorporate Green Stormwater Infrastructure (GSI) and water conservation features into new projects.	4	Planning	4	3	0	5	3	3	4	2	0
1/26/2016	Response to PRC Report on BPD Response to December 6 Protests, Revision of Police Crowd Management Policies (Continued from December 15, 2015)	Direct the City Manager to have the Berkeley Police Department collaborate with the Police Review Commission to further develop mutually agreed upon revisions to the Berkeley Police Department's policies and procedures regarding response to protest activity and to report back to the Council within 180 days for an update.	CMO	Police	0	4	0	5	4	4	3	3	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
2/9/2016	City Manager Referral: Expanding Gun Safety Measures in Berkeley	Refer to the City Manager to consider the following ordinances: 1. Banning Unsecured Firearms And Ammunition Located In Unattended Vehicles In The Public Right Of Way And "Public Places" As Defined In The Ordinance; and 2. Requiring That City-Issued Firearms In Unattended Vehicles Be Secured.	7, 6	City Manager	4	2	0	0	3	5	1	2	5
12/1/2015	City Manager Referral: Implementation of Tier One Recommendations from the Homeless Task Force (Continued from November 17, 2015)	Refer to the City Manager to develop a plan to implement the Tier One Recommendations of the Homeless Task Force, which involve expanding the city's Homeless Outreach Team and Mobile Crisis Team, increasing funding for the Crisis Intervention Training (CIT), increasing the number of public restrooms, and providing additional storage spaces and warming centers for the homeless population.	4	City Manager	3	2	0	5	2	4	5	2	0
1/19/2016	Declare a Homeless Shelter Crisis in Berkeley and Potential Implementation Strategies	Adopted Resolution No. 67,357–N.S. amended to include direction that the City Manager review the resolution for accuracy and have the power to add or subtract from the resolution, to make whatever changes are necessary to maximize our chances for additional funding.	7	City Manager	1	2	0	5	3	3	5	3	0
7/8/2014	Support Selected NAACT Housing Recommendations	Refer the HAC recommendation "Remove the R-4 requirement that new residential buildings must provide one parking space per 1000 square feet of floor space" to the Planning Commission	1	Planning	4	3	0	0	4	3	1	0	5
9/29/2015	City Council Referral to Develop a Comprehensive Plan for Funding the Undergrounding of Utility Wires on All Major and Collector Streets in Berkeley (Continued from July 14, 2015)	Postpone implementation of a Utility Undergrounding Work Plan and direct the City Manager to return to Council in Fall 2015 with a report detailing the budget and staffing required to implement a Utility Undergrounding Work Plan and Special Commission. The report would also identify projects in the City's adopted Work Plan that would be delayed in order to implement the Commissions' recommendations.	CMO	Public Works	4	2	0	4	4	5	0	3	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
9/30/2014	City Manager Referral: Implementing BigBelly Solar Compactor Bins	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.	7, 8	Public Works	3	3	0	4	4	3	5	0	0
11/19/2013	9. Portable Sign Pilot Program	Refer to the City Manager, the Commission on Disability, and the Transportation Commission for consideration the expansion of the existing portable sign program that enables businesses to place portable signs on sidewalks and medians.	4	Public Works	4	3	0	4	3	1	0	0	5
12/15/2015	Explore the Feasibility of Installing Utility-Free Restrooms in Cesar Chavez and Aquatic Parks	Refer to the City Manager to explore installing utility-free restrooms at Cesar Chavez and Aquatic Park.	2	City Manager	4	4	0	4	1	3	3	2	0
2/9/2016	Restrict Parking in the Hills Hazardous Fire Area (Continued from January 12, 2016)	Refer to staff the design of a parking restriction program in the Hills Fire Zone to ensure access for emergency vehicles and to allow for safe evacuations in an emergency and to hold public meetings to get community input in the design of such a program.	6	Public Works	4	3	0	3	3	5	0	3	0
2/23/2016	Public Restrooms in City Parks	Refer to the City Manager and the Parks and Waterfront Commission the idea of constructing permanent public restrooms in all parks with one or more acres that are maintained by the City of Berkeley and ensure that existing permanent public restrooms are maintained to an adequate standard.	4	City Manager	3	2	0	5	1	3	4	2	0
9/15/2015	Refer to the City Manager, Disability Commission, and Planning Commission to Develop an Ordinance Requiring New Residential Buildings to Provide Auto-door Openers and Roll-in Showers	Refer to the City Manager, Disability Commission, and Planning Commission to require new residential buildings in Berkeley to include essential wheelchair-accessible modifications such as auto door openers and roll-in showers.	7	Planning	1	2	0	4	4	3	5	1	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
12/11/2012	21. Streamlining Enforcement of Zoning and Municipal Code Violations and Public Nuisance Abatement Procedures	Direct the City Manager to propose methods of enforcing the zoning and municipal codes that would result in more timely compliance of problematic uses, including those in undisputable violation of our laws, and/or propose ways in which to streamline the nuisance abatement procedure and return with a report and suggestions to improve the process in 6 months.	5, 1, 2, 6	City Manager	3	2	0	2	0	5	1	0	5
7/8/2014	31. City Manager Referral: Refer CPTED Streetscape for Action and Exploration of Grant or Other Funding Opportunities to Find the Funds to Construct the Proposed Improvements	Refer the Crime Prevention Through Environmental Design (CPTED) streetscape to the City Manager for action and exploration of grant or other funding opportunities to find the funds to construct the proposed improvements.	7, 8	Public Works	3	3	0	3	3	3	5	0	0
2/10/2015	Amendments to BPD General Orders C-64 (Crowd Control), M-2 (Mutual Aid) and U-2 (Use of Force)	Refer to the Police Review Commission (PRC) and City Manager the attached changes to BPD General Orders C-64, M-2, U-2, and request that they return to the City Council with recommended revisions to the General Orders. The proposed changes are modeled after the Oakland Police Department's recent amendments to their Crowd Control Policy and address issues raised with the police response to the December 6, 2014 Ferguson protests. 2. Adopt a motion declaring as a temporary City of Berkeley policy that the use of chemical agents (tear gas etc.), Specialty Impact Less-Lethal Weapons ("projectiles" or rubber bullets, wooden dowels, stinger grenades, rubber bullets) and over the shoulder baton strikes, are prohibited uses of force in responding to crowd situations, until such time as an investigation is conducted as to the Police response to the December 6, 2014 protests, and a review of General Orders C-64, M-2, and U-2 is completed.	4	Police	0	3	0	5	4	4	3	1	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
7/14/2015	Referral to Planning Commission: Clarifying Front and Rear Units	Refer to the Planning Commission a request to clarify the relationship (height, bulk) between front and rear units when a rear unit is proposed for the rear yard.	1	Planning	4	2	0	4	3	4	0	2	0
12/16/2014	Referral to Planning Commission and City Manager Regarding the Feasibility of Requiring the Installation of Water Fountains/Filling Stations for New Commercial Development Projects	Refer to the Planning Commission and the City Manager the development of an ordinance requiring all new commercial development projects and remodels above a specified amount to incorporate a publicly available drinking fountain and/or water bottle filling station or locations on the premises where one may be installed without additional cost to the city for piping water to the location. Report back to council within 6 months.	5	Planning	4	3	0	0	4	1	1	4	0
12/17/2013	36. Revising the Berkeley Municipal Code to More Effectively Address Illegal Dumping	Direct the City Manager to propose potential revisions to the Berkeley Municipal Code to better address illegal dumping in the city.	2	Public Works	1	4	0	4	3	3	4	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
11/19/2013	19. Referral to City Manager: Changes to the Municipal Code Regarding Affordable Housing Requirement Implementation	Refer to the City Manager and Housing Advisory Commission: 1. The proposed changes to Berkeley Municipal Code (B.M.C.) Section 22.20.065, relating to affordability requirements and implementation of the Affordable Housing Mitigation Fee. Request that the City Manager and HAC review these concepts and provide a recommendation to the City Council on possible changes to the ordinance. 2. Requesting a report from the City Manager about how staff implement the provision allowing for reductions or waiver of fees, B.M.C. Section 22.20.080, including: a. What information is requested of the applicant to provide "satisfactory factual proof" that the waiver/reduction is a "hardship"? b. What process does city staff go through to determine how fee requirements make a project "infeasible"? What standard does the city use to determine "infeasibility"? The report should also explore requiring that the applicant pay for a third party to evaluate financial information to determine how the fees affect financial feasibility. The City of San Carlos requires the applicant to pay for a third party to evaluate their pro forma to determine whether the fee would make the project infeasible.	4, 5	Planning	4	4	0	0	4	4	2	0	0
1/17/2012	Referral to the Commission on the Status of Women (PDF)	Refer to the Commission on the Status of Women the alleged offensive treatment of women in custody at Santa Rita Jail, as reported below with the aim of ensuring that searches of women not be conducted in the presence of men (be they male officers or inmates) and any other changes in protocol that might be needed to ensure appropriate policies are followed during searches of women in custody.	1	Health, Housing & Community Services	4	3	0	0	4	4	3	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
12/17/2013	48. City Manager Referral: Preparations to Apply for Telegraph Pedestrian Safety Funds (Continued from December 3, 2013)	Refer to the City Manager to apply for Telegraph Ave pedestrian safety funds and to produce a preliminary plan for Telegraph pedestrian safety improvements as requested by the Telegraph Merchants Association.	7	Public Works	3	1	0	3	3	3	5	0	0
1/27/2015	Request that the City Manager work with Caltrans to upgrade the intersection at San Pablo and Cedar	Request the City Manager analyze the subject intersection and work with Caltrans to make improvements to prevent long back-ups at the intersection of San Pablo and Cedar, particularly focused on the need to create a left-turn lane onto San Pablo heading north.	1	Public Works	5	2	0	3	0	2	1	3	0
10/21/2014	City Manager Referral: Consider Implementing a Neighborhood Notification System for the City of Berkeley	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.	7, 8	Information Technology	3	2	0	0	4	3	5	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
6/24/2014	56a. Imposing Fees When Multifamily Properties are Destroyed Due to Fault of Property Owner	Adopt a Resolution that directs staff to make changes to the Demolition Ordinance or other City ordinances to accomplish the following:1. Make changes to the Demolition Ordinance requiring Owners of buildings that are destroyed due to the “fault” of the owner, including gross negligence or other conduct by the owner or his/her agents which constitutes the predominant cause of the destruction, to comply with the replacement unit provisions, tenant protections and relocation requirements under Sections 23C.08.020.A.4 and 23C.08.020.B and C; 2. Consider the establishment of a penalty schedule – either through the Rental Housing Safety Program or another mechanism – to facilitate compliance with habitability and life safety codes; 3. Impose a fee on property owners who decide to rebuild at the same site for each below-market rate unit destroyed through fault of the property owner; 4. Levy a fine, equivalent to the fee described above, against the owner of demolished property in the event that this owner elects to sell the site or retain it as an undeveloped parcel. If the property owner refuses to pay this fee, then it should be become a lien against the property; and 5. Revise the Relocation Ordinance to confer the same rights onto the tenants of buildings that are voluntarily demolished as other tenant situations specified under the Relocation Ordinance.	4	Health, Housing & Community Services	4	2	0	0	3	3	5	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
10/21/2014	Fair Chance Ordinance	1. Refer to the Labor Commission for review a Fair Chance Ordinance that would extend the City's "Ban the Box" policy to private employers within the City of Berkeley, which would remove any questions regarding an individual's conviction history from an initial application and delaying background check inquiries until later in the hiring process; additionally, the Ordinance would regulate background check inquiries to ensure that applicants are considered fairly for a job position 2. Adopt a Resolution urging our State Representatives and to introduce legislation extending the State's "Ban the Box" law to private employers and to reform employment background checks, which are often private companies that may provide inaccurate, incomplete and/or expunged conviction information. Copies of the Resolution are to be sent to Governor Jerry Brown, Senate President Pro Tem Kevin de León, State Senator Loni Hancock, Assembly Speaker Toni Atkins, Assemblymembers Nancy Skinner and Roger Dickinson, and the National Employment Law Project.	3, 4, 2, 7	Health, Housing & Community Services	2	4	0	4	3	3	1	0	0
2/9/2016	Supporting Worker Cooperatives and Referral to City Manager to Develop a Worker Cooperative Ordinance (Continued from January 12, 2016 – Item includes revised materials.)	Adopt a Resolution to support worker cooperatives, and refer to the City Manager to develop a Worker Cooperative Ordinance, which includes: 1. Revising the existing Buy Local contracting preference and adding a worker cooperative preference; 2. Revising the business permit application; 3. Incentivizing existing businesses to convert to cooperatives; 4. Creating business tax and land use incentives, and 5. Developing educational materials.	4	City Manager	3	1	0	5	1	2	2	2	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
10/21/2014	Installation of Automatic External Defibrillators (AEDs) in City Buildings	Review and consider implementation of a third party administered, citywide AED program. This program would be referred to the city's budget process for FY 2015 - FY 2016.	7	Fire	2	2	0	0	4	4	5	0	0
7/14/2015	Referral to Public Works Commission: Onsite Water Systems	Refer to the Public Works Commission an evaluation of onsite water systems, for non-potable use, with new developments in Berkeley and report to Council on its recommendations.	1	Planning	0	3	0	0	4	3	2	3	0
3/15/2016	City Manager Referral: Plan for Lighting and Signage at the Ohlone Greenway at Cedar, Rose, and Hopkins	Refer to the City Manager to develop a plan to improve the lighting and signage (e.g. stop signs) at the Ohlone Greenway crossing at Cedar, Rose, and Hopkins, particularly for bicycle transit.	1	Public Works	5	3	0	3	3	3	0	0	0
1/19/2016	City Manager Referral: Consider Adding Ygrene as an Additional Property Assessed Clean Energy Program	Refer to the City Manager to consider adding Ygrene as an additional property assessed clean energy program.	7	Planning	0	1	0	4	2	3	5	1	0
11/3/2015	City Manager Referral: Campus National Night Out to Reduce Crime	Refer to the City Manager to create a Campus National Night Out to help reduce crime in the campus area.	7	Police	1	1	0	4	0	4	5	1	0
11/18/2014	Fuel Station Carbon Dioxide Labels	Fuel station carbon dioxide labels	Commission	Attorney	3	3	0	4	0	1	5	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
5/1/2012	Amend the Zoning Code to Facilitate Toxic Remediation in Manufacturing Districts (PDF)	Refer to the Planning Commission recommendations for amending the zoning code in order to facilitate toxic remediation in manufacturing districts and to develop a streamlined process that would allow for one application process, rather than separate application processes for the City's Planning Department and the Toxics Division.	2	Planning	2	5	0	0	3	4	2	0	0
9/9/2014	Expansion of Residential Preferential Parking Citywide, Adjacent to Commercial Areas		1, 2	Public Works	4	4	0	0	3	4	1	0	0
3/8/2016	Electric Vehicles for the City Fleet	Request that the City Manager return to the Council with a Fleet Climate Action Plan for transition to all-electric vehicles (EVs) or plug-hybrids for the City fleet. The plan could: 1. set annual targets for greenhouse gas (GHG) reductions from City fleet operations in support of the City's Climate Action Plan; 2. require replacing all non-emergency vehicles and all possible emergency vehicles with EVs or plug-in hybrids by April 1, 2025, with an interim goal of a certain percent by April 1, 2018; 3. require conversion wherever possible to hybrid vehicles in cases where EVs or plug-in hybrids are not yet feasible; and 4. consider the Additional Measures as described in the report.	Mayor, 6	Public Works	0	4	0	0	2	5	0	3	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
2/10/2015	Evaluation of Possible Ban on New Planting of Certain Tree Species	Take action to either: a) Direct the City Manager to proceed with Option 1, and continue the City's current practice regarding tree plantings on City property, which currently do not include Eucalyptus, and Monterey Pine (except at the Marina).-OR- b) Adopt a Resolution as described in Option 2 that would ban the new planting of certain tree species on City property. -OR-c) Direct the City Manager to develop an ordinance for Council adoption that bans the new planting of certain tree species on both public and private property, and includes enforcement mechanisms.	6	Parks, Rec, Waterfront	3	3	0	0	4	5	1	0	0
2/10/2015	B. Amending BMC Chapter 11.60 for Compostable or Recyclable Foodware	Direct the City Manager to analyze the Zero Waste Commission's recommendation; refer the fiscal impacts of the recommendation to the budget process; and report back on the impact to the City's Zero Waste operations of implementing the requirement for compostable or recyclable foodware.	Commission	Public Works	4	2	0	3	1	4	0	1	0
1/27/2015	City Manager Referral: Add Easily Accessible Language Translation on City Website	Refer to the City Manager to add an easily accessible language translation feature on the City website.	7	Information Technology	1	1	0	4	1	2	4	1	0
10/27/2015	Private Parking Lot Regulations	Refer to the City Manager the development of an ordinance that would allow parking lot operators to manage their parking facilities so as to meet the needs of local businesses and their customers.	2	Attorney	1	4	0	1	0	2	3	2	0
11/17/2015	Installation of Solar Panels at the Donna Spring Animal Shelter Parking Area	Request that the City Manager pursue grant funding for a solar installation at the Donna Spring Animal Shelter parking area.	6, 2	Public Works	4	4	0	0	2	5	0	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
4/1/2014	9. Conversion of Loading Zones on Telegraph Avenue between Bancroft Avenue and Dwight Way into Regular Metered Parking with Morning Commercial-Loading Hours	The City Manager should examine the costs and time associated with yellow-zone conversion and present to the City Council a cost and implementation plan including recommended hours for restricted commercial loading.	Mayor	Public Works	2	3	0	2	4	3	0	0	0
12/6/2011	Classify Home Occupation Activities Receiving Five or Fewer Visits as Moderate Impact Home Operation (PDF)	Refer to the City Manager that the zoning code for Moderate Impact Home Operation (Moderate Impact HO) be amended to include home occupation activities receiving five or fewer visits weekly, requiring an AUP rather than a <u>Use Permit with public hearing</u> .	1	Planning	2	3	0	0	3	4	2	0	0
10/7/2014	City Manager Referral on "Digital Divide" in Ultrafast Fiber Optic Internet Technology	Refer to the City Manager to address the growing "Digital Divide" through making ultrafast fiber technology available to middle class and low income residents.	7	Office of Economic Development	1	3	0	0	2	2	5	0	0
10/21/2014	Westbrae Traffic Plan	Refer to the Transportation Commission and City Manager the development of a traffic management plan for the Westbrae Area.	1	Public Works	4	3	0	2	1	2	1	0	0
7/1/2014	18. City Manager Referral: Updating Graffiti Ordinance and Policies Based on a Review of San Francisco's New Ordinance	Refer to the City Manager and the Public Works and Parks and Recreation Commissions to create an ordinance that revises Berkeley's policies regarding graffiti, focusing on prevention and enforcement of regulations.	7	Public Works	0	2	0	3	3	3	2	0	0
11/18/2014	Future Development of the 4th Street Area	Request that the Planning Commission return to Council with possible options to ensure that future development of the 4th Street area is harmonious with the successful existing retail district.	5, 1	Planning	4	1	0	2	3	2	1	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
9/16/2014	City Manager Referral: Reform Berkeley's 3 Strike Rule, Whereby 3 Parking Tickets Can End An Entire Business	Refer to the City Manager to look into the unintended consequences of the 3 strikes law on Berkeley taxi cab owners, which can revoke a cab company's business license after receiving 3 parking tickets.	7	City Manager	1	1	0	4	3	1	2	0	0
9/29/2015	City Manager Referral: Creating an Animal Friendly Menu Policy for the Berkeley Animal Care Shelter at Official Sponsored Events	Refer to the City Manager to examine the feasibility of creating an animal friendly menu policy for the Berkeley Animal Care Shelter at official sponsored events.	7	City Manager	3	1	0	2	0	1	3	1	0
2/10/2015	Independent Investigation of Police Response to December 6, 2014 Protest	Direct the City Manager to initiate an independent investigation into the police response to protests on December 6, 2014 and to return to Council as soon as possible, but no later than 60 days with a contract to hire a qualified independent investigator. In considering who to select to conduct the investigation, the City Manager should give preference to former police chiefs or law enforcement officials with experience conducting internal investigations. To avoid the appearance of or possibility of conflicts of interests, the City Manager should avoid selecting an individual or firm who previously worked for the Berkeley Police Department or who previously or currently worked for any law enforcement agency in the San Francisco Bay Area. The City Manager shall ensure that the selected individual or firm has no apparent conflicts of interest. The Council also refers the questions attached to the report for the City Manager and outside investigator to consider in conducting their investigation.	4	Police	2	3	0	0	1	4	0	1	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
9/18/2012	6. City Manager Referral: Standardize Finance Categories of Software and Exclusively Internet Companies	Refer to the City Manager creating one simple clear standard for categorizing software companies and exclusively internet companies that do business in Berkeley	7	Finance	1	0	0	0	3	3	4	0	0
9/9/2014	Establish Pedicab Policy and Regulations	Refer to the City Manager and Transportation Commission the creation of an ordinance that would establish regulations for pedicab operators.	2	Public Works	1	5	0	2	1	1	0	0	0
3/15/2016	Referral to City Manager: Donation of Unsold Food to Charities (Continued from February 23, 2016)	Refer to the City Manager and Zero Waste Commission to develop an ordinance for Council consideration requiring supermarkets in Berkeley to donate their unsold food to charity. If no longer edible for human consumption require that it be donated for animal feed or compost.	4	Public Works	0	2	0	4	0	1	0	1	0
12/17/2013	43. City Manager Referral: Updating a Mandated Reporting Policy Under the California Child Abuse and Reporting Act	Refer to the City Manager to review the California Child Abuse Reporting Act to consider updating a Mandated Reporting Policy so that all appropriate city employees and volunteers are aware of their obligations in reporting abuse.	7	Attorney	1	3	0	2	0	2	1	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
5/21/2013	38. Referral to City Manager: Amendments to Affordable Housing Fee Ordinance	Refer to the City Manager and Housing Advisory Commission: 1. The proposed changes below to Berkeley Municipal Code (B.M.C.) Section 22.20.065 (Affordable Housing Fee Ordinance) for review and recommendation, and to develop an ordinance for Council discussion and action. 2. Amendments to Berkeley Municipal Code (B.M.C.) Section 22.20.080 (Hardship waiver) to establish more specific criteria for determining whether the fee requirements make a project infeasible and therefore make it eligible for a fee reduction. Is there a baseline standard that staff uses? A specific rate of return on the project? Additionally, explore removing language allowing fees to be waived entirely.	4	Planning	0	3	0	0	0	4	2	0	0
6/10/2014	49. Urban Agriculture Incentive Zones(Continued from May 20, 2014)	Direct the City Manager to to proceed with the next steps for implementing an Urban Agriculture Incentive Zone in Berkeley and to refer the matter to the Planning Commission.	4	Planning	1	2	0	0	1	1	3	0	0
2/9/2016	Extend the Berkeley Police Department Drone Moratorium for One Additional Year	Extend the moratorium on the use of unmanned aircraft systems, or “drones,” by the Berkeley Police Department for one additional year.	7	Police	1	2	0	0	2	2	1	0	0
2/11/2014	17. Referral to City Manager: Exemption of Fire-Damaged Buildings from Affordable Housing Mitigation Fee (Continued from January 21, 2014)	Refer to the City Manager and Housing Advisory Commission (HAC) issues relating to the applicability of the Affordable Housing Mitigation fee to buildings destroyed by fire.	3, 4, 7	Health, Housing & Community Services	3	2	0	0	0	2	1	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division	D1	D2	D3	D4	D5	D6	D7	D8	Mayor
1/21/2014	26. Pending and Outstanding Referrals to the City Manager's Office and City Commissions by the City Council	1. Request the City Manager report on pending and outstanding referrals made to the City Manager's Office and City Commissions by the City Councilmembers. 2. The Referral Report will be sent to the Councilmember who made the referral for them to prioritize their top five referrals. 3. After the prioritizing has taken place, the City Manager will provide an estimate of cost, staff time and any other related costs likely to be incurred by the implementation of the referral. 4. Council shall then determine its priority of implementation so they may be reflected in the adoption of its budget.	Mayor	City Manager	0	3	0	0	0	5	0	0	0
11/18/2014	Expansion of Medical Cannabis Cultivation Beyond the Manufacturing (M) District Presentation	Request the Planning Commission consider amending the Zoning Ordinance to allow for medical cannabis cultivation in zoning districts beyond the Manufacturing (M) District.	Commission	Planning	1	1	0	0	4	1	0	0	0
2/19/2013	19. Driving Under the Influence (DUI) Policy Recommendations	Instruct the Mental Health, Community Health, Transportation, and Police Review Commissions to research and submit recommendations to the Peace and Justice Commission's DUI Subcommittee within six (6) months of referral. Research and recommendations should focus on improvements to Harm Reduction and Minimization policies with respect to DUI in Berkeley.	Commission	Health, Housing & Community Services	0	3	0	0	0	2	1	0	0
9/9/2014	Review of Occupancy Level as Part of Zoning Adjustments Approval Process	Include occupancy level to be established as part of the Zoning Adjustments review process.	1	Planning	0	2	0	0	2	2	0	0	0
1/31/2012	Tow Away Zones on MLK JR Way between Berkeley Way and Hearst Avenue (PDF)	Request that the City Manager consider possible parking and traffic configurations on the MLK block between University and Hearst Avenues that eliminate the need for commute hour Tow Away Zones.	4	Public Works	0	1	0	0	0	2	1	0	0

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division
1/31/2012	Tow Away Zones on MLK JR Way between Berkeley Way and Hearst Avenue (PDF)	Request that the City Manager consider possible parking and traffic configurations on the MLK block between University and Hearst Avenues that eliminate the need for commute hour Tow Away Zones.	4	Public Works
12/11/2012	21. Streamlining Enforcement of Zoning and Municipal Code Violations and Public Nuisance Abatement Procedures	Direct the City Manager to propose methods of enforcing the zoning and municipal codes that would result in more timely compliance of problematic uses, including those in undisputable violation of our laws, and/or propose ways in which to streamline the nuisance abatement procedure and return with a report and suggestions to improve the process in 6 months.	5, 1, 2, 6	City Manager
5/21/2013	38. Referral to City Manager: Amendments to Affordable Housing Fee Ordinance	Refer to the City Manager and Housing Advisory Commission: 1. The proposed changes below to Berkeley Municipal Code (B.M.C.) Section 22.20.065 (Affordable Housing Fee Ordinance) for review and recommendation, and to develop an ordinance for Council discussion and action. 2. Amendments to Berkeley Municipal Code (B.M.C.) Section 22.20.080 (Hardship waiver) to establish more specific criteria for determining whether the fee requirements make a project infeasible and therefore make it eligible for a fee reduction. Is there a baseline standard that staff uses? A specific rate of return on the project? Additionally, explore removing language allowing fees to be waived entirely.	4	Planning

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division
11/19/2013	19. Referral to City Manager: Changes to the Municipal Code Regarding Affordable Housing Requirement Implementation	Refer to the City Manager and Housing Advisory Commission: 1. The proposed changes to Berkeley Municipal Code (B.M.C.) Section 22.20.065, relating to affordability requirements and implementation of the Affordable Housing Mitigation Fee. Request that the City Manager and HAC review these concepts and provide a recommendation to the City Council on possible changes to the ordinance. 2. Requesting a report from the City Manager about how staff implement the provision allowing for reductions or waiver of fees, B.M.C. Section 22.20.080, including: a. What information is requested of the applicant to provide "satisfactory factual proof" that the waiver/reduction is a "hardship"? b. What process does city staff go through to determine how fee requirements make a project "infeasible"? What standard does the city use to determine "infeasibility"? The report should also explore requiring that the applicant pay for a third party to evaluate financial information to determine how the fees affect financial feasibility. The City of San Carlos requires the applicant to pay for a third party to evaluate their pro forma to determine whether the fee would make the project infeasible.	4, 5	Planning
2/11/2014	17. Referral to City Manager: Exemption of Fire-Damaged Buildings from Affordable Housing Mitigation Fee (Continued from January 21, 2014)	Refer to the City Manager and Housing Advisory Commission (HAC) issues relating to the applicability of the Affordable Housing Mitigation fee to buildings destroyed by fire.	3, 4, 7	Health, Housing & Community Services
6/10/2014	49. Urban Agriculture Incentive Zones(Continued from May 20, 2014)	Direct the City Manager to to proceed with the next steps for implementing an Urban Agriculture Incentive Zone in Berkeley and to refer the matter to the Planning Commission.	4	Planning

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division
6/24/2014	56a. Imposing Fees When Multifamily Properties are Destroyed Due to Fault of Property Owner	Adopt a Resolution that directs staff to make changes to the Demolition Ordinance or other City ordinances to accomplish the following:1. Make changes to the Demolition Ordinance requiring Owners of buildings that are destroyed due to the "fault" of the owner, including gross negligence or other conduct by the owner or his/her agents which constitutes the predominant cause of the destruction, to comply with the replacement unit provisions, tenant protections and relocation requirements under Sections 23C.08.020.A.4 and 23C.08.020.B and C; 2. Consider the establishment of a penalty schedule – either through the Rental Housing Safety Program or another mechanism – to facilitate compliance with habitability and life safety codes; 3. Impose a fee on property owners who decide to rebuild at the same site for each below-market rate unit destroyed through fault of the property owner; 4. Levy a fine, equivalent to the fee described above, against the owner of demolished property in the event that this owner elects to sell the site or retain it as an undeveloped parcel. If the property owner refuses to pay this fee, then it should be become a lien against the property; and 5. Revise the Relocation Ordinance to confer the same rights onto the tenants of buildings that are voluntarily demolished as other tenant situations specified under the Relocation Ordinance.	4	Health, Housing & Community Services
9/9/2014	Review of Occupancy Level as Part of Zoning Adjustments Approval Process	Include occupancy level to be established as part of the Zoning Adjustments review process.	1	Planning

Meeting Date	Title	Recommendation	Council District #	Responsible Department/Division
2/10/2015	Independent Investigation of Police Response to December 6, 2014 Protest	Direct the City Manager to initiate an independent investigation into the police response to protests on December 6, 2014 and to return to Council as soon as possible, but no later than 60 days with a contract to hire a qualified independent investigator. In considering who to select to conduct the investigation, the City Manager should give preference to former police chiefs or law enforcement officials with experience conducting internal investigations. To avoid the appearance of or possibility of conflicts of interests, the City Manager should avoid selecting an individual or firm who previously worked for the Berkeley Police Department or who previously or currently worked for any law enforcement agency in the San Francisco Bay Area. The City Manager shall ensure that the selected individual or firm has no apparent conflicts of interest. The Council also refers the questions attached to the report for the City Manager and outside investigator to consider in conducting their investigation.	4	Police
7/14/2015	Referral to Public Works Commission: Onsite Water Systems	Refer to the Public Works Commission an evaluation of onsite water systems, for non-potable use, with new developments in Berkeley and report to Council on its recommendations.	1	Planning

RESOLUTION NO. ##,###-N.S.

APPROVING THE 2016 LIST OF PRIORITIZED CITY COUNCIL REFERRALS USING
THE REWEIGHTED RANGE VOTING SYSTEM

WHEREAS, on March 8, 2016 the City Council approved the use of Re-weighted Range Voting for the prioritization of City Council referrals to staff; and

WHEREAS, the City Council has rated all the referrals; and

WHEREAS, the Re-Weighted Range Voting formula was applied to the ratings to create a weighted list of prioritization.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the list of prioritized referrals contained in Exhibit A is hereby approved.

BE IT FURTHER RESOLVED that the City Council grants the City Manager the authority to assign referrals to staff in a manner that ensures equitable distribution among departments and does not exceed the capacity of departmental staff to start work on the highly rated referrals even if that results in the referrals being assigned in an order that differs from the approved list.

Exhibits

A: List of Prioritized Referrals

Meeting Date	Title	Recommendation	Council District #	Responsible Department/ Division	Rank
10/27/2015	27. Green Affordable Housing Package (Continued from October 6, 2015)	Refer that the Planning Commission and City Manager investigate the following two policies as ways to reduce barriers for the creation of affordable housing. City Council requests that commissions and staff address and propose solutions and/or an implementation plan using the recommendations in the report by September 1, 2016. Policy 1: Designate units and funding for affordable housing by prioritizing housing over parking spaces in new developments. Policy 2: Remove the structural and procedural barriers to creating more housing.	8	Planning	1
4/5/2016	Analyzing All City-Owned Properties for Potential for Housing Development	Request that the City Manager explore the opportunity for the City of Berkeley to build housing on city-owned property: conduct an inventory of city owned properties and return to City Council as soon as possible with an evaluation and analysis of those properties that are appropriate for the development of affordable housing.	6	HHCS	2
4/5/2016	Neighborhood Preference in Affordable Housing to Reduce the Impact of Displacement and Ellis Act Evictions (Continued from March 29, 2016)	Refer to the City Manager and Planning Commission an ordinance to clarify existing preferences in allocating City affordable housing units to Berkeley residents living within ½ mile of any new development and tenants evicted under the Ellis Act, expand the second category of preference for eligible tenants displaced under the Ellis Act to include certain tenants displaced through an Owner Move-In or (Measure Y) eviction.	1, 2, 5, 8	Planning	3
2/10/2015	Berkeley Police Department Use of Police Vehicle In-Vehicle and Body-Worn Cameras	Refer to the City Manager to develop a plan to implement the use of dash cameras and body-worn cameras for the Berkeley Police Department. The report should be presented to the City Council within 3 months.	4, 1, 2	Police	4
1/26/2016	Customer Service Improvements to Land Use Permit Process	Direct staff to make structural improvements to the Zoning Ordinance, communication improvements to better explain complex technical and procedural elements to the public, and organizational improvements to the Land Use Planning Division; and authorize the issuance of a request for proposals (RFP) for the selection of consultants to make structural improvements to the Zoning Ordinance and develop graphic communication elements in an amount not to exceed \$300,000.	CMO	Planning	5

11/17/2015	Protecting our Parks from Unsafe, Unsanitary Conditions	<p>Request the City Manager to implement the following recommendations for Ohlone Park and utilize them for other parks where appropriate.</p> <ol style="list-style-type: none"> 1. Increase nighttime enforcement and enable police to enter the parks at night with their cars (being sensitive to landscaping), to enforce park rules and ordinances. 2. (Requires further discussion.) 3. Consider the presence of needles, traces of drugs like meth and heroin, human feces, a public health threat and involve the Health Department to cordon off areas of encampment for the purpose of clearing the areas of contamination and insuring the areas are safe for public use. Monitor areas used for encampment for public health risks to enable additional action. 4. Determine where additional signage is needed regarding camping rules, park hours, and use of the park especially in locations where encampments frequently occur. 5. Place covered trash and recycling receptacles in high use areas in Ohlone, such as at McGee/Hearst. Determine other areas where such receptacles are needed. 6. Assess Ohlone Park for need of additional porta potties. Northwest area of park at Grant and Hearst has been reported as "public bathroom." 	1	City Manager	6
10/21/2014	City Manager Referral: Consider Potential Additional Ambulances a High Priority for an Amendment to This City Budget	<p>Refer to the City Manager to consider the addition of new ambulances to the Berkeley Fire and EMS Services as a high priority for an amendment to the city budget if determined necessary by the Fire Chief and City Manager.</p>	7	Fire	7
3/29/2016	Multi-Departmental Homelessness Working Group	<ol style="list-style-type: none"> 1. Establish a Multi-Departmental Homelessness Working Group (modeled after the City Sustainability Working Group) 2. Initiate a public process to develop a comprehensive plan to address homelessness in Berkeley, taking into consideration all of the ideas put forward by the Homeless Commission and Homeless Task Force, with the goal of creating more transitional and permanent housing for our city homeless population. 	4	Health, Housing & Community Services	8

11/17/2015	Improve Conditions on Our Community Sidewalks; Amending Berkeley Municipal Code Chapters 13.36 and 14.48	Discuss and refer the following services and ordinances to the City Manager for implementation, and adopt first reading of three Ordinances: 1. Adding Section 13.36.085 to the Berkeley Municipal Code prohibiting urination and defecation in public places. 2. Amending Sections 14.48.020 and 14.48.170 of the Berkeley Municipal Code regulating use of sidewalks. 3. Adding Section 13.36.040 to the Berkeley Municipal Code prohibiting obstruction of City-owned planters and trees. Additional Services: 1. Create a secure storage facility for personal belongings; bins must be of adequate size, of reasonable number (estimate of 50 – 100 at the outset) and ensure reasonable access, with posted hours. 2. Provide additional bathrooms in the Downtown and Telegraph areas. 3. Provide mobile showers and bathrooms for public use.	1, 5, 8	Health, Housing & Community Services	9
11/18/2014	City Manager Referral: Implement the PayByPhone Parking Technology as Used by San Francisco and UC Berkeley	Refer to the City Manager to examine the feasibility of implementing the PayByPhone parking technology as used by the City of San Francisco and UC Berkeley.	7, 8	Public Works	10
7/14/2015	Referral to Planning Commission: Guiding Development on San Pablo Avenue	Refer to the Planning Commission the development of a Plan to guide development on San Pablo Avenue.	1, 2	Planning	11
1/19/2016	City Manager Referral: Streamline the Permit Process for Housing Projects with a Majority or More Affordable Units	Refer to City Manager to create an ordinance that will streamline the permit process for housing projects with a majority or more affordable units if it includes at least 20 percent of units at 50% AMI, after consideration of Austin and Santa Fe policies and policies proposed in San Francisco.	7	Planning	12
1/26/2016	Condition of Approval for Major Development Projects	Refer to the City Manager to generate an ordinance requiring all projects that include new construction of greater than 30,000 square feet and that are not subject to local, state or federal prevailing wage requirements or do not have a valid Project Labor or Community Workforce Agreement to adhere to the requirements as outlined below. The City Manager is requested to provide a history of the wage theft problem in Berkeley.	5, 2, 7, 1	Attorney	13

1/20/2015	Referral to Planning Commission to Amend Zoning Ordinance	Refer to the Planning Commission an amendment to the Zoning Ordinance to create a use permit process to allow non-commercial use on the ground floor where commercial might otherwise be required.	6	Planning	14
10/6/2015	Referral to the City Manager: Prioritize Climate Action Plan's Policy to Redesign/Rebuild the Berkeley Transfer Station and Material Recovery Facility into a State of the Art Zero Waste Facility	Referral to the City Manager: Prioritize the City of Berkeley's Climate Action Plan's policy to redesign/rebuild the Berkeley Transfer Station and the material recovery facility into a state of the art Zero Waste facility.	7	Planning	15
9/9/2014	Creating Additional Administrative Powers of Zoning Officer to Grant or Recommend New Permits as Related to Code Enforcement	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.	Commission	Planning	16
9/15/2015	Mandatory Green Stormwater Infrastructure in New Developments	Refer to the City Manager and Planning and Community Environmental Advisory Commissions to develop an ordinance requiring large residential developments of 100 units or more or commercial developments that result in 5,000 square feet of new or replaced impervious surface, to incorporate Green Stormwater Infrastructure (GSI) and water conservation features into new projects.	4	Planning	17
1/26/2016	Response to PRC Report on BPD Response to December 6 Protests, Revision of Police Crowd Management Policies (Continued from December 15, 2015)	Direct the City Manager to have the Berkeley Police Department collaborate with the Police Review Commission to further develop mutually agreed upon revisions to the Berkeley Police Department's policies and procedures regarding response to protest activity and to report back to the Council within 180 days for an update.	CMO	Police	18
2/9/2016	City Manager Referral: Expanding Gun Safety Measures in Berkeley	Refer to the City Manager to consider the following ordinances: 1. Banning Unsecured Firearms And Ammunition Located In Unattended Vehicles In The Public Right Of Way And "Public Places" As Defined In The Ordinance; and 2. Requiring That City-Issued Firearms In Unattended Vehicles Be Secured.	7, 6	City Manager	19

12/1/2015	City Manager Referral: Implementation of Tier One Recommendations from the Homeless Task Force (Continued from November 17, 2015)	Refer to the City Manager to develop a plan to implement the Tier One Recommendations of the Homeless Task Force, which involve expanding the city's Homeless Outreach Team and Mobile Crisis Team, increasing funding for the Crisis Intervention Training (CIT), increasing the number of public restrooms, and providing additional storage spaces and warming centers for the homeless population.	4	City Manager	20
1/19/2016	Declare a Homeless Shelter Crisis in Berkeley and Potential Implementation Strategies	Adopted Resolution No. 67,357–N.S. amended to include direction that the City Manager review the resolution for accuracy and have the power to add or subtract from the resolution, to make whatever changes are necessary to maximize our chances for additional funding.	7	City Manager	21
7/8/2014	Support Selected NAACT Housing Recommendations	Refer the HAC recommendation "Remove the R-4 requirement that new residential buildings must provide one parking space per 1000 square feet of floor space" to the Planning Commission	1	Planning	22
9/29/2015	City Council Referral to Develop a Comprehensive Plan for Funding the Undergrounding of Utility Wires on All Major and Collector Streets in Berkeley (Continued from July 14, 2015)	Postpone implementation of a Utility Undergrounding Work Plan and direct the City Manager to return to Council in Fall 2015 with a report detailing the budget and staffing required to implement a Utility Undergrounding Work Plan and Special Commission. The report would also identify projects in the City's adopted Work Plan that would be delayed in order to implement the Commissions' recommendations.	CMO	Public Works	23
9/30/2014	City Manager Referral: Implementing BigBelly Solar Compactor Bins	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.	7, 8	Public Works	24
11/19/2013	9. Portable Sign Pilot Program	Refer to the City Manager, the Commission on Disability, and the Transportation Commission for consideration the expansion of the existing portable sign program that enables businesses to place portable signs on sidewalks and medians.	4	Public Works	25
12/15/2015	Explore the Feasibility of Installing Utility-Free Restrooms in Cesar Chavez and Aquatic Parks	Refer to the City Manager to explore installing utility-free restrooms at Cesar Chavez and Aquatic Park.	2	City Manager	26

2/9/2016	Restrict Parking in the Hills Hazardous Fire Area (Continued from January 12, 2016)	Refer to staff the design of a parking restriction program in the Hills Fire Zone to ensure access for emergency vehicles and to allow for safe evacuations in an emergency and to hold public meetings to get community input in the design of such a program.	6	Public Works	27
2/23/2016	Public Restrooms in City Parks	Refer to the City Manager and the Parks and Waterfront Commission the idea of constructing permanent public restrooms in all parks with one or more acres that are maintained by the City of Berkeley and ensure that existing permanent public restrooms are maintained to an adequate standard.	4	City Manager	28
9/15/2015	Refer to the City Manager, Disability Commission, and Planning Commission to Develop an Ordinance Requiring New Residential Buildings to Provide Auto-door Openers and Roll-in Showers	Refer to the City Manager, Disability Commission, and Planning Commission to require new residential buildings in Berkeley to include essential wheelchair-accessible modifications such as auto door openers and roll-in showers.	7	Planning	29
12/11/2012	21. Streamlining Enforcement of Zoning and Municipal Code Violations and Public Nuisance Abatement Procedures	Direct the City Manager to propose methods of enforcing the zoning and municipal codes that would result in more timely compliance of problematic uses, including those in undisputable violation of our laws, and/or propose ways in which to streamline the nuisance abatement procedure and return with a report and suggestions to improve the process in 6 months.	5, 1, 2, 6	City Manager	30
7/8/2014	31. City Manager Referral: Refer CPTED Streetscape for Action and Exploration of Grant or Other Funding Opportunities to Find the Funds to Construct the Proposed Improvements	Refer the Crime Prevention Through Environmental Design (CPTED) streetscape to the City Manager for action and exploration of grant or other funding opportunities to find the funds to construct the proposed improvements.	7, 8	Public Works	31

2/10/2015	Amendments to BPD General Orders C-64 (Crowd Control), M-2 (Mutual Aid) and U-2 (Use of Force)	Refer to the Police Review Commission (PRC) and City Manager the attached changes to BPD General Orders C-64, M-2, U-2, and request that they return to the City Council with recommended revisions to the General Orders. The proposed changes are modeled after the Oakland Police Department's recent amendments to their Crowd Control Policy and address issues raised with the police response to the December 6, 2014 Ferguson protests. 2. Adopt a motion declaring as a temporary City of Berkeley policy that the use of chemical agents (tear gas etc.), Specialty Impact Less-Lethal Weapons ("projectiles" or rubber bullets, wooden dowels, stinger grenades, rubber bullets) and over the shoulder baton strikes, are prohibited uses of force in responding to crowd situations, until such time as an investigation is conducted as to the Police response to the December 6, 2014 protests, and a review of General Orders C-64, M-2, and U-2 is completed.	4	Police	32
7/14/2015	Referral to Planning Commission: Clarifying Front and Rear Units	Refer to the Planning Commission a request to clarify the relationship (height, bulk) between front and rear units when a rear unit is proposed for the rear yard.	1	Planning	33
12/16/2014	Referral to Planning Commission and City Manager Regarding the Feasibility of Requiring the Installation of Water Fountains/Filling Stations for New Commercial Development Projects	Refer to the Planning Commission and the City Manager the development of an ordinance requiring all new commercial development projects and remodels above a specified amount to incorporate a publicly available drinking fountain and/or water bottle filling station or locations on the premises where one may be installed without additional cost to the city for piping water to the location. Report back to council within 6 months.	5	Planning	34
12/17/2013	36. Revising the Berkeley Municipal Code to More Effectively Address Illegal Dumping	Direct the City Manager to propose potential revisions to the Berkeley Municipal Code to better address illegal dumping in the city.	2	Public Works	35

11/19/2013	19. Referral to City Manager: Changes to the Municipal Code Regarding Affordable Housing Requirement Implementation	Refer to the City Manager and Housing Advisory Commission: 1. The proposed changes to Berkeley Municipal Code (B.M.C.) Section 22.20.065, relating to affordability requirements and implementation of the Affordable Housing Mitigation Fee. Request that the City Manager and HAC review these concepts and provide a recommendation to the City Council on possible changes to the ordinance. 2. Requesting a report from the City Manager about how staff implement the provision allowing for reductions or waiver of fees, B.M.C. Section 22.20.080, including: a. What information is requested of the applicant to provide "satisfactory factual proof" that the waiver/reduction is a "hardship"? b. What process does city staff go through to determine how fee requirements make a project "infeasible"? What standard does the city use to determine "infeasibility"? The report should also explore requiring that the applicant pay for a third party to evaluate financial information to determine how the fees affect financial feasibility. The City of San Carlos requires the applicant to pay for a third party to evaluate their pro forma to determine whether the fee would make the project infeasible.	4, 5	Planning	36
1/17/2012	Referral to the Commission on the Status of Women (PDF)	Refer to the Commission on the Status of Women the alleged offensive treatment of women in custody at Santa Rita Jail, as reported below with the aim of ensuring that searches of women not be conducted in the presence of men (be they male officers or inmates) and any other changes in protocol that might be needed to ensure appropriate policies are followed during searches of women in custody.	1	Health, Housing & Community Services	37
12/17/2013	48. City Manager Referral: Preparations to Apply for Telegraph Pedestrian Safety Funds (Continued from December 3, 2013)	Refer to the City Manager to apply for Telegraph Ave pedestrian safety funds and to produce a preliminary plan for Telegraph pedestrian safety improvements as requested by the Telegraph Merchants Association.	7	Public Works	38
1/27/2015	Request that the City Manager work with Caltrans to upgrade the intersection at San Pablo and Cedar	Request the City Manager analyze the subject intersection and work with Caltrans to make improvements to prevent long back-ups at the intersection of San Pablo and Cedar, particularly focused on the need to create a left-turn lane onto San Pablo heading north.	1	Public Works	39
10/21/2014	City Manager Referral: Consider Implementing a Neighborhood Notification System for the City of Berkeley	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.	7, 8	Information Technology	40

6/24/2014	56a. Imposing Fees When Multifamily Properties are Destroyed Due to Fault of Property Owner	Adopt a Resolution that directs staff to make changes to the Demolition Ordinance or other City ordinances to accomplish the following:1. Make changes to the Demolition Ordinance requiring Owners of buildings that are destroyed due to the "fault" of the owner, including gross negligence or other conduct by the owner or his/her agents which constitutes the predominant cause of the destruction, to comply with the replacement unit provisions, tenant protections and relocation requirements under Sections 23C.08.020.A.4 and 23C.08.020.B and C; 2. Consider the establishment of a penalty schedule – either through the Rental Housing Safety Program or another mechanism – to facilitate compliance with habitability and life safety codes; 3. Impose a fee on property owners who decide to rebuild at the same site for each below-market rate unit destroyed through fault of the property owner; 4. Levy a fine, equivalent to the fee described above, against the owner of demolished property in the event that this owner elects to sell the site or retain it as an undeveloped parcel. If the property owner refuses to pay this fee, then it should be become a lien against the property; and 5. Revise the Relocation Ordinance to confer the same rights onto the tenants of buildings that are voluntarily demolished as other tenant situations specified under the Relocation Ordinance.	4	Health, Housing & Community Services	41
10/21/2014	Fair Chance Ordinance	1. Refer to the Labor Commission for review a Fair Chance Ordinance that would extend the City's "Ban the Box" policy to private employers within the City of Berkeley, which would remove any questions regarding an individual's conviction history from an initial application and delaying background check inquiries until later in the hiring process; additionally, the Ordinance would regulate background check inquiries to ensure that applicants are considered fairly for a job position 2. Adopt a Resolution urging our State Representatives and to introduce legislation extending the State's "Ban the Box" law to private employers and to reform employment background checks, which are often private companies that may provide inaccurate, incomplete and/or expunged conviction information. Copies of the Resolution are to be sent to Governor Jerry Brown, Senate President Pro Tem Kevin de León, State Senator Loni Hancock, Assembly Speaker Toni Atkins, Assemblymembers Nancy Skinner and Roger Dickinson, and the National Employment Law Project.	3, 4, 2, 7	Health, Housing & Community Services	42

2/9/2016	Supporting Worker Cooperatives and Referral to City Manager to Develop a Worker Cooperative Ordinance (Continued from January 12, 2016 – Item includes revised materials.)	Adopt a Resolution to support worker cooperatives, and refer to the City Manager to develop a Worker Cooperative Ordinance, which includes: 1. Revising the existing Buy Local contracting preference and adding a worker cooperative preference; 2. Revising the business permit application; 3. Incentivizing existing businesses to convert to cooperatives; 4. Creating business tax and land use incentives, and 5. Developing educational materials.	4	City Manager	43
10/21/2014	Installation of Automatic External Defibrillators (AEDs) in City Buildings	Review and consider implementation of a third party administered, citywide AED program. This program would be referred to the city's budget process for FY 2015 - FY 2016.	7	Fire	44
7/14/2015	Referral to Public Works Commission: Onsite Water Systems	Refer to the Public Works Commission an evaluation of onsite water systems, for non-potable use, with new developments in Berkeley and report to Council on its recommendations.	1	Planning	45
3/15/2016	City Manager Referral: Plan for Lighting and Signage at the Ohlone Greenway at Cedar, Rose, and Hopkins	Refer to the City Manager to develop a plan to improve the lighting and signage (e.g. stop signs) at the Ohlone Greenway crossing at Cedar, Rose, and Hopkins, particularly for bicycle transit.	1	Public Works	46
1/19/2016	City Manager Referral: Consider Adding Ygrene as an Additional Property Assessed Clean Energy Program	Refer to the City Manager to consider adding Ygrene as an additional property assessed clean energy program.	7	Planning	47
11/3/2015	City Manager Referral: Campus National Night Out to Reduce Crime	Refer to the City Manager to create a Campus National Night Out to help reduce crime in the campus area.	7	Police	48
11/18/2014	Fuel Station Carbon Dioxide Labels	Fuel station carbon dioxide labels	Commission	Attorney	49
5/1/2012	Amend the Zoning Code to Facilitate Toxic Remediation in Manufacturing Districts (PDF)	Refer to the Planning Commission recommendations for amending the zoning code in order to facilitate toxic remediation in manufacturing districts and to develop a streamlined process that would allow for one application process, rather than separate application processes for the City's Planning Department and the Toxics Division.	2	Planning	50

9/9/2014	Expansion of Residential Preferential Parking Citywide, Adjacent to Commercial Areas		1, 2	Public Works	51
3/8/2016	Electric Vehicles for the City Fleet	Request that the City Manager return to the Council with a Fleet Climate Action Plan for transition to all-electric vehicles (EVs) or plug-hybrids for the City fleet. The plan could: 1. set annual targets for greenhouse gas (GHG) reductions from City fleet operations in support of the City's Climate Action Plan; 2. require replacing all non-emergency vehicles and all possible emergency vehicles with EVs or plug-in hybrids by April 1, 2025, with an interim goal of a certain percent by April 1, 2018; 3. require conversion wherever possible to hybrid vehicles in cases where EVs or plug-in hybrids are not yet feasible; and	Mayor, 6	Public Works	52
2/10/2015	Evaluation of Possible Ban on New Planting of Certain Tree Species	Take action to either: a) Direct the City Manager to proceed with Option 1, and continue the City's current practice regarding tree plantings on City property, which currently do not include Eucalyptus, and Monterey Pine (except at the Marina).-OR- b) Adopt a Resolution as described in Option 2 that would ban the new planting of certain tree species on City property. -OR-c) Direct the City Manager to develop an ordinance for Council adoption that bans the new planting of certain tree species on both public and private property, and includes enforcement mechanisms.	6	Parks, Rec, Waterfront	53
2/10/2015	B. Amending BMC Chapter 11.60 for Compostable or Recyclable Foodware	Direct the City Manager to analyze the Zero Waste Commission's recommendation; refer the fiscal impacts of the recommendation to the budget process; and report back on the impact to the City's Zero Waste operations of implementing the requirement for compostable or recyclable foodware.	Commission	Public Works	54
1/27/2015	City Manager Referral: Add Easily Accessible Language Translation on City Website	Refer to the City Manager to add an easily accessible language translation feature on the City website.	7	Information Technology	55
10/27/2015	Private Parking Lot Regulations	Refer to the City Manager the development of an ordinance that would allow parking lot operators to manage their parking facilities so as to meet the needs of local businesses and their customers.	2	Attorney	56

11/17/2015	Installation of Solar Panels at the Donna Spring Animal Shelter Parking Area	Request that the City Manager pursue grant funding for a solar installation at the Donna Spring Animal Shelter parking area.	6, 2	Public Works	57
4/1/2014	9. Conversion of Loading Zones on Telegraph Avenue between Bancroft Avenue and Dwight Way into Regular Metered Parking with Morning Commercial-Loading Hours	The City Manager should examine the costs and time associated with yellow-zone conversion and present to the City Council a cost and implementation plan including recommended hours for restricted commercial loading.	Mayor	Public Works	58
12/6/2011	Classify Home Occupation Activities Receiving Five or Fewer Visits as Moderate Impact Home Operation (PDF)	Refer to the City Manager that the zoning code for Moderate Impact Home Operation (Moderate Impact HO) be amended to include home occupation activities receiving five or fewer visits weekly, requiring an AUP rather than a Use Permit with public hearing.	1	Planning	59
10/7/2014	City Manager Referral on "Digital Divide" in Ultrafast Fiber Optic Internet Technology	Refer to the City Manager to address the growing "Digital Divide" through making ultrafast fiber technology available to middle class and low income residents.	7	Office of Economic Development	60
10/21/2014	Westbrae Traffic Plan	Refer to the Transportation Commission and City Manager the development of a traffic management plan for the Westbrae Area.	1	Public Works	61
7/1/2014	18. City Manager Referral: Updating Graffiti Ordinance and Policies Based on a Review of San Francisco's New Ordinance	Refer to the City Manager and the Public Works and Parks and Recreation Commissions to create an ordinance that revises Berkeley's policies regarding graffiti, focusing on prevention and enforcement of regulations.	7	Public Works	62
11/18/2014	Future Development of the 4th Street Area	Request that the Planning Commission return to Council with possible options to ensure that future development of the 4th Street area is harmonious with the successful existing retail district.	5, 1	Planning	63
9/16/2014	City Manager Referral: Reform Berkeley's 3 Strike Rule, Whereby 3 Parking Tickets Can End An Entire Business	Refer to the City Manager to look into the unintended consequences of the 3 strikes law on Berkeley taxi cab owners, which can revoke a cab company's business license after receiving 3 parking tickets.	7	City Manager	64
9/29/2015	City Manager Referral: Creating an Animal Friendly Menu Policy for the Berkeley Animal Care Shelter at Official Sponsored Events	Refer to the City Manager to examine the feasibility of creating an animal friendly menu policy for the Berkeley Animal Care Shelter at official sponsored events.	7	City Manager	65

2/10/2015	Independent Investigation of Police Response to December 6, 2014 Protest	Direct the City Manager to initiate an independent investigation into the police response to protests on December 6, 2014 and to return to Council as soon as possible, but no later than 60 days with a contract to hire a qualified independent investigator. In considering who to select to conduct the investigation, the City Manager should give preference to former police chiefs or law enforcement officials with experience conducting internal investigations. To avoid the appearance of or possibility of conflicts of interests, the City Manager should avoid selecting an individual or firm who previously worked for the Berkeley Police Department or who previously or currently worked for any law enforcement agency in the San Francisco Bay Area. The City Manager shall ensure that the selected individual or firm has no apparent conflicts of interest. The Council also refers the questions attached to the report for the City Manager and outside investigator to consider in conducting their investigation.	4	Police	66
9/18/2012	6. City Manager Referral: Standardize Finance Categories of Software and Exclusively Internet Companies	Refer to the City Manager creating one simple clear standard for categorizing software companies and exclusively internet companies that do business in Berkeley	7	Finance	67
9/9/2014	Establish Pedicab Policy and Regulations	Refer to the City Manager and Transportation Commission the creation of an ordinance that would establish regulations for pedicab operators.	2	Public Works	68
3/15/2016	Referral to City Manager: Donation of Unsold Food to Charities (Continued from February 23, 2016)	Refer to the City Manager and Zero Waste Commission to develop an ordinance for Council consideration requiring supermarkets in Berkeley to donate their unsold food to charity. If no longer edible for human consumption require that it be donated for animal feed or compost.	4	Public Works	69
12/17/2013	43. City Manager Referral: Updating a Mandated Reporting Policy Under the California Child Abuse and Reporting Act	Refer to the City Manager to review the California Child Abuse Reporting Act to consider updating a Mandated Reporting Policy so that all appropriate city employees and volunteers are aware of their obligations in reporting abuse.	7	Attorney	70

5/21/2013	38. Referral to City Manager: Amendments to Affordable Housing Fee Ordinance	Refer to the City Manager and Housing Advisory Commission: 1. The proposed changes below to Berkeley Municipal Code (B.M.C.) Section 22.20.065 (Affordable Housing Fee Ordinance) for review and recommendation, and to develop an ordinance for Council discussion and action. 2. Amendments to Berkeley Municipal Code (B.M.C.) Section 22.20.080 (Hardship waiver) to establish more specific criteria for determining whether the fee requirements make a project infeasible and therefore make it eligible for a fee reduction. Is there a baseline standard that staff uses? A specific rate of return on the project? Additionally, explore removing language allowing fees to be waived entirely.	4	Planning	71
6/10/2014	49. Urban Agriculture Incentive Zones(Continued from May 20, 2014)	Direct the City Manager to to proceed with the next steps for implementing an Urban Agriculture Incentive Zone in Berkeley and to refer the matter to the Planning Commission.	4	Planning	72
2/9/2016	Extend the Berkeley Police Department Drone Moratorium for One Additional Year	Extend the moratorium on the use of unmanned aircraft systems, or "drones," by the Berkeley Police Department for one additional year.	7	Police	73
2/11/2014	17. Referral to City Manager: Exemption of Fire-Damaged Buildings from Affordable Housing Mitigation Fee (Continued from January 21, 2014)	Refer to the City Manager and Housing Advisory Commission (HAC) issues relating to the applicability of the Affordable Housing Mitigation fee to buildings destroyed by fire.	3, 4, 7	Health, Housing & Community Services	74
1/21/2014	26. Pending and Outstanding Referrals to the City Manager's Office and City Commissions by the City Council	1. Request the City Manager report on pending and outstanding referrals made to the City Manager's Office and City Commissions by the City Councilmembers. 2. The Referral Report will be sent to the Councilmember who made the referral for them to prioritize their top five referrals. 3. After the prioritizing has taken place, the City Manager will provide an estimate of cost, staff time and any other related costs likely to be incurred by the implementation of the referral. 4. Council shall then determine its priority of implementation so they may be reflected in the adoption of its budget.	Mayor	City Manager	75

11/18/2014	Expansion of Medical Cannabis Cultivation Beyond the Manufacturing (M) District Presentation	Request the Planning Commission consider amending the Zoning Ordinance to allow for medical cannabis cultivation in zoning districts beyond the Manufacturing (M) District.	Commission	Planning	76
2/19/2013	19. Driving Under the Influence (DUI) Policy Recommendations	Instruct the Mental Health, Community Health, Transportation, and Police Review Commissions to research and submit recommendations to the Peace and Justice Commission's DUI Subcommittee within six (6) months of referral. Research and recommendations should focus on improvements to Harm Reduction and Minimization policies with respect to DUI in Berkeley.	Commission	Health, Housing & Community Services	77
9/9/2014	Review of Occupancy Level as Part of Zoning Adjustments Approval Process	Include occupancy level to be established as part of the Zoning Adjustments review process.	1	Planning	78
1/31/2012	Tow Away Zones on MLK JR Way between Berkeley Way and Hearst Avenue (PDF)	Request that the City Manager consider possible parking and traffic configurations on the MLK block between University and Hearst Avenues that eliminate the need for commute hour Tow Away Zones.	4	Public Works	79

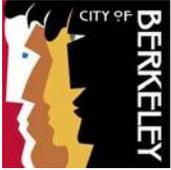
MEMORANDUM

B6.a

DATE: July 8, 2016
TO: Commission on Disability
FROM: Hazel Weiss, Commissioner
SUBJECT: "Service Animals Welcome" Information for Berkeley Business License Renewal Mailing

The Commission on Disability was asked by the Commission Secretary to identify informational materials regarding Service Animals to be included in the City of Berkeley's 2016 Annual Business License Renewal Mailing. These materials are also to be included with the issuance of new Business Licenses. The following information documents were previously approved by the City Manager (2012); any subsequent updates replace the original document:

1. City of Berkeley, "Service Animals Bulletin," revised 2016
2. U.S. Department of Justice, Civil Rights Division, Disability Rights Section, "ADA 2010 Revised Requirement Service Animals," July 2011
3. Note from the City Manager or Office of Access Services regarding the availability of "Service Animals Welcome" (Revised 2016) signs
 - a. Business License holders and the general public may download and print the sign at <http://ci.berkeley.ca.us/disabilitycompliance/>, or,
 - b. Pick up a sign at the Berkeley Chamber of Commerce.



Service Animals



The purpose of this Information Bulletin is to help businesses and service dogs' owners understand their collective rights and responsibilities relating to service animals. The applicable law regarding service animals in public accommodations within the City of Berkeley is the federal American with Disabilities Act (ADA), Title II (State and local government services) and Title III (Public accommodations and commercial entities), enforced by the US department of Justice (DOJ). Laws applicable to private workplace or housing units, or air travel are addressed by other federal or state regulations. For more information visit: www.ADA.gov

http://www.ada.gov/service_animals_2010.htm and
http://www.ada.gov/regs2010/service_animal_qa.html
or call 800-514-0301 (Voice) and 800-514-0383 (TTY)

What is a “Service Animal”

Beginning on March 15, 2011, the US DOJ amended regulations such that only dogs and miniature horses are recognized as service animals under Titles II and III of the Americans with Disabilities Act (ADA). Service animals are defined as dogs and miniature horses that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

Where are Service Animals Allowed

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

Service Animals Must Be Under Control

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or

other effective controls

Other Important Rules for Businesses Regarding Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Representatives of a business may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove his/her service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a business such as a hotel normally charges guests for damage that they cause, that business may also charge a customer with a disability for damage caused by their service animal.
- Businesses are not required to provide care or food for a service animal.

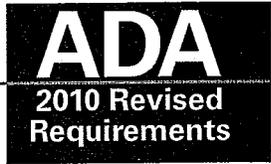
For More Information

The U.S. Department of Justice (DOJ) enforces the Americans with Disabilities Act. Visit www.ADA.gov or call 800-514-0301 (Voice) and 800-514-0383 (TTY) for additional information. The DOJ publication is available at http://www.ada.gov/service_animals_2010.htm
311 from any landline in Berkeley, or (510) 981-2489 from a mobile phone
TTY: (510) 981-6347

The information contained in this bulletin is from a U.S. Department of Justice (DOJ) publication.



BG.C



Service Animals

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

Overview

This publication provides guidance on the term “service animal” and the service animal provisions in the Department’s revised regulations.

- Beginning on March 15, 2011, only dogs are recognized as service animals under titles II and III of the ADA.
- A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability.
- Generally, title II and title III entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

How “Service Animal” Is Defined

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

This definition does not affect or limit the broader definition of "assistance animal" under the Fair Housing Act or the broader definition of "service animal" under the Air Carrier Access Act.

Some State and local laws also define service animal more broadly than the ADA does. Information about such laws can be obtained from that State's attorney general's office.

Where Service Animals Are Allowed

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

Service Animals Must Be Under Control

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a business such as a hotel normally charges guests for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.
- Staff are not required to provide care or food for a service animal.

Miniature Horses

In addition to the provisions about service dogs, the Department's revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Entities covered by the ADA must modify their policies to permit miniature horses where reasonable. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

**For more information about the ADA,
please visit our website or call our toll-free number.**

ADA Website
www.ADA.gov

To receive e-mail notifications when new ADA information is available, visit the ADA Website's home page and click the link near the top of the middle column.

ADA Information Line

800-514-0301 (Voice) and 800-514-0383 (TTY)

24 hours a day to order publications by mail.

M-W, F 9:30 a.m. – 5:30 p.m., Th 12:30 p.m. – 5:30 p.m. (Eastern Time)

to speak with an ADA Specialist. All calls are confidential.

For persons with disabilities, this publication is available in alternate formats.

Duplication of this document is encouraged. July 2011

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www.cityofberkeley.info/CERT



At Aquatic Park by Petra Liljestrand



BERKELEY CERT NEWSLETTER

Issue 3 Summer 2016

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Thank you to local photographers: Petra Liljestrand, Jennifer Lazo, the Cash for Cache group, private collection of Joe Cordes, and Tom Hutcheson.

If you have photos or articles to share, send them to mmcbride@ci.berkeley.ca.us

This Summer 2016 issue features articles representative of two slightly contradictory yet compatible goals of Berkeley CERT: Be Together and Be Self-Sufficient.

We are privileged to hear from Sarah Lana and Jennifer Lazo, who work in the City of Berkeley Office of Emergency Services. Sarah recounts a City Emergency Operations Center (EOC) exercise meant to be a simulation that became live when power suddenly went out in a good portion of Berkeley.

Berkeley CERT's own Steve Greenberg was included in the exercise and proved his worth. Sarah believes a CERT/City model, utilizing reports from neighborhoods directed to a CERT representative at the EOC, is doable.

Jennifer Lazo, who works closely with the Ed Roberts Campus, encourages us to include and utilize people with access and functional needs in disaster planning. Her message is that everyone who wants to can be put to work in disaster planning and recovery.

Rounding out the issue are articles from Berkeley CERT individuals who acted to enhance togetherness *and* self-sufficiency:

- Joe Cordes helped feed stranded seniors in a facility impacted by the floods in Houston, Texas. He advises us to prepare to help beyond our neighborhoods;
- A Berkeley cache group offers lessons learned from its block and bake sale. They earned a significant amount of cash to bolster their cache; and
- Tom Hutcheson goes on vacation and sends back photographs of volunteer and first responders when he happens upon them. In this issue are Tom's photos from Bordeaux, France, and Lopez Island of the San Juan Islands, Washington State.

Thank you to all contributors for taking the time to write these articles and send the photos that keep CERT volunteers connected and rolling. Have a great summer, Berkeley CERT!

Mary McBride, Editor and Volunteer Coordinator

BUILDING THE RESPONSE PARTNERSHIP WITH COMMUNITY MEMBERS: An Unexpected Opportunity for Berkeley CERT and the Office of Emergency Services

By Sarah Lana

On April 25, 2016, a scheduled training for the City of Berkeley staff and response partners turned into an activation.

The downtown Emergency Operations Center (EOC) went live when an explosion at a PG&E substation cut power to over 40,000 East Bay PG&E customers. The training-turned-response helped to demonstrate how CERT teams could help the EOC maintain a citywide situation status. Moving forward, the City's Office of Emergency Services (OES) will further refine the process to collect and manage information from CERT representatives.

Here's what happened: When the power went out around 9:30 a.m. on April 25, trainees in an EOC course calmly exited the building and convened in the predesignated gathering place on the sidewalk out front of the Main Library. After accounting for participants, the trainees quickly transitioned into response mode.

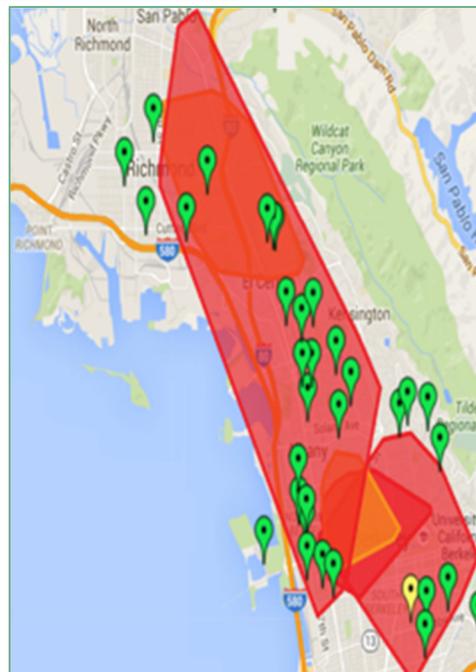
Just like at the beginning of any emergency, the team's first goal was to assess the situation. It was clear from darkened windows and traffic signals that the outage was affecting at least the entire block. Using cell phones to call staff at different sites around the city, the team learned that the outage was impacting a significant portion of Berkeley. With that information the OES staff moved the group's operations off of the sidewalk and into the EOC at the Public Safety Building.

Upon arrival at the EOC, participants were organized into different roles. This allowed them to focus on communication with specific response organizations, including City departments and the City's external partners (e.g., PG&E, UC Berkeley, the Red Cross, and the business community).

The City's new Draft Emergency Operations Plan recognizes that Berkeley community members are themselves a widespread network. The community at large has the potential to communicate valuable information that government responders might miss. The Emergency Operations Plan places a trained CERT representative in the EOC's CERT Unit, where s/he is responsible for communicating with CERT teams, who are, in turn, assessing the situations in their neighborhoods.

The April 25th power outage provided an unexpected opportunity to test this CERT Unit concept. Staffed by Berkeley CERT volunteer trainee-turned-responder Steve Greenberg, the EOC CERT Unit made contact with over 40 CERT representatives throughout Berkeley and learned that 40% of those respondents did not have power. This information, combined with that from government sources and PG&E itself, helped the City's EOC to develop a complete picture of how the power outage was affecting the Berkeley community overall.

This experience demonstrated that EOC CERT Unit model could provide valuable information to the City's EOC in emergency response.



This April 25th PG&E power outage map shows the power loss in Berkeley, Albany, El Cerrito, and north to San Pablo.

Berkeley OES's next planning goal will be to define a process and structure through which the most important information can be prioritized and sent up the chain from individual CERT teams to the EOC. OES will explore the CERT District Coordinator concept to support this hierarchical information management.

As the District Coordinator concept grows and the City gains more experience responding under the new Draft Emergency Operations Plan, OES is looking forward to continuing to build the response partnership with community members.

BERKELEY CERT can provide valuable information to the City's Emergency Operations Center (EOC) in an emergency response as demonstrated by this experience.

Sarah Lana



Photo by Jennifer Lazo

Community Emergency Response Teams are at their strongest when everyone's skills are used to their full potential.

Simply focusing on the challenges that people have during a disaster may lead to overlooking the important contributions that a person could give to a disaster response.

Jennifer Lazo

INCLUDING EVERYONE IN YOUR NEIGHBORHOOD'S DISASTER PLANS

By Jennifer Lazo

Key to making a neighborhood resilient is learning how to mitigate possible challenges and also how to utilize strengths. Notice the teenager in a wheelchair rolling to school each morning, the man with a service animal who greets you as you pass by on evening walks, the mother with small children who you often see playing in their yard, the working couple who have gone car-free and walk to BART for the day's commute. Each may be part of your neighborhood and each, in a disaster, has vulnerabilities that might be affected **and** individual capacities that can be used.

The emergency management community has begun to use the term, "Access and Functional Needs." It encompasses the needs of many different people, and generally includes people with disabilities, people who don't speak English fluently, people who don't have a car, and others who have a specific issue that makes it difficult for them to access a program or service. The new focus on people with access and functional needs is due to the significant differences in outcomes for this group during disasters. People without access to vehicles find it far more difficult to evacuate from a raging wildfire. If tree branches block sidewalks after a storm, a person using a wheelchair or a parent with a stroller may not be able to easily leave their home.

Consider these few tips when working with people with disabilities or other access and functional needs:

1. Always ask the person what needs they have and what the best way is for you to help (if needed);
2. Don't make assumptions about what people can do--they are the expert on their own needs, so by listening to them you will be able to help them most effectively; and
3. Think about accessibility when you set up an activity or event for your neighborhood, e.g., try to find an area that doesn't require going up stairs or a steep hill.

But simply focusing on the challenges that people have during a disaster may lead to overlooking the important contributions that a person could give to a disaster response. Each neighbor has something to offer that enables an effective response to a disaster. When you plan drills for your block, think about the variety of things that might need to be done after a disaster—not everyone needs to rescue people from damaged buildings!

Here are some jobs to consider:

- A note-taker who records where injured people were found, what treatment they were given, and, if needed, where they were transported;
- Someone who comforts and takes care of kids in a neighborhood while their parents clean up;
- A person who provides emotional support to people waiting for medical treatment or who are distraught by the events; and/or,
- A radio traffic monitor who takes notes on what CERT teams find and what actions they take, e.g., "House 1131 had no visible external damage. House 1133 had a smell of gas and the water heater appeared to be dislodged; CERT team members turned off the gas."

There are more! The best way to figure out who can do what is to work with your neighbors to learn their strengths. In the coming months there will be a new CERT class on including people with disabilities in your CERT team. Look at future emails for dates and times for the class.

Imagine suddenly being in charge of feeding 140 seniors in a major flood. Schools, day care centers, and other licensed facilities already have emergency plans but CERT's job is to help when the disaster is so big that normal emergency response goes out the window. Once you and your neighborhood are safe, start looking for other opportunities to help. Meet ALL of your neighbors—even schools and industrial facilities—so they recognize your team when you offer to help later.

Joe Cordes



Photo Courtesy of Joe Cordes

WHAT NEXT AFTER YOUR NEIGHBORHOOD IS SECURE?

By Joe Cordes

Berkeley CERTs are trained to secure our family and neighborhood after a big disaster. What next after your neighborhood is secure? Are there any assisted-living facilities, special-needs communities, schools, or other venues that your neighborhood CERT group should consider? If so, get to know them before disaster strikes. This is an account of my emergency response help in a short-term disaster...

On April 18, 2016, Houston Texas suffered historic flooding, with some parts of the city receiving over 17 inches of rain in less than 24 hours. Cypress Creek rose from a normal 64 feet to over 90 feet deep—almost five feet above major flood stage, in just a few hours. Eight deaths were directly attributed to the flooding—mostly from submerged cars and even a drowned tractor-trailer driver. Emergency responders performed over 1,200 water rescues and saved at least 70 stranded horses from flash flooding across the huge metropolis.

I was staying in my mother's assisted-living apartment in west Houston that weekend. The lightning and thunder continued all night. My first indication of trouble was a text from Southwest Airlines that my flight home to Berkeley had been delayed. A few minutes later it was cancelled. A few minutes more and all Southwest flights out of Houston Hobby airport were cancelled. After seeing dramatic video of a driver swimming to safety on national television, the gravity of the situation began to sink-in. It occurred to me that the staff at the assisted living facility would have trouble getting to work.

The night staff stayed late and performed all of the morning activities, including bringing the many non-ambulatory residents downstairs to breakfast. Then they left. Unfortunately the day shift workers were unable to reach the home for several hours due to flooded cars, roads, and mass transit. I went downstairs around 9a.m. and couldn't find ANY employees in a facility with 140 elderly and disabled residents. Fortunately the cook, Isabelle, had arrived at 6a.m. and was working in the kitchen. At first she refused my help, then told me that the tables needed to be cleared of breakfast dishes.

I found a cart and cleared the big dining room, offered residents coffee and tea, washed hundreds of dishes (learned how to use the industrial dishwasher), chopped tomatoes, peeled lettuce, made lots of sandwiches, put away dishes, made more coffee and pitchers of drinks, then started taking orders and serving lunch. As staff started arriving around 12:30p.m., they wondered what I was doing in the kitchen! Isabelle explained our heroic lunch and everyone gave me hugs and thanks. The senior staff bought me lunch the next day and gave me a nice card signed by the employees. I was just happy for the opportunity to help, like any Berkeley CERT.

CASH FOR THE CACHE! MONEY EARNED AND LESSONS LEARNED AT A MLK CACHE GROUP'S YARD & BAKE SALE

By Lisa Cain

With many hands doing light work, a fun, social yard sale raised \$675 for the group's earthquake supplies. Preparations took only 6 weeks, from the block leader's first email gauging interest, to an organizing meeting at the coordinator's home, to the event.

The block furthered their social ties with a pizza party the night before to get a head start staging the items, pricing, and sign making. On the day of the sale neighbors stopped by and either brought a few things to donate and/or stayed for a while to enjoy some conversation and the great weather.

A core group of about eight people led the effort and managed the pricing, set-up, cleanup, and marketing (online and off), and a larger group of 13 households from the block contributed yard sale donations or baked goods.



Photo from the MLK Cache Group

Donations included kids' items, electronics, books, furniture, and more.



Photo from the MLK Cache Group

The sale was buzzing well before the official start time of 10a.m., and by 3p.m. the leftovers were headed to Goodwill and the driveways were clear again.

Here are a few of the lessons learned:

- Advertise with signs posted in and around the walk-able neighborhood. This paid off even more than the online effort via Facebook, Next Door, Craigslist, and Berkeley Parents Network;
- Put out a 'tip jar' indicating that you're fundraising. The group received an extra \$20 from doing this easy step;
- Focus the sale in one or two driveways. The group was able to use a double driveway mid-block that was extra long and wide;
- Group like items together as it makes it easier for the shoppers;
- Don't try and price every item. Have prices per table or category to save time and hassle;
- Ask for as many loaner tables as possible. Shopping is more pleasant when things are accessible;
- Ask neighbors to move their cars so that shoppers can readily pull up and park;
- Stock up on small bills and coins to make change;
- Have a staging area (and sign-making party) the night before to make the morning of the sale calmer; and
- Homemade baked goods, lemonade, and canned sparkling water were an easy addition that raised approximately \$150.

Have fun with your neighbors!



While he's on vacation Tom Hutcheson takes photographs of Readiness Volunteers and Responders wherever he finds them. The photo above and the inset are from Bordeaux, France. The inset is of moulaged volunteers as disaster victims and the emergency responders are waiting for the drill that will involve them.

Below Tom's photo is of Volunteer Firefighters on Lopez Island of the San Juan Islands, Washington.

