**Chat Messages – BNC Meeting October 14, 2023**

**Toni** 21:03

Margot, is this an announcement?

 **Paola Laverde** 23:31

Chris, could you please put the information about Monday’s event in the chat?

 **Margot Smith** 24:34

Thanks, I’m running! Please see my website, https://www.margotsmithforassembly.com/

 **Christopher Kroll** 24:53

Info on Homeless meeting on Monday

 **Christopher Kroll** 25:35

* Info on Homeless meeting on Monday https://mail.google.com/mail/u/0/#search/merylsiegal%40gmail.com/FMfcgzGtxdZHdcvRBBzHfzBhPSbsklrN?projector=1&messagePartId=0.1
* **Margot Smith** 27:53

Please explain by-right

* **phil allen/Alameda-WBerkeley** 30:58

.. except for height.

* **Margot Smith** 33:15

How does this relate to SB9? Is this 2 4-plexes plus jr and ADU, so you have 8 units per lot like SB 9?

* **Christopher Kroll** 35:01

what will this do to open space setbacks? will total building coverage result in complete building coverage on lots if so desired by builder?

* **Margot Smith** 35:22

How much water would these use? How much parking would they generate?

* **Margot Smith** 36:37

Are these at market rate?

* **Paola Laverde** 38:24

How do in-lieu-fees apply to these units if the developers do not provide affordable units?

* **Margot Smith** 42:05

What about rent controlled housing demolished?

* **Mary Behm-Steinberg (she/her pronouns)** 42:25

What about low-income owner occupants?

* **Paola Laverde** 42:32

Please explain the right of first refusal on demolition

* **elisamikiten** 42:52

Replying to "How do in-lieu-fees ..."A fee based on square footage

* **phil allen/Alameda-WBerkeley** 42:53

Curious as to how these proposals will affect properties of the Deciders (on the Council, in the Planning Dept.). Do they keep their back yards (for entering the important) ..

* **phil allen/Alameda-WBerkeley** 44:20

Infrastructural 'improvements'? ..

* **Bryce** 44:31

Will these units prohibit term leases or month to month rentals? Properties of three or more units have these restrictions now.

* **Bryce** 45:49

The restrictions on term rentals are a big issue for many owner occupants.

* **elisamikiten** 47:31

Not legal. Can’t do it.

* **phil allen/Alameda-WBerkeley** 48:25

Of course you haven't discussed neighborhoods' destruction--they don't matter ..

* **elisamikiten** 49:02

Replying to "Not legal. Can’t do ..."The property rights are the same, regardless of who owns the property.

* **Mary Oram** 49:16

Encouraging smaller units appeals more to students than families. I thought the point was to find more housing for families.

* **Mary Behm-Steinberg (she/her pronouns)** 50:17

The Fire Marshal’s report indicates that ambulance response times are already substandard, and getting worse as demand increases with density and roads narrow. Why isn’t this part of objective standards?

* **Bryce Nesbitt** 51:22

What about gut demolitions where only the original sticks are left? Current code favors this method, and planning staff teaches this method to applicants, despite some major energy downsides to that construction.

* **Christopher Kroll** 54:14

More lot coverage = more urban heat island and less permeable surface.

* **Stephanie Thomas** 55:17

Hi I am Stephanie Thomas a long term Berkeley resident. I don’t have a mic or a cam but I can see everyone. I can later get on a phone for comment

* **Paola Laverde** 59:33

Reacted to "Encouraging smaller ..." with 👍🏼

* **Paola Laverde** 01:03:42

So there’s no affordability requirements for small projects - less that 5,000 square feet.

* **Paola Laverde** 01:05:16

Measure Q took away tenants protection on ADUs and new construction does not come under rent control

* **Toni** 01:05:26

ADUs are not rent controlled under Costa Hawkins (new construction) and measure Q (Berkeley)

* **phil allen/Alameda-WBerkeley** 01:06:54

I'm only confused by the facts ..

* **Bryce Nesbitt** 01:09:02

New construction is only exempt for a limited time, and Statewide Costa Hawkins may not stand in the future. My point is that owner occupants are very leery of lifetime leases and prohibition on term leases. This will push for more corporate ownership, less owner occupied ownership.

* **Toni** 01:10:31

I agree with Bryce that individual owners will not have the financial resources to buy single family homes, demolish them, and build new units on the lot. These changes will encourage corporate take over of the neighborhoods.

* **Paola Laverde** 01:11:10

Reacted to "I agree with Bryce t..." with 👍🏼

* **Toni** 01:11:41

Reacted to "I agree with Bryce t..." with 👍🏼

* **Mary Behm-Steinberg (she/her pronouns)** 01:12:26

What about irregularly sized and shaped lots?

* **Paola Laverde** 01:13:06

How does the parking permit align with the City’s effort to reduce its carbon footprint?

* **Paola Laverde** 01:14:53

So this is all rental units, not condos for sale?

* **Mary Oram** 01:14:55

Housing is needed where jobs are being created or, in the case of Berkeley, where the university continues to admit more students without providing housing for them. Berkeley will be increasing its density to provide housing for students and for people who will work at the jobs that are being created in the south bay. Berkeley will not increase its tax base from either of these groups of residents but will increase the cost of services such as police, fire and schools it needs to provide for them.

* **Bryce Nesbitt** 01:15:07

Measures MM and Q protection for owner occupants don't extend once a third unit is added, eg an AUU plus JADU. Nor for GD properties. That’s why few of my clients are interested in establishing JADUs even if they have space. Rent control for a JADU is a nonstarter. It’s complicated. Not feasible.

* **kelly hammargren** 01:15:34

if the goal is no McMansions, why don’t we have a limit on the size of any single dwelling.

* **Paola Laverde** 01:16:01

Reacted to "if the goal is no Mc..." with 👍🏼

* **Mary Behm-Steinberg (she/her pronouns)** 01:16:37

Rent control could be feasible, if it weren’t paid for by small landlords—with a California economy that now exceeds Germany’s, it’s time to tax large corps to bridge the gap, as no one can afford to rent out low income units under current rules.

* **kelly hammargren** 01:17:00

what are neighboring cities doing in regard to density? Are they similar or is Berkeley an outlier

* **Janis Ching, BNC** 01:17:41

Info on Homeless meeting on Monday

https://mail.google.com/mail/u/0/#search/merylsiegal%40gmail.com/FMfcgzGtxdZHdcvRBBzHfzBhPSbsklrN?projector=1&messagePartId=0.1

* **iPhone** 01:19:19

Carole Marasovic is the call-in person. I am using Zoom on my phone for the first time so did not know how to identify myself.

* **phil allen/Alameda-WBerkeley** 01:19:40

Keep/plant new trees whenever possible, especially over our wide medianed avenues ..

* **kelly hammargren** 01:19:40

Portland in heat dome measured 116 as high temperature, but poor areas with more concrete, few trees measured 124 degrees, Chris Kroll is exactly right on urban heat island

* **Bryce Nesbitt** 01:23:00

Will zoning consider the impact on existing neighboring solar? for example by requiring the new project contribute bill credits from the new higher solar array? ☀️

* **Ton I** 01:24:29

The corporate housing industry (Cal YIMBY) agenda: 1. deregulate (crush zoning) 2. takeover of local zoning by the state 3. demolish working class single family neighborhoods 4. transfer the burden of affordable housing from developers to homeowners by reducing the 2/3 tax threshold.

* **Mary Oram** 01:24:44

the state consider existing density when it calculated how many units needed to be added to each city?

* **Mary Behm-Steinberg (she/her pronouns)** 01:25:34

The Mayor stated at the State of the City that even though current law requires 9000 unit, he’s pushing for 15000.

* **Bryce Nesbitt** 01:28:41

Costa Hawkins prohibits rent control on new construction... But that law has been on the ballot several times, and may not stand.

* **Mary Behm-Steinberg (she/her pronouns )**01:29:43

I drew up a plan for how to protect renters and small property owners alike, to avoid corporate takeover or threats to existing residents’ homes. Hit me up if you’re interested.

* **Bryce Nesbitt** 01:30:11

Corporate and industrial nonprofits will build most units as far as I can see under these rules. It won't feel very local.

* **Mary Behm-Steinberg (she/her pronouns)** 01:30:56

For sure, industrial nonprofits will eventually flip many of them with investors to fund themselves.

* **Christopher Kroll** 01:32:05

thanks Justin for coming and speaking to us

* **Stephanie Thomas** 01:32:32

I have a friend who would like to hear the presentation later. Would it be on the website or where else?

* **Janis Ching, BNC** 01:33:02

Planning Commission Meeting November 1st North Berkeley Senior Center

* **Carole Marasovic** 01:34:40

This message is for Mary Behm-Steinberg. I have been attempting to reach you regarding your written communication on the proposed encampment policy. You made a reference in that communication that the $94,000. In RV pump-out monies had been allocated by Council previously in the June budget process. That is not the case. It was a budget referral to the Council Budget and Finance Committee. There are many budget referrals. They do not all pass at the Budget Committee with the recommendation that they pass at Council. At the Budget Committee recommending the June allocations, the Council Budget Committee comprised of the Mayor, Kate and Rashi did not recommend this $94,000 for the pump-out in the June budget process. Those monies were not allocated by Council. However, the Council Budget Committee is now recommending a budget for the November budget process. At last Thursday’s Council meeting, in my individual capacity, I vigorously advocated that these be allocated for the RV pump-out in the November

Meeting.

* **Bryce Nesbit t**01:38:04

Fyi: I created, permitted and ran the City's prior RV sewage dump. Happy to comment. Please note "pump out" is not the correct term,

* **World's First Zoom SARS-COV2 Transmitted Infection** 01:42:54

Class 1: e-Bikes that are pedal-assist only, with no throttle, and have a maximum assisted speed of 20 mph. Class 2: e-Bikes that also have a maximum speed of 20 mph, but are throttle-assisted. Class 3: e-Bikes that are pedal-assist only, with no throttle, and a maximum assisted speed of 28 mph.

* **World's First Zoom SARS-COV2 Transmitted Infection** 01:43:19

However many manufacturers publish instructions on bypassing the speed restrictions.

* **Stephanie Thomas** 01:43:32

I agree w/ Mr Fred about the possible lack of safety for pedestrians if they widen the pathway especially through Cedar Rose Park. A good safe plan would be to be to have the pedestrian pathway separate on the western side of the park, This way would avoid more foliage and trees being eliminated. Pedestrians walking through a park want to enjoy the nature and relaxation there- not need to dodge fast moving bikes, especially electric ones which are heavier and cause more injury if there is a coalition. This would be especially harmful for disabled people. If one is hard of hearing one might not hear the call our that bikes make” to your left” or the ring of a bell. A good way is like they have under the BART tracks in Albany where there s a separate path for pedestrians. The motorized bikes and scooters belong on the road. I miswrote the passcode for calling in so need to chat.

* **Steve Medbery** 01:44:07

Agree with this presentation

* **Mary Behm-Steinberg (she/her pronouns)** 01:44:15

Exactly, and the NYT recently ran a story on how some kids bypassing the built-in speed limits ended up playing chicken with cars on the freeway, having converted their bikes to high speed vehicles.

* **Bryce Nesbitt** 01:45:53

The Greenway design at Peralta completely ignores the speeds on Peralta, and increases (not decreases) the potential for conflict there.

* **Carole Marasovic** 01:47:48

Continued to Mary Behm-Steinberg. November budget process. The next Budget Committee meeting where budgetary recommendations are issued by the Council Budget and Finance Committee for the November budget process will be October 26, 2023. That is the opportunity to publicly comment on the need for this $94,000 for the RV sanitation allocation. Mary, a subcommittee on the proposed encampment policy will be held at the East Bay Media Center on Addison in downtown Berkeley this Monday evening at 7:00 p.m. Everyone from the community is welcomed to comment. Bryce, I read your comment in chat. Please feel free to correct my terminology. I was using terminology that has been frequently used about this sanitation need. The point is that the community needs to recommend that this allocation be made in the Council November budget process.

* **Mary Behm-Steinberg (she/her pronouns)** 01:47:59

Thanks

* **Bryce Nesbitt** 01:48:04

There is no longer a difference between a small motorcycle and a heavy e-Bike. It's now a continuum from roller skate to Humvee.

* **Paola Laverde** 01:50:48

No matter what we say in public meetings, our voices are ignored by the city council.

* **Mary Behm-Steinberg (she/her pronouns)** 01:50:59

Also, I should note that there are currently 2 lawsuits by Disability Rights Activists against the City, one for sweeps against the unhoused when there aren’t safe, accessible shelters or housing available to them, the other for not honoring the terms of the ADA for accommodation relating to participation in Commission meetings. Lawsuits are likely to continue and grow as the City continues running roughshod over the basic needs of disabled people (and seniors).

* **Bryce Nesbitt** 01:52:19

@Carole Marasovic pumps and dumps for RV serve different needs and users. The station I facilitated was part of the City's Grayson RV parking, and last operated December 2022. RTEBN was the non profit sponsor, the City of Berkeley the sponsor and owner.

* **Mary Behm-Steinberg (she/her pronouns)** 01:53:11

They will always have a certain number of RVs that are immovable as well, so I believe there will still need to be a hybrid plan.

* **Mary Behm-Steinberg (she/her pronouns)** 01:58:45

How does that work without either narrowing roads or taking property by eminent domain?

* **phil allen/Alameda-WBerkeley** 02:00:20

Wide sidewalks should have been included on University Av., etc. (property lines) a hundred years ago ..

* **Bryce Nesbitt** 02:00:35

The RV waste budget item does not yet have a clear plan, or a clear recognition of the mobile/immobile RV wate issues. Note: The biggest problem in the pilot RV waste program was a very high percentage of RV tank leaks due to maintenance and rat issues, resulting in a significant number of sewage spills.

* **Paola Laverde**02:04:07

Stone Fire on University @ Milvia has been open for at least 8 years and the storefront is still empty.

* **Mary Behm-Steinberg (she/her pronouns)** 02:04:47

One last comment on the road and disability issue: the disabled community is one that anyone can join, at any time, so this isn’t a “special interest” issue. We’re all only temporarily abled, and as the population ages, or people are injured on poorly designed bike lanes, this will be an issue for an increasing number of people (even if we were to stop hyper densifying now).

* **phil allen/Alameda-WBerkeley** 02:05:44

Thanks, Elisa! ..

* **kelly hammargren** 02:07:03

Janis can you save the chat to go with the meeting, it is not set up for attendees to save. could we change that in the future. thanks

* **Christopher Kroll** 02:07:03

What makes a Berkeley Street

* **Paola Laverde** 02:07:04

I love the trees on my street - MLK, but the sidewalks are in horrible shape because of the tree roots. Trip hazards are a real issue.

* **Christopher Kroll** 02:07:32

https://mail.google.com/mail/u/0/#search/elisamikiten%40mac.com?projector=1

* **Stephanie Thomas** 02:07:50

Thanks Kelly. I had planned to save the chat.

* **Christopher Kroll** 02:08:29

I just put Elisa’s Berkeley Streets piece in the chat

* **Mary Behm-Steinberg (she/her pronouns)** 02:09:20

There should be food grown where possible, including fruit trees.

* **phil allen/Alameda-WBerkeley** 02:09:33

Structural engineering is what passes for residential 'architecture' here, today ..

* **Mary Behm-Steinberg (she/her pronouns)** 02:11:35

Streamlining is a huge concern. The “Standard,” an apt. at 2580 Bancroft, was deemed safe to build, in spite of underground creeks which flooded it during the recent floods. At least in the section I toured, it was full of visible mold, as well as a toxic soup of chlorine, epoxy smells, diesel from a generator, and sewage. It is a mess, and tenants are complaining to me about vomiting blood on a regular basis.

* **Paola Laverde** 02:11:59

Great presentation, Elisa! Thank you.

* **elisamikiten** 02:12:44

Replying to "Thanks, Elisa! .."You’re welcome. Nice to see you.

* **Paola Laverde** 02:13:03

Replying to "Thanks, Elisa! .."Good to see you too!

* **phil allen/Alameda-WBerkeley** 02:13:09

Right on, Shirley! ..

* **Steve Medbery** 02:13:39

Agree with Shirley

* **elisamikiten** 02:13:41

Replying to "Thanks, Elisa! .."You too!. Let’s talk about the proposed demo ordinance.

* **Carole Marasovic** 02:14:45

Interesting discussion about the bike issues which I hope will continue. Anyone that states Berkeley is accessible does not recognize the difficulty navigating broken sidewalks and damaged street pavement.

* **Janis Ching, BNC** 02:15:12

Forum on Sea Level Rise:October 23, 7pm

* **phil allen/Alameda-WBerkeley** 02:16:47

The housing fascists will never--i.e., will vote down--any attempt to humanize our future via new Plans ..