

**AGENDA**  
**SPRINGFIELD CITY COUNCIL MEETING**

**February 15, 2015**

**6:00 P.M.**

Council Chambers - 2134 Martin Luther King Jr. Way

Councilmembers:

District 1 – Linda Maio  
District 2 – Darryl Moore  
District 3 – Max Anderson  
District 4 – Jesse Arreguin

District 5 – Laurie Capitelli  
District 6 – Susan Wengraf  
District 7 – Kriss Worthington  
District 8 – Lori Droste

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, 981-6900.

The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

## **Preliminary Matters**

### **Roll Call:**

**Ceremonial Matters:** In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

**City Manager Comments:** The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.

**Public Comment on Non-Agenda Matters:** Persons will be selected by lottery to address matters not on the Council agenda. If five or fewer persons submit speaker cards for the lottery, each person selected will be allotted two minutes each. If more than five persons submit speaker cards for the lottery, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Speaker cards are not required for this second round of public comment on non-agenda matters.

**Public Comment on Consent Calendar and Information Items Only:** The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Up

to three speakers will be entitled to two minutes each to speak in opposition to or support of a Consent Calendar Item. The Presiding Officer will ask additional persons in the audience to stand to demonstrate their respective opposition to or support of the item.

In the event that there are more than three persons wishing to speak either in opposition to or support of a “Consent” item, the Presiding Officer will move the item to the beginning of the Action Calendar. Prior to moving the item, the Presiding Officer will fully inform those persons in the audience of this process.

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

## Consent Calendar

The Council will first determine whether to move items on the agenda for action or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to action. Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

After hearing from public speakers regarding items remaining on the Consent Calendar, any Council Member may move any Information or Consent item to “Action”, however no additional items can be moved onto the Consent Calendar at that point. Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items removed from the Consent Calendar to the Action Calendar for additional public comment, at the time the matter is taken up during the Action Calendar, public comment will be limited to persons who have not previously addressed that item during the Consent Calendar related public comment period.

1. [Lease Agreement: Hana Japan Restaurant at 235 University Avenue](#)  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,451-N.S. authorizing the City Manager to execute a lease agreement and any amendments with the Hana Japan, Inc. restaurant at 235 University Avenue at the Berkeley Marina for a term of one year at an annual rent of \$33,000.  
**First Reading Vote:** Ayes – Maio, Moore, Arreguin, Capitelli, Wengraf, Worthington, Droste; Noes – None; Abstain – Anderson; Absent – Bates.  
**Financial Implications:** \$33,000 (Revenue)  
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
2. [Settlement of Rosenfelder, et al. v. City of Berkeley, et al. ACSC No. RG15782465](#)  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing settlement of the lawsuit Rosenfelder, et al. v. City of Berkeley, et al. ACSC No. RG15782465, for \$45,000 plus attorney fees and costs not to exceed \$5,675.  
**Financial Implications:** See report  
Contact: Zach Cowan, City Attorney, 981-6950
3. [Minutes for Approval](#)  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of November 3, 2015 (special closed, special and regular), November 10, 2015 (special closed and special) and November 17,