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# NEBA News

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*NORTH EAST BERKELEY ASSOCIATION*

*Fall 2017*

★★★★★ *BERKELEY CAPITAL PROJECTS AND BUDGET EDITION* ★★★★★

## President's Message

***NEBA wants you! Join us!***

First, we thank Isabelle Gaston for her extraordinary accomplishments as President of NEBA for the past five years, and for her knowledge and wisdom deciphering complex Berkeley issues. We will miss her leadership! A giant thank you to our outgoing Treasurer, Cole Smith, and to Gloria Polansky, both on the board for many years. We are delighted to welcome two new board members, our new Treasurer, Michael Harland, a health care patient advocate, and John Hitchen, retired EBRPD Park Supervisor and Public Works Commissioner!

There is no shortage of important issues in Berkeley! However, this issue of the *NEBA News* is shorter than usual due to postage and printing costs beyond our means. Additional information appears on our website. Members who do not use the internet, please drop us a note, we will mail printed copies. You get news and opinions here that you will not get anywhere else! \*\*\* Members, thank you for your support! \*\*\* **Sharon Eige**

## The Sidewalks Policy and Program in Berkeley by John Hitchen

Streets and sidewalks are the most basic elements of our transportation network. Berkeley has over 300 miles of sidewalks, more than its 216 miles of streets, and 136 pathways. Unlike streets, there has never been a complete inspection program to prioritize repairs and replacement of sidewalks, and the pathways are maintained almost entirely by the non-profit volunteer Berkeley Path Wanderers Association.

Because state law has long held that adjacent property owners are responsible for maintaining the sidewalk, curb and driveway located in the public-right-of-way; the city previously requested full reimbursement for the cost of repairs. Because of the high cost, staff and residents alike spent a lot of time negotiating how much each party was responsible for. However, to ensure that sidewalks were safe and to minimize liability claims, the city has been performing many needed repairs.

On October 1, 2011, the City Council passed a resolution whereby Berkeley began sharing the liability and repair costs for broken sidewalks with a 50-50 cost sharing program with property owners. This program has been very successful in terms of incentivizing property owners to get on the repair list, with about 400 new requests each year. If deemed hazardous, the city can require a property owner to replace their sidewalk themselves or authorize the city to do so.



*Sidewalk lifted by a Camphor tree 800 block of San Luis Road*

According to the 2018-2019 Capital Improvements Plan, \$1,235,000 is available per year for temporary repairs, the proactive sidewalk program, ADA curb ramp program, private party sidewalks, pathway repairs, and the sidewalks program expansion. At an average shared cost of \$3200, the private party sidewalks 50/50 waiting list has grown to a backlog of \$7,000,000 worth of work. The money comes from 5 sources: the state transportation tax, Measure BB, Measure F-vehicle registration fee, the capital improvement fund, and the private party sidewalks fund. Phase One T-1 funds will apparently not be used, even though sidewalks are the foundation of the urban transportation network, and a community's walkability score has become a key element in its desirability and property values. Funding for sidewalks has increased significantly, but so far, just like paving, we are still falling farther behind every year.

Berkeley's current spending on sidewalks is less than .3 of a percent of total city spending of about \$360,000,000. Urge your Councilpersons to ask the City Manager for frequent progress updates on our streets and sidewalks programs, and to consider increased funding to meet a goal of improving our sidewalks to an average very good condition over the next 10 years. Unlike so many city expenditures, sidewalks are a tangible capital asset that can last up to 100 years. <https://www.cityofberkeley.info/uploadedFiles/Manager/Budget/FY 2018 FY 2019 Proposed CIP Budget Book rev 52317.pdf>

### **Berkeley Budget Update by Isabelle Gaston, PhD**

Over the last three years, the City has hired 73 new employees – with no new sources of revenue to pay for them. In the City Manager's office alone, five new positions were created at a cost of approximately \$1.5 million. The deficit this budget cycle (FY2018 to FY2019) has ballooned to \$10.5 million, mostly due to employee compensation; and the City's unfunded liabilities for its retirees now surpass \$640 million. This includes a whopping \$90 million increase in one year alone (2016).

In 2016, a total of 162 City of Berkeley retirees received >\$100,000 pensions; and pensions exceeding \$150,000 are increasingly common because of the high salaries employees receive. Berkeley's previous City Manager who retired in 2011, Phil Kamlarz, receives a pension of \$266,403 (per year) with an annual COLA to keep up with inflation. And his predecessor, Weldon Rucker, who retired in 2003, receives a pension of \$219,218.

Thus, the City's biggest challenge is its pension and also health care costs – costs that are being transferred to the next generation without any apparent alarm by City officials. The current City Manager will not provide any information as to the long-term costs of employees, including the new hires. Such information, she says, will have to wait until the City's actuary's next presentation in 2019. How can a City intelligently plan - or have a realistic budget - without having a vague notion regarding its expenses? It's pretty clear the City is failing in this regard and that is why the unfunded liabilities increase by tens of millions of dollars every year.

Since becoming City Manager two years ago, Ms. Williams-Ridley has overseen the cutting of services, raising of taxes, and driving up the deficit - all so that she can hire more employees, give raises, and protect vested interests. For example, employees (even those making over \$200,000 a year) do not contribute anything to their own health care even though there was a 16.6% increase in Kaiser premiums this year. And in 2015, despite a structural deficit of several million dollars, the City Manager granted employees (including herself) a \$16 million raise.

The new progressive City Council's lack of financial responsibility was on full display this past March when they voted unanimously to give the City Manager a low-interest loan of \$800,000 towards the purchase of a house - in Pinole - despite her generous salary of \$271,688 and additional compensation of >\$109,000. Our tax dollars at work!

<http://www.eastbaytimes.com/2017/08/22/report-147-hayward-retirees-paid-100000-plus/>  
<http://transparentcalifornia.com/pensions/search/?q=city+of+berkeley&y=>

### **Proposed Improvements to John Hinkel Park by John Hitchen**

John Hinkel Park is widely appreciated by nearby neighbors and many East Bay residents as a woods, natural retreat from our busy city lives. Dedicated to the City of Berkeley in 1919 by its namesake, John Hinkel, it features a network of pathways along its steep slopes rising from Southamton Rd to San Diego Road above.

In 2008, Measure WW passed, which provides \$500,000,000 for park capital projects in Alameda & Contra Costa counties, with 25%, or \$125,000,000 allocated to east bay cities based on population. Berkeley's allocation is \$4.876 million, of which approximately \$500,000 is to be spent on John Hinkel Park.



*The John Hinkel Amphitheatre 1934*

A series of neighborhood public input meetings have been held over the past two years; and according to Parks & Waterfront Director, Scott Ferris, citizens wanted the park to stay natural, preserve the native oaks and other trees, and add a new swing set to replace one removed many years ago in the lower portion of the park. Since the old swing was removed safety standards for swings have become much stricter, and now require a larger footprint, wood fibre surfacing, and allow only smaller scale swings unlike those from the 1970's. Another alternative that was not seriously considered due to citizen feedback would be to remove the large, low horizontal limb on the old live oak next to the play area, which would provide adequate room for the swings.

The most controversial element of the design is the synthetic turf used to stabilize and cushion the steep slope adjacent to the swing area. Many residents have objected to this material from an aesthetic standpoint, and a few have alleged that artificial turf is hazardous due to its synthetic composition. The city defends its proposed use, pointing out that it is already in use at all 6 elementary schools in Berkeley, and at Totland park, with few complaints and much praise. [https://www.cityofberkeley.info/uploadedFiles/Parks\\_Rec\\_Waterfront/Level\\_3\\_-\\_General/JOHN\\_HINKEL\\_REVISED\\_PLAN\\_\(002\).pdf](https://www.cityofberkeley.info/uploadedFiles/Parks_Rec_Waterfront/Level_3_-_General/JOHN_HINKEL_REVISED_PLAN_(002).pdf)

Whatever the final proposal is, the majority of the funding will be used to build asphalt pathways for ADA access from Southampton up to the picnic and play areas, and to the upper amphitheater. Improving universal access is required by state law, and these pathways will definitely make it easier for all to reach the developed areas.

If you prefer a less developed alternative without the swings, contact your Councilmember, Parks and Waterfront officials. The design proposal will soon go to the Landmarks Preservation Commission for approval.

### **Five Sad Truths About T1 And Why NEBA Should Care by Robert Krumme**

Everyone understands what T1 is – a bond measure authorizing \$100 Million of well-planned investments in critical Berkeley capital projects selected after extensive community input and using the best engineering practices. Unfortunately, the only accurate part of the above is the dollar amount. Here are some sad truths about T1 expenditures:

- Phase I spending totaling \$32 Million is already allocated to regular on-going operational expenses. \$14 Million is to be spent to complete projects promised under old Measure M fund. A lot is allocated to repaving deteriorated streets but this is merely relabeling as capital programs what is properly a recurring operational expense.
- Balance of the \$100 Million is also committed to a grab-bag of projects chosen with minimal public input and without connection to a plan. Despite claims, the City's community outreach program was cosmetic only. Truth of municipal politics: the people with the information control the bond monies and that is proving true here. The history of bond measures illustrates this: consider – Measure A, Measure S, Measure M, Measure I, Measure T1, and soon Measure T2, another \$100 million bond after Measure T1.
- Turnover in a demoralized public works staff invites the question whether the City should not delay T1 investment until its own engineering infrastructure is in a place. The City should delay proceeding with any T1 expenditures until a Capital Programs Management function is in place, including an independent Program Manager reporting to the City Manager. Remember that the total capital investment required of Berkeley over the next decade exceeds \$500 Million. It is an understatement to say the first investment should be in expanding the City's capacity to manage a \$500 Million-dollar investment.
- The City's engineering/planning capacities are inadequate to the task of planning and executing major capital programs. Some deficiencies include – no capital budgeting systems; obsolete procurement processes; no design review processes; no integrated geographical database systems ... In short, no best practices at all.

The portrait of T1 as a well-planned execution of critically important, well-chosen projects based on transparent community input is false. Perhaps there is another portrait of Dorian Gray stored at the Civic Center which reflects the reality of T1.

Why should NEBA residents care? Preliminary planning for T2 is underway. Eventually, Berkeley will run out of other people's money and by then it will not even have any of its own.

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**North East Berkeley Association (NEBA) is a nonpartisan community organization whose mission is to inform, educate, and advocate for the interests of Berkeley residents of local electoral Districts 5 and 6 (roughly coincident with the 94707 and 94708 zip codes). Civic issues of particular interest and concern include municipal fiscal responsibility, local taxes and fees, public safety, public education, and basic neighborhood services. NEBA is informed and guided in its mission by the single-family zoning and homeowner status of most of NEBA residents. NEBA does not support or oppose any political candidates or parties. However, NEBA does hold candidate and issue forums, thereby stimulating interest and discussion. On occasion, NEBA will offer analysis, opinion, and a recommended position on important local issues. To accomplish its mission, NEBA publishes a newsletter and holds community meetings. Its Board of Directors usually meets monthly and Board subcommittees more often as needed.**

***If you have not yet renewed or joined NEBA, now is the time!*** If you prefer the *NEBA News* by email, let us know at [info@northeastberkeleyassociation.org](mailto:info@northeastberkeleyassociation.org).



***NEBA wants you!*** NEBA would welcome a few new board members. Contact us!