

Berkeley Progressive Alliance/Berkeley Citizens Action Candidate Questionnaire--2018 Election

Sunday, April 29th Endorsement Meeting
North Berkeley Senior Center

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Campaign Web Site _____
Candidate for What Office _____ District 8 City Council _____

Please return questionnaire to BPA by Thursday, April 19th

2018 Questions for Candidates for Berkeley City Council

I. General

A. Why do you think you'd make a good councilmember?

I have a long history of standing up for the people who live and work in District 8. Particularly in the areas of environment, transit, zoning and public safety.

ENVIRONMENT

I made major contributions in the fight against AC Transit's greenwashed Bus Rapid Transit (BRT) project. I wrote many articles in the local newspaper and was able to demonstrate that the project would produce no reduction in carbon emissions for hundreds or potentially even thousands of years in the future.

BRT is currently under construction in Oakland and the detailed construction drawings are available online. So it is now possible to see what the project might have done to Telegraph. No bike lanes, displacement of traffic and parking into the neighborhoods, no space for trucks to on- and off-load merchandise at businesses. All for nothing. No carbon reduction and minimal or nonexistent service improvement.

Working together, people from our neighborhoods were able to protect District 8 from that badly planned, wasteful and dangerous project that AC Transit tried to force on us.

TRANSIT

For years, I have pushed AC Transit to fix the bus bunching problem on the 6 and 51B lines, even going so far as running for AC Transit Director in 2016 to advocate for better service in Berkeley.

It was my first election and I didn't win, but I ran a minimal campaign and got 41 percent of the vote. Over 44,000 votes against a 16-year incumbent who had defeated challengers in 3 other elections for that position, and before that had been Mayor of Emeryville.

Bunching is extremely wasteful of fuel, badly degrades service for riders, and is quite fixable. If Berkeley demands that AC Transit fix it, we might finally have buses that show up when they are supposed to, rather than pairs of buses that show up half as often as the schedule indicates.

ZONING

I have written several media articles about SB 827 and the bad things it would do for Berkeley and the environment.

SB 827 claims to be green, but the one study I could find supporting that claim is badly flawed. It appears that SB 827 as applied to Berkeley would actually increase carbon emissions.

SB 827 also would create huge profits for wealthy developers by upzoning property. Increased land value due to upzoning should go the City of Berkeley and the nearby Berkeley residents negatively affected by construction of bigger structures than previously allowed.

PUBLIC SAFETY

I drafted the voter initiative to create an elected Police Accountability Board with full authority over the Berkeley Police Department. This board will improve policing and protect people in Berkeley from use of excessive force by police. More about that below.

B. What are the key issues that you think the City Council should address?

Real environmentalism, safe and effective policing, and housing.

Berkeley wants to be a leader in addressing climate change, and that will require looking closely at potential solutions to determine if they really help solve the problem. In the past, Berkeley has largely ignored the massive carbon emissions related to spending money.

In general terms of politics and climate change, money and carbon are the same thing.

The carbon reduction target in Berkeley's 2050 plan could be reached today if the City of Berkeley reduced its large per-capita spending by around 7 percent and used that money to buy carbon offset credits.

The Berkeley Police Department needs more oversight and community input into policies, procedures and weapons. An elected Police Accountability Board can provide that.

Homeless people are often disabled. Berkeley should do what it can to take care of our share of disabled/homeless people by providing housing and support services.

Berkeley should also do what it can to provide affordable housing and maintain diversity. Otherwise Berkeley may end up as a wealthy bedroom community.

C. Do you support the <https://berkeleyprogressivealliance.org/about-us/> **Berkeley Progressive Alliance's mission statement** and progressive agenda? <https://berkeleyprogressivealliance.org/about-us/> Yes No

1.) Is there anything you would add? Yes No
What would you add? _____

2) Is there anything you would **not support**? Yes No
Which Items would you not support? _____

D. Will you obtain public financing for your campaign? Yes No

I plan to run a cost-effective campaign based on the issues, and not accept any donations.

E. Do you support the candidates for Berkeley Rent Stabilization Board chosen at the Tenant Convention on April 22? Yes No

F. Whom do you support for State Assembly AD15? Ben Bartlett

II. Housing and Displacement

A. Do you support placing a City of Berkeley **bond measure** on this November's ballot dedicated to funding below market affordable housing construction and acquisition in Berkeley? Yes No

B. Would you support a graduated increase in the City of Berkeley **property transfer tax** on homes with the proceeds dedicated to the Housing Trust Fund? Yes No

C. Do you support building below-market rate permanent affordable housing on the **North Berkeley BART** parking lot? Yes No

D. What proportion of any housing built there should be below market rate and at what level(s) of affordability?

I think it should be a mix of all income levels, so that it is very diverse and does not become stigmatized as project housing.

Alameda County Income Limits for Income Categories (extremely low, very low, low, etc.): <http://www.dublin.ca.gov/DocumentCenter/View/10539>

E. Do you support **land value capture**? Yes No

1) Whenever upzoning occurs, should the City ask for a share in the increase in value that results from upzoning? Yes No

F. Berkeley has a rich history of being a community that is economically and racially diverse. What do you think the city could do now to stop the displacement of African Americans and other people of color?

I think the biggest thing is to maintain strong rent control, so people do not get pushed out of their homes. And to the extent that people are pushed out, for example through Ellis Act evictions, they should have the first opportunity at affordable housing.

Reducing education disparities can also help ensure that all Berkeley residents can compete in the housing market.

G. What should the City Council do to put some teeth in code enforcement, particularly regarding residential rentals?

Lack of enforcement leads to tenants living in substandard housing, and leads to the deterioration of rent controlled buildings, allowing the landlord to apply for a demolition permit on the grounds that it is no longer financially feasible to repair the building.

Common areas of rent controlled buildings should be inspected on a regular basis. Private areas should be inspected when requested by tenants and when vacant.

H. Do you support **SB 827**? Yes ___ No X ___

SB 827 gives commercial property owners and developers a windfall increase in density without requiring any community benefit in return and without adequate protections against demolition of existing housing. SB 827 would allow construction of 7 story buildings (55' plus a 35% density bonus) on residential streets in much of South, Central and West Berkeley, with even greater height allowed on commercial corridors (85' plus a 35% density bonus). It would have little impact on the hills.

I. Do you think 7-story buildings should be permitted in areas zoned R-1, R-2, R-2A and R-3? Yes ___ No X ___

Latest version of SB 827 can be found here:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB827

J. What should the City do to support limited equity cooperative housing in Berkeley?

To make limited equity cooperative housing attractive to home buyers, there needs to be some financial incentive for them, such as a reduced purchase price. And someone has to pay for the difference between that price and fair market value.

The City could provide that money, or could incentivize private developers to provide it.

III. Health Care

A. Do you oppose Sutter Health's plans to close **Alta Bates**? Yes X No ___

B. What would you do to ensure that Berkeley has a full service hospital and emergency room located nearby for the long term?

If Alta Bates has no value to Sutter, they can sign it over to the Berkeley Free Clinic and we can provide universal health care for Berkeley residents. If necessary, the City of Berkeley can use eminent domain to take possession of it.

C. Do you support enacting single-payer healthcare in California? Yes No

IV. Addressing Climate Change

Background: Berkeley's Climate Action Plan found that natural gas and electricity used by buildings accounted for 53% of greenhouse gas emissions in Berkeley, while gasoline and diesel burning vehicles accounted for 47%.

A. Do you support the goal that "All new residential construction will be zero net energy (ZNE) by 2020"? Yes No

(see <https://www.capath2zne.org>)

I support it as long as the cost to achieve Zero Net Energy is less than the cost to offset the energy use through the purchase of carbon offset credits. Otherwise, ZNE will emit more carbon than that other approach.

B. Should Berkeley require ZNE in new residential construction beginning in 2020? Yes No

Again, as long as this results in an overall reduction in carbon emissions.

C. What should the City Council do to encourage use of alternative modes of transportation?

For many years, I have suggested that the City of Berkeley work with BART to provide low-cost all-day rental of Neighborhood Electric Vehicles (NEVs), so that people can ride BART to Berkeley, then check out an NEV for the day. BART has agreed to do their part.

This will allow people to ride BART here who need to go places that are not well served by buses. Those people currently need to drive to Berkeley.

Berkeley residents who ride BART to work can check out the same NEVs overnight to drive between their homes and BART. So each vehicle can be used twice per day, which increases the cost-effectiveness of this TransitCar approach.

Berkeley can also build enough parking at the BART stations that everyone who wants to ride BART can do so. As it is now, parking fills up and people drive their cars all the way to their destination instead of leaving them at BART and riding on the train.

Building BART station parking for NEVs can be much more green than building housing in the same locations. Instead of allowing a small number of people to live near transit and walk to the station, parking allows all Berkeley residents to drive to the station.

Many more vehicles than bedrooms can be squeezed into the same size structure. Especially small NEVs. Parking can also be underground, which fits even more vehicles into the same visible-size structure.

Even more shared TransitCar NEVs than private cars can use a parking structure, because TransitCars will not all be in the structure at the same time. A large fraction are always on the road or parked at homes and businesses.

I have also proposed the development of a very inexpensive and energy-efficient electric vehicle called Sapphire. It is similar to an electric bike but waterproof.

I worked with a custom bike builder to create a prototype which seems satisfactory, but the project needs additional backing to get into production.

The City of Berkeley could investigate moving the project forward. I would be happy to give up all financial interest in it, just to see the environmental benefits it can produce.

D. Should the City establish a system of shuttles connecting different neighborhoods and commercial areas? Yes___ No_X__

I think the City of Berkeley should work with AC Transit to ensure that we have quality bus service. AC Transit currently provides poor service, with buses often bunching up into wasteful groups. This problem can be fixed but AC Transit hasn't put in the effort to fix it.

Also, AC Transit is so highly subsidized that it could likely eliminate fares without degrading service. The speed up of buses from people not having to pay when they board might offset the revenue lost by making the buses free.

Both of these improvements to bus service can reduce AC Transit's carbon footprint significantly while improving service.

1) If so, how could this be funded?

E. Should the City replace its fossil-fuel powered vehicles with electric vehicles? Yes_X__ No___

Yes, but only when the cost of doing so is less than the cost of buying enough carbon offset credits to nullify the carbon produced by the existing vehicles. Otherwise it will result in more carbon being emitted, not less.

V. Police and Community

A. Do you support the Berkeley Community United for Police Oversight charter amendment to create a new Police Commission Yes_X__ No___

Why or Why Not?

Text of proposed charter amendment, item 27 on the March 27 Council agenda, can be found

here: https://www.cityofberkeley.info/Clerk/City_Council/2018/03_Mar/City_Council_03-27-2018_-_Regular_Meeting_Agenda.aspx

Yes, but I believe we can do better.

I think the BCUPO amendment has some good qualities, but it is also lacking in some important areas. I am one of the organizers of the Campaign for Police Accountability, and we are collecting signatures for a voter initiative that we believe can produce a bigger improvement in policing.

Both here in Berkeley and, by leading the way, across the country.

At the current time, the organizers of all the pending police accountability measures are discussing how we can work together to get the best possible measure or measures on the November ballot.

WHY I GOT INVOLVED

I became involved in policing issues after two events occurred.

First, a police officer in another city shot my good friend Megan Hutchinson's boyfriend to death right in front of her for no good reason. That officer had previously been suspended for shooting an innocent high school student in the back of the head with a Taser, also for no good reason.

Second, a Berkeley police officer threatened to shoot my legally on-leash dog to death in the park near my house, and threatened that the Department would find some way to harm my dog if I didn't let the matter drop.

In addition, I learned that the Berkeley Police Department is using .40 caliber pistols, which are so dangerous and inaccurate that the FBI replaced theirs years ago with more appropriate weapons for all 13,000 agents.

There is no need for BPD to be using a one-shot-one-kill weapon like the .40 caliber when better options are available.

THE DETAILS OF OUR MEASURE

Our City Charter amendment can be found at:

<http://electthepolice.org/initiative.html>

It will create an elected Police Accountability Board with full authority over the Berkeley

Police Department. We believe this will prevent things like the Stephon Clark killing, and we are seeing overwhelming support from the voters.

The Board will be responsible for:

- Ensuring safe and effective policing for everyone in Berkeley.*
- Protecting the community from excessive use of force by police.*
- Holding police accountable for their actions.*

COMPARING THE MEASURES

Some of the issues we see that will differentiate these two measures, and the third one that the Police Review Commission is drafting, are:

- 1) Trust - How safe will members of the community feel filing a complaint against an officer, especially when there have been threats of retaliation?*
- 2) Power - Will the board or commission have the authority to solve any policing problems the community is facing?*
- 3) Flexibility - How well will the board or commission be able to respond to unforeseen events?*
- 4) Respect - How well will the board or commission respect the rights of the community to choose our own destiny?*
- 5) Influence - How will Berkeley's actions help other cities solve their policing problems?*

We believe that our measure really delivers on all these points, and can set the new standard for American policing. And if other cities across the country follow suit, thousands of lives will be saved over the years.

More than that, we foresee a future when the police work for the community, and we really have safe and effective policing for everyone in Berkeley.

In particular, we believe Berkeley residents will have more trust in an elected board than in one that is appointed by the City Council, or even worse, one that is appointed by a Selection Panel that is appointed by the City Council. I would trust someone more if I voted for them, than if they were appointed by someone I might have voted against. Or appointed by someone who was appointed by someone I might have voted against.

The Police Accountability Board will have full authority over the Berkeley Police Department, including the power to assign “problem” officers to duties that will not endanger the public. Experienced attorneys have confirmed that this power will stand up to court challenges. The BCUPO measure, section 75(E) on Page 18, effectively turns most of its power over to the police union.

The Police Accountability Board City Charter amendment is written very broadly, so it has a lot of flexibility to adapt to changing conditions. The BCUPO amendment lists very specific and limited powers, so changing conditions might require another successful election before that commission could take necessary action.

The Police Accountability Board amendment gives the power over the police department to the community. Voters will be empowered to choose people they can count on to stand up for their rights. And Berkeley voters have shown by their election of tenants to all seats on the Rent Board, that they are not unduly swayed by campaign spending by special interest groups.

The BCUPO amendment keeps that power out of the hands of the voters, and instead creates two levels of appointments. That process is copied from the Oakland Police Commission, and the chairwoman of the Oakland Selection Panel is the wife of a former Oakland Police Department officer who killed an unarmed man, beat up the West Oakland Athletic director, hit a teenager with his police car, and was accused of other serious misconduct.

The Police Accountability Board amendment can set a new standard for American policing. Once we prove that it works in Berkeley, it will be easy for other cities across the country to follow suit. Over the years, thousands of lives can be saved by eliminating causes of police killings of innocent people. The BCUPO amendment would do nothing to solve the national problem of excessive use of force by police.

ENDORSEMENTS

District 3 Council member Ben Bartlett has publicly stated his support for the elected Police Accountability Board, and several advocacy nonprofits are working with us to determine what kind of support they can provide us.

We are already supported by the National Lawyers Guild’s National Police Accountability Project and the Friends of Adeline neighborhood group. Bobby Seale and Tony Platt are central members of our campaign:

Bobby Seale is an activist working toward police accountability and social change. He co-founded and was Chairman of the Black Panther Party, and is the author of the autobiography "A Lonely Rage." He taught Black Studies at Temple University in

Philadelphia, and has spoken at over 500 colleges to advise and inspire students in community organizing and social justice.

*Tony Platt is a Distinguished Affiliated Scholar at the UC Berkeley Center for the Study of Law and Society. He is the author of 10 books and 150 essays and articles on race, inequality, and social justice. He is co-author of *The Iron Fist & The Velvet Glove: An Analysis of the U. S. Police*, and his upcoming book "*Behind These Walls: Rethinking Crime and Punishment in the United States*" will be released by St. Martin's Press in January 2019.*

Video of speeches by Bobby Seale and Tony Platt from our April 4th event are available on our website:

www.ElectThePolice.org

The Police Accountability Board is also endorsed by all of these people:

"I believe that an elected Police Accountability Board is a critically important element to necessary reform in your community and in our nation."

(Glenda Hatchett, judge representing Philando Castile's family)

"A victory in Berkeley might change the course of history."

(Mike Davis, UC Riverside)

"I am happy to support an initiative that places power over the police in the hands of democratically chosen members of the community."

(Dan Siegel, civil rights lawyer)

"Transparency and accountability are essential for justice to prevail."

(Lynn B. Cooper, Facilitator, Restorative Justice Program, San Quentin Prison)

"I applaud this innovative attempt to contain police violence through democratic means."

(Micol Seigel, Charles Warren Center, Harvard University)

"I wholeheartedly endorse the Police Accountability Board Initiative which will finally allow Berkeley's communities to have some real accountability over its police and policies."

(Anne Weills, civil rights lawyer)

"It is well past time to achieve real and meaningful accountability of those who police our cities. To do this requires new levels of transparency and community involvement and Berkeley could well offer us a model in this regard."

(Heather Ann Thompson, Pulitzer-Prize winning historian, author of Blood in the Water: The Attica Uprising of 1971 and Its Legacy)

"The time for setting up procedures to insure police accountability to civilian oversight has never been more urgent."

(Troy Duster, Chancellor's Professor Emeritus, Institute for the Study of Societal Issues, UC Berkeley)

"I cannot imagine how lasting change could possibly come about absent measurement, visibility, and democracy. This Police Accountability Board promises movement in that direction."

(Erin M. Kerrison, School of Social Welfare, UC Berkeley)

"In these times of resurgent police violence and institutional racism, legitimized by a presidential administration that uses 'law & order' as a proxy for white supremacy, community-based democratic control over law enforcement is as crucial as ever. I fully support the creation of an elected Police Accountability Board in Berkeley, CA."

(Alessandro De Giorgi, Associate Professor of Justice Studies, San Jose State University)

"The creation of a Police Accountability Board in Berkeley will restore and strengthen trust between police and community."

(Carino Gallo, professor of Criminology, Holy Names University)

"WE ENDORSE THE POLICE ACCOUNTABILITY BOARD INITIATIVE"

Milton Reynolds (Community educator)

Nancy Scheper-Hughes (Chancellor's Professor of Medical Anthropology Emerita, Department of Anthropology, UC Berkeley)

Dan Berger (Associate Professor of Comparative Ethnic Studies, University of Washington, Bothell)

Barbara Epstein (Professor Emerita, History of Consciousness Department, UC Santa Cruz)

Michelle Brown (Dept. of Sociology, University of Tennessee)

Armando Lara-Millán (Dept. of Sociology, UC Berkeley)

Dan Haytin (professor emeritus, Sonoma State University)

B. Do you support the recommendations in the Police Review Commission Report **To Achieve**

Fairness and Impartiality, including those related to data collection and analysis, racial disparities and body cameras?

Text of Report, item 26 on the Council agenda, can be found here:

https://www.cityofberkeley.info/Clerk/City_Council/2018/03_Mar/City_Council_03-13-2018_-_Regular_Meeting_Agenda.aspx

Yes I do.

VI. Homelessness

A. Would you support a \$5M parcel tax for homeless services including shelters, navigation center and rapid rehousing? Yes No

B. How should the City Council respond to encampments of homeless people?

In my experience, people are often homeless because they have insufficient income to afford housing.

They often have insufficient income because they are jobless and do not receive sufficient government assistance payments

They are often jobless because they are disabled.

Disability payments often cover the cost of food or housing but not both.

So a homeless encampment is to a large degree a group of disabled people who can't simultaneously afford food and a place to live.

So they choose to be homeless, rather than starve.

It is shameful that in one of the richest countries in the world, disabled people are living in the streets.

The City Council should provide the services and assistance that homeless people need to have an acceptable quality of life. In the long term, I think that means providing housing, at least for homeless people who have some kind of longstanding connection with Berkeley.

If Berkeley provides much better support for the homeless than other communities, there is the risk that the nation's homeless will come to Berkeley and overflow our ability to provide for them. So there might be some need to focus on homeless people who have lived in Berkeley for a significant period of time or grew up in Berkeley.

Ideally, other communities can work with us so that all homeless people get the support they need.

It is also important to ensure public safety, as it is in any other residential environment. But even if someone is homeless, if they live here, they are part of the community and should be treated with the same respect as anyone else.