



## AGENDA

### BERKELEY CITY COUNCIL MEETING

Tuesday, March 24, 2026

6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

ADENA ISHII, MAYOR

COUNCILMEMBERS:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – IGOR TREGUB

DISTRICT 5 – SHOSHANA O'KEEFE

DISTRICT 6 – BRENT BLACKABY

DISTRICT 7 – CECILIA LUNAPARRA

DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 845 7872**. To provide public comment, Press \*9 and wait to be recognized by the Chair. To submit a written communication for the public record, email [council@berkeleyca.gov](mailto:council@berkeleyca.gov).*

*Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via [internet video stream](#). All Council meetings are recorded.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person. The City Council may take action related to any subject listed on the Agenda.*

*Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.*

**Government Code Section 84308 (Levine Act)** - *Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.*

## Preliminary Matters

### Roll Call:

**Land Acknowledgement Statement:** *The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.*

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

1. Marcia Poole, Community Activist

**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:** *Up to ten persons will be selected to address matters not on the Council agenda. If five or fewer persons are identified to provide non-agenda comment, each person selected will be allotted two minutes each. If more than five persons are selected to address matters not on the Council agenda, each person selected will be allotted one minute each.*

*In-person attendees 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 the moment that the Presiding Officer calls for public comment on non-agenda items. Remote attendees must raise their hand in the videoconference application when the Presiding Officer calls for non-agenda speakers. The first five raised hands on the videoconference application will be selected to speak and the first five cards drawn at the meeting will be selected to speak. The number of in-person and remote speakers selected may be adjusted by the Presiding Officer if fewer than five speakers from either format are identified.*

*The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

**Public Comment by Employee Unions (first regular meeting of the month):** *This period of public comment is reserved for officially designated representatives of City of Berkeley employee unions, with five minutes allocated per union if representatives of three or fewer unions wish to speak and up to three minutes per union if representatives of four or more unions wish to speak.*

## 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.” Three members of the City Council must agree to pull an item from the Consent Calendar or Information Calendar for it to move 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”.*

*No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.*

*For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.*

**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. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

*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

- 1. Amendments to BMC Title 23 (Zoning) to Update the Regulation of Nonconforming Lot Coverage, Floor Area Ratio and Density for Residential Uses in Selected Zoning Districts**  
**From: City Manager**  
**Recommendation:** Adopt the second reading of Ordinance No. 8,003-N.S. amending BMC Title 23 Section 23.324.050 to update the regulation of nonconforming lot coverage, FAR and density for residential uses in the Residential Multi-Unit 1 (R-1), Residential Multi-Unit 2 (R-2), Residential Multi-Unit 2A (R-2A), and Mixed Use-Residential (MU-R) Zoning Districts.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400

## Consent Calendar

- 2. Amendments to the Berkeley Election Reform Act Regarding the Return of Unspent Public Matching Funds, Reuse of Campaign Materials, Campaign Expenditures and Cost of Living Adjustments**  
**From: Fair Campaign Practices Commission**  
**Recommendation:** Adopt the second reading of Ordinance No. 8,004-N.S. amending the Berkeley Election Reform Act, BMC Chapter 2.12.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** None  
Contact: Sam Harvey, Commission Secretary, (510) 981-6950
- 3. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of February 9, 2026 (closed), February 10, 2026 (special and regular), February 23, 2026 (closed and special), and February 24, 2026 (special and regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 4. Revenue Grant Agreements: Funding Support from Alameda County to Conduct Public Health Services**  
**From: City Manager**  
**Recommendation:** Adopt three Resolutions authorizing the City Manager or designee to submit grant agreements to Alameda County, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following three revenue agreements:  
1. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of \$183,918 for Fiscal Year 2027.  
2. School Linked Health Services Program (Measure A Funding) in the projected amount of \$200,011 for Fiscal Year 2027.  
3. Tobacco Prevention Program in the projected amount of \$81,329 for Fiscal Year 2027.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5100
- 5. Rescinding Resolution No. 65,945–N.S. and Establishing the Behavioral Health Commission in Compliance with the Behavioral Health Services Act (SB 326)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution rescinding Resolution No. 65,945–N.S. and establishing the Behavioral Health Commission. This action updates the Commission’s enabling legislation to comply with the State of California’s Behavioral Health Services Act (SB 326), integrates substance use disorder oversight, and formally dissolves the joint commission agreement with the City of Albany.  
**Financial Implications:** None.  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5100

## Consent Calendar

- 6. Approving Publicly Available Pay Schedule**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving a publicly available pay schedule effective March 24, 2026, pursuant to the Public Employee's Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR).  
**Financial Implications:** None  
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
- 7. Mills Act Contract – 2845 Woolsey Street**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Michael Pearson and Annette Blum Pearson for the maintenance and restoration of a City Landmark property at 2845 Woolsey Street.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 8. Mills Act Contract – 21 Mosswood Road**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Isaac Warshauer and Laura Veit for the maintenance and restoration of a City Landmark property at 21 Mosswood Road.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 9. Contract No. 32400052 Amendment: Berry Brothers Towing and Transport Inc.**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract amendment with Berry Brothers, Contract No. 32400052, to extend the existing capacity to perform towing services from \$50,000 to an amount not to exceed \$100,000 from November 1, 2023, through October 31, 2027.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900
- 10. Contract: Lehr Upfitters OPCO dba Lehr Auto for Police Vehicle Supplies, Equipment, and Installation Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Lehr Upfitters dba Lehr Auto for Police vehicle supplies, equipment, and installation services, in an amount not to exceed \$1,500,000, for a period of April 1, 2026, through June 30, 2029.  
**Financial Implications:** See report  
Contact: Wahid Amiri, Public Works, (510) 981-6300

## Consent Calendar

- 11. Contract: Peterson Trucks, Inc. for Heavy Duty Vehicle Parts and Service**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract with Peterson Trucks, Inc. for heavy duty vehicle parts and service in an amount not to exceed \$300,000 for the term of April 1, 2026, to April 14, 2027, with the option to extend three more years.  
**Financial Implications:** See report  
Contact: Wahid Amiri, Public Works, (510) 981-6300
- 12. Contract: Terocons, Inc. for FY 2026 Curb Ramp & Sidewalk Repair Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving specifications for the FY 2026 Curb Ramp & Sidewalk Repair Project (Specification No. 26-11764-C), authorizing the City Manager to accept the bid of Terocons, Inc. as the lowest, responsive and responsible bidder and to execute a contract and any amendments, extensions, or other change orders until completion of the FY 2026 Curb Ramp & Sidewalk Repair Project in accordance with the approved specifications in an amount not to exceed \$4,207,883.  
**Financial Implications:** \$4,207,883 - Various Funds  
Contact: Wahid Amiri, Public Works, (510) 981-6300
- 13. Contracts: Pavement and Safety Improvement/Program Management Consulting Services for Measure FF-funded Projects**  
**From: City Manager**  
**Recommendation:** Adopt six Resolutions authorizing the City Manager to execute contracts and any amendments with NCE, Pavement Engineering, Inc., Kittleson & Associates, Sanbell, Cordoba Corporation and Mark Thomas for on-call professional services for Measure FF-funded projects for the amounts listed below, each for a period not to exceed three years:
1. NCE for an amount not to exceed \$2,500,000
  2. Pavement Engineering, Inc. for an amount not to exceed \$2,500,000
  3. Kittleson & Associates for an amount not to exceed \$2,500,000
  4. Sanbell for an amount not to exceed \$1,800,000
  5. Cordoba Corporation for an amount not to exceed \$1,500,000
  6. Mark Thomas for an amount not to exceed \$600,000
- Financial Implications:** See report  
Contact: Wahid Amiri, Public Works, (510) 981-6300

## Consent Calendar

### 14. **Contracts: Multi-Disciplinary On-Call Professional Services for Capital Improvement Projects**

**From: City Manager**

**Recommendation:** Adopt thirty-four Resolutions authorizing the City Manager to execute one or more contracts with the following vendors and the associated not to exceed amounts for on-call civil engineering services for capital improvement projects, for a total contract period of three years:

1. Advanced Mobility Group for an amount not to exceed \$500,000
2. AECOM Technical Services, Inc. for an amount not to exceed \$1,800,000
3. Alta Planning + Design, Inc. for an amount not to exceed \$1,000,000
4. Bureau Veritas North America, Inc. for an amount not to exceed \$2,250,000
5. BKF Engineers for an amount not to exceed \$1,550,000
6. Coastland DCCM for an amount not to exceed \$1,000,000
7. Community Design + Architecture, Inc. for an amount not to exceed \$500,000
8. Cornerstone Structural Engineering Group for an amount not to exceed \$500,000
9. CSWST2 for an amount not to exceed \$1,200,000
10. Dewberry Engineers, Inc. for an amount not to exceed \$200,000
11. Diablo Engineering Group for an amount not to exceed \$900,000
12. ENGEO Incorporated for an amount not to exceed \$350,000
13. Fehr & Peers for an amount not to exceed \$1,750,000
14. Geographic Technologies Group, Inc. for an amount not to exceed \$500,000
15. GFT Infrastructure, Inc. for an amount not to exceed \$950,000
16. GHD, Inc. for an amount not to exceed \$500,000
17. Ghirardelli Associates, Inc. for an amount not to exceed \$2,250,000
18. HydroScience Engineers, Inc. for an amount not to exceed \$1,000,000
19. Kimley-Horn and Associates, Inc. for an amount not to exceed \$2,150,000
20. Kittleson & Associates, Inc. for an amount not to exceed \$1,000,000
21. LCC Engineering & Surveying, Inc. for an amount not to exceed \$1,100,000
22. Mark Thomas & Company, Inc. for an amount not to exceed \$200,000
23. Nelson & Nygard Engineering, Inc. for an amount not to exceed \$500,000
24. Ninyo & Moore Geotechnical & Environmental Sciences Consultants for an amount not to exceed \$500,000
25. Parametrix for an amount not to exceed \$350,000
26. Pavement Engineering, Inc. for an amount not to exceed \$1,500,000
27. PEC Water, Inc. for an amount not to exceed \$1,000,000
28. Sanbell Bay Area for an amount not to exceed \$700,000
29. SCI Consulting Group for an amount not to exceed \$500,000
30. Swinerton Management & Consulting for an amount not to exceed \$2,250,000.
31. TJKM Transportation Consultants for an amount not to exceed \$750,000
32. Toole Design Engineering for an amount not to exceed \$500,000
33. Wood Rodgers, Inc. for an amount not to exceed \$500,000
34. West Yost for an amount not to exceed \$1,000,000

**Financial Implications:** See report

Contact: Wahid Amiri, Public Works, (510) 981-6300

## Consent Calendar

- 15. Reappointment of Edward Opton to the Mental Health Commission**  
**From: Mental Health Commission**  
**Recommendation:** Adopt a Resolution approving the re-appointment of Edward Opton as a representative of the general public interest category, for his second term ending January 21, 2026, and to start his third term beginning March 25, 2026, to March 24, 2029.  
**Financial Implications:** None.  
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5100
- 16. Develop an educational event for the Berkeley Community to increase awareness of impacts of the Alien Enemies Act**  
**From: Peace and Justice Commission**  
**Recommendation:** Consistent with the City of Berkeley's stance as a sanctuary city for immigrants safeguarding their due process rights, the Peace and Justice Commission recommends that given that during the third invocation of the Alien Enemies Act (the Act has only been invoked three times prior to this year, during the War of 1812, World War I, and World War II), Japanese residents of the Berkeley community, survivors and their ancestors, were harmed by the invocation of the act during World War II in which persons of Japanese, Italian and German ancestry, primarily in coastal areas but also in Berkeley, and were transported and interned in U.S. camps, including in California, that Council refer to the City Manager to refer to the appropriate department or division to develop an educational event, whether a panel of speakers, a film, a play or some combination of these, for the Berkeley community so that the broader community can be made aware of the impact of the Alien Enemies Act and its impact on Berkeley community members during World War II. Such event shall be free of charge and well-promoted.  
**Financial Implications:** See report  
Contact: Tasha Tervalon, Commission Secretary, (510) 981-7000
- 17. Re-affirm City of Berkeley Commitment to Free Speech**  
**From: Peace and Justice Commission**  
**Recommendation:** Adopt this recommendation re-affirming the City of Berkeley's commitment to Free Speech and Assembly and its opposition to the detainment and deportation of immigrants without due process, violating their constitutionally protected speech.  
**Financial Implications:** See report  
Contact: Tasha Tervalon, Commission Secretary, (510) 981-7000

## Consent Calendar

### 18. Whistleblower Investigation Report on Ambulance Purchase

**From: Auditor**

**Recommendation:** We recommend that City Council receive this report and request the City Manager to implement corrective actions in response to the recommendations. The report recommends clarifying procurement roles, formalizing escalation and notification expectations when required steps are bypassed, providing targeted training, reinforcing compliance expectations, and establishing clearer communication to City Council when purchasing requirements are not followed.

**Financial Implications:** None

Contact: Jenny Wong, Auditor, (510) 981-6750

## Council Consent Items

### 19. 2026 Holocaust Remembrance Day Program: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds

**From: Councilmember Taplin (Author), Councilmember Tregub (Author), Mayor Ishii (Co-Sponsor), Councilmember Blackaby (Co-Sponsor)**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Taplin, Councilmember Tregub, Councilmember Blackaby, and Mayor Ishii, to support the City's Annual Holocaust Remembrance Day program with funds relinquished to the City's general fund. The relinquishment of funds from the discretionary Council Office Budget of all Councilmembers who would like to contribute, allows the City of Berkeley to invite the community to its 23rd Annual Holocaust Remembrance Day program, created by the community with City Council support. This year's program will be held on April 12th, 2026, at the Magnes Collection of Jewish Life and History in Berkeley's downtown. Registration via Eventbrite is required to attend.

**Financial Implications:** See report

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

### 20. Referral to the City Manager: Banning the Sale and Use of Glue Traps

**From: Councilmember Tregub (Author), Councilmember Taplin (Author), Councilmember Humbert (Co-Sponsor)**

**Recommendation:** Refer to the City Manager to ban glue traps within City of Berkeley limits, including the use by any individual or organization and sale of glue traps and require posted notice of municipal code changes in all stores selling rodent traps.

**Financial Implications:** Staff time

Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

## Council Consent Items

21. **Letter of Gratitude to the Metropolitan Transportation Commission for their Support of Full Implementation of a Strong Transit-Oriented Communities Policy**  
**From: Councilmember Tregub (Author), Mayor Ishii (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**  
**Recommendation:** Submit a letter of gratitude to the Metropolitan Transportation Commission (MTC) recognizing the full adoption and implementation of a strong and enforceable Transit-Oriented Communities (TOC) Policy.  
**Financial Implications:** Staff time  
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
22. **Berkeley High School National Society of Black Engineers Junior Chapter: Relinquishment of Council Office Budget Funds to the General Fund and Grant of Such Funds**  
**From: Councilmember O'Keefe (Author), Councilmember Taplin (Co-Sponsor), Councilmember Blackaby (Co-Sponsor), Mayor Ishii (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Shoshana O'Keefe's discretionary fund and funds from any other Councilmembers who would like to contribute, to the Berkeley High School National Society of Black Engineers Junior Chapter to support its ongoing work to engage and empower students through STEM education, mentorship, leadership development, and community building.  
**Financial Implications:** See report  
Contact: Shoshana O'Keefe, Councilmember, District 5, (510) 981-7150
23. **Make Music Day: Relinquishment of Council Office Budget Funds to the General Fund and Grant of Such Funds**  
**From: Councilmember O'Keefe (Author), Councilmember Tregub (Co-Sponsor), Mayor Ishii (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember from the discretionary office budgets of any Councilmembers who would like to contribute – including \$500 from Councilmember Shoshana O'Keefe, \$250 from Councilmember Igor Tregub, and \$250 from Mayor Adena Ishii – to the Downtown Berkeley Association to support Berkeley's first annual Make Music Day on June 21, 2026, with funds relinquished to the City's general fund for this purpose.  
**Financial Implications:** See report  
Contact: Shoshana O'Keefe, Councilmember, District 5, (510) 981-7150

## Council Consent Items

- 24. Berkeley Public Schools Fund Spring Luncheon 2026: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember including \$500 from Councilmember Blackaby and \$500 from Mayor Ishii for the Berkeley Public Schools Fund with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Councilmember Blackaby, Mayor Ishii and any other Councilmembers who would like to contribute.  
**Financial Implications:** See report  
Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160

## Action Calendar

*The public may comment on each item listed on the agenda for action. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again during the Action Calendar public comment period on the item*

*The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.*

*Action items may be reordered at the discretion of the Chair with the consent of Council.*

*The Presiding Officer may open and close an additional comment period for Action items on this agenda (excluding any public hearings, appeals, and/or quasi-judicial matters), at the start of the Action Calendar. Those who speak on an item during this comment period may not speak a second time when the item is taken up by Council.*

## Council Action Items

- 25. Adopt a Resolution Authorizing Temporary Employment of Retired Annuitant Kathy Lee as Interim Director of Police Accountability From: Mayor Ishii (Author)**  
**Recommendation:** Adopt a Resolution authorizing the appointment of Kathy Lee as a retired annuitant to serve as Interim Director of Police Accountability pursuant to Government Code Sections 21221(h) and 7522.56 and the Mayor to execute the attached employment agreement establishing an hourly rate of \$122.44, consistent with the publicly approved pay schedule for the Director of Police Accountability, with no additional benefits, per CalPERS rules for retired annuitants.  
**Financial Implications:** See report  
Contact: Adena Ishii, Mayor, (510) 981-7100

## Action Calendar – New Business

**26. Public Safety Technology: Surveillance Technology Ordinance and Police Equipment Ordinance Approvals, Policy Updates, and Contract Authority  
From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the following actions:  
Surveillance Technology Ordinance (BMC 2.99)

1. Accept the Surveillance Acquisition Report and approve the Surveillance Use Policy for the Unmanned Aerial Systems (UAS) program.

2. Accept the Surveillance Acquisition Report and approve the Surveillance Use Policy for Community Video Streams.

3. Approve updated Surveillance Use Policies for fixed video cameras, reflecting Council-directed revisions to previously approved technology.

Police Equipment Ordinance (BMC 2.100)

4. Accept the Police Equipment Impact Statement and approve the Police Equipment Use Policy for UAS.

Contract Authority

5. Authorize the City Manager to amend the existing contract with Flock Safety to add Drone as First Responder (DFR) hardware, software, and services for an initial three-year term, in an amount not to exceed \$750,000.

6. Authorize the City Manager to amend the existing contract with Flock Safety to add Condor PTZ fixed surveillance cameras for an initial four-year term, in an amount not to exceed \$310,000, with an option to extend for one additional three-year term, for a total not to exceed \$600,000.

7. Authorize the City Manager to amend the existing contract with Flock Safety to add Flock Nova investigative software for a one-year term, in an amount not to exceed \$75,000, funded by the Byrne State Crisis Intervention Program (SCIP) grant previously accepted by Council on July 29, 2025.

8. Authorize the City Manager to amend the existing contract with Flock Safety to renew Automated License Plate Readers (ALPRs) for a two-year term, in an amount not to exceed \$330,000, with an option to extend for an additional two-year term, for a total not to exceed \$660,000.

**Financial Implications:** See report

Contact: Jennifer Louis, Police, (510) 981-5900

## Information Reports

**27. Settlement Agreement – Berkeley People’s Alliance et. al. v. City of Berkeley et. al., Alameda County Superior Court Case No. 24CV064980; Cal. Court of Appeal Case No. A172245**

**From: City Attorney**

Contact: Farimah Brown, City Attorney, (510) 981-6950

## Public Comment – Items Not Listed on the Agenda

## Adjournment

**NOTICE CONCERNING YOUR LEGAL RIGHTS:** *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

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Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council 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 the City Council, 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 to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street, and through the City's online records portal: <https://records.cityofberkeley.info/>.

Agendas, agenda reports, and revised/supplemental material may be accessed via the online agenda for this meeting at: [berkeleyca.gov/council-agendas](http://berkeleyca.gov/council-agendas) and may be accessed at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor  
Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901  
Email: [clerk@berkeleyca.gov](mailto:clerk@berkeleyca.gov)

Libraries: Main – 2090 Kittredge Street,  
Claremont Branch – 2940 Benvenue, West Branch – 1125 University,  
North Branch – 1170 The Alameda, Tarea Hall Pittman South Branch – 1901 Russell

#### COMMUNICATION ACCESS INFORMATION:

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 [ada@berkeleyca.gov](mailto:ada@berkeleyca.gov), (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

If you have obtained interpretation services for your use during a City Council meeting and would like to request assistance, please contact the City Clerk Department at (510) 981-6900, [clerk@berkeleyca.gov](mailto:clerk@berkeleyca.gov), or in-person during the meeting.

Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900 or by email at [clerk@berkeleyca.gov](mailto:clerk@berkeleyca.gov).

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on March 12, 2026.*



Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).*

### **Item #1: Amendments to BMC Title 23 (Zoning) to Update the Regulation of Nonconforming Lot Coverage, Floor Area Ratio and Density for Residential Uses in Selected Zoning Districts**

1. Brianna Morales on behalf of the Housing Coalition

### **Item #18: Whistleblower Investigation Report on Ambulance Purchase**

2. Dorothea Dorenz

### **Item #26: Public Safety Technology: Surveillance Technology Ordinance and Police Equipment Ordinance Approvals, Policy Updates, and Contract Authority**

3. Jesse Rosemoore
4. Laura Preuss
5. Zipporah Collins
6. Kelly Hammargren
7. Artemisia Spencer Mace on behalf of Councilmember Ben Bartlett
8. Kamala Visweswaran
9. Tobias Smith
10. Maryann Osullivan
11. Lanny Devuono
12. Margot Smith
13. Wendy Alfsen and Barb Atwell
14. Steve Tracy
- 15.9 Similarly worded form letters "I am writing to urge you to oppose..."

## **Billboards**

16. Stephanie Tran

**Upzoning**

17. John Duffy Tillman
18. Candace Taira
19. ReCheng Tsang
20. Melanie Lawrence & John Smail
21. Susie Zukor (2)
22. Marguerite Talley
23. Crystal Brunzell
24. Judith Bebelaar
25. Elissa Kittner
26. Jane Maxwell
27. Kate Pocrass
28. Anne Boersma
29. Kayla Feder
30. Janet Stromberg
31. Margot Smith (2)
32. Catherine Durand
33. Elke Glendenning
34. Vicki

**Bike Lanes on Hopkins**

35. Phyllis Orrick
36. Dewayne Cecil

**Save the Date**

37. John Craner

**2425 Durant Ave**

38. Gregory Kalkanis

**Affordable Housing**

39. Julie Chervin
40. Stephen Alpert (4)
41. Janet Stromberg

**2190 Shattuck Ave**

42. Alex Sathler

**Berkeley Albany Little League**

43. Frank Knowles

**ADA Concerns**

44. Jon Ruel Holder II (2)

**Sanctuary Cities**

45. Peter Yeung

**Police Dogs**

46. Margot Smith

**Thursday Market**

47. Kathleen Krier

**Tear Gas Concerns**

48. Margot Smith

49. Moni Law

**Parking Survey**

50. Glenn Alex

51. Barbara Gilbert

**Restaurant Inspection Audit**

52. David Lerman

**Proposed Fire Code Modification**

53. Ben Gerhardstein (3)

54. David Sprague (2)

**Gap of Bollards**

55. Shirley Kirsten (2)

**Zone Zero and Water Hose**

56. Krista Denton

**Kala Bagai Way**

57. Guneeta Singh Bhalla

**Men's World Cup**

58. Jeffrey Church

**New Star Street Fair**

59. Sofia Naranjo (2)

**Persian New Year Invitation**

60. Jacob Cohen on behalf of The Persian Center

**Harrison Street**

61. John Waters

**Special Assessments**

62. Jamila Dunn

**Joy of Cooking**

63. Oona Garthwaite

**Labor Dispute Concern**

64. Julie Guilfoxy

**AC Transit Driver**

65. Janie Mansfield

**BESO**

66. Megan Enright

**EMBER**

67. Margot Murtaugh

**California Department of Insurance**

68. Sharon Smith

**Performance Metrics/Outcomes**

69. Steve Kromer

**World Cities Summit 2026 Invite**

70. Hugh Lim

**Hillegass and Ashby**

71. Jim Thornton

**Overnight Construction Concerns**

72. Matt Weber (2)

73. Jen Loy

**URLs**

74. Fred Dodsworth

75. John J. Parman

76. Russbumper (2)

**Newsletters**

77. Berkeley Art Center

78. Shelbi Walker

79. Downtown Berkeley Association

80. Russbumper

**Forwards**

81. Russbumper (3)

## **E-Scooters**

82. Robert Borghese (9)

83. Carson Lepre (6)

84. Lime Virtual Ride Expert

## **Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.