



AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, October 27, 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: 165 636 2224**. 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.*

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.*

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 Berkeley Municipal Code (BMC) Section 23.304.100 (Site Features in Residential Districts) to require undergrounding of electrical transformers on private land**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 8,035-N.S. amending Berkeley Municipal Code (BMC) Section 23.304.100 (Site Features in Residential Districts) to prohibit the above-ground installation of electrical transformers serving new residential, commercial, and mixed-use projects grade on private property, consistent with the Planning Commission’s recommendation.
First Reading Vote: Ayes – Kesarwani, Tregub, O’Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Taplin, Bartlett.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Consent Calendar

2. **Waiver of Sanctuary City Ordinance for Westlaw Contract**
From: City Attorney
Recommendation: Adopt a Resolution waiving the contract prohibition of Berkeley Municipal Code Chapter 13.105, Sanctuary City Contracting, in order to enter into a contract with Westlaw.
Financial Implications: None.
Contact: Farimah Brown, City Attorney, (510) 981-6950
3. **2026 Annual Commission Attendance and Meeting Frequency Report**
From: City Manager
Recommendation: In accordance with Resolution No. 72,097-N.S., review and accept the 2026 Annual Commission Attendance and Meeting Frequency Report.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
4. **Contract: Adrien Segal Public Artwork Commission for Santa Fe Trackbed to Park Conversion**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Adrien Segal for an amount not to exceed \$150,000 for a public art commission of two unique vertical structures that will serve as habitat boxes for both birds and insects at the Community Garden Park (between Blake and Parker Streets) and the Urban Farm and Education Park (between Derby and Ward Streets).
Financial Implications: \$150,000 - Cultural Trust Fund
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000
5. **Contract No. 32500002 Amendment: Community Initiatives | Live Free USA for Gun Violence Intervention and Prevention Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32500002 with Community Initiatives | Live Free USA for gun violence intervention and prevention services to add \$257,548 in Byrne State Crisis Intervention Program (SCIP) grant funding pursuant to a budget modification approved by the California Board of State and Community Corrections (BSCC), bringing the total contract not-to-exceed amount to \$2,874,768; extend the contract term through December 31, 2027; and update the scope of services and budget accordingly.
Financial Implications: See report
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

Consent Calendar

- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on October 27, 2026**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: \$750,000 - Various Funds
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 7. Contract: Insight Public Sector, Inc. dba Aurelian for Non-Emergency Call-Taking Software**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or their designee to enter into a "piggyback" contract with Insight Public Sector, Inc. dba Aurelian for non-emergency call taking software for the Emergency Communications Center and services using the cooperative purchasing organization Omnia Partners Contract No. 23-6692-03. The contract base period will begin on December 1, 2026, through April 30, 2028, and will not exceed \$197,642.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
- 8. Contract No. 104289-1 Amendment: Jackson & Coker for Locum Tenens Psychiatrists**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to amend Contract No. 104289-1 to add \$400,000 and for a not to exceed amount of \$1,814,480. The term of the contract remains the same ending on June 30, 2027.
Financial Implications: See report.
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5100
- 9. Contracts for Recruitment Services ***Item Removed by City Manager*****
From: City Manager
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
- 10. Donation: Memorial Bench at Berkeley Marina in Memory of Clarence and Loreina Fuller**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at the Berkeley Marina in memory of Clarence and Loreina Fuller.
Financial Implications: \$3,400 - Donation
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Consent Calendar

- 11. Donation: Memorial Bench at Berkeley Waterfront Park at the Berkeley Marina in Memory of Mary & Bob Rubenstein**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at Berkeley Waterfront Park at the Berkeley Marina in memory of Mary & Bob Rubenstein.
Financial Implications: \$3,400 (donation)
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 12. Grant Application: The 2026 Surrendered and Abandoned Vessel Exchange (SAVE) Grant Program of the California Division of Boating & Waterways**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to 1) Submit a grant application to the California Division of Boating and Waterways (DBW) 2025 Surrendered and Abandoned Vessel Exchange (SAVE) grant program for the removal and disposal of anticipated abandoned vessels located at the Berkeley Marina; 2) Accept the grant; 3) Execute any amendments; and 4) Authorize a local match contribution of \$5,000.
Financial Implications: \$95,000 (revenue)
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 13. Revenue Grant: California Office of Traffic Safety (OTS) for the 2026-2027 "Selective Traffic Enforcement Program (STEP)" Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to accept the "Selective Traffic Enforcement Program (STEP)" grant and execute any resultant revenue agreements and amendments with the California Office of Traffic Safety. This OTS grant is \$200,000 for the period of October 1, 2026, through September 30, 2027, which corresponds to Federal Fiscal Year 2027.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
- 14. Authorizing the City Manager to Submit a Local Highway Safety Improvement Program (HSIP) Cycle-13 Grant Application and to Execute Any Resultant Grant Agreement and Amendments**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit an application by November 2, 2026 to the California Department of Transportation (Caltrans) for a Local Highway Safety Improvement Program (HSIP) Cycle-13 grant for safety improvements to thirty (30) signalized intersections along Shattuck Avenue, University Avenue, Bancroft Way, and Oxford Street; accept the funds; and execute any resultant agreements and amendments.
Financial Implications: See report
Contact: Jamie Parks, Public Works, (510) 981-6300

Consent Calendar

15. **Authorize the City Manager to Negotiate and Execute a Project Specific Maintenance Agreement Between the California Department of Transportation and City of Berkeley for the San Pablo Avenue Safety Enhancements Project From: City Manager**

Recommendation: Adopt a Resolution authorizing the City Manager to negotiate and execute a Project Specific Maintenance Agreement (PSMA) and any extensions and amendments with the California Department of Transportation (Caltrans) for maintenance of City improvements installed in the state highway during Alameda County Transportation Commission's (ACTC) San Pablo Avenue Safety Enhancements Project.

Financial Implications: See report

Contact: Jamie Parks, Public Works, (510) 981-6300

16. **Contract No. 32300096 Amendment: SCS Engineers for Landfill Post-Closure Maintenance and Monitoring Services**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300096 with SCS Engineers for maintenance, monitoring, and compliance services related to the closed landfill, increasing the contract amount by \$1,600,000 for a total not to exceed amount of \$5,678,022.

Financial Implications: Zero Waste Fund - \$1,600,000

Contact: Jamie Parks, Public Works, (510) 981-6300

17. **Contract No. 32300167 Amendment: POSM Software LLC for Pipeline Observation System Management Software Maintenance and Technical Support**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment with POSM Software LLC for Pipeline Observation System Management software maintenance and technical support, extend the contract through October 31, 2028, increase the contract amount by \$40,000 for a total not to exceed \$88,650, and waiving competitive solicitation requirements on a sole-source basis.

Financial Implications: See report

Contact: Jamie Parks, Public Works, (510) 981-6300

Consent Calendar

- 18. Ordinance Vacating and Authorizing Transfer of Property Adjacent to the North Berkeley BART TOD Site**
From: City Manager
Recommendation:
1. Adopt first reading of an Ordinance (a) declaring four small pieces of land described in Exhibit A and shown in Exhibit B to the report, adjacent to the North Berkeley BART Transit Oriented Development (TOD), to be exempt surplus land; (b) summarily vacating two of the areas that are presently public right of way; and (c) approving the transfer of all four areas to the San Francisco Bay Area Rapid Transit District (BART);
2. Upon conclusion of the second reading of the Ordinance, authorize the City Manager to execute quitclaim deeds conveying the four areas described in Exhibit A and shown in Exhibit B to the report.
Financial Implications: See report
Contact: Jamie Parks, Public Works, (510) 981-6300, Jordan Klein, Planning and Development, (510) 981-7400
- 19. Purchase Order: Municipal Maintenance Equipment, Inc. for the Purchase and Installation of a CCTV Sewer Inspection System in One City-Owned Electric Van**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a purchase order with Municipal Maintenance Equipment, Inc. for the purchase and installation of a closed-circuit television (CCTV) sewer inspection system in one City-owned electric van in an amount not to exceed \$515,636.69.
Financial Implications: See report
Contact: Jamie Parks, Public Works, (510) 981-6300
- 20a. Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)**
(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)
From: Commission on Disability
Recommendation: The Berkeley City Council shall refer to the City Attorney the requirement to include, in all City of Berkeley contracts that impact the public right-of-way, a clause that obligates City contractors to comply with the Public Right-of-Way Accessibility Guidelines (PROWAG).
Policy Committee Recommendation: Send the item to Council with a Qualified Positive Recommendation to refer the development of the PROWAG guidelines to the City Manager with the input of the Commission on Disability.
Financial Implications: See report
Contact: Thomas Gregory, Commission Secretary, (510) 981-6300

Consent Calendar

- 20b. Companion Report: Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee) (Item contains revised material.)*
From: City Manager
Recommendation: Receive this report on Public Works' progress responding to the Commission on Disability's PROWAG referral and concur with the FITES Committee's recommendation to refer development of PROWAG compliance provisions for work in the public right-of-way (construction-zone access guidelines and City contract language, with City Attorney review) to the City Manager, with input from the Commission on Disability (CoD).
Policy Committee Recommendation: Send the item to Council with a Qualified Positive Recommendation to refer the development of the PROWAG guidelines to the City Manager with the input of the Commission on Disability.
Financial Implications: See report
Contact: Jamie Parks, Public Works, (510) 981-6300
- 21. Re-Name the park at the northern end of the Berkeley Waterfront as Si Se Puede Park**
From: Parks, Recreation and Waterfront Commission
Recommendation: Adopt a Resolution re-naming the park at the northern end of the Berkeley Waterfront as Si Se Puede Park.
Financial Implications: See report
Contact: Roger Miller, Commission Secretary, (510) 981-6700
- 22a. Adopt Amendments to Ordinances Governing Special Events: Block Parties; Park Events; Street Events**
From: Zero Waste Commission
Recommendation: Adopt first reading of an ordinance amending BMC 6.46 (Park Events) and BMC 13.44 (Block Parties and Street Events).
Financial Implications: See report
Contact: Julia Heath, Commission Secretary, (510) 981-6300
- 22b. Companion Report: Adopt Amendments to Ordinances Governing Special Events: Block Parties; Park Events; Street Events**
From: City Manager
Recommendation: Adopt first reading of two ordinances, as referred to Council by the Zero Waste Commission's report titled, "Adopt Amendments to Ordinances Governing Special Events: block parties; park events; street events," specifically amending: Berkeley Municipal Code (BMC) Chapter 6.46 (Park Events) and Chapter 13.44 (Block Parties and Street Events).
Financial Implications: See report
Contact: Jamie Parks, Public Works, (510) 981-6300

Consent Calendar

23a. Enforceable Mechanism for Berkeley Green Code Compliance

From: Zero Waste Commission

Recommendation: Recommend Council to direct the City Manager to refer Public Works Zero Waste staff and Planning, Safety and Building, Energy and Sustainability and Green Building staff work together to develop recommendations to implement a clear path to enforcement for non-compliance with Berkeley Green Code (BMC 19.37) Construction and Demolition (C&D) waste diversion requirements, including the possibility of fines and citations and other mechanisms to increase compliance.

Financial Implications: See report

Contact: Julia Heath, Commission Secretary, (510) 981-6300

23b. Companion Report: Enforceable Mechanism for Berkeley Green Code Compliance

From: City Manager

Recommendation: Direct the City Manager to assign the Public Works Department, in conjunction with the Planning and Development Department, to: 1. Review and consider research conducted by the Zero Waste Commission and UC Berkeley student researchers on enforcement mechanisms in other jurisdictions; and, 2. Develop a recommendation for City Council to adopt an appropriate enforcement mechanism(s) to strengthen compliance with California Green Building Standards Code by adding to Berkeley Green Code (BMC 19.37).

Financial Implications: See report

Contact: Jamie Parks, Public Works, (510) 981-6300

24a. Research on Proper Space Allocation for Standardizing Compliance with Source Separated Refuse Collection Procedures

From: Zero Waste Commission

Recommendation: Recommend that Council refer the matter to the City Manager with direction to: 1. Instruct the Zero Waste Division, in collaboration with the Planning Department and Fire Department, to study, research, and recommend policies that standardize requirements for: a. Tenant-facing materials collection rooms for refuse, dual-stream recycling, and composting; b. Central collection rooms or enclosures; c. Curbside collection staging areas for all new construction. 2. Develop minimum per-unit service requirements, design parameters, and enforcement mechanisms; pursuant to Chapter 12.32.030 and 12.35 of the Berkeley Municipal Code.

Financial Implications: See report

Contact: Julia Heath, Commission Secretary, (510) 981-6300

24b. Companion Report: Proper Space Allocation for Standardizing Compliance with Source Separated Refuse Collection Procedures

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 12.32 - Storage, Collection and Disposal of Waste.

Financial Implications: See report

Contact: Jamie Parks, Public Works, (510) 981-6300

Council Consent Items

25. Amendment to Berkeley Municipal Code Chapter 7.18 to Explicitly Require Competitive Procurement for Services to Promote Accountability and Transparency and Refer Development of Regulations to City Manager

(Reviewed by the Budget & Finance Committee)

From: Councilmember Kesarwani (Author), Mayor Ishii (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)

Recommendation: Adopt an ordinance amending Berkeley Municipal Code (BMC) Chapter 7.18, Expenditure Limitations, to require procurement through competitive solicitation for all city contracts for professional services and other services greater than \$100,000.

Further, for the City Attorney's Office (CAO), require development of an Outside Council Selection Protocol whereby the CAO develops an annual report to Council for its pre-qualified list of outside attorneys and law firms based on respondents to the office's ongoing Request for Qualifications process. When outside counsel is required, senior staff in the CAO would choose from pre-qualified attorneys/firms and identify the best candidate based on expertise, quality of work, and cost. This recommendation would allow for a competitive process using the pre-qualified list, thus accommodating the CAO's need to quickly engage outside counsel while preserving best procurement practices. Additionally, request the CAO report to Council on legal services contracts and amendments to City Council quarterly to increase transparency of spending on legal services contracts.

Refer to the City Manager to promulgate any further regulations that may be needed related to the requirement for competitive solicitation except for emergencies and when market research justifies the business case for a sole-source procurement, in alignment with the existing purchasing manual. Further, refer to the CAO to develop legal services regulations to implement the competitive solicitation process for outside counsel contracts and define circumstances where a sole-source procurement is justified by emergencies, market research, conflicts of interest, or other considerations.

Policy Committee Recommendation: To send the item to Council with a Qualified Positive Recommendation as written and amended during discussion, with additional direction to further consider:

-Specifying the 5-7 year contract rebidding timeframe in the ordinance as well as the purchasing manual

-Authorizing the City Attorney's Office to promulgate legal services procurement regulations and guidelines

-Establishing annual reporting to Council on legal services contracts and amendments

-B.M.C. Section 7.18.010(A) Expenditures pursuant to Charter Article XI, Sections 67 and 67.5 is amended to read as follows:

Except as otherwise provided in this Title, expenditures pursuant to Article XI, Sections 67 and 67.5 of the Charter of the City of Berkeley, for which exceed the initial amount exceeds of \$1050,000, inclusive only of professional services, other services, supplies, equipment, or materials (excluding leases and real estate agreements), shall require Council approval and shall be procured through competitive solicitation except in the case of emergencies pursuant to Article XI, Section 67.4. The requirement specified in Article XI, Section 67 of the Charter to

Council Consent Items

select the “lowest responsible bidder” only for supplies, equipment, or materials contracts remains. Professional services and other services contracts shall be based on demonstrated competence and qualifications for the types of services to be performed, at fair and reasonable prices to the City. This requirement for professional and other services contracts to be selected via competitive procurement applies to all Charter Officers. Pursuant to Article XVI Section 113, the City Attorney retains the authority to enter into contracts without Council approval after competitive procurement of professional services, other services, supplies, equipment or materials (excluding leases and real estate agreements). The City Attorney is authorized to promulgate regulations to implement this section with respect to City Attorney’s Office contracts. All departments, excluding the City Attorney’s Office, shall follow the City of Berkeley Purchasing Manual guidelines, Section 3, for extensions of contracts and re-bid all contracts under the timeframes specified. The City Attorney’s Office shall follow regulations specific to City Attorney’s Office contracts.

Financial Implications: Staff time

Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

26. Berkeley Flea Market End-of-the-Season Fall Festival/Halloween Celebration Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

From: Councilmember Bartlett (Author)

Recommendation: Adopt a Resolution approving the expenditure of funds, including \$600 from Councilmember Ben Bartlett, for the End-of-the-Season Fall Festival / Halloween Celebration of the South Berkeley Flea Market at Ashby BART, organized by Community Services United, a 501(c)3, with funds relinquished to the City’s General Fund for this purpose from the discretionary council office budget of Councilmember Bartlett and any other Councilmembers who would like to contribute.

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

27. Harriet Tubman Terrace Residents' Low-Income Housing Bay Cruise Lunch Event on Thursday, November, 5, 2026 - Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

From: Councilmember Bartlett (Author)

Recommendation: Adopt a Resolution approving the expenditure of funds, including \$500 from the discretionary Council Office Budget of Councilmember Ben Bartlett for the Harriet Tubman Terrace residents' low-income housing Bay Cruise Lunch event on Thursday, November, 5, 2026, to Nonprofit and 501(c)3: Lifesteps, to fund operational resources. The funds will be relinquished to the City’s General Fund from the Discretionary Council Office Budget of Councilmember Ben Bartlett and the Discretionary Council Office Budgets of any other Councilmembers who would like to contribute.

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Council Consent Items

- 28. Appointment of Charles “Court” Jackson to the Board of Library Trustees**
From: Councilmember O’Keefe (Author)
Recommendation: Adopt a Resolution appointing Charles “Court” Jackson to the Board of Library Trustees (“BOLT”) for a term of four years beginning November 4, 2026.
Financial Implications: None
Contact: Shoshana O’Keefe, Councilmember, District 5, (510) 981-7150, Rebecca Alcalá-Veraflor, Library, (510) 981-6100
- 29. Appointment of Hong-Sze Yu to the Board of Library Trustees**
From: Councilmember O’Keefe (Author)
Recommendation: Adopt a Resolution appointing Hong-Sze Yu to the Board of Library Trustees (“BOLT”) for a term of four years beginning November 4, 2026.
Financial Implications: None
Contact: Shoshana O’Keefe, Councilmember, District 5, (510) 981-7150, Rebecca Alcalá-Veraflor, Library, (510) 981-6100

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.

Action Calendar – New Business

30. Ashby BART East Lot Developer Selection for Exclusive Negotiation and Reservation of Predevelopment Funding

From: City Manager

Recommendation: Adopt two Resolutions that enable the City to move forward into negotiation and predevelopment with a selected development team for the Ashby East Lot Transit Oriented Development (TOD) project, located at the intersection of Woolsey St. and Tremont St., directly east of the Ed Roberts Campus, by:

1. Authorizing the City Manager or designee to negotiate and enter into an Exclusive Negotiating Rights Agreement (ENRA) and any required amendments with Satellite Affordable Housing Associates (SAHA), Habitat for Humanity East Bay/Silicon Valley, and Deborah D. Matthews Consulting (collectively, “the SAHA Team”).
2. Authorizing the City Manager or designee to negotiate and enter into an ENRA and any required amendments with the alternative developer, Related California and the Kelsey (collectively, “the Related Team”), in the event that the ENRA with the SAHA Team is terminated or if the City does not enter into a ENRA with the SAHA Team.
3. Approving the reservation of \$1 million of Affordable Housing Mitigation Fees (Fund 120) to the SAHA Team or their affiliate(s) to support master planning and predevelopment activities related to the development of affordable housing at the Ashby East Lot BART site.
4. Affirming that the City's Housing Trust Fund Guidelines will apply to the use of funds to support master planning and predevelopment activities related to the development of affordable housing at the Ashby East Lot BART site.
5. Authorizing the City Manager or designee to execute all original or amended documents or agreements in accordance with the intent of this Resolution.

Financial Implications: See report

Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5100

Information Reports

31. Audit Status Report: 2009 Leases Audit Follow-Up

From: City Manager

Contact: Jamie Parks, Public Works, (510) 981-6300

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.

Archived indexed video streams are available at: berkeleyca.gov/council-agendas.
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 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

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, (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, 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.

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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 October 15, 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 #21: Re-Name the Park at the North Waterfront as Si Se Puede Park**

1. Pear Michaels
2. David Tepper
3. 7 Similarly worded form letters

### **Parking Meter Changes**

4. Eric Hyman

### **Berkeley Marina Visit**

5. Gregory Kalkanis

### **Flock/Mass Surveillance Concern**

6. Summer Brenner
7. Sam Holtzman
8. Dan Hibbing
9. Elizabeth Harrell
10. Judith Katz
11. Kelly Yan
12. Marcy Groot
13. Leona Benten
14. Craig Knudsen
15. 28 Similarly worded form letters

### **8<sup>th</sup> and Harrison**

16. Elan Loeb

### **Upzoning/Zoning**

17. Matthew Wadlund (2)
18. Beth Roessner
19. Michael Bauce

### **9<sup>th</sup>/10<sup>th</sup> and Camelia**

20. Stephanie Chang (2)
21. Dana Hymel
22. Lisa Brown (2)
23. CC Miksza (2)
24. Chia Zau
25. Anne Aronov
26. Tatiana Davis

### **Musical Tent**

27. Lauren Parsons

**Marin Ave Concern**

28. Kenny Yu

**Grayson Encampments**

29. Claudia Kawczynska

30. Cameron Woo

31. Karima Cammell

32. Sean Kenmore

**Trash Pick Up Concerns**

33. Amir Hay

34. Stephen Vonder Haar

**600 Bancroft Way**

35. Biolab Watch

**College and Hopkins**

36. Todd Jersey

**Bay Trail Clean-Up**

37. Chris Orr

**Does Design Matter**

38. Yolanda Huang

**900 Grayson**

39. Hillary Calvin Justice

**Pedestrian Safety Concerns**

40. Alex Merenkov

**Hopkins**

41. Stephen Alpert (2)

**Golden Gate Fields Planning**

42. Diane Quimby

**Home Match Info**

43. Rachel Matthews

**Encampments**

44. Ben Moreno

45. Jeff Cooksey

**Vandalism Concern**

46. Oscar Fernandez

**Week Without Driving**

47. Casey Passmore

**Alameda County ECE Campaign Letter of Support**

48. Christa Edwards

**E-Scooters**

49. Robert Borghese

**Forwards/URLs**

50. Eid Abdallah (8)

51. Russbumper (2)

52. Nodextrose Org

**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.