REVISED AGENDA

(REMOVED TELECONFERENCE LOCATION)

BERKELEY CITY COUNCIL MEETING

Tuesday, June 25, 2024
6:00 PM

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

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244.

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: https://cityofberkeley-info.zoomgov.com/j/1602106200. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter Meeting ID: **160 210 6200**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@berkeleyca.gov.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. 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.

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: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons attending the meeting in-person and wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to commencement of that meeting. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.*

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. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. 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. FY 2025 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,912–N.S. setting the FY 2025 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0048%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

2. FY 2025 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,913–N.S. setting the FY 2025 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0064%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

3. FY 2025 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,914–N.S. setting the FY 2025 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0111%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

4. FY 2025 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,915–N.S. setting the FY 2025 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0136%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

5. FY 2025 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,916–N.S setting the FY 2025 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0250%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

6. FY 2025 Tax Rate: Business License Tax on Large Non-Profits
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,917–N.S. setting the FY 2025 tax rate for Business License Tax on large non-profits at $0.8207 (82.07 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

7. FY 2025 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping
From: City Manager
Recommendation: Adopt second reading Ordinance No. 7,918–N.S setting the FY 2025 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at $0.2210 (22.10 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

8. FY 2025 Tax Rate: Fund the Provision of Emergency Medical Services (Paramedic Tax)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,919–N.S. setting the FY 2025 tax rate for funding the provision of emergency medical services to Berkeley residents at $0.0468 (4.68 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

9. FY 2025 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,920–N.S. setting the FY 2025 tax rate for funding the provision of emergency services for the disabled at $0.02094 (2.094 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

10. FY 2025 Tax Rate: Fund Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,921–N.S. setting the FY 2025 tax rate for funding Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF) in the City of Berkeley at the annual tax rate of $0.1220 (12.20 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

11. Amendments to Berkeley's Municipal Code Chapter 2.24 to Establish Whistleblower Program Authority
From: Auditor
Recommendation: Adopt second reading of ordinance No. 7,922–N.S amending City Auditor's Office (BMC Chapter 2.24) authority and scope of work to formally establishing the City Auditor's authority to receive and refer reports of fraud, waste, or abuse as well as investigate those reports and any reports of retaliation against whistleblowers.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Jenny Wong, Auditor, (510) 981-6750

Consent Calendar

12. Minutes for Approval
From: City Manager
Recommendation: Approve the minutes for the Council meetings of April 26, 2024 (closed), May 6, 2024 (closed), May 7, 2024 (special) (4 p.m. & 4:15 p.m.), May 7, 2024 (regular), May 10, 2024 (closed), May 13, 2024 (closed), May 14, 2024 (special), May 14, 2024 (regular), May 21, 2024 (closed), May 21, 2024 (special), May 21, 2024 (regular), May 24, 2024 (special)
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900

13. Contract: Live Free for Gun Violence Intervention and Prevention Program: Custom Notification and Street Outreach Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Live Free USA (Contractor) to design, implement, and assess the Custom Notification and Street Outreach Services component of the City of Berkeley's Gun Violence Intervention and Prevention Program for a two-year pilot, in an amount not to exceed $2,000,000 ($1,000,000 per fiscal year).
Financial Implications: See report
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

14. FY 2025 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2025 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of $0.0629 (6.29 cents) per square foot of improvements for dwelling units and setting the rate for all other property at $0.09519 (9.519 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300; David Sprague, Fire, (510) 981-3473

15. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 25, 2024
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) 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: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

16. Appropriations Limit for FY 2025
From: City Manager
Recommendation: Adopt a Resolution establishing the appropriations limit at $353,538,057 for FY 2025 pursuant to Article XIIIB of the Constitution of the State of California based on the calculations for the appropriations limit.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

17. FY 2025 Reaffirming the Investment Policy and Designation of Investment Authority
From: City Manager
Recommendation: Adopt a Resolution reaffirming the Investment Policy (no revisions are recommended) and to confirm the delegation of investment authority to the Director of Finance to make investments for FY 2025.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

18. Agreement: City of El Cerrito Fire and Emergency Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a memorandum of understanding with the City of El Cerrito to provide year-round automatic aid in each jurisdiction for fire, technical rescue, emergency medical, and other emergency response, rescinding Resolutions No. 68,820-N.S and 66,821-N.S. and maintaining the existing mutual response area agreement until the year-round fire and emergency services agreement is ratified.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473

19. Contract: Vector Solutions for Fire Records Management Software
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a piggyback contract and any amendments with Vector Solutions using the National Purchasing Partners (NPP) contract No. PS21095 in an amount not to exceed $200,000 for Fire Department Records Management from July 1, 2024 through March 24, 2027 with one (1), three (3) year option to extend.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473

20. Purchase Order: Wildfire Defense Mesh
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a Purchase Order with Wildfire Defense Mesh from June 1, 2024 until May 31, 2027 in an amount not to exceed $400,000 with an option to extend for an additional three (3) years.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473

Consent Calendar

21. Prioritizing City-Owned Land for Affordable Housing and Noticing of Potential Disposition of City-Owned Land
From: City Manager
Recommendation: Adopt a Resolution affirming the City's commitment to prioritize City-owned land for affordable housing and publicly notice the potential disposition of City-owned land consistent with the Surplus Lands Act.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

22. Approving the Revised Operating Budget for Golden Bear Homes
From: City Manager
Recommendation: Adopt a Resolution approving the revised operating budget for Golden Bear Homes (1620 San Pablo Avenue), with the understanding that the increased cost of operating the Homekey project may necessitate a future reservation of approximately $550,000 in City funds, if other operating sources are not identified for the project.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

23. Additional Development Funding Reservation for 1740 San Pablo Avenue
From: City Manager
Recommendation: Adopt a Resolution:
1. Reserving an additional $4,496,669 in Housing Trust Fund (HTF) program funds for the development loan agreement for BRIDGE Housing Corporation's (BRIDGE) affordable housing project located at 1740 San Pablo Avenue.
2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate this action.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

24. Revenue Grant Agreement: Funding Support from the State of California to Conduct Public Health Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept grant funding, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Maternal, Child and Adolescent Health (MCAH) Program in the projected amount of $375,000 for FY 2025.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

25. 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 her 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 four revenue agreements:
1. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of $183,918 for Fiscal Year 2025.
2. School Linked Health Services Program (Measure A Funding) in the projected amount of $200,011 for Fiscal Year 2025.
3. Tobacco Prevention Program in the projected amount of $81,329 for Fiscal Year 2025.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

26. Memorandum of Understanding: SEIU Local 1021 Maintenance & Clerical Chapters
From: City Manager
Recommendation: Adopt a Resolution 1) approving a successor Memorandum of Understanding (hereafter referred to as “MOU”) with the Service Employees International Union Local 1021 Maintenance and Clerical Chapters (hereafter referred to as the “Union”) for a three-year term from June 27, 2024 to July 26, 2027 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new MOU and to make non-substantive edits to the format and language of the MOU in alignment with the tentative agreement, and conforming to legal requirements; and 2) approving a new Classification and Salary table for SEIU Local 1021 Maintenance and Clerical Chapter classifications that implement the salary adjustments reflected in the new MOU and supersede prior salary resolutions.
The terms of the proposed 2024-2027 MOU are within the parameters of authority approved by Council in closed session.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

Consent Calendar

27. Unrepresented Employee Group Salaries, Longevity Differential, and Vision Insurance
From: City Manager
Recommendation: Adopt a Resolution approving salary adjustments, modification of the longevity differential, and the addition of vision insurance coverage for specified units of employees in the Unrepresented Employee Group and authorizing the City Manager to make edits to the Unrepresented Employee Manual in alignment with the Resolution, and to execute and implement the terms and conditions of employment set forth in the new Unrepresented Employee Manual.
The terms of the proposed 2024-2027 changes are within the parameters of authority approved by Council in closed session
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

28. Memorandum of Understanding: Berkeley EMS Professionals
From: City Manager
Recommendation: Adopt a Resolution 1) approving a new Memorandum of Understanding (MOU) with the Berkeley EMS Professionals (IAFF Local 1227) for a three-year term from July 1, 2023 through June 30, 2026 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new MOU; and 2) approving a new Classification and Salary table for EMS Professionals classifications that implements the salary adjustments reflected in the new MOU.
The terms of the proposed 2023-2026 MOU are consistent with those of the Berkeley Fire Fighters Association (BFFA) and within the parameters of authority approved by Council in closed session.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

29. New Contract: Accela, Inc Software Upgrade and Maintenance
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to enter into a new Contract with Accela, Inc., for software upgrade and maintenance to their modern platform for a total not to exceed $1,324,193 from July 1, 2024 to June 30, 2027
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500

Consent Calendar

30. AHEAD, Inc: Using the California Department of General Services' (DGS) Software Licensing Program (SLP) for Software License Purchases
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to increase spending authority with AHEAD, Inc. ("AHEAD") for the purchase of Varonis subscription software licenses, utilizing pricing and contracts, amendments, and extensions from the California Department of General Services (DGS) Software Licensing Program (SLP) increasing the amount by $550,890 for a total amount not-to-exceed $973,804.51 and the period beginning January 31, 2023 through September 28, 2025.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500

31. FY 2025 Special Tax Rate: Fund the Provision of Library Services
From: City Manager
Recommendation: Adopt the Resolution to recommend that the Berkeley City Council set the FY 2025 tax rate for funding the provision of Library Services in the City of Berkeley at $0.2800 (28.00 cents) per square foot for dwelling units and $0.4233 (42.33 cents) per square foot for industrial, commercial, and institutional buildings.
Financial Implications: See report
Contact: Tess Mayer, Library, (510) 981-6100; Henry Oyekanmi, Finance, (510) 981-7300

32. Grant Application: California Fire Foundation-Camps Wildfire Response Equipment
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a California Fire Foundation grant application in the amount up to $25,000; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

33. Audit Recommendation Status - Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities *(Reviewed by the Budget & Finance Committee)*
From: City Manager
Recommendation: *Policy Committee Recommendation: No final action taken. Item is automatically returning to the Council agenda pursuant to the time limit for items referred to policy committees.*
Financial Implications: see report
Contact: Jennifer Louis, Police, (510) 981-5900

Consent Calendar

34. Approving Proposed Projects Anticipated to be paid for by the State's Road Maintenance and Rehabilitation Account Funds for FY 2024-25
From: City Manager
Recommendation: Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California's Road Maintenance and Rehabilitation Account, and authorize the City Manager to submit the proposed list to the California Transportation Commission.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

35. Purchase Order: WEX Fuel Card Program for Fueling of City Vehicles
From: City Manager
Recommendation: Adopt a Resolution satisfying requirements of City Charter Article XI Sections 67.2 allowing the City to participate in Sourcewell contract bid procedures, and authorizing the City Manager to execute a multi-year purchase order for the WEX Fuel Card Program for fueling City vehicles in an amount not to exceed $1,500,000 through June 30th, 2029.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

36. Contract: Bay Construction Co. for the Second Street STAIR Center Site Improvements and Shelter Units Project
From: City Manager
Recommendation: Adopt a Resolution:
1. Approving plans and specifications for Second Street STAIR Center Site Improvements and Shelter Units Project, Specification No. 23-11603-C;
2. Accepting the bid of Bay Construction Co. as the lowest responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed $1,069,200, which includes a contingency of $97,200.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

37. Accepting Grant Funds from the U.S. Environmental Protection Agency for West Berkeley Aquatic Park Stormwater Improvement Project
From: City Manager
Recommendation: Adopt a Resolution: Authorizing the City Manager to execute a $1.5M grant agreement with the U.S. Environmental Protection Agency (EPA) to plan, design, and construct a bioretention garden for the Channing Way Micro-Watershed and the installation of two Hydrodynamic separators on the Bancroft Street culvert and Channing Way.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

38. Grant Acceptance: Alameda CTC CIP 2024 Adeline Corridor Transportation Improvements
From: City Manager
Recommendation: Adopt a Resolution accepting funds from the Alameda County Transportation Commission (CTC) for the Adeline Street Transportation Improvements Project.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

39. Contract: B Brothers Construction, Inc. for the West Berkeley Service Center Improvements Project
From: City Manager
Recommendation: Adopt a Resolution:
1. Approving plans and specifications for West Berkeley Service Center Improvements Project, Specification No. 21-11604-C;
2. Accepting the bid of B Brothers Construction, Inc. as the lowest responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed $1,461,394, which includes a contingency of $145,616.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

40. Contract: Edgeworth Integration, LLC for Installation of Security Cameras at Council-Approved Intersections; and Authorizing Additional External Fixed Video Surveillance Cameras *(Continued from June 14, 2024)*
From: City Manager
Recommendation:
1. Adopt a Resolution authorizing the City Manager to execute a contract with Edgeworth Integration, LLC for purchase and installation of External Fixed Video Surveillance Cameras at fifteen council-approved locations, for an amount not to exceed $850,000.
2. Adopt a Resolution authorizing the installation of additional External Fixed Video Surveillance Cameras under this contract scope should they be approved by City Council, included in the Surveillance Policy and funding appropriated.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

41. Adopt a Resolution Supporting the Bay Area Housing Finance Authority's 2024 Regional Affordable Housing Bond
From: Housing Advisory Commission
Recommendation: Adopt a Resolution supporting the Bay Area Housing Finance Authority's (BAHFA's) 2024 Regional Affordable Housing Bond.
Financial Implications: See report
Contact: Anna Cash, Commission Secretary, HHCS, (510) 981-5403

Consent Calendar

42. Appointment of Ajay Krishnan to Mental Health Commission for the City of Berkeley
From: Mental Health Commission
Recommendation: Adopt a Resolution appointing: Ajay Krishnan as a representative of the General Public Interest Category to complete his first 3-year term beginning June 25, 2024 and ending June 24, 2027.
Financial Implications: See report
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

43. Allocation of funds for a Nexus Study to develop a Parks Impact Fee for new developments
From: Parks, Recreation and Waterfront Commission
Recommendation: To provide for the foreseeable new park and recreation needs generated by the City's assigned (RHNA) population growth, the Parks, Recreation and Waterfront Commission recommends that the City Council allocate $100,000 to fund a Nexus Study, in the FY24/25 Budget, as a first step toward adopting a Parks Impact Fee for new developments.
Financial Implications: See report
Contact: Roger Miller, Commission Secretary, (510) 981-6700

Council Consent Items

44. Front Row Festival: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember including $500 from Mayor Arreguin to the Downtown Berkeley Association for their Front Row Festival with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin and any other Councilmembers who would like to contribute.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100

45. Support for ACA 14 – The Basic Labor Standards at the University of California Act
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Adopt a Resolution in support of ACA 14 (Ortega) – The Basic Labor Standards at the University of California Act. Send copies of the Resolution to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymembers Buffy Wicks and Liz Ortega.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100

Council Consent Items

46. Accepting grant funding of $100,000 from San Francisco Foundation and engage Planet DMA (DBA DMA INK) in consulting work associated with the Equitable Black Berkeley (EBB) Initiative and execute a new contract with Gail McGuire to support EBB community engagement
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution authorizing the City Manager to:
1. Receive $100,000 of grant funds from the San Francisco Foundation (SFF) (see Attachment #2) for project support and implementation for the Equitable Black Berkeley (EBB) Initiative;
2. Approve a PO with DMA INK (aka "DMA") and the Mayor's Office for services associated with supporting EBB for a total amount not to exceed $45,000; and
3. Execute a contract with the independent contractor between the Mayor's Office and Gail McGuire to support EBB's community engagement efforts at a weekly rate not to exceed $2,000 for twelve weeks.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100

47. Contract No. 32000196 Amendment: Szabo & Associates for Communications Consulting Services
From: Mayor Arreguin (Author)
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32000196 with Szabo & Associates for communications consulting services for the Mayor's Office, increasing the contract amount by $32,500 for a new total not to exceed $336,000, extending the contract to November 30, 2024.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100

48. Downtown Berkeley Pride on the Plaza: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds
From: Councilmember Taplin (Author), Mayor Arreguin (co-sponsor), Councilmember Lunaparra (co-sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember, including $500 from the author and co-sponsors, to support the Downtown Berkeley "Pride on the Plaza" event.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

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 one of the Action Calendar public comment periods on the item. Public comment will occur for each Action item (excluding public hearings, appeals, and/or quasi-judicial matters) in one of two comment periods, either 1) before the Action Calendar is discussed; or 2) when the item is taken up by the Council.

A member of the public may only speak at one of the two public comment periods for any single Action item.

Action Calendar

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. Up to ten (10) speakers 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.

Action Calendar – Scheduled Public Comment Period

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

49. Reserving $24.5 Million to Support the Development of Affordable Housing at the North Berkeley BART Site
From: City Manager
Recommendation: Adopt a Resolution:
1. Reserving $24.5 Million for the following affordable housing developments at the North Berkeley BART (NBB) site: a) NBB BRIDGE Phase 1 Project (BRIDGE Housing Corporation) at $10,657,975; b) NBB EBALDC Project (East Bay Asian Local Development Corporation) at $5,473,534; and c) NBB BRIDGE Insight PSH Project (BRIDGE Housing Corporation and Insight Housing) at 8,368,491.
2. Waiving Section I.A.1 of the Housing Trust Fund Guidelines for Applicant Experience for Insight Housing.
3. Authorizing the City Manager or designee to disburse up to $2M of the $24.5M reservation for predevelopment, if the development is unsuccessful in securing predevelopment funding from the Metropolitan Transportation Commission's Priority Sites Program.
4. Authorizing the City Manager or designee to execute all original or amended documents or agreements to effectuate this action.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

50. Approval of the North Berkeley BART Affordable Housing Compliance Plan
From: City Manager
Recommendation: Adopt a Resolution:
1. Approving the North Berkeley BART Affordable Housing Compliance Plan.
2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate this action.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. For certain hearings, this is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to be recognized and to determine the number of persons interested in speaking at that time.

Up to ten (10) speakers 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.

When applicable, each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.

51. Levy and Collection of Fiscal Year 2025 Street Lighting Assessments
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion adopt Resolutions confirming the assessments for the Berkeley Street Lighting Assessment District No. 1982-1 and the Street Lighting Assessment District 2018, approving the Engineer's Reports, and authorizing the levying and collection of assessments in Fiscal Year 2025.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

52. Approval and Levy of 2018 Clean Stormwater Fee in FY 2025
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2025.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

53. Fiscal Years 2025 & 2026 Biennial Budget Adoption
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion:
1. Adopt the Fiscal Years 2025 & 2026 ("FY25 and FY26") Biennial Budget as contained in the City Manager's FY25 & FY26 Proposed Biennial Budget, and as amended by subsequent Council action.
2. Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY25, as reflected in Attachment 2 to the report, and as amended by subsequent Council action.
Financial Implications: See report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

Action Calendar

54. FY 2025 Annual Appropriations Ordinance
From: City Manager
Recommendation: Adopt first reading of an Ordinance adopting the FY 2025 Annual Appropriations Ordinance (AAO) in the amount of $776,943,545 (gross appropriations) and $670,897,257 (net appropriations).
Financial Implications: See Report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

55. Borrowing of Funds and the Sale and Issuance of FY 2024-25 Tax and Revenue Anticipation Notes
From: City Manager
Recommendation: Adopt a Resolution approving the borrowing of $36,000,000 and the sale and issuance of Fiscal Year 2024-25 Tax and Revenue Anticipation Notes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

56. Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit *(Continued from January 16, 2024) (Reviewed by the Health, Life Enrichment, Equity, & Community Committee)*
From: Councilmember Harrison (Author)
Recommendation: Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit.
Policy Committee Recommendation: Send the item to Council with a qualified positive recommendation to approve the Ordinance with substantial edits and as may be necessary for legal and administrative purposes.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Action Calendar

57. Accept the Risk Analysis for Long-Term Debt (Bonding Capacity) Report provided by Government Finance Officers Association *(Reviewed by the Budget & Finance Committee)*

From: City Manager

Recommendation: Accept the report titled 'Risk-Based Analysis and Stress Test of Long-Term Debt Affordability' as provided by the Government Finance Officers Association (GFOA). This report is based on their research and development of a risk-modeling tool to address issuing long-term debt related to City of Berkeley Vision 2050.

On April 26, 2022, the City Council referred this item to the City Manager and Budget & Finance Committee to return to Council with recommendations or analysis on as many of the following items as possible by October 2022, if feasible. 1) Consideration of reserves policies for operational funds other than the General Fund; 2) Potential reduction of the maximum indebtedness rate from 15% of assessed property value down to 4-8% range; 3) A new policy to not incur indebtedness when interest rates go above 5% or a different specific threshold; 4) Tools for increased transparency for taxpayers; 5) Updated report and discussion of pension and healthcare costs; 6) Refer the full Report to the Budget & Finance Committee for consideration.

Policy Committee Recommendation: No final action taken. Item is automatically returning to the Council agenda pursuant to the time limit for items referred to policy committees.

Financial Implications: None

Contact: Henry Oyekanmi, Finance, (510) 981-7300

58. Adopt an Ordinance Adding a New Chapter 12.01 to the Berkeley Municipal Code Establishing Emergency Greenhouse Gas Limits, Process for Updated Climate Action Plan, Monitoring, Evaluation, Reporting and Regional Collaboration *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*

From: Councilmember Harrison (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Hahn (Co-Sponsor)

Recommendation:

1. Adopt an ordinance adding a new Chapter 12.01 to the Berkeley Municipal Code (BMC) establishing Emergency Greenhouse Gas Limits with an effective date of [ ], 2022.

2. Refer to the FY23-24 Budget Process $[ ] consistent with implementing the requirements of Sections 12.01.040, 12.01.050, 12.01.060.

Policy Committee Recommendation: No final action taken. Item is automatically returning to the Council agenda pursuant to the time limit for items referred to policy committees.

Financial Implications: See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Action Calendar

59. Referral for Development of Request for Proposal (RFP) to Support Berkeley-Based Non-Profit Food Assistance Providers Serving Food Insecure Households *(Reviewed by the Health, Life Enrichment, Equity, & Community Committee)*
From: Councilmember Kesarwani (Author), Councilmember Humbert (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Refer to the City Manager to develop and fund a Request for Proposal (RFP) process to support Berkeley-based non-profit food assistance providers serving food insecure households. Funds are intended for (but not limited to) the following needs:
1. Expansion of capacity to serve more people experiencing food insecurity, such as one-time purchase of equipment;
2. Hiring of additional staff to serve more people; and/or
3. Other emerging needs to be determined.
4. Refer $200,000 annually in funding to the biennial FY 2024-25 to FY 2025-26 budget process to fund qualified proposals resulting from the RFP.
Policy Committee Recommendation: The item referred to City Council with a Qualified Positive recommendation with the amendment of referring the issue of food assistance to the Community Agency RFP process the next time the RFP is developed.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

Information Reports

60. Voluntary Time Off Program for Fiscal Year 2025
From: City Manager
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

61. Status Report - Berkeley's Financial Condition (FY 2012 – FY 2021): Pension Liabilities and Infrastructure Need Attention
From: City Manager
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

62. FY 2024 Second Quarter Investment Report: Ended December 31, 2023
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300

63. FY 2024 Third Quarter Investment Report: Ended March 31, 2024
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300

64. Zero Waste Commission Fiscal Year 2024-25 Work Plan
From: City Manager
Contact: Terrance Davis, 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:
https://berkeleyca.gov/your-government/city-council/city-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 as well as posted on the City's website at https://berkeleyca.gov/.

Agendas and agenda reports may be accessed via the Internet at:
https://berkeleyca.gov/your-government/city-council/city-council-agendas
and may be read 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 (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.

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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 Thursday, June 20, 2024.



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 53. Fiscal Years 2025 & 2026 Biennial Budget Adoption

1. Parks, Recreation, and Waterfront Commission
2. Sibyl Chen
3. Courtney Pal on behalf of Dan Sawislak, Executive Director, Resources for Community Development
4. Ellen Lake
5. Daniel
6. Allison Foster
7. Maddie Emodi
8. Jane Diamond
9. Jake Teitelbaum
10. Cheryl Newbrough
11. Patrick Tool and Michelle Rostampour
12. Cheryl Brewster
13. Susan McKay

Middle East Conflict

14. Mohammed Harara
15. Sheela Jivan
16. Aylin Beyce
17. Erwan Illian (7)
18. russbumper (6)
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Southside Complete Streets Project

19. L.
20. Hannah
21. Tom
22. D.
23. B.S. bikedelly
24. An angry resident
25. William Kan

2274 Shattuck Ave Project

26. Charlene M. Woodcock
27. LiHui Tsai
28. Anjali Rojas
29. Lynn Sherrell

People's Park

30. Meg Mav
31. Olivia Page
32. Aleena Karim

Hard Hats

33. Kelly Elena MacDonald on behalf of Andreas Cluver, Secretary-Treasurer of the Building & Construction Trades Council of Alameda County

Cameras

34. Simone Arpaio

Animal Care Services

35. Liz Dodge

Smoking

36. Anthony John DeMaria

Speed Bump

37. Sutapa Mallik

Crossing Sign

38. Octavio

Campaign Finance Complaint

39. Tom Luce on behalf of J. George Lippman

City Manager Separation Package

40. Becca Freed

Building in South Berkeley

41. Lynn Cooper

2113-2115 Kittredge Street – Use Permit #ZP2022-0144

42. Steven Schuyler

Video Recording Planning Commission Meetings

43. Berkeley Public Eye

First Congregational Church of Berkeley UCC's 150th Anniversary
44. Rev. Molly Baskette

Police Accountability Board
45. Jose D. Murillo, Office of the Director of Police Accountability

Friends of the Library Annual Membership Meeting
46. Cathy Brown

Daylight Strawberry Creek
47. Luka Henrie-Naffaa

Lorin and Gilman Parking Benefit District Formation
48. Liz Lisle and YaVette Holts

Appointment Recommendations
49. Mary-Claire Katz on behalf of Mary Behm-Steinberg, Chair, Human Welfare and Community Action Commission

Repaving on Bancroft Way
50. Adam

Op Ed- Breaking Barriers
51. Aaron

Commission Vacancies
52. Samuel J. Harvey on behalf of Kitt Saginor, Chair, Fair Campaign Practices Commission/Open Government Commission

Traffic Safety
53. Tucker Pinochi

Fulton Neighborhood Association Comments and Concerns
54. Dan Auten

Reusable Container Pilot Program
55. Sophie Horvath and Joshua Swift Rawal

Fire Prevention and Policing
56. Barbara Gilbert

Peace and Justice Commissioner
57. Brandon Head

Insurance Concerns
58. Susan Wengraf

Building Concerns
59. Mike Vandeman

Berkeley Restaurant Inspection Results
60. DL

Neighborhood Trash Concern
61. Annie Parks

Housing Concern

62. Keith H Bayne(29)

Berkeley Union Bargaining

63. Angela Allan
64. Kelli Black
65. Anna Cash
66. Valerie Nguyen
67. Marc Patnode
68. E. Janney Lockman
69. Manreet Gill
70. Nico Ledwith
71. Christina Rea
72. Ammon Reagan
73. Conor Murphy
74. Joel Mandella
75. Larry Mandella
76. Jocelyn Goldsmith-De Sena
77. Julia Wiswell
78. S. Julia Po
79. Miguel Cedeno
80. Kat Wickham
81. Kayte Reagan-Randive
82. Jacob Kahn
83. Tino Ratliff
84. David Fang
85. Alice La Pierre
86. Adrian Merry
87. Jose Luis Alonso(2)
88. Michael Roshal

Tenant Opportunity to Purchase Act (TOPA)

89. Scott and Kathryn E. Hambly(2)
90. Gail Martin(2)
91. Jenny Johnston
92. Frances Weekes
93. Erin Chalmers
94. Steven Chan
95. Alison Simon

Fluoridated Water

96. Phoebe Thomas Sorgen(3)
97. Jenny Miller

Summer Swim

98. Summer Brenner

Newsletter

99. Vivian Warkentin

URL's Only

100. Russbumper (4)

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.

01

ORDINANCE NO. 7,912-N.S.

SETTING THE FY 2025 TAX RATE FOR FUNDING THE DEBT SERVICE ON THE NEIGHBORHOOD BRANCH LIBRARY IMPROVEMENTS PROJECT GENERAL OBLIGATION BONDS (MEASURE FF, NOVEMBER 2008 ELECTION) IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 tax rate for the debt service on the General Obligation Bonds is set at 0.0048%.

Section 2. The Tax Rate will be based on the estimated assessed values for all rolls (secured, unsecured, and utility) and will become a part of the FY 2025 property tax bill.

Section 3. This Tax Rate will result in estimated total collections of $1,350,000 needed to make the March 1, 2025 and September 1, 2025 debt service payments on the outstanding General Obligation Bonds.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

02

ORDINANCE NO. 7,913-N.S.

SETTING THE FISCAL YEAR 2025 TAX RATE FOR FUNDING THE DEBT SERVICE ON THE STREET AND WATERSHED IMPROVEMENTS GENERAL OBLIGATION BONDS (MEASURE M, NOVEMBER 2012 ELECTION) IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 tax rate for debt service on the General Obligation Bonds is set at 0.0064%.

Section 2. The Tax Rate will be based on the estimated assessed values for all rolls (secured, unsecured, and utility) and will become a part of the FY 2025 property tax bill.

Section 3. This Tax Rate will result in estimated total collections of $1,800,000 needed to make the March 1, 2025 and September 1, 2025 debt service payments on the outstanding General Obligation Bonds.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

03

ORDINANCE NO. 7,914-N.S.

SETTING THE FY 2025 TAX RATE FOR FUNDING THE DEBT SERVICE ON THE 2015 REFUNDING GENERAL OBLIGATION BONDS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 tax rate for the debt service on the 2015 Refunding General Obligation Bonds - Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0111%.

Section 2. The Tax Rate will be based on estimated assessed values for all rolls (secured, unsecured, and utility) and will become a part of the FY 2025 property tax bill.

Section 3. This Tax Rate will result in estimated total collections of $3,100,000 needed to make the March 1, 2025 and September 1, 2025 debt service payments on Refunding General Obligation Bonds.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

04

ORDINANCE NO. 7,915-N.S.

SETTING THE FISCAL YEAR 2025 TAX RATE FOR FUNDING THE DEBT SERVICE ON THE INFRASTRUCTURE AND FACILITIES IMPROVEMENTS GENERAL OBLIGATION BONDS (MEASURE T1, NOVEMBER 2016 ELECTION) IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 tax rate for debt service on the General Obligation Bonds is set at 0.0136%.

Section 2. The Tax Rate will be based on the estimated assessed values for all rolls (secured, unsecured, and utility) and will become a part of the FY 2025 property tax bill.

Section 3. This Tax Rate will result in estimated total collections of $3,800,000 needed to make the March 1, 2025 and September 1, 2025 debt service payments on the proposed General Obligation Bonds.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

05

ORDINANCE NO. 7,916-N.S.

SETTING THE FISCAL YEAR 2025 TAX RATE FOR FUNDING THE DEBT SERVICE ON THE AFFORDABLE HOUSING GENERAL OBLIGATION BONDS (MEASURE O, NOVEMBER 2018 ELECTION) IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 tax rate for debt service on the General Obligation Bonds is set at 0.0250%.

Section 2. The Tax Rate will be based on the estimated assessed values for all rolls (secured, unsecured, and utility) and will become a part of the FY 2025 property tax bill.

Section 3. This Tax Rate will result in estimated total collections of $6,900,000 needed to make the March 1, 2025 and September 1, 2025 debt service payments on the proposed General Obligation Bonds.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

06

ORDINANCE NO. 7,917- N.S.

SETTING THE FY 2025 MUNICIPAL TAX RATE FOR THE CITY OF BERKELEY FOR BUSINESS LICENSE TAX ON LARGE NON-PROFITS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The rate of tax for the FY 2025 business license tax on large non-profits is as follows:

$0.8207 per square foot of improvements over 120,000 square feet

Section 2. This tax rate will result in estimated total collections of $597,829.

Section 3. This Ordinance shall take effect and be in full force from and after its final passage.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

07

ORDINANCE NO. 7,918-N.S.

SETTING THE FISCAL YEAR 2025 SPECIAL TAX RATE TO FUND MAINTENANCE OF PARKS, CITY TREES AND LANDSCAPING IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 Tax Rate for the maintenance of parks, City trees and landscaping is set at $0.2210 per square foot of taxable improvements.

Section 2. The cost to the taxpayer during FY 2025 will be $265.20 for a 1,200 square foot home and $663.00 for a 3,000 square foot home.

Section 3. This Tax Rate will result in estimated total collections of $18,297,945.

Section 4. The tax imposed by this ordinance does not apply to any property owner whose total personal income, from all sources for the previous calendar year, does not exceed that level which shall constitute a very low income, as established by resolution of City Council.

Section 5. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

08

ORDINANCE NO. 7,919-N.S.

SETTING THE FISCAL YEAR 2025 SPECIAL TAX RATE TO FUND THE PROVISION OF EMERGENCY MEDICAL SERVICES FOR THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 Tax Rate for Emergency Medical Services is set at $0.0468 per square foot of taxable improvements.

Section 2. The cost to taxpayers during FY 2025 will be $56.16 for a 1,200 square foot home and $140.40 for a 3,000 square foot home.

Section 3. This tax rate will result in estimated total collections of $3,874,480.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

09

ORDINANCE NO. 7,920-N.S.

SETTING THE FISCAL YEAR 2025 SPECIAL TAX RATE TO FUND EMERGENCY SERVICES FOR THE SEVERELY DISABLED IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 Tax Rate to fund emergency services for severely disabled persons is set at $0.02094 per square feet of improvements.

Section 2. The cost to taxpayers during FY 2025 will be $25.13 for a 1,200 square foot home and $62.82 for a 3,000 square foot home.

Section 3. This tax rate will result in estimated total collections of $1,733,706.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

10

ORDINANCE NO. 7,921-N.S.

SETTING THE FISCAL YEAR 2025 SPECIAL TAX RATE TO FUND FIREFIGHTING, EMERGENCY MEDICAL RESPONSE AND WILDFIRE PREVENTION (MEASURE FF) IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 tax rate to provide for the costs incurred for the firefighting, emergency medical response and wildfire prevention (Measure FF) is set at 0.1220 per square foot of improvements.

Section 2. The cost to taxpayers during FY 2025 will be $146.40 for a 1,200 square foot dwelling and $366.00 for a 3,000 square foot dwelling.

Section 3. This tax rate will result in estimated total collections of $10,102,578.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

11

ORDINANACE NO. 7,922-N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 2.24: CITY AUDITOR'S OFFICE

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 2.24.010 A is amended to read as follows:

2.24.010 Findings.

A. Public officials, government managers, and private citizens want and need to know not only whether government funds are handled properly and in compliance with laws and regulations, but also whether public programs are achieving the purposes for which they were authorized and funded, and whether they are doing so efficiently, effectively and equitably.

Section 2. That Berkeley Municipal Code Section 2.24.010 C is amended to read as follows:

C. An independent auditing function can provide objective information, like audits, on the operations of government programs, assist managers in carrying out their responsibilities, and help ensure full accountability to the public.

Section 3. That Berkeley Municipal Code Section 2.24.010 N is amended to read as follows:

N. It is vital to the effectiveness of audit work that it be performed by staff who collectively possess sufficient professional proficiency, qualifications and skills, which may be demonstrated by obtaining relevant certifications such as a CIA (Certified Internal Auditor), CPA (Certified Public Accountant), CFE (Certified Fraud Examiner), degrees in relevant fields such as public policy, public administration, accounting, business administration, political science or related fields, or years of auditing experience, and the City Council may wish to consider taking such competencies and certifications into account in setting the salary for the Auditor and other audit staff.

Section 4. That Berkeley Municipal Code Section 2.24.050 A is amended to read as follows:

2.24.050 Scope of audits.

A. The Auditor may conduct financial, performance, and other audits of all agencies, offices, boards, activities, and functions of the City of Berkeley to include but not be limited to the objectives of independently determining whether:

1. Activities and programs being implemented have been authorized by government charter or code, state law or applicable federal law or regulations;

2. Activities and programs are being conducted as prescribed by management/governing body to accomplish the objectives intended by government charter or code, state law or applicable federal law or regulations;
3. Activities or programs efficiently, effectively, and equitably serve the purpose intended by government charter, code, state law or applicable federal law or regulations;
4. Activities and programs are being conducted and funds expended in compliance with applicable laws;
5. Payers of City taxes and fees are submitting accurate information and correct amounts; revenues are being properly collected, deposited and accounted for;
6. City contractors are providing services efficiently, effectively, and equitably to the City in compliance with the terms of their contracts;
7. City resources, including funds, property and personnel, are adequately safeguarded, controlled and used in a faithful, effective and efficient manner;
8. City financial and other reports are being provided that disclose fairly and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities and that is necessary to establish a proper basis for evaluating City programs and activities;
9. The City has adequate operating and administrative procedures and practices, systems of accounting, internal control systems, and internal management controls;
10. There are indications of fraud, abuse or illegal acts which need further investigation.

Section 5. That Berkeley Municipal Code Section 2.24.050 C is amended to read as follows:

C. Non-audit and Similar Services, Charter mandated non-audit services:
Government Auditing Standards make a distinction between audit services and non-audit services that auditors may perform. These are generally services that auditors are typically well qualified to perform, but which often do not result in a written audit report. Non-audit services work may be initiated by the Auditor or performed by the Auditor at the request of the City Manager and shall be performed to the extent mandated by the City Charter and consistent with the professional standards applicable to such non-audit work by auditors except where such work is expressly required by the City Charter. In order to continue to maintain independence, and in particular to avoid a situation in which auditors may in appearance or in fact be auditing their own work or making management decisions, Government Auditing Standards currently include requirements for careful consideration regarding when and how to conduct non audit services.
The Auditor shall perform any other non audit services required by the City Charter under Sections 61 and 65. The Auditor is authorized to examine or review all City payments and payrolls before issuance and no payment may be made against any City contract until that contract is registered by the Auditor; the Auditor and the City Manager are co-signers on all City checks. Responsibility for reviewing, countersigning, numbering, and registering all city agreements (contracts) as well as performing municipal accounting and non-payroll payment (accounts payable) functions have been delegated to the Finance Department; however, the Auditor may review selected items before payment is

approved. The Auditor also directs a Payroll Audit division, responsible for certain centralized payroll functions of the City's decentralized payroll system. (Ord. 6910-NS § 2 (part), 2006)

Section 6. That Berkeley Municipal Code Section 2.24.050 D is added to read as follows:

D. Whistleblower Program:
The Auditor shall administer a whistleblower program for the reporting of fraud, waste, or abuse of City resources. Subject to subsection (3), the Auditor may investigate and otherwise attempt to resolve reports submitted to the whistleblower program.

1) DEFINITIONS.
    a) For purposes of this section, "fraud, waste, or abuse" means any activity by a local agency or employee that is undertaken in the performance of the employee's official duties, including activities deemed to be outside the scope of their employment, that is in violation of any local, state, or federal law or regulation relating to corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform duty, is economically wasteful, or involves gross misconduct.
    b) "Whistleblower" is defined as an officer or employee who reports or otherwise brings to the attention of the City Auditor any information which, if true, would constitute fraud, waste, or abuse of City resources.
    c) "Retaliation" is any adverse employment action, including discharge, discipline, or demotion.
    d) "Adverse employment action" is defined as any employment action that has a detrimental and substantial effect on the terms, conditions, or privileges of a complainant's employment or requires the complainant to work in a discriminatorily hostile or abusive work environment. A change that is merely contrary to a complainant's interests or liking is insufficient.
    e) "City" is defined as the City of Berkeley, its agencies, departments, boards, and commissions.
2) REPORTS. Any person may file a report for investigation with the City Auditor's whistleblower program alleging that a City officer or employee has engaged in fraud, waste, or abuse. Any City officer or employee who has received a report of fraud, waste, or abuse of city resources shall refer the report to the City Auditor's Office.
3) REFERRAL OF CERTAIN REPORTS. The Auditor shall refer the following reports to the appropriate government agency for review and possible investigation, including without limitation:
    a) Those which another government agency is required by federal, state, or local law to adjudicate: To that agency;
    b) Those which may be resolved through a grievance mechanism established by collective bargaining agreement or contract: To the official or agency designated in the agreement or contract;

c) Those which involve allegations of conduct which may constitute a violation of criminal law: To the District Attorney or other appropriate law enforcement agency;
d) Those which allege misconduct by a Berkeley police officer: The reporter will be provided information about how to file a complaint with the Office of the Director of Police Accountability and Berkeley Police Department;
e) Those which are subject to an existing, ongoing investigation by the District Attorney or City Attorney, where the applicable official or Commission states in writing that investigation by the Auditor would substantially impede or delay its own investigation of the matter: To the investigating office; and
f) Those which allege conduct that may constitute a violation of local campaign finance laws: To the Fair Campaign Practices Commission.

4) CONTRACTING OUT INVESTIGATIONS. The City Auditor has the authority to enter into contracts for investigative services when appropriate due to conflicts of interest or need for specialized expertise, as determined by the City Auditor. In such cases, the City Auditor may refer investigation work in whole or in part to a contractor under the management of the City Auditor.
5) TRACKING AND INVESTIGATING. The Auditor shall receive, track, and review reports made or referred to the whistleblower program. An investigation may include all steps that the Auditor deems appropriate, including the review of the report and any documentary or other evidence provided with it, the gathering of any other relevant documents from any City department or other source, and interviews of the complainant and other persons with relevant information.
6) FURNISHING FALSE OR MISLEADING INFORMATION; DUTY TO COOPERATE. When making or filing a report pursuant to this Chapter or participating in an investigation conducted by the City Auditor, or an agent of the Auditor, as authorized under this Chapter, City officers and employees may not knowingly and intentionally furnish false or fraudulent evidence, documents, or information, misrepresent any material facts, or conceal any evidence, documents, or information for the purpose of misleading any officer or employees or any of their agents. In conducting investigations pursuant to this Chapter, pursuant to the Auditor's authority under Charter Section 61, the Auditor shall have unrestricted access to employees, officials, records, and reports, and as necessary, require all branches, departments, and officials of government to produce documents, files, and other records and information. INFORMATION PROVIDED UNDER PENALTY OF PERJURY. In those instances, in which the Auditor deems it appropriate, the Auditor may require that persons making reports or providing information swear to the truth of their statements by taking an oath administered by the Auditor, or an agent of the Auditor, or through written declarations made under penalty of perjury under the laws of the State of California.
7) REFERRAL AND RECOMMENDATION BY AUDITOR. The Auditor may refer the fraud, waste, or abuse report to a City department for investigation, either before conducting an initial investigation or after doing so and may recommend that a City department take specific action based on the Auditor's initial investigation. Within such time as the Auditor shall specify, the City department shall report to the Auditor in writing the results of the department's investigation and any action that

the department has taken in response to a recommendation by the Auditor that the department take specific action.

8) RETALIATION. Any officer or employee who believes that they have been subject to an adverse employment action as a result of being a whistleblower or participating in a whistleblower investigation may file a complaint of retaliation with the City Auditor within one hundred and eighty (180) days of the alleged retaliation. The City Auditor shall thereupon investigate the complaint. If the Office of the City Auditor is named in the complaint, the complaint shall be directed to the City Attorney for investigation. Any officer or employee who receive a complaint alleging retaliation under this chapter must keep the complaint confidential and immediately assist the complainant by referring the complainant to the City Auditor and documenting the referral in writing. Documentation must include the date and time of the referral and that the report was about retaliation. Any reports regarding retaliation are confidential and not subject to disclosure.
9) CONFIDENTIALITY.
    a) Any investigative audit conducted pursuant to this section shall be kept confidential, except to issue any report of an investigation that has been substantiated, or to release any findings resulting from a completed investigation that are deemed necessary to serve the interests of the public. In any event, the identity of the individual or individuals reporting the improper government activity, and the subject employee or employees shall be kept confidential, unless the disclosure is to a law enforcement agency that is conducting a criminal investigation.
    b) Notwithstanding paragraph (a), the Auditor may provide a copy of a substantiated report that includes the identities of the subject employee or employees and other pertinent information concerning the investigation to the appropriate appointing authority for disciplinary purposes. The substantiated report, any subsequent investigatory materials or information, and the disposition of any resulting disciplinary proceedings are subject to the confidentiality provisions of applicable local, state, and federal statutes, rules, and regulations.

Section 7. That Berkeley Municipal Code Section 2.24.110 is amended to read as follows:

2.24.110 Right to retain contract auditors, investigators, consultants and experts; Cooperation with City Manager.

A. The Auditor may obtain the services of Certified Public Accountants, qualified management consultants, investigators, or other professional experts necessary to perform the Auditor's duties within the Auditor's budget approved by the City Council. These expenses may be included in the Auditor's annual budget as part of the published annual audit plan, or may be substituted in case of position vacancies if needed to complete the audit plan on schedule. An audit that is performed by contract must be conducted by persons who have no financial interests in the affairs of the governmental unit or its officers. The use of such contracts will follow the City's normal contracting procedures.

B. The City Manager shall provide the Auditor with timely information about

contemplated and ongoing audits, investigations, or similar consulting engagements to be performed by other external auditors or investigators, so that all auditors may comply with Government Auditing Standards concerning the coordination of audit work, and sharing of information regarding internal control concerns, and to avoid duplication of effort and ensure effective audit coverage. The Mayor is urged to provide such information and opportunities for coordination with the public accounting firm selected for the City's annual financial statement audits. The Auditor may assist with the selection or oversight of this audit if requested to do so.

Section 8. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on June 4, 2024, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

12

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of Approve the minutes for the Council meetings of April 26, 2024 (closed), May 6, 2024 (closed), May 7, 2024 (special) (4 p.m. & 4:15 p.m.), May 7, 2024 (regular), May 10, 2024 (closed), May 13, 2024 (closed), May 14, 2024 (special), May 14, 2024 (regular), May 21, 2024 (closed), May 21, 2024 (special), May 21, 2024 (regular), May 24, 2024 (special)

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:
1. April 26, 2024 – Special Closed Council Meeting
2. May 6, 2024 – Special Closed Council Meeting
3. May 7, 2024 – Special Council Meeting
4. May 7, 2024 – Special Council Meeting
5. May 7, 2024 – Regular Council Meeting
6. May 10, 2024 – Special Closed Council Meeting
7. May 13, 2024 – Special Closed Council Meeting
8. May 14, 2024 – Special Council Meeting
9. May 14, 2024 – Regular Council Meeting
10. May 21, 2024 – Special Closed Council Meeting
11. May 21, 2024 – Special Council Meeting
12. May 21, 2024 – Regular Council Meeting
13. May 24, 2024 – Special Council Meeting

MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING

FRIDAY, APRIL 26, 2024

1:30 P.M.

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – VACANT
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: https://cityofberkeley-info.zoomgov.com/j/1617102870. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 710 2870**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@berkeleyca.gov.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. 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.

Preliminary Matters

Roll Call: 1:34 p.m.

Present: Kesarwani, Taplin, Hahn, Humbert, Arreguin

Absent: Bartlett, Wengraf

Councilmember Bartlett present at 1:46 p.m.

Public Comment - Limited to items on this agenda only – 0 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. **CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6**

   Negotiators: Dee Williams-Ridley, City Manager, Anne Cardwell, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Aram Kouyoumdjian, Human Resources Director, Jonathan Holtzman, Labor Negotiator, Dania Torres-Wong, Labor Negotiator, Burke Dunphy, Labor Negotiator

   Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Fire Fighters Association, Local 1227 I.A.F.F. / Berkeley Chief Fire Officers Association; Berkeley Police Association; SEIU 1021 Community Services and Part-time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, Public Employee Union Local 1, Unrepresented Employees

   Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

Action: M/S/C (Arreguin/Bartlett) to adjourn the meeting.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Wengraf.

Adjourned at 3:04 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on April 26, 2024.

_____
Mark Numainville, City Clerk

MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING

MONDAY, MAY 6, 2024

3:00 P.M.

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

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To submit a written communication for the City Council's consideration and inclusion in the public record, email council@berkeleyca.gov.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. 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.

Preliminary Matters

Roll Call: 3:13 p.m.

Present: Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: None

Action: M/S/C (Arreguin/Wengraf) to allow for Councilmember Bartlett to participate in the meeting remotely pursuant to AB 2449 under the family emergency exception.
Vote: All Ayes.

Public Comment - Limited to items on this agenda only – 0 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Sections 54957(b)(1) and 54954.5(e)**

   Position to be Reviewed: City Manager

   Action: M/S/C (Wengraf/Arreguin) to approve the separation agreement with the City Manager.
   Vote: All Ayes.

OPEN SESSION:

I provide this report out regarding action taken by Council in connection with Agenda Item Number 1 per Government Code sections 54957 subsection (b)(1) and 54957.1 subsection (a)(5) concerning employee performance evaluation of the City Manager. The Council is grateful for Dee Williams-Ridley's expectational service to the City of Berkeley. Under her leadership, she has overseen the transformation of our city organization, focusing on technology innovation, improved customer service, and innovative policies and programs. She has also led our City through some of its most challenging times, including the COVID-19 pandemic. She has led with great skill, compassion, and vision. With this context in mind, I now share Council's decision to accept the City Manager's resignation from employment, in exchange for her signing of a separation agreement. The Council voted to approve the proposed separation agreement by a vote of 8 in favor, 0 dissenting, and 0 abstaining or not present. Among other terms, the City Manager will remain a City employee until July 10, 2024 to support the City with this leadership transition and she will waive and release potential claims against the City. In exchange, the City Manager shall receive a severance equivalent to 12 months' salary in the amount of $401,722.10, continuing health insurance up to 12 months following separation from employment, and a $200,000 reduction of the principal of a home loan extended to Ms. Williams-Ridley by the City at the outset of her employment, among other material terms. The remaining terms of the separation and release are included in the Agreement which will be available no later than close of business on May 7, 2024.

Adjournment

Action: M/S/C (Arreguin/Taplin) to adjourn the meeting
Vote: All Ayes.

Adjourned at 4:08 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 6, 2024.

_____
Mark Numainville, City Clerk

MINUTES
SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

Tuesday, May 7, 2024
4:00 PM

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 4:07 p.m.

Present: Kesarwani, Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: Bartlett

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 0 speakers.

Action: M/S/C (Arreguin/Taplin) to adopt the Consent Calendar in one motion except as indicated.
Vote: Ayes – Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

Consent Calendar

1. **Confirming the Results of the April 16, 2024, Special Municipal Election**
   From: City Manager
   Recommendation: Adopt a Resolution confirming the results of the April 16, 2024 Special Municipal Election for City Council District 7.
   Financial Implications: None
   Contact: Mark Numainville, City Clerk, (510) 981-6900
   Action: Adopted Resolution No. 71,277–N.S.

Adjournment

Action: M/S/C (Arreguin/Hahn) to adjourn the meeting.
Vote: Ayes – Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

Adjourned at 4:14 p.m.

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

- None

MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL

Tuesday, May 7, 2024
4:15 PM

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 4:15 p.m.

Present: Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: Kesarwani, Bartlett

Councilmember Kesarwani present at 4:19 p.m.

Councilmember Bartlett present at 4:24 p.m.

Action Calendar – Public Hearings

1. Submission of the PY 2024 (FY 2025) Annual Action Plan Containing Allocations of Federal Funds to Community Agencies and Recommendations of Other Local and State Funding to Community Agencies for FY 2025 - 2028 From: City Manager

Recommendation: Conduct a public hearing on the federal Program Year (PY) 2024, City Fiscal Year (FY) 2025, Annual Action Plan (AAP) for federal Housing and Urban Development Department (HUD) funds, including the allocation of federal funding for community agencies, and upon conclusion, adopt a Resolution:
1. Approving proposed funding allocations under the PY 2024 Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Home Investment Partnerships Program (HOME), and HOME American Rescue Plan Program (ARP); and
2. Authorizing the City Manager or her designee to execute resultant agreements and amendments with community agencies for the above-mentioned funds; and
3. Allocating 10% of the PY24 HOME funds for HOME program administration, up to 5% to support Community Housing Development Organization (CHDO) operations, and the remaining (approximately 85%) of the PY 2024 HOME funds to the Housing Trust Fund; and
4. Allocating 20% of the PY 2024 CDBG funds to Planning and Administration, up to 17.83% for public services, and the remaining to be distributed to Housing Services and Public Facility Improvements as outlined in Exhibit A with the Public Facility Improvements being a flexible line item should the HUD allocation, program income, or earlier unused funds, be more or less than estimated; and
5. Allocating the allowable 7.5% of the PY 2024 ESG to Administration, $6,676 to the Homeless Management Information System (HMIS) system, up to the allowable 60% to emergency shelter/street outreach, and the remaining amount to Rapid Rehousing as outlined in Exhibit A; and
6. Authorizing staff to finalize the PY 2024 Annual Action Plan for submission to the U.S. Department of Housing and Urban Development, including the planned expenditures of HUD funds, required HUD application forms and certifications, and all other HUD-required information; and
7. Authorizing the City Manager or her designee to execute and submit all documents necessary to receive the City's entitlement grants under the CDBG, ESG, and HOME Programs; and
8. Authorizing Health, Housing, and Community Services (HHCS) staff to work with

Action Calendar – Public Hearings

the Alameda County to allocate Berkeley's Homeless Housing Assistance and Prevention (HHAP) funds.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400

Public Testimony: The Mayor opened the public hearing. 28 speakers.
M/S/C (Arreguin/Taplin) to close the public hearing.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Wengraf.

Action: M/S/C (Arreguin/Hahn) to adopt Resolution No. 71,278–N.S.
Vote: All Ayes.

Adjournment

Action: M/S/C (Arreguin/Hahn) to adjourn the meeting.
Vote: All Ayes.

Adjourned at 6:11 p.m.

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: Submission of the PY 2024 (FY 2025) Annual Action Plan Containing Allocations of Federal Funds to Community Agencies and Recommendations of Other Local and State Funding to Community Agencies for FY 2025 – 2028

1. Presentation, submitted by Health, Housing and Community Services

MINUTES

BERKELEY CITY COUNCIL MEETING

Tuesday, May 7, 2024
6:00 PM

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

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
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Preliminary Matters

Roll Call: 6:40 p.m.

Present: Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: None

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:

1. Swearing In of Newly Elected District 7 Councilmember Cecilia Lunaparra
2. Adjourned in Memory of Delaine Eastin, State Elected Official
3. Adjourned in Memory of Will Travis, Bay Conservation & Development Commission

City Manager Comments:

1. Update on the Implementation of the BINDEX for equitable contracting

Recess 7:24 p.m. – 7:33 p.m.

Public Comment by Employee Unions: 2 speakers.

Recess 7:53 p.m. – 8:00 p.m.

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 40 speakers.

Action: M/S/C (Arreguin/Wengraf) to adopt the Consent Calendar in one motion except as indicated.
Vote: All Ayes.

Recess Items

1. Contract: Health Officer Coverage
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to execute a contract with Dr. Lisa Hernandez for Health Officer services during periods when the City Health Officer is out of the office for the period April 1, 2024 through April 1, 2026 in an amount not to exceed $30,000.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,279–N.S.

2. Purchase Order: SHI for KnowBe4 Products and Services
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during Spring Recess for the approval and authorization to execute a purchase order in the amount of $135,189 with SHI for continued use of KnowBe4 cybersecurity content, products and tools.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,280–N.S.

3. Contract Amendments: As-needed Trees Services with Bay Area Tree, Hamilton Tree, Professional Tree, and West Coast Arborist
From: City Manager
Recommendation: Adopt four Resolutions ratifying the action taken by the City Manager during recess authorizing the City Manager to amend contracts with Bay Area Tree Specialists (31900202), Hamilton Tree Service (31900193), Professional Tree Care (31900212), and West Coast Arborists (31900218), for as-needed tree services, increasing the amount by $500,000 each and extending the terms to May 28, 2026.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,281–N.S. (Bay Area Tree), Resolution No. 71,282–N.S. (Hamilton Tree), Resolution No. 71,283–N.S. (Professional Tree), Resolution No. 71,284–N.S. (West Coast).

Recess Items

4. Contract: School Foodies for Summer Food Service Program
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess authorizing the City Manager to execute a one (1) year contract and any amendments with School Foodies to provide lunches and afternoon snacks to Berkeley youth for the City's Summer Food Service Program for a total amount not to exceed $95,000, for the period of June 1, 2024 through May 31, 2025, with up to four (4) additional one-year extensions not to exceed $95,000 each year, contingent upon the availability of State funding, for a total contract amount not to exceed $475,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,285–N.S.

5. Construction Contract: THE DUTRA GROUP for the Docks D & E Replacement Project at the Berkeley Marina
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Berkeley Marina Docks D & E Replacement Project (Bid Specification No. 24-11633-C); and 2. Accepting the bid of THE DUTRA GROUP as the lowest responsive and responsible bidder on the Project; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with THE DUTRA GROUP, for the Berkeley Marina Docks D & E Replacement Project, in an amount not to exceed $8,593,200, which includes a contract amount consisting of base bid of $7,812,000 and a 10% contingency in the amount of $781,200.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,286–N.S.

6. Contract No. 32300187 Amendment: First Serve Productions for Additional Sport Court Repair and Resurfacing
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess, authorizing the City Manager to amend contract no. 32300187 with First Serve Productions for additional sport court repair and resurfacing at City parks by increasing the construction contract amount by $198,000 for a not-to-exceed amount of $374,669.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,287–N.S.

Recess Items

7. Construction Contract: THE DUTRA GROUP for the Berkeley Marina Dredging Project
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Berkeley Marina Dredging Project (Bid Specification No. 24-11644-C); and 2. Accepting the bid of THE DUTRA GROUP as the lowest responsive and responsible bidder on the Project; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with THE DUTRA GROUP, for the Berkeley Marina Dredging Project, in an amount not to exceed $4,843,566, which includes a contract amount consisting of base bid of $4,612,920 and a 5% contingency in the amount of $230,646.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,288–N.S.

Consent Calendar

8. Reform the Human Welfare and Community Action Commission by amending rules regarding the Commission's composition, number of members, filling of vacancies, election of low-income representatives, enumerated functions, and other changes
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,902-N.S. to reform the Human Welfare and Community Action Commission (HWCAC).
First Reading Vote: Vote: Ayes – Taplin, Bartlett, Hahn, Wengraf, Humbert, Arreguin; Noes - Kesarwani.
Financial Implications: See report
Contact: Margot Ernst, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted second reading of Ordinance No. 7,902–N.S.

9. Minutes for Approval
From: City Manager
Recommendation: Approve the minutes for the Council meetings of March 7, 2024 (closed), March 12, 2024 (special, special, regular and closed), March 18, 2024 (closed), March 19, 2024 (regular) and March 26, 2024 (closed and regular)
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved the minutes as submitted.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Humbert, Arreguin; Noes – None; Abstain – Lunaparra.

Consent Calendar

10. Calling for a Consolidated General Municipal Election for November 5, 2024
From: City Manager
Recommendation: Adopt a Resolution: a) Calling for a General Municipal Election to be consolidated with the Presidential General Election to be held in Berkeley on November 5, 2024; b) Requesting that the Alameda County Board of Supervisors consolidate the City of Berkeley General Municipal Election with the Presidential General Election; c) Authorizing certain procedural and contractual actions; and d) Establishing policies for the filing of candidate statements of qualification.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Adopted Resolution No. 71,289–N.S.

11. Ballot Measure Increasing the City's Appropriation Limit to Allow Expenditure of Tax Proceeds for Fiscal Years 2025 through 2028
From: City Manager
Recommendation:
1. Adopt a Resolution placing the attached measure to increase the City's appropriation limit on the ballot at the November 5, 2024 General Municipal Election.
2. Designate, by motion, specific members of the Council to file ballot measure arguments on this measure as provided for in Elections Code Section 9282.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, (510) 981-6900, Henry Oyekanmi, Finance, (510) 981-7300
Action: 1. Adopted Resolution No. 71,290–N.S. 2. Designated Mayor Arreguin, and Councilmembers Hahn, Bartlett, and Humbert to file arguments.

12. Designate Ballot Measure Argument Authors – Initiative Ordinance Prohibiting Concentrated Animal Feeding Operations
From: City Manager
Recommendation: Designate, by motion, specific members of the City Council to file ballot measure arguments as provided for in Elections Code Section 9282, on the Initiative Ordinance Prohibiting Concentrated Animal Feeding Operations on the ballot for the November 5, 2024 General Municipal Election.
Financial Implications: No direct fiscal impacts
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: No designated argument filers selected.

Consent Calendar

13. Contract No. 117569-1 Amendment: Animal Fix Clinic (formerly Fix Our Ferals) for Spay and Neuter Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 117569-1 with Animal Fix Clinic (formerly Fix Our Ferals) to provide no-cost spay and neuter surgeries to eligible pet owners and shelter animals for FY 2024, increasing the contract amount by $25,000 for a new total contract amount not to exceed $127,218.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 71,291–N.S.

14. Returning Funding from University of California, Berkeley for Rodeway Inn for Winter Shelter
From: City Manager
Recommendation: Adopt a Resolution returning the unspent portion (totaling $400,140.17) of a $2,200,000 donation from the University of California, Berkeley, previously accepted by the Council on April 26, 2022 for the Rodeway Inn shelter.
Financial Implications: Approving this recommendation will result an expenditure of $400,140.17 in funding from the One-Time Grant: No Capital Expenditures Fund (Fund 336).
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Adopted Resolution No. 71,292–N.S.

15. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 7, 2024
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) 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: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

16. Contract: As-Needed Hazardous Fire Fuel Treatment with California Tree Solutions, Mountain Enterprises Inc., Small World Tree Co., and Bay Area Tree Specialists
From: City Manager
Recommendation: Adopt four Resolutions authorizing the City Manager or her designee to execute the following contracts and any amendments for As-Needed Hazardous Fire Fuel Treatment and removal from May 18, 2024, to May 17, 2028, for a total cumulative amount not to exceed $4,000,000.
1. California Tree Solutions in the amount of $1,000,000;
2. Mountain Enterprises Inc.in the amount of $1,000,000;
3. Small World Tree Co. in the amount of $1,000,000; and
4. Bay Area Tree Specialists in the amount of $1,000,000.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,293–N.S. (California Tree), Resolution No. 71,294–N.S. (Mountain Enterprises), Resolution No. 71,295–N.S. (Small World Tree), Resolution No. 71,296–N.S. (Bay Area Tree).

17. Grant Application: Funding from the Federal Emergency Management Agency (FEMA) to hire additional firefighters to meet NFPA 1710 standards and recommendations from the City Gate, LLC Standards of Coverage and Community Risk Assessment
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from the Federal Emergency Management Agency (FEMA) for up to $7,703,926.83 with no matching city funds to hire nine additional firefighters to help the City meet the National Fire Protection Association (NFPA) 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments and to partially accomplish one of the recommendations from the City Gate, LLC Standards of Coverage and Community Risk Assessment.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,297–N.S.

18. Contract: Marin SB Advisor LLC for Chipper Day Program Management
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Marin SB Advisor LLC to provide program management for Berkeley Chipper Day from June 1, 2024 until May 31, 2027 in an amount not to exceed $213,000 with an option to extend for an additional three (3) years for $250,000, making initial term plus extension not to exceed $463,000.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,298–N.S.

Consent Calendar

19. Modification and Adoption of Berkeley Fire Code Local Amendments and Incorporation of California Intervening Code Adoption Cycle Amendments Based on the 2022 California Fire Code
From: City Manager
Recommendation:
1. Adopt the first reading of an Ordinance which proposes to amend certain portions of Section 19.48.020 of the Berkeley Municipal Code ("Amendments to the California Fire Code");
2. Adopt a Resolution setting forth findings as to local conditions applicable to the revised portions of Section 19.48.020 that require more stringent building standards than those provided by the 2022 California Fire Code ("CFC") with intervening code adoption cycle amendments, and amending Resolution number 70,611–N.S.;
3. In compliance with state law on adopting such codes by reference, hold a public hearing following the first reading, and before the second reading, and schedule the second reading and public hearing for June 4, 2024.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: 1. Adopted first reading of Ordinance No. 7,903–N.S. amended as follows: *First, to be consistent with the change from "fire area" to "area", YYY. Section 4912.3.1 General [Additional subsection], the word "Fire" should be deleted from Wildland-Urban Interface Fire Area on line 2 of the section and DDDD. Section 4912.6 Tracer Bullets, Tracer Charges, Rockets and Model Aircraft [Additional subsection], the word "Fire" should be deleted from Wildland-Urban Interface Fire Area on line 6 of the section*

Second, Table 4902.1 has a sentence immediately after the table which reads "Fire Zone One is declared as a Very-High Fire Hazard Severity Zone and Wildland-Urban Interface area." It should read, "Fire Zone Two is declared as a Very-High Fire Hazard Severity Zone and Wildland-Urban Interface area." Second reading scheduled for a public hearing on June 4, 2024.
2. Adopted Resolution No. 71,299–N.S.
3. Approved recommendation.

20. Contract No. 32300108 Second Amendment: Street Level Advisors, LLC for Housing Consulting Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a second amendment to Contract No. 32300108 with Street Level Advisors, LLC increasing the contract by $100,000 for consulting services in a total amount not to exceed $199,500, with a contract end date of June 30, 2025.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,300–N.S.

Consent Calendar

21. Contract: The Labor Compliance Managers for Labor Compliance Consultant for the HARD HATS Ordinance
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with The Labor Compliance Managers (TLCM) to develop a comprehensive program for enforcing the provisions of the HARD HATS Ordinance for the Department of Health, Housing, and Community Services (HHCS) from August 1, 2024 to July 31, 2027, in an amount not to exceed $150,000.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,301–N.S.

22. Contract No. 32300144 Amendment: Resource Development Associates for Specialized Care Unit Evaluation
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300144 with Resource Development Associates (RDA) to add $15,000 for a not-to-exceed total contract amount of $250,000.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,302–N.S.

23. Contract No. 32200191 Amendment: Options Recovery Services for Substance Use Disorder Services Co-location
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32200191 with Options Recovery Services (Options) for Substance Use Disorder (SUD) services for a total contract limit of $500,000 for the period beginning January 1, 2022 and ending June 30, 2025, to extend their current co-located SUD services at the Berkeley Mental Health Adult Services Clinic. This amendment will add $250,000 in funding and two years to the existing contract term.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,303–N.S.

Consent Calendar

24. Contract: City Data Services for Streamlined Community Agency Contract Administration and Monitoring
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to enter into a contract with City Data Services (CDS) to provide continued online data management systems to the Health, Housing and Community Services Department (HHCS) from July 1, 2024 through June 30, 2028, and authorizing the City Manager or her designee to extend the contract and execute any amendments with CDS for ongoing maintenance of the community agency online applications and reporting systems for an annual service fee of $41,520 for a total contract not to exceed amount of $166,080.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,304–N.S.

25. Revenue Grant Agreements: Funding Support from the State of California and Alameda County to Conduct Public Health Services
From: City Manager
Recommendation: Adopt four Resolutions authorizing the City Manager or her designee to submit grant agreements to the California Department of Public Health (CDPH) and 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 four revenue agreements:
1. HIV/AIDS Surveillance in the projected amount of $25,701 each year for Fiscal Years (FY) 2025 through 2029 for a total of $128,505 from CDPH.
2. Sexually Transmitted Infection (STI) Prevention and Collaboration in the projected amount of $13,625 each year for FY 2025 through 2026 for a total of $27,250 from CDPH.
3. Tuberculosis (TB) Prevention and Control in the projected amount of $35,197 for FY 2025 from CDPH.
4. Public Health Infrastructure Program in the projected amount of $32,080 for FY 2025 from Alameda County.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,305–N.S. (HIV/AIDS Surveillance), Resolution No. 71,306–N.S. (STI Prevention), Resolution No. 71,307–N.S. (TB Prevention), Resolution No. 71,308–N.S. (Public Health Infrastructure).

Consent Calendar

26. Contract No. 32300134 Amendment: Bonita House for Specialized Care Unit Provider
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300134 with Bonita House to add $275,000 of funding from the State of California's Crisis Care Mobile Units (CCMU) grant for a total not-to-exceed contract amount of $4,845,500.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,309–N.S.

27. 2023 Fee Assessment – State of California Self-Insurance Fund (Workers' Compensation Program)
From: City Manager
Recommendation: Adopt a Resolution authorizing payment to the State of California Department of Industrial Relations for Fiscal Year 2022-2023 for administering the Workers' Compensation Program, in an amount not to exceed $240,397.76.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,310–N.S.

28. Legislative Aide Class Specifications and Salary Range
From: City Manager
Recommendation: Adopt (1) first reading of an Ordinance amending Berkeley Municipal Code Section 4.04.120(A) to rename the Legislative Assistant classification as Legislative Aide; (2) a resolution authorizing amendments to all pertinent City documents to effectuate the classification name change, approving job specifications and a new salary range for the renamed classification, and approving terms negotiated with SEIU Local 1021 - CSU & PTRLA regarding advancement along the new salary range for the renamed classification.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: 1. Adopted first reading of Ordinance No. 7,904–N.S. Second reading scheduled for May 21, 2024. 2. Adopted Resolution No. 71,311–N.S.

Consent Calendar

29. Contract: Catalis Public Works and Citizen Engagement, LLC for New Community Relationship Management (CRM) System
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Catalis Public Works and Citizen Engagement, LLC (Catalis) for software hosting, implementation, maintenance, and related services for a new Community Relationship Management system, for an amount not to exceed $500,000 for the period commencing on June 1, 2024 through June 30, 2029.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,312–N.S.

30. Contract No. 32000188 Amendment: GSI Environmental Inc. for On-Call Environmental Consulting Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000188 with GSI Environmental Inc. for on-call environmental consulting services to increase the contract amount by $200,000 for a new not to exceed amount of $425,000 and extend the contract term from June 30, 2025 to June 30, 2027.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,313–N.S.

31. Donation from the Friends of the Rose Garden/Berkeley Partners For Parks for the Berkeley Rose Garden
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation from the Friends of the Rose Garden/Berkeley Partners For Parks in the amount of up to $10,000 to purchase roses and perform maintenance at the Berkeley Rose Garden.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,314–N.S.

32. Contract No. 32200098 Amendment: ERA Construction, Inc. for O & K Docks Electrical Upgrades Project
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32200098 with ERA Construction, Inc. for the O & K Docks Electrical Upgrades Project, increasing the amount by $129,000 for an amended total amount not to exceed $1,467,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,315–N.S.

Consent Calendar

33a. Achieving Goals of 2018 Berkeley Age-Friendly Action Plan
From: Commission on Aging
Recommendation: Refer to the City Manager steps to revisit and act on the recommendations of the Berkeley Age-Friendly Action Plan as outlined in the report, by building on what is already occurring in the community, expanding the Plan's impact, and addressing gaps by increasing funding for personnel and other services currently being offered, as well as others identified in the Age-Friendly Plan.
The Aging Commission identified as first steps four (4) priority areas and goals for the Action Plan:
1. Housing and Economic Security: Develop a continuum of affordable, accessible housing options for older adults to age in their community regardless of their health or financial status.
2. Transportation and Mobility: Advance a network of public and private transportation (including transit, assistive devices, e-bikes and e-scooters and bicycling and walking) that equitably serves residents and connects them to services, social activities, and employment opportunities.
3. Health and Wellness: Develop a more integrated system of services and supports that is person-centered and ensures that all residents have the opportunity to engage in health promoting activities.
4. Social Participation and Civic Engagement: Enhance neighborhood cohesion and social connectedness of all Berkeley residents with community events and activities that are inclusive, affordable, and accessible.
In the short term, the Commission recommends that these plans should include a budget referral to the City Manager for consideration in the biennial budget process.
Financial Implications: See report
Contact: Darleen Bronson, Commission Secretary, (510) 981-5400
Action: See action for Item 33b.

Consent Calendar

33b. Companion Report: Achieving Goals of 2018 Berkeley Age-Friendly Action Plan
From: City Manager
Recommendation: Refer to the City Manager to review and prioritize the recommendations of the City of Berkeley's Age-Friendly Action Plan, in conjunction with the results of the Community Health Assessment that will be conducted by the Health, Housing, and Community Services Department in the 2024 calendar year. In addition, to consider the following referrals:
1. Refer to the Transportation Commission to collaborate with the Commission on Aging to assess the equitable accessibility of public transportation options for the older adult and disabled community in Berkeley
2. Refer to Housing Advisory Commission to collaborate with staff to assess the level of affordable, accessible housing options for older adults to age in the Berkeley community.
3. Refer the Commission on Aging's request for increased funding to the Budget and Finance Policy Committees for further deliberation.
Financial Implications: See report
Contact: Tanya Bustamante, Health, Housing, and Community Services, (510) 981-5400
Action: Approved recommendation in Item 33b.

34. Support the Fire Department to Fund a Program Manager II Position
From: Disaster and Fire Safety Commission
Recommendation: The Disaster and Fire Safety Commission (DFSC) supports the request by the Fire Department to fund a Program Manager II.
Financial Implications: See report
Contact: Keith May, Commission Secretary, (510) 981-3473
Action: Approved recommendation amended to include: *In line with the City Manager's recommendation to refer this item to the budget process, refer to the Fiscal Year (FY) 2024-25 Budget Process $265,000 to fund a Program Manager II position within the Fire Department to support street trauma prevention, as described below.*

35. Use of Measure FF to Support Understory Mitigation
From: Disaster and Fire Safety Commission
Recommendation: That the Berkeley City Council pass a resolution to support the Fire Department in using Measure FF funds to conduct one-time eucalyptus understory clean-ups on select, participating private properties within the City.
Financial Implications: See report
Contact: Keith May, Commission Secretary, (510) 981-3473
Action: Adopted Resolution No. 71,316–N.S.

Council Consent Items

36. Budget Referral: $70,000 to the FY 2025-2026 Budget Process for Supply Bank School Supply Distribution
From: Mayor Arreguin (Author)
Recommendation: Refer to the FY 2025-2026 budget process $70,000 for Supply Bank ($35k for each fiscal year) to support their services in providing essential school supplies to Berkeley families.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.

37. Budget Referral: Replenishing Business Damage Mitigation Fund
From: Mayor Arreguin (Author)
Recommendation: Refer to the Fiscal Year (FY) 2025-2026 Budget Process $50,000 to replenish the business damage mitigation fund providing one-time grants to small businesses who experience property damage due to vandalism and other problematic behavior.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.

38. Budget Referral: Cesar Chavez Solar Calendar Maintenance
From: Mayor Arreguin (Author)
Recommendation: Refer to the Fiscal Year (FY) 2025-2026 budget process to allocate $10,000 to the Kala Art Institute, the fiscal sponsor for the Chavez/Huerta Tribute Site, for the continued purpose of employing grounds keepers and providing the resources needed for the maintenance of the Cesar Chavez/Dolores Huerta Solar Calendar Site until May/June 2026.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.

39. Budget Referral: SafeCity Connect Downtown Berkeley Pilot Program
From: Councilmember Taplin (Author)
Recommendation: Refer to the budget process $320,000 to fund a two-year public-private security camera program between SafeCity Connect (SafeCity) and the Downtown Berkeley Property-based Business Improvement District (PBID) for ten (10) locations. This public-private partnership will develop performance and compliance metrics pursuant to the City of Berkeley's Surveillance Ordinance, report on metrics regarding criminal activity clearance rates, deterrence and reduction of criminal activity, and develop privacy and transparency protocols to govern the management and implementation of its camera program.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Approved recommendation.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Wengraf, Humbert, Arreguin; Noes – None; Abstain – Hahn, Lunaparra.

Council Consent Items

40. Waterside Workshops Emergency Recovery Grant
From: Councilmember Taplin (Author)
Recommendation: Refer to the budget process $82,000 to Waterside Workshops to support youth enrichment and climate resilience programs following revenue losses due to construction and street closures on Bolivar Drive.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Approved recommendation.

41. Relationship Nondiscrimination Ordinance
From: Councilmember Taplin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation: Adopt first reading of an Ordinance amending the Berkeley Municipal Code to include non-discrimination protections based on family and relationship structure.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmember Lunaparra added as a co-sponsor. Adopted first reading of Ordinance No. 7,905–N.S. amended to renumber subsection 13.22.040(A) and removing existing provision 13.22.040(A)(4) regarding Educational Institutions. Second reading scheduled for May 21, 2024.

42. Budget Referral: Berkeley Junior Jackets Capacity-Building Grant
From: Councilmember Taplin (Author)
Recommendation: Refer to the Fiscal Year 2025-2026 biennial budget process $300,000 to provide Young Lives Matter Foundation, Inc. with funding for two years of operating costs for the Berkeley Junior Jackets Football and Cheer youth sports program, and to develop longer-term sustainability and growth plans for the organization.
Direct the City Manager to evaluate organizational capacity and strategic planning supported by this funding on a rolling basis consistent with Reimagining Public Safety and Gun Violence Prevention program implementation.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmembers Lunaparra and Bartlett added as co-sponsors. Approved recommendation.

Council Consent Items

43. Budget Referral: Vision Zero Rapid Response on Bicycle Boulevards
From: Councilmember Taplin (Author), Councilmember Humbert (Co-Sponsor)
Recommendation:
1. Refer to the City Manager to incorporate the City of Oakland's Neighborhood Bike Route Implementation Guide for all Bicycle Boulevards designated in the City of Berkeley's Bicycle Plan, pursuant to the City's Vision Zero Action Plan, Complete Streets Policy, and other applicable policies and plans; and to prioritize proactive and retroactive implementation of standards on Bicycle Boulevards in response to recent traffic collisions, with consideration for quick-build interventions that can be removed, modified or made permanent to advance Vision Zero Action Plan goals.
2. Refer to the Fiscal Year 2025-2026 biennial budget process $200,000 for a Pilot implementation of Neighborhood Bikeway standards and Complete Streets interventions on Heinz Avenue and the intersection with Seventh Street, and prioritizing implementation on Bicycle Boulevards on High Injury Streets and/or the Equity Priority Area, considering any and all possible interventions to eliminate the risk of severe and fatal collisions such as: centerline hardening, quick-build pedestrian safety zones, curb extensions, raised crosswalks, ADA accessibility improvements at AC Transit bus stops, and protected left-hand turns.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmembers Lunaparra and Kesarwani added as co-sponsors. Approved recommendation.

44. Celebración Cultural Sylvia Mendez (Spring Cultural Celebration) by the Sylvia Mendez School PTA: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Councilmember Bartlett (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of funds, including $1,500 from the discretionary council office budget of Councilmember Ben Bartlett, to the Sylvia Mendez Elementary School PTA to host a Spring Cultural Celebration event on May 4, 2024, in the courtyard on campus. 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 City Councilmembers who would like to contribute.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
Action: Adopted Resolution No. 71,317–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Lunaparra - $100; Councilmember Humbert - $100; Councilmember Taplin - $200; Councilmember Hahn - $500; Vice-Mayor Wengraf - $150.

Council Consent Items

45. Budget Referral Healthy Black Families Community Engagement - Ashby BART Development and Equitable Black Berkeley
From: Councilmember Bartlett (Author)
Recommendation: Refer $60,000 each to the FY2024/25 and FY2025/26 budget process to support a Community Advisory Group to provide thought leadership around implementation of a Black Cultural Zone and Health Equity Zone. This Community Advisory Group will address the ongoing community engagement needs to ensure community input/influence in the development of the Ashby BART station, the reparative framework for the historically Black Community including the Black Equity Zone and Health Equity Zone.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
Action: Approved recommendation.

46. Budget Referral to Fund Small Sites Program to Acquire, Rehabilitate, and Protect Existing Small Scale Housing
From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Refer to the FY 2025-26 Budget Process: An allocation of $8 Million per year (for a two-year total of $16 Million) from existing affordable housing funds to the City of Berkeley Small Sites Program to support the acquisition and rehabilitation of small-scale residential buildings and their conversion to deed-restricted permanently affordable housing. $200,000 in FY25 and $150,000 in FY26 (total of $350,000 over two years) “Capacity Building” grants to the Bay Area Community Land Trust to support expanded participation in the City’s Small Sites Program.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation.
Vote: Ayes – Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Arreguin; Noes – None; Abstain – Kesarwani, Humbert.

47. Budget Referral to Continue Market Match Program for Low-Income Berkeley Residents in the Event of Statewide Program Cuts
From: Councilmember Hahn (Author), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Refer to the FY2025-26 Budget Process up to $360,000 (up to $180,000 per year) to safeguard the Market Match program for two fiscal years, supporting over 10,000 low-income Berkeley residents in accessing fresh local produce from Berkeley Farmers’ Markets.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation.

Council Consent Items

48. Co-Sponsorship and Budget Referral for the Solano Avenue Stroll
From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)
Recommendation:
1. Adopt a Resolution for the City of Berkeley to Co-Sponsor the Solano Avenue Association's September 2024 and September 2025 Solano Avenue Stroll events and to provide in-kind services previously provided at no cost to the Solano Stroll, including but not limited to police, fire, zero waste, and public works, at no cost to the September 2024 and 2025 Solano Stroll events.
2. Refer $10,000 per year to the FY 2025-2026 Budget Process ($20,000 total) to support the September 2024 and 2025 Solano Stroll events.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: 1. Adopted Resolution No. 71,318–N.S. 2. Approved recommendation.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Arreguin; Noes – None; Abstain – Humbert.

49. CARE Program for Berkeley Fire
From: Councilmember Hahn (Author), Mayor Arreguin (Co-Sponsor)
Recommendation: Refer to the FY2025/2026 Budget Process funding for programs that offer care and support for our firefighters and emergency medical service workers (First Responders), the equipment they rely on, and the homes and workplaces we provide for them.
1. For a two-year Pilot Project to Screen for Cancer: $40,000 annually for two years to fund on-going age and risk-based full body cancer scans for First Responders that are subjected to carcinogens during the normal course of their work.
2. To add an FTE to the Fire Department for an In-House Fire Mechanic to service Fire Apparatus on-site and better meet the complex, unique, and time-sensitive needs of the Fire Department, and to save firefighters and the City time and money on outsourced maintenance service: $203,107 for one FTE, ongoing and inclusive of benefits, for a Lead Fire Mechanic. $350,000 in one-time funds to purchase the necessary tools and equipment.
3. For a Fire Reserve Program, offering internships with training to motivated High School graduates and/or college students who may enter the Fire Service after completion of the program, and to support recruitment: $120,000 per year, ongoing, to cover salaries for 6 interns, training, supervision, and equipment.
4. For one-time "FFE" (Furniture, Fixtures, and Equipment) upgrades to all Fire Stations, including but not limited to new appliances, enhancements to prevent cancer (decontamination dryers, carcinogen-reducing soaps/detergents, etc.), lighting, furniture, and other amenities to improve living, health, and working conditions: $140,000 to provide $20,000 for each of the City's seven Fire Stations in one fiscal year. Alternatively, $70,000 in FY 2025 and in FY 2026, providing $10,000 per year for each Fire Station over two years, for a two-year total of $140,000.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation.

Council Consent Items

50. Resolution in Support of the Campaign for a Safe and Healthy California
From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)
Recommendation: Send a resolution to Governor Gavin Newsom and the Campaign for a Safe and Healthy California, endorsing the campaign to "Keep the Law" and uphold Senate Bill 1137, which prohibits new oil and gas wells within 3,200 feet of homes, schools, nursing homes, and hospitals, and requires companies to adopt health, safety, and environmental standards.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Adopted Resolution No. 71,319–N.S.

51. Budget Referral for Development of Voluntary Design Guidelines
From: Councilmember Hahn (Author), Councilmember Wengraf (Co-Sponsor)
Recommendation: Refer to the City Manager to develop and return to the City Council for review and adoption a set of Voluntary Design Guidelines for the City of Berkeley. Refer $200,000 to the FY2025/2026 budget process to engage a consultant to assist with this process.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation.

52. Budget Referral: City of Berkeley Annual Holocaust Remembrance Day
From: Councilmember Wengraf (Author), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2025/2026 budget process a request for $7,000 annually to fund the City of Berkeley's Annual Holocaust Remembrance Day Program.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.

53. Budget Referral: Crossing Guard for Cragmont School
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2025/2026 Budget Process an annual allocation of $22,000 to fund a Crossing Guard for Cragmont Elementary School at the intersection of Regal Rd. and Spruce Street.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.

Council Consent Items

54. Budget Referral: Equipment for Hybrid Commission Meetings
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2025/2026 Budget Process an allocation of $110,000 for infrastructure costs to conduct hybrid city commission meetings.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.

55. Budget Referral: $70,000 to Evaluate Pedestrian Safety and Implement Solutions on Euclid Avenue between Eunice Street and Bay View Place
From: Councilmember Wengraf (Author), Councilmember Taplin (Co-sponsor), Councilmember Hahn (Co-sponsor)
Recommendation: Refer to the Fiscal Year 2025-2026 Budget Process an allocation of $70,000 to Evaluate Pedestrian Safety and Implement solutions on the short stretch of Euclid Ave between Eunice Ave and Bay View Place, including the crossings at Eunice and between Codornices Park and the Jane Hammond Field and the Berkeley Rose Garden and west side of Euclid.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.

56. Budget Referral: Civic Center Plan Phase III – Advancing Pre-Design & Construction Activities for Berkeley's Maudelle Shirek and Veterans Buildings
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Refer to the Fiscal Year 2025/2026 Budget Process an allocation of $300,000 for the Civic Center Plan Phase III.
Financial Implications: See report
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
Action: Approved recommendation.

Action Calendar – New Business

57. Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code
From: City Manager
Recommendation:
1. Adopt first reading of an Ordinance repealing and reenacting the Berkeley Building, Residential, Electrical, Mechanical, Plumbing, Energy, and Green Building Standards Codes in BMC Chapters 19.28, 19.29, 19.30, 19.32, 19.34, 19.36 and 19.37, and adopting related procedural and stricter provisions; and
2. Adopt a Resolution setting forth findings of local conditions that justify more stringent regulations than those provided by the 2022 California Building Standards Code Supplements, and rescinding Resolution No. 70,585-N.S.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: 2 speakers. M/S/C (Hahn/Arreguin) to:
1. Adopt first reading of Ordinance No. 7,906–N.S. except those provisions related to NOX. Second reading scheduled for June 4, 2024.
2. Adopt Resolution No. 71,320–N.S. except the provisions related to NOX.
3. Refer the NOX provisions to the Health, Life Enrichment, Equity & Community for review and a recommendation to Council.
Vote: All Ayes.

Council Action Items

58. Council Referral - Proposed Changes to Public Comment *(Reviewed by Agenda & Rules Committee)*
From: Agenda & Rules Committee
Recommendation: Refer to the City Manager to review and implement recommendations by the Open Government Commission to improve public access, transparency, meeting procedures and public comment at City Council and commission meetings.
Direct the City Manager to return back to Council with amendments to the City Council Rules of Procedure and Order to implement these recommendations.
Policy Committee Recommendation: Send to the City Council with a Qualified Positive Recommendation on the Open Government Commission's proposal "Proposed Changes to Public Comment" with the amendments/comments outlined in the report.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: 6 speakers. M/S/C (Arreguin/Taplin) to approve the item as recommended by the Agenda & Rules Committee.
Vote: All Ayes.

Information Reports

59. Environment and Climate Commission 2024 Work Plan
From: Environment and Climate Commission
Contact: Sarah Moore, Commission Secretary, (510) 981-7400
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 2 speakers.

Adjournment

Action: M/S/C (Arreguin/Taplin) to adjourn the meeting.
Vote: All Ayes.

Adjourned at 10:49 p.m.

Communications

Item #35: Use of Measure FF to Support Understory Mitigation
1. Berkeley Fire Safe Council

Item #50: Resolution in Support of the Campaign for a Safe and Healthy California
2. Jean Tepperman

Item #41: Relationship Nondiscrimination Ordinance
3. Nikhil Vashee

Parking Space Rent
4. Kevin Kunze

Street Paving
5. Dan Auten
6. Thomas8429854@
7. Julia Torrano

Holocaust
8. Dorothea Dorenz (2)
9. Councilmember Wengraf
10. Denah Bookstein
11. Mollie Mindel
12. William and Stefanie Guynn
13. JM Lerman

Climate Resilience
14. Kosmont Companies

Zero Waste
15. Chrise de Tournay (2)

Communications

2136 San Pablo as a Public Park or Open Space
16. Parks, Recreation and Waterfront Commission

Communities for Democracy
17. Jason Rissman

Traffic Calming
18. Valerie Blair McDermott
19. Tina de Benedictis

Police Accountability Board (PAB) Commendations
20. Director of PAB

Demolition and Dwelling Unit Controls
21. Lynn Fraley
22. Sabin Ray

Tax Dollars
23. Walter Wood

Pedestrian Safety
24. Anne Whyte

Measure Y1
25. Berkeley's Youth Commission

Cal Campus Safety
26. ABC7 News

Willard Park
27. Theresa Fleury
28. Lynn Bradley

Pro-Housing Designation
29. David Kellogg

Share Berkeley
30. Steven Berger
31. Councilmember Hahn

Gilman Business District
32. Jerry Coe, on behalf of Coe Studios

Oxford Elementary School
33. Aimee Baldwin
34. Robbi Montoya

Communications

City Budget
35. Erin Liao

Business License Tax
36. Cynthia Kellogg

Bus Only Lanes
37. Ryan Lau, on behalf Alameda-Contra Costa Transit District

Bike Lanes
38. Liban Mohamed-Schwoebel

People's Park
39. Phoebe Thomas Sorgen
40. Owen Martin Zuidema
41. Russell Bates

Cellular Coverage
42. Eric Friedman

Old Berkeley History
43. Commonwealth Club (2)

Art Grants
44. Commotion West Berkeley

Hot Tub – ZAB Appeal: ZP#2023-0081
45. Richard Spohn

Public Safety
46. Karina Racz

Living Jazz's 40th Anniversary
47. Lyz Luke

Aquatic Park Bathroom
48. Rocky Leplin

Heckling
49. Joanne Donsky
50. Itamar Landau

Chris Kindness Award
51. Alan Ross, on behalf of the Haas School of Business

Communications

Berkeley Public Schools
52. John Parman

Durant Food Court
53. Alex Merenkow

Bullies
54. Kathryn Levine
55. Advocate Four (2)

Veo Scooters
56. Sean
57. Monica DiLullo, on behalf of Veo
58. Steph Lauren, on behalf of Veo

Ceding Time
59. Phoebe Thomas Sorgen

Chess Club
60. Jesse Sheehan (2)

BART Housing
61. David Lerman

Casa Zimbabwe
62. Loren Martha Thatcher

Southside Complete Streets
63. Tom
64. Lin C.

Dwight Triangle
65. Enrique Marisol

Biolab Watch
66. Tina Stevens

Homelessness
67. Justin Lee
68. Julie Nachtwey

Berkeley Art Center Invitation
69. Berkeley Art Center

Aurora Theater Company
70. Josh Costello, on behalf of the Aurora Theater Company

Communications

71. Vincent Casalanina

Peace and Justice Commission
72. Caralee
73. Lisa Jervis
74. Amber
75. Eric Lee
76. Rocky Chau
77. Daniel Weisfield
78. Jo-Ellen Pozner Zeitlin
79. Jennifer Coffey
80. Flipside (2)
81. Ilene Lee
82. Denise Resnikoff
83. Sarah Lefton
84. Linda Wulf
85. Stanley Wulf
86. Shoshana Katz
87. Jeremy Smith
88. Susane DeWitt
89. Barbara Schick
90. Deena Aranoff
91. Kathia Gonzalez Castro
92. Jewish Coalition of Berkeley (2)
93. Zeev Neumeier
94. 16 similarly-worded form letters (Request)
95. 109 similarly-worded form letters (Disrespectful)

Hindu Civilization
96. Rudransh Narayan Tripathi (2)

Pedesterian Activated Signal
97. Eric Friedman

Activism
98. Judy Massarano

City Council
99. Aaron Katler
100. Sari Hale-Alper
101. Susanne DeWitt

Rebuttal
102. Tony Benado

Communications

A Safe Place
103. Carolyn Russell

Radio Antenna Permit
104. Mathison Ott

Hero Pay
105. AFSCME Local One, SEIU 1021 and CSU/PTRLA

Work Permits Immigrants
106. Yahel Flores

iFlip Gymnastics
107. Leesa Berahovich

Campaign Spending
108. Irene Rice

District 7
109. Shirley Kirsten
110. Fran Haselsteiner
111. John Parman
112. sheehanceo@
113. Russell Bates

Parking Enforcement
114. Jesse McCaffrey

Tree Pruning
115. J. Hawkridge

Electrification Fair
116. Mark Gilligan

Middle East Conflict
117. Christina Harb
118. Alexander McDonald
119. Sky
120. Ciara KB
121. Ory Sandel
122. Jon Jackson
123. Susanne DeWitt
124. Sheela Jivan (5)
125. Ilene Lee
126. Rachel Gita Schiff
127. Summer Brenner

Communications

128. Hillary Kilmnik
129. Phoebe Thomas
130. Zipporah Collins
131. Benjamin Burch
132. Madeeha Khan
133. Medina Marwa Danish
134. Rohan Sabnis
135. Sana Khan
136. Susanne DeWitt
137. Jewish Coalition of Berkeley
138. Paul Sas
139. Marvin Engel
140. Rick Kleine
141. Barry Fike
142. Jessica Pearlman
143. Andrea Cassidy
144. Absinthia Vermut
145. Leah Rothman
146. Ralph
147. Mike Sabes
148. Candace Hyde-Wang
149. Paul Revere
150. Patricia McCarthy
151. Jocelyn
152. Jordan Perry
153. Arissa De La Cerda
154. Joanne Donsky
155. Sheela Jivan
156. Yossi Fendel
157. Barbara Gilbert
158. Sabine Herrmann
159. Anne Alcott
160. Mara Weiss
161. Roshanak Gonzalez
162. Dorothea Dorenz (2)
163. Tina
164. Anysa Gray
165. Blue Ryon
166. Fatima Rahmani Ahmad
167. Aaron Katler
168. Majeed Thaika
169. Joanne Donsky
170. Gina Speckman
171. Sari Hale-Alper
172. Thomas Costa
173. Ashwaq Asfour

Communications

174. Aaron Katler
175. Melissa Tomlinson
176. Sandra Smith
177. Russell Bates (26)
178. 25 similarly-worded from letters (My name is)

URL's Only
179. Linda Franklin
180. Russell Bates

Supplemental Communications and Reports 1

Item #34: Support the Fire Department to Fund a Program Manager II Position
181. Revised material, submitted by Councilmember Kesarwani

Item #40: Waterside Workshops Emergency Recovery Grant
182. Rebecca Grove, on behalf of the Waterside Workshops

Item #41: Relationship Nondiscrimination Ordinance
183. Molly Baskette, on behalf of First Congregational Church of Berkeley

Item #42: Budget Referral: Berkeley Junior Jackets Capacity-Building Grant
184. Eric Friedman

Item #57: Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code
185. Jay Smith

Supplemental Communications and Reports 2

Item #34: Support the Fire Department to Fund a Program Manager II Position
186. John Beaulaurier
187. Noelani Fixler

Item #40: Waterside Workshops Emergency Recovery Grant
188. Danny McNaughton
189. Heike Abeck

Item #41: Relationship Nondiscrimination Ordinance
190. Dave Doleshal

Item #43: Budget Referral: Vision Zero Rapid Response on Bicycle Boulevards
191. Rain Gabriel Rachelle
192. Cathy Pienaar
193. Andres Douzoglou

Communications

Item #57: Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code
194. Bryce Nesbitt
195. Supplemental material, submitted by Councilmember Hahn

Item #58: Council Referral – Proposed Changes to Public Comment
196. David Shere

Supplemental Communications and Reports 3

Item #34: Support the Fire Department to Fund a Program Manager II Position
197. Walk Bike Berkeley
198. East Bay, YIMBY
199. Taj Herzer-Baptiste

Item #39: Budget Referral: SafeCity Connect Downtown Berkeley Pilot Program
200. ACLU, Northern California

Item #40: Waterside Workshops Emergency Recovery Grant
201. Rebecca Grove, Executive Director Waterside Workshops
202. Tobe O'Neal
203. Juliana Harrison
204. Camie Bontaites
205. Jordan Ester
206. Lauren Sauer
207. Hannah Otto
208. Joan Beltran-Franey
209. Ramess Rogers
210. Marc Greenberg

Item #42: Budget Referral: Berkeley Junior Jackets Capacity-Building Grant
211. Julia Cato
212. Janice Schroeder
213. M.E. Lawrence
214. Esther Brass-Chorin
215. Angela Jernigan
216. 46 similarly-worded form letters

Item #43: Budget Referral: Vision Zero Rapid Response on Bicycle Boulevards
217. Riley Wise
218. Dan Leaverton

Item #46: Budget Referral to Fund Small Sites Program to Acquire, Rehabilitate, and Protect Existing Small-Scale Housing
219. Tracy Parent, Bay Area Community Land Trust

Communications

Item #47: Budget Referral to Continue Market Match Program for Low-Income Berkeley Residents in the Event of Statewide Program Cuts

220. Martin Bourque, on behalf of the Ecology Center
221. Nelson Nelson
222. Rodri J
223. Nick Vassallo

Item #53: Budget Referral: Crossing Guard for Cragmont School

224. Brent Blackaby

Item #57: Re-Adoption of the Berkeley Building Codes, including Local Amendments to the 2022 California Building Standards Code

225. Presentation, submitted by Planning and Development
226. Linda Hutchins-Knowles
227. Wendy Chou
228. Bryce Nesbit

Miscellaneous Communications

229. Mr. Eid
230. Andrea Cassidy

MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING

FRIDAY, MAY 10, 2024

2:00 P.M.

2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 2:14 p.m.

Present: Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: Kesarwani, Bartlett

Public Comment - Limited to items on this agenda only – 0 speakers

OPEN SESSION:

1. **Designating City's Labor Negotiators Under Gov. Code Section 54957.6: Appoint Labor Negotiator for Negotiation of Employment Agreements with Interim City Manager and City Manager Candidates.**
   Recommendation: Authorize Mayor Arreguin to negotiate employment agreements, including terms regarding compensation, and any amendments with the selected candidate for the City's Interim City Manager and the City's next City Manager.
   Financial Implications: None
   Contact: Jesse Arreguin, Mayor, (510) 981-7100

   Action: M/S/C (Arreguin/Wengraf) to designate Mayor Arreguin and the Council's negotiator for employment agreements, including terms regarding compensation, and any amendments with the selected candidate for the City's Interim City Manager and the City's next City Manager.
   Vote: Ayes - Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

CLOSED SESSION:

The City Council convened in closed session to meet concerning the following:

2. **PUBLIC EMPLOYEE APPOINTMENTS PURSUANT TO GOVERNMENT CODE SECTION 54957(b):**

   a. Title of position to be filled: City Manager

   Action: No reportable action taken.

OPEN SESSION:

No reportable action taken in closed session.

Adjournment

Adjourned at 3:05 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 10, 2024.

_____
Mark Numainville, City Clerk

MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING

MONDAY, MAY 13, 2024

3:00 P.M.

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 3:07 p.m.

Present: Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: Kesarwani, Taplin, Bartlett

Councilmember Taplin present at 3:10 p.m.

Public Comment - Limited to items on this agenda only – 0 speakers

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(1)**

   a. *Brown v. City of Berkeley, et al.,* Alameda County Superior Court Case No. 22CV012371

      Action: M/S/C (Wengraf/Lunaparra) to approve the recommended settlement in the amount of $50,000 in exchange for a release of all claims against the City.
      Vote: Ayes – Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin: Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

   b. *Charles Delfin v. City of* Berkeley, Alameda County Superior Court Case No. 23VC049225

      Action: M/S/C (Hahn/Humbert) to approve the recommended settlement in the amount of $27,500 in exchange for a release of all claims against the City.
      Vote: Ayes – Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin: Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

2. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(2) and (e)(3)**

   a. Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen; Claim filed on February 27, 2023 and amended on August 29, 2023

      Action: M/S/C (Hahn/Humbert) to approve the acceptance of a Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen in the amount of $17,843.58.
      Vote: Ayes - Hahn, Wengraf, Lunaparra, Humbert, Arreguin: Noes – None; Abstain – None; Absent – Kesarwani, Taplin, Bartlett.

3. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Anne Cardwell, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Aram Kouyoumdjian, Human Resources Director, Jonathan Holtzman, Labor Negotiator, Dania Torres-Wong, Labor Negotiator, Burke Dunphy, Labor Negotiator

Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Fire Fighters Association, Local 1227 I.A.F.F. / Berkeley Chief Fire Officers Association; Berkeley Police Association; SEIU 1021 Community Services and Part-time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, Public Employee Union Local 1, Unrepresented Employees

Action: No reportable action taken.

OPEN SESSION:

The Council convened in closed session on May 13, 2024 and approved the following legal settlements:

- In the matter of *Derrick Brown v. City of Berkeley*, Alameda County Superior Court Case No. 22CV012371, in the amount of $50,000 in exchange for a release of all claims against the City.

- In the matter of *Charles Delfin v. City of Berkeley*, Alameda County Superior Court Case No. 23CV049225, in the amount of $27,500 in exchange for a release of all claims against the City.

- The Council also approved the acceptance of a Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen in the amount of $17,843.58.

Adjournment

Action: M/S/C (Arreguin/Taplin) to adjourn the meeting.
Vote: Ayes – Taplin, Hahn, Wengraf, Lunaparra, Humbert, Arreguin: Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

Adjourned at 4:26 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 13, 2024.

_____
Mark Numainville, City Clerk

MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL

Tuesday, May 14, 2024
4:30 PM

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

TELECONFERENCE LOCATION - THE INTERCONTINENTAL - THE WHARF DC
801 WHARF STREET SW, WASHINGTON, DC 20024

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 4:38 p.m.

Present: Taplin, Hahn, Wengraf, Humbert, Arreguin

Absent: Kesarwani, Bartlett

Councilmember Bartlett present at 4:42 p.m.

Councilmember Kesarwani present at 4:59 p.m.

Action Calendar

1. Presentation of PAB-ODPA Triennial Report [2021-2023]
From: Police Accountability Board, Office of the Director of Police Accountability
Contact: Hansel Aguilar, Police Accountability Board, (510) 981-4950
Action: 4 speakers. Presentation made and discussion held.

Adjournment

Action: M/S/C (Wengraf/Bartlett) to adjourn the meeting.
Vote: All Ayes.

Adjourned at 6:21 p.m.

Communications

Item #1: Annual Report: Police Accountability Board and Office of the Director of Police Accountability
1. Office of the Director of Police Accountability

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: Presentation of PAB-ODPA Triennial Report (2021-2023)
2. Office of the Director of Police Accountability
3. Presentation, submitted by the Police Accountability Board

MINUTES
BERKELEY CITY COUNCIL MEETING

TUESDAY, MAY 14, 2024
6:00 PM

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

TELECONFERENCE LOCATION - THE INTERCONTINENTAL - THE WHARF DC
801 WHARF STREET SW, WASHINGTON, DC 20024

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
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DISTRICT 6 – SUSAN WENGRAF
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Preliminary Matters

Roll Call: 6:42 p.m.

Present: Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: None

Report from Closed Session
The Council convened in closed session on May 13, 2024 and approved the following legal settlements: 1) In the matter of Derrick Brown v. City of Berkeley, Alameda County Superior Court Case No. 22CV012371, in the amount of $50,000 in exchange for a release of all claims against the City; and 2) In the matter of Charles Delfin v. City of Berkeley, Alameda County Superior Court Case No. 23CV049225, in the amount of $27,500 in exchange for a release of all claims against the City.

The Council also approved the acceptance of a Government Claim of CSAA Insurance Exchange as Subrogee of Jane Hysen in the amount of $17,843.58.

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:

1. Recognition of Public Works Week and Berkeley's Public Works Department
2. Recognition of Affordable Housing Month

City Auditor Comments:

The City Auditor provided an update on the status of audit recommendations for several active audits.

City Manager Comments: None

Public Comment on Non-Agenda Matters: 8 speakers.

Action: M/S/C (Taplin/Humbert) to accept an urgency item from Councilmember Hahn pursuant to Government Code Section 54954.2(b)(2) entitled Budget Referral and Technical Support for the Aurora Theatre Company.
Vote: All Ayes.

Action: M/S/C (Lunaparra/Bartlett) to accept supplemental material from Councilmember Lunaparra on Item 26 regarding Council Referral Prioritization.
Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 10 speakers.

Action: M/S/C (Humbert/Lunaparra) to adopt the Consent Calendar in one motion except as indicated.
Vote: All Ayes.

Urgent Item: Budget Referral and Technical Support for the Aurora Theatre Company
From: Councilmember Hahn (Author)
Recommendation: Direct the City Manager to work actively and urgently with the Aurora Theatre Company to offer support during a time of financial crisis, with all technical and financial assistance and any and all other resources at the City's disposal. Further request the City Manager connect Aurora Theatre with any potential outside resources and funding.
Refer to the Fiscal Year 2025-2026 Budget Process a one-time emergency grant of up to $150,000 to the Aurora Theatre Company, pending information from staff about the availability of existing and other resources to support the organization.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Councilmember Humbert added as a co-sponsor. Approved recommendation.

Recess Items

1. **Grant Application: Law Enforcement Mental Health and Wellness Act (LEMWHA) Program Grant to support contract with the Public Safety Family Counseling Group (PSFG) for Crisis Intervention and Critical Incident Stress Management Services.**
   From: City Manager
   Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to submit a Law Enforcement Mental Health and Wellness Act (LEMWHA) FY 24 Program grant application in the amount up to $200,000, due April 30, 2024; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.
   Financial Implications: See report
   Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000; Jennifer Louis, Police, (510) 981-5900
   Action: Adopted Resolution No. 71,321–N.S.

Consent Calendar

2. **Repeal of Berkeley Municipal Code Chapter 12.80**
   From: City Attorney
   Recommendation: Adopt first reading of an ordinance repealing Chapter 12.80 to the Berkeley Municipal Code (BMC), which bans natural gas infrastructure in new construction. In California Restaurant Association v. City of Berkeley, the 9th Circuit Court of Appeals found this ordinance unlawful. Repeal is required by the parties' settlement agreement and would resolve the litigation.
   Financial Implications: None
   Contact: Farimah Brown, City Attorney, (510) 981-6950
   Action: Adopt first reading of Ordinance No. 7,907–N.S. Second reading scheduled for June 4, 2024.

3. **Amendment: FY 2024 Annual Appropriations Ordinance**
   From: City Manager
   Recommendation: Adopt the first reading of an Ordinance amending the FY 2024 Annual Appropriations Ordinance No. 7,892–N.S. for fiscal year 2024 based upon recommended re-appropriation of committed FY 2023 funding and other adjustments in the amount of $64,477,630 (gross) and $52,604,888 (net).
   Financial Implications: See report
   Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
   Action: Adopt first reading of Ordinance No. 7,908–N.S. as revised in Supplemental Communications Packet #2 by the City Manager. Second reading scheduled for June 4, 2024.

Consent Calendar

4. Grant Application: California Fire Safe Council (CFSC) Grant to establish an Alameda County Coordinator
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to apply for and accept a grant, and any amendments, from the California Fire Safe Council (CFSC) Grant to contract a county coordinator to serve Alameda County communities, provide resources and education on wildfire safety, promote collaboration, assist local groups with funding opportunities, and aid multi-jurisdictional planning.
Financial Implications: $200,000 (grant)
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,322–N.S.

5. Contract No. 32100126 Amendment: Anjanette Scott LLC for Housing Consultant Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32100126 with Anjanette Scott LLC extending and increasing the contract by $25,000 for consulting services to support the Housing Trust Fund program in a total amount not to exceed $175,000, with a contract end date of June 30, 2025.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,323–N.S.

6. Reinstatement of Sick Leave
From: City Manager
Recommendation: Approve a Resolution adopting new Personnel Rule 11.09 – Reinstatement of Sick Leave, which provides that (1) temporary or non-career employees who transition into career positions or at-will positions set forth in Berkeley Municipal Code Section 4.04.120(A)-(C) shall carry over their accrued sick leave banks to their new positions, and (2) consistent with California Labor Code Section 246(g)(2), unused paid sick days shall be reinstated for any employee who separates from the City but is rehired within a year, unless a longer period is specified by an applicable Memorandum of Understanding with the employee's bargaining group.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,324–N.S.

Consent Calendar

7. Amendment #1 to the WETA Memorandum of Understanding for the Berkeley Water Transportation Pier Ferry Project
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute amendment #1 to the existing Memorandum of Understanding (MOU) with the Water Emergency Transportation Authority (WETA) to accept up to $3,000,000 in WETA funding for the engineering, design and environmental phase of the new pier-ferry project at the Berkeley Marina.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,325–N.S.

8. Contract: COWI North America, Inc. for engineering and design of the Berkeley Water Transportation Pier Ferry Project
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with COWI North America, Inc (COWI) in an amount not to exceed $6,500,000 which includes $250,000 of contingency to provide engineering and design services for the Berkeley Water Transportation Pier Ferry Project (Project) for the period June 1, 2024 through June 1, 2027.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,326–N.S.

9. Accepting a Donation from Friends of Fountain Walk for Installation of Benches and Repairs to Balustrades of Fountain Walk
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to accept a donation of $16,800 from the Friends of Fountain Walk (Friends) for repairs to the historic balustrades and railings along Fountain Walk from Marin Circle to Del Norte Street and Sutter Street.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,327–N.S.

10. Accepting a Donation from Residents of The Uplands for Resurfacing
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation from the residents of 255 thru 305 The Uplands in the amount of $50,000 to resurface the City owned parcel that performs as a public street for these residents.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,328–N.S.

Consent Calendar

11. Bike Share Electric-Assist Bicycle Expansion Agreement
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an agreement with Lyft Bikes and Scooters, LLC, subject to the terms of the Franchise Agreement, for the addition of 221 docked electric-assist bicycles and 11 infill bike share stations in Berkeley as part of the Bay Area Bike Share Program.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,329–N.S.

12. 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 $1,530,000 for a total not to exceed amount of $2,244,022.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,330–N.S.

13. Contract No. 32300080 Amendment: On-Call Civil Engineering Services, CSW Stuber-Stroeh Engineering Group, Inc.
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300080 with CSW Stuber-Stroeh Engineering Group, Inc. for on-call civil engineering services, increasing the contract amount by $750,000 for a total not to exceed the amount of $1,500,000 and extending the term of the contract from December 31, 2025, to June 30, 2027.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,331–N.S.

14. Contract (Specification No. 23-11556-C): Koios Engineering, Inc. for MRP Trash Capture FY 2023 Project
From: City Manager
Recommendation: Adopt a Resolution: -Approving plans and specifications for the MRP Trash Capture FY 2023 Project, Specification No. 23-11556-C; -Accepting the bid of the lowest, responsive and responsible bidder, Koios Engineering, Inc.; and -Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project, in accordance with the approved plans and specifications in an amount not to exceed $460,350.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,332–N.S.

Consent Calendar

15. Final Map of Tract 8639: 3000 San Pablo Avenue
From: City Manager
Recommendation: Adopt a Resolution approving the final map of Tract Map 8639 for a 79-unit condominium project consisting of 78 residential units and 1 commercial unit at 3000 San Pablo Avenue.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,333–N.S.

16. Increase Purchase Order No. 22203563 for Nicholas K Corp dba the Ford Store San Leandro
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to increase FY 2022 purchase order number 22203563 to Nicholas K Corp dba the Ford Store San Leandro by $20,000 for a new not to exceed amount of $155,000 to account for the increased cost of new model year vehicles.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,334–N.S.

17. Purchase Order: SWARCO McCain, Inc. for Traffic Signal Controllers
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a multi-year purchase order with SWARCO McCain, Inc, a sole source vendor, for traffic controllers, software, and other related parts in an amount not to exceed $500,000 for the next three fiscal years until June 30, 2026.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,335–N.S.

18. Revised Fees for Public Use of City-Owned Electric Vehicle Charging Ports; Amending Berkeley Municipal Code Section 6.24.137
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Section 6.24.137, Designation of and Restrictions for Electric Vehicle Parking Spaces, to: -Establish a schedule of rates for electric vehicle charging stations, and -Authorize the City Manager or her Designee to adjust the rates in accordance with the California Public Utility Commission’s electricity rate increases.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopt first reading of Ordinance No. 7,909–N.S. Second reading scheduled for June 4, 2024.

Council Consent Items

19. Support SB 1060
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Adopt a Resolution in support of SB 1060 (Becker), which requires insurance companies to consider wildfire risk management in insurance underwriting. Send a copy of the Resolution to Governor Gavin Newsom, State Senators Josh Becker and Nancy Skinner, and Assemblymember Buffy Wicks.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,336–N.S.

20. Support SB 1144 – Shutting Down the Market for Stolen Goods
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Adopt a Resolution in support of SB 1144 (Skinner), which will make it more difficult to sell stolen goods on online marketplaces. Send a copy of the Resolution to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymember Buffy Wicks.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmember Humbert added as a co-sponsor. Adopted Resolution No. 71,337–N.S.

21. City Council Committee and Regional Body Appointments
From: Mayor Jesse Arreguín (Author)
Recommendation: Adopt a Resolution approving appointments to City Council Policy Committees, Partnership Committees and Regional Bodies.
Financial Implications: None
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,338–N.S.

Council Consent Items

22. Elections Code 9212 Report on Street Paving Initiatives
From: Mayor Jesse Arreguín (Author)
Recommendation: Refer to the City Manager to prepare a report on the fiscal, infrastructure, and other impacts of the two circulating citizen initiative street paving measures ("SAFE STREETS" and "Fix the Streets and Sidewalks"). Council requests the report include: Estimated revenue to the City, broken down by the allocations as stated within each measure, in both current year and year of expenditure dollars, based on standard inflation and square footage growth expectations; Estimated impact on pavement conditions index (PCI) from each measure, with modeling prepared by the City's paving consultant, assuming the City maintains current street repair funding levels. If modeling is not available or not feasible, provide best estimates based on previous scenario modeling; Estimated potential impact on implementation of the Vision Zero Action Plan and related safety plans (Pedestrian Plan, Bicycle Plan, Safe Routes to Schools) from each measure; A summary of the staff time and City activities required in each measure; An estimate of any additional staff costs generated by each measure that is not funded by the measure; Estimated funding levels for the sidewalk repair program from each measure, discuss any alterations to the sidewalk repair program contained in each measure, and discuss any impacts to other City funding as a result; and any other information of interest to the City or the public, as determined by the City Manager. This report is being requested by the Council pursuant to California Elections Code Section 9212.
Financial Implications: Staff time
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.

23. Budget Referral: BYA Counseling Center and Summer Jam Day Camp
From: Councilmember Taplin (Author)
Recommendation: Refer to the Fiscal Year (FY) 25-26 budget process $110,000 for the Berkeley Youth Alternatives (BYA) Counseling Center and Summer Jam Day Camp.
Financial Implications: General Fund - $110,000
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Councilmembers Bartlett and Lunaparra added as co-sponsors. Approved recommendation as revised in Supplemental Communications Packet #2 by Councilmember Taplin to remove BYA (BYA was previously referred to the budget process).

Council Consent Items

24. Relinquishment of Council Office Budget Funds to the General Fund and Grant of Such Funds for the Berkeley Symphony's Spring Benefit
From: Councilmember Hahn (Author), Councilmember Taplin (Co-Sponsor), Councilmember Wengraf (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation: Adopt a resolution approving the expenditure of an amount not to exceed $500 per Councilmember – including $500 from Councilmember Hahn – to the Berkeley Symphony, a 501(c)(3) non-profit organization, to support its upcoming Spring Benefit, with funds relinquished to the City's general fund for this purpose from the discretionary Council office budgets of Councilmember Sophie Hahn, and from any other Councilmember who would like to contribute.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Adopted Resolution No. 71,339–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Vice-Mayor Wengraf - $500; Councilmember Bartlett - $250; Councilmember Taplin - $500; Councilmember Kesarwani - $100; Councilmember Humbert - $250; Councilmember Lunaparra - $200.

25. Staff direction and budget referral for Practical Interventions to Clear and Keep Using Parking Spaces (PICKUPS)
From: Councilmember Humbert (Author), Councilmember Taplin (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Hahn, (Co-Sponsor)
Recommendation: Refer to City Manager the potential creation of evening/nighttime 10- and/or 15 minute parking/loading zones along portions of one or both sides of the roadway for the following blocks: -Shattuck Avenue between Berkeley Way and Addison Streets; -Durant Avenue between Dana and Bowditch Streets; -University Avenue between Milvia Street and Shattuck Avenue; -Telegraph Avenue between Blake Street and Bancroft Way; -Other potential areas as may be recommended by staff.
Refer to the FY 2025-2026 budget process the following preliminary allocations for implementation and enforcement: -$50,000 for revised signage and curb striping. -$75,000 for targeted nighttime enforcement operations.
Refer to the City Manager evaluation of the feasibility of increased fines for double parking/obstructing travel lanes and have staff return to Council with a report on maximum and recommended potential fine amounts.
Financial Implications: See report
Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180
Action: Approved recommendation amended to change "10- and/or 15 minute" to "20 minute."

Action Calendar – New Business

26. 2024 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)
From: City Manager
Recommendation:
1. Review the completed Re-Weighted Range Voting (RRV) rankings for all outstanding City Council referrals;
2. Approve the removal of referrals that have been marked as rescinded by the sponsoring Councilmember or District; and
3. Adopt a Resolution approving the list of prioritized referrals to city staff.
Financial Implications: No direct fiscal impacts
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: 3 speakers. M/S/C (Kesarwani/Hahn) to:
1. Remove Referral #55 from the list.
2. Combine Items 50 (Plant-Based Food) and 57 (Good food Purchasing) and remove them from the list since there are programs already underway.
3. Combine Items 16 and 17 regarding housing for artists and add to the recommendation to refer consideration of any and all potential programs and services on this topic to the City Manager.
3. Refer to the City Manager to conduct an RRV process in early 2025 in time for the mid-cycle budget.
4. Adopt Resolution No. 71,340–N.S. approving the list of prioritized referrals to city staff.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Humbert, Arreguin; Noes – Lunaparra.

27. Reimagining Public Safety Update
From: City Manager
Recommendation: Review and discuss the provided status report from the City Manager with the goal of demonstrating transparency and facilitating informed council discussion towards the advancement of the Reimagining Public Safety initiative in Berkeley.
Financial Implications: See report
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000
Action: 5 speakers. Presentation made and discussion held.

Council Action Items

28. Increasing Entry Level Homeownership Opportunities: Implementation of AB 1033 to Allow Accessory Dwelling Units (ADUs) To Be Sold Separately
From: Councilmember Kesarwani (Author); Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor)
Recommendation: Refer to City Manager to implement AB 1033, which would allow Accessory Dwelling Units (ADUs) to be sold separately from a primary unit. This referral would necessitate elimination of any mention of sales restrictions as they pertain to ADUs within the Berkeley Municipal Code and adoption of an ordinance allowing ADU sales separate from a primary unit(s).
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: Moved to Consent Calendar. Councilmember Lunaparra added as a co-sponsor. Approved recommendation.

Information Reports

29. Update: HR Response: Audit Directive(s) for Comprehensive Domestic Violence Policy to Support City Employees
From: City Manager
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Received and filed.

30. Audit Follow-up Status Update
From: Auditor
Contact: Jenny Wong, Auditor, (510) 981-6750
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 2 speakers.

Adjournment

Action: M/S/C (Wengraf/Taplin) to adjourn the meeting.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert; Noes – None; Abstain – None; Absent – Arreguin.

Adjourned at 10:21 p.m.

Communications

Item #19: Support SB 1060
1. Barbara Gilbert
2. Kelly Hammargren

Bikers on Tilden Running Path
3. Anne Marie

50/50 Sidewalk Repair
4. Stephen Rosenbaum (2)

Cannabis Sales around Berkeley High School
5. Amanda Hickman

Vehicle Noise Activated Camera Enforcement
6. Alex Merenkov

Peace and Justice Commission
7. Andrea Valverde
8. Elizabeth Sufit
9. Joshua Spivak
10. Leo Mara
11. Beth Jacobson Wilson
12. Patricia Munro
13. 12 similarly-worded form letters

Biolab Watch
14. UC Berkeley Planning

Berkeley Landfill
15. James McGrath

Aurora Theater
16. Carol Hirth
17. Virginia Morris
18. Margaret Perchert
19. Toni Casal
20. Josh Costello

Parking Tickets
21. David Lerman

A Safe Place Invitation
22. Carolyn Russell, Executive Director

Zero Waste Strategic Plan
23. Chrise de Tournay Birkhahn

Ohlone Greenway
24. Diana Bohn

District 4 Assistance
25. Luis Orozco

Chess Club
26. Jesse Sheehan

Berkeley Unified School District
27. Aaron Katler

Middle East Conflict
28. David Shere
29. Max Joyce
30. Russell Bates (2)

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #3: Amendment: FY 2024 Annual Appropriations Ordinance
31. Revised material, submitted by the City Manager's Office.

Item #8: Contract: COWI North America, Inc. for engineering and design of the Berkeley Water Transportation Pier Ferry Project
32. James McGrath

Item #22: Elections Code 9212 Report on Street Paving Initiatives
33. James McGrath

Item #23: Budget Referral: BYA Counseling Center and Summer Jam
34. Revised material, submitted by Councilmember Taplin

Item #27: Reimagining Public Safety Update
35. Wendy Alfsen

Item #28: Increasing Entry Level Homeownership Opportunities: Implemental of AB 1033 to Allow Accessory Dwelling Units (ADU's) To Be Sold Separately
36. Amanda Le
37. Jordan Burns
38. Pablo Diaz-Gutierrez
39. David Mendelsohn
40. Alfred Twu

Supplemental Communications and Reports 3

Item #22: Elections Code 9212 Report on Street Paving Initiatives
41. Peggy Mulligan

Item #26: 2024 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)
42. Supplemental material, submitted by Councilmember Lunaparra
43. Presentation, submitted by the Clerk's Office

Item #27: Reimagining Public Safety Update
44. Presentation, submitted by the City Manager's Office

Item #28: Increasing Entry Level Homeownership Opportunities: Implemental of AB 1033 to Allow Accessory Dwelling Units (ADU's) To Be Sold Separately
45. Sarah Bell
46. Lee Bishop
47. Jonathan Singh
48. Shauna Rabinowitz
49. Jack Kurzweil
50. Claudia Kawczynska
51. Teresa Clarke
52. Cameron Woo

Urgent Item: Budget Referral and Technical Support for the Aurora Theatre Company
53. Urgent item, submitted by Councilmember Hahn

Miscellaneous Communications
54. Realign Draft Plan
55. Mystery Murder In Berkeley – Mr. Eid

MINUTES
BERKELEY CITY COUNCIL
SPECIAL MEETING

TUESDAY, MAY 21, 2024

3:00 P.M.

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

TELECONFERENCE LOCATION – 1404 LE ROY AVE, BERKELEY, CA 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: https://cityofberkeley-info.zoomgov.com/j/1613587878. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 358 7878**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@berkeleyca.gov.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. 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.

Preliminary Matters

Roll Call: 3:07 p.m.

Present: Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: Kesarwani, Taplin, Bartlett

Councilmember Bartlett present at 3:09 p.m.

Councilmember Kesarwani present at 4:17 p.m.

Public Comment - Limited to items on this agenda only – 1 speaker

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

1. **CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957**
   Public Employee Appointment

   Title: Interim City Manager
   City Designated Representative: Mayor Jesse Arreguín

   Action: No reportable action taken.

2. **CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957**
   Public Employee Appointment

   Title: City Manager
   City Designated Representative: Mayor Jesse Arreguín

   Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

Adjourned at 4:27 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 21, 2024.

_____
Mark Numainville, City Clerk

NOTICE CONCERNING YOUR LEGAL RIGHTS*: If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6 and Government Code Section 65009(c)(1)(E), no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed and served on the City 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 Zoning Adjustments Board decision, 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.*

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.



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 (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.

MINUTES
SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

Tuesday, May 21, 2024
4:00 PM

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 4:29 p.m.

Present: Kesarwani, Bartlett, Hahn, Lunaparra, Humbert, Arreguin

Absent: Taplin, Wengraf

Vice-Mayor Wengraf present at 4:31 p.m.

Worksession

1. Residential Feasibility Analysis and In-Lieu Fee Recommendations
From: City Manager
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: 12 speakers. Presentation made and discussion held.

Adjournment

Action: M/S/C (Arreguin/Bartlett) to adjourn the meeting.
Vote: Ayes – Kesarwani, Bartlett, Hahn, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Wengraf.

Adjourned at 6:22 p.m.

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #1: Residential Feasibility Analysis and In-Lieu Fee Recommendations
1. Presentation, submitted by Health, Housing and Community Services

MINUTES
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL

Friday, May 24, 2024
10:30 AM

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

TELECONFERENCE LOCATION - DIMAN HOUSE, 41 CHARLESFIELD STREET, PROVIDENCE, RI 02912

TELECONFERENCE LOCATION - 740 S. BROADWAY, 5TH FLOOR, LOS ANGELES CA 90014

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 10:41 a.m.

Present: Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: None

Action Calendar

1. Community Survey for Potential November 2024 Ballot Measures
From: City Manager
Recommendation: Receive the report, which provides information on a potential Parks Tax increase and a Measure P extension and increase, and provide direction on the upcoming community survey as well as any other proposed measures.
Financial Implications: None
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700, Peter Radu, City Manager's Office, (510) 981-7000, Anne Cardwell, City Manager's Office, (510) 981-7000
Action: 6 speakers. The Council provided direction on the survey to:

- Survey for Parks Tax increases of 20% and 28%.
- Add a question about general support for a revenue measure to support local arts organizations and programs.
- Survey for a Measure P extension with two options: 1) renewing the current tax; and 2) adding tiers for higher value sales (3% at $3 million; 3.5% at $10 million).
- Consult with the City Attorney’s Office to draft ballot question language for inclusion in the survey.

The Council also provided general direction to develop a ballot measure to extend the Sugar-Sweetened Beverage Tax.

Action Calendar

2. Council Referral – Request for City Council to place a limited Library tax on the November 2024 ballot
From: Board of Library Trustees
Recommendation: Adopt a resolution to include on the November 2024 ballot a measure levying a new, limited tax in order to maintain current levels of Library services, building maintenance, collections and staffing. The proposed rate is 6¢ per square foot of residential building space and 9¢ of commercial building space, with annual adjustments, and exempting low-income homeowners. The recommendation is to place this measure on the ballot, using language that aligns as closely as possible with the language employed by Godbe Research in the March 2024 community survey: "To maintain Berkeley Public Library services/ facilities such as: - summer reading programs for children; - keeping qualified librarians; - quality places for children; - homework help/ tutoring; - book, material/ digital collections; - maintain library facilities; - senior/ accessible programs; and - maintain weekday and weekend hours; shall the Berkeley Public Library measure be adopted, levying 6¢ per square foot of residential building space (other rates detailed in the voter handbook), providing $5,600,000 annually, until ended by voters, with annual adjustments, and exempting very low-income homeowners?"
Financial Implications: See report
Contact: Tess Mayer, Commission Secretary, (510) 981-6100
Action: 9 speakers. M/S/C (Arreguin/Hahn) to refer to the City Attorney to work with Library staff to develop a revenue measure for the November 2024 ballot.
Vote: All Ayes.

Adjournment

Action: M/S/C (Arreguin/Taplin) to adjourn the meeting.
Vote: Ayes – Taplin, Hahn, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett, Wengraf.

Adjourned at 2:06 p.m.

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #2: Council Referral – Request for City Council to place a limited library tax on the November 2024 ballot

1. Vivian Pisano
2. Judy Gonzalez-Massih
3. Tess Fruge
4. Beth Ward

5. Greta Fillingim
6. Kathy Helliesen

Supplemental Communications and Reports 3

Item #1: Community Survey for Potential November 2024 Ballot Measures

7. Presentation, submitted by Parks, Recreation and Waterfront

Item #2: Council Referral – Request for City Council to place a limited library tax on the November 2024 ballot

8. Presentation, submitted by the Library
9. Andrew Thompson
10. Scott Barshay

Miscellaneous Communications

11. Yes on D
12. Healthy Berkeley Impacts

MINUTES
BERKELEY CITY COUNCIL MEETING

Tuesday, May 21, 2024
6:00 PM

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

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT
DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
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Preliminary Matters

Roll Call: 6:48 p.m.

Present: Kesarwani, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin

Absent: Taplin

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: None

City Manager Comments: None

Public Comment by Employee Unions: 3 speakers (SEIU 1021 CSU/PTRLA, Local 1, BFFA 1227)

Public Comment on Non-Agenda Matters: 10 speakers.

Consent Calendar

Action: M/S/C (Arreguin/Wengraf) to add an urgent item from Mayor Arreguin to the Consent Calendar to grant an excused absence for Councilmember Taplin.
Vote: Ayes – Kesarwani, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin.

Action: M/S/C (Bartlett/Hahn) to add an urgent item from Councilmember Bartlett to the Consent Calendar regarding graduation sashes.
Vote: Ayes – Kesarwani, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin.

Action: M/S/C (Hahn/Lunaparra) to add an urgent item from Councilmember Hahn to the Consent Calendar regarding Berkeley Faith & Justice Coalition.
Vote: Ayes – Kesarwani, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 15 speakers.

Action: M/S/C (Arreguin/Bartlett) to adopt the Consent Calendar in one motion except as indicated.
Vote: Ayes – Kesarwani, Bartlett, Hahn, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin.

Urgent Item: Excused Absence for Councilmember Terry Taplin
From: Mayor Arreguin (Author)
Recommendation: Excuse Councilmember Terry Taplin from the May 21, 2024 Council meeting as a result illness.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.

Urgent Item: Berkeley Public Schools Fund: Funding for Graduation Sashes for Berkeley International High School (BIHS) and the African American Studies Department Graduation Ceremonies - 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 $1,000 from the discretionary Council Office Budget of Councilmember Ben Bartlett, to the Berkeley Public Schools Fund to procure “Graduation Sashes” for BIHS and the African American Studies Department Graduation Ceremonies. 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
Action: Adopted Resolution No. 71,341–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - $250; Councilmember Lunaparra - $200; Vice-Mayor Wengraf - $250.

Urgent Item: Budget Referral for the Berkeley Faith & Justice Coalition – Grassroots Leader Support Project
From: Councilmember Hahn (Author)
Recommendation: Refer to the FY 2025-2026 Budget Process up to $25,000 per FY (total of $50,000) to fund Phases 1 and 2 of the Berkeley Faith and Justice Coalition’s Grassroots Leader Support Project to establish ongoing support for grassroots leaders providing critical mentorship, development and support opportunities for African American and other potentially at-risk youth and young adults.
Financial Implications: See report
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150
Action: Approved recommendation.

Consent Calendar

1. Amending Berkeley Municipal Code Section 4.04.120(A) to rename the Legislative Assistant classification as Legislative Aide
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,904-N.S. amending Berkeley Municipal Code Section 4.04.120(A) to rename the Legislative Assistant classification as Legislative Aide.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
Action: Adopted second reading of Ordinance No. 7,904–N.S.

2. Adding Chapter 13.22 to the Berkeley Municipal Code to prohibit discrimination on the basis of family or relationship structure
From: Councilmember Taplin (Author), Councilmember Cecilia Lunaparra (Co-Sponsor)
Recommendation: Adopt second reading of Ordinance No. 7,905-N.S. adding Chapter 13.22 to the Berkeley Municipal Code to prohibit discrimination on the basis of family or relationship structure.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Vice-Mayor Wengraf and Councilmember Humbert noted as original co-sponsors on the item. Adopted second reading of Ordinance No. 7,905–N.S.

3. Notice of Appropriations Limit for Fiscal Year 2025
From: City Manager
Recommendation: Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2025 at its meeting of June 25, 2024; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk's Office on or before June 10, 2024.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 71,342–N.S.

4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on May 21, 2024
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) 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: General Fund - $325,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

Consent Calendar

5. Contract: Social Policy Research Associates for YouthWorks Program Assessment
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments or extensions with Social Policy Research Associates for consulting services to conduct a comprehensive youth development needs assessment in an amount not to exceed $250,000 for the period June 1, 2024 through June 30, 2025.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,343–N.S.

6. Contract No: 32300104 Amendment: The Village of Love for Telegraph Neighborhood Sacred Rest Drop-In Center
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee, to execute an amendment to Contract No. 32300104 with The Village of Love to add $250,000, for a total contract amount not to exceed $750,000, for services and operations at the Telegraph Neighborhood Sacred Rest Drop-In Center, and extend the contract term through May 31, 2025.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,344–N.S.

7. Contract No. 6252 Amendment: Extending the Term and Assigning the Lease for Ocean View Gardens at 819 Hearst Avenue
From: City Manager
Recommendation: Adopt an Urgency Ordinance authorizing the City Manager to execute a second amendment to Contract No. 6252 for the real property located at 819 Hearst Avenue (alternative address at 813 Delaware Street), Berkeley, for the purposes of assigning the ground lease from the current owner, Ocean View LLC, to Orbach Affordable Housing Solutions (OAHS) Ocean View LP, and extending the ground lease term to June 30, 2089.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Urgency Ordinance No. 7,910–N.S.

Consent Calendar

8. Grant Application: The 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 her designee to 1) apply for and accept a grant in the amount of $76,000 from the California Division of Boating & Waterways ("DBW") Surrendered and Abandoned Vessel Exchange (SAVE) grant program for the removal and disposal of anticipated abandoned vessels located at the Berkeley Marina; 2) execute any amendments; and 3) authorize a local match contribution of $7,600, subject to securing the grant.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,345–N.S.

9. Leave of Absence Requests: Environment & Climate Youth Commissioners
From: City Manager
Recommendation: Approve Leaves of Absence for Environment & Climate Youth Commissioners Mabel Athanasiou and Shanza Syed for the Commission meeting dates June 26, 2024 and July 24, 2024.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Approved recommendation.

10. Contract: Online Solutions, LLC (DBA Citizenserve) for Housing Inspection and Code Enforcement Software
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Online Solutions, LLC (DBA Citizenserve) for software licensing, implementation, maintenance and related services for housing inspection and code enforcement software, for an amount not to exceed $622,215, from June 17, 2024 through June 16, 2029.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 71,346–N.S.

11. Contract: Raimi + Associates for Professional Planning Services for the North Shattuck, College and Solano Avenue Corridors Zoning Update
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Raimi + Associates to perform professional planning services for the North Shattuck, College, and Solano Avenues Corridors Zoning Update, in an amount not to exceed $600,000, for the period of June 6, 2024 to Dec 31, 2026.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 71,347–N.S.

Consent Calendar

12. Contract No. 32300103 Amendment: Bay Area PL Services of On-call Phlebotomy and Sexual Assault Exams
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32300103 and any necessary future amendments with Bay Area PL Services for the Berkeley Police Department, increasing the contract amount by $150,000 for a total not to exceed amount of $200,000 with the contract end date extended to December 31, 2028.
Financial Implications: State Citizens Option for Public Safety Fund - $150,000
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 71,348–N.S.

13. Declaration of Intent – Fiscal Year 2025 Street Lighting Assessments
From: City Manager
Recommendation: Adopt two Resolutions granting the City Manager the authority to: Approve the Engineer's Reports; Set a public hearing to be held before the Council of the City of Berkeley at its June 25, 2024, meeting; and Authorize the City Clerk to publish a Notice of the Public Hearing for Fiscal Year 2025 Levy of Assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,349–N.S. (District No. 1982-1), and Resolution No. 71,350–N.S. (District 2018).

Council Consent Items

14. Develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor)
Recommendation: Direct the City Manager to develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions; aim is to improve their well-being and prevent or dramatically reduce calls for service; the pilot would implement a “friendship or care team” for each as described below to build trust, support, address loneliness; teams would be staffed with existing contracted outreach providers; teams would keep a brief daily log of their experience and calls for service would be tracked; pilot to be evaluated and report back to Council quarterly to determine efficacy.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmember Humbert added as a co-sponsor. Approved recommendation.

Council Consent Items

15. Amendment to Commissioner Leave of Absence Process
From: Mayor Arreguin (Author)
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 3.02 to allow the Mayor to approve a Leave of Absence for a Commissioner appointed by the Council as a whole.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopt first reading of Ordinance No. 7,911–N.S. Second reading scheduled for June 4, 2024.

16. Budget Referral: Restarting 4th of July Celebration
From: Mayor Arreguin (Author)
Recommendation: Refer up to $630,000 to the Fiscal Year 2025-2026 Budget Process to be reserved in the City's General Fund to be used to restart 4th of July Celebrations in 2025.
Financial Implications: General Fund - $630,000
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Councilmember Hahn added as a co-sponsor. Approved recommendation.

17. Relinquishment of Council Office Budget Funds to the Berkeley Rotary Endowment and Co-Sponsorship of 2024 Taste of Downtown Berkeley Event
From: Mayor Arreguin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Wengraf (Co-Sponsor)
Recommendation: Adopt two resolutions to authorize the co-sponsorship and expenditure of $500 from Mayor Arreguin's discretionary office budget to the Berkeley Rotary Endowment to support the second annual Taste of Downtown Berkeley event.
Financial Implications: See report
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,351–N.S. (Co-Sponsorship), and Resolution No. 71,352–N.S. (Relinquishment of Funds) revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Humbert - $200; Councilmember Lunaparra - $100; Vice-Mayor Wengraf - $250; Councilmember – Hahn - $250; Councilmember Bartlett - $250.

18. Budget Referral: Berkeley Youth Alternatives Part-Time Garden Assistant
From: Mayor Arreguin (Author)
Recommendation: Refer $31,250 to the Fiscal Year 2025-2026 Budget process for Berkeley Youth Alternatives to hire a part-time Garden Assistant.
Financial Implications: General Fund - $31,250
Contact: Jesse Arreguin, Mayor, (510) 981-7100
Action: Approved recommendation.

Council Consent Items

19. Berkeley Juneteenth Festival: 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 Councilmember Bartlett for pre-planning of the Berkeley Juneteenth Festival (organized by Berkeley Juneteenth Association, Inc. 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
Action: Councilmember Hahn added as a co-sponsor. Adopted Resolution No. 71,353–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Hahn - $500; Councilmember Humbert - $200; Councilmember Lunaparra - $200; Vice-Mayor Wengraf - $200; Councilmember Kesarwani - $100; Mayor Arreguin - $500.

20. Speed Bump Installation on Russell St at King Street (South Berkeley)
From: Councilmember Bartlett (Author)
Recommendation: Refer to the City Manager to analyze the potential for the installation of a speed bump on Russell St. at King St. (South Berkeley), to improve the public space to increase safety for pedestrians, cyclists, and people living with disabilities, while also meeting the needs of public transit and emergency vehicles. The analysis should prioritize speed bump installation that reduces injuries and accidents in the street and creates many benefits for our community. It should also consider other items listed by members of the community.
Financial Implications: See report
Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130
Action: Mayor Arreguin and Councilmember Humbert added as co-sponsors. Approved recommendation.

Action Calendar – Public Hearings

21. Fiscal Years 2025 and 2026 Proposed Budget and Proposed Budget Public Hearing #1
From: City Manager
Recommendation: Accept the Fiscal Years 2025 and 2026 Proposed Biennial Budget for review and consideration by the City Council and final adoption on June 25, 2024 and conduct Public Hearing #1 on the Fiscal Years 2025 and 2026 Proposed Budget.
Financial Implications: See report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

Public Testimony: The Mayor opened the public hearing. 30 speakers.

Action: Presentation made and discussion held.

Action Calendar – Public Hearings

22. Rescinding and Adopting the Environmental Health Division Fee Schedule
From: City Manager
Recommendation: Conduct a Public Hearing and, upon conclusion, adopt a Resolution rescinding Resolution 69,891-N.S. which established the current Environmental Health fee schedule and adopting a new fee schedule. The new fee schedule keeps all existing fees at the same level and adds four (4) new fees as follows: 1) Compact Mobile Food Operations (CMFO); 2) Short-term / Guest Vendor Operations; 3) Host Facility Operations; 4) Temporary Food Facility (e.g., food booth) Late Applications. These recommended updates to the Environmental Health fee schedule reflect recent changes in State law, allowing the City to come into regulatory compliance with State law and offer more economic opportunities for smaller independent businesses. The new fees will be effective July 1, 2024 until subsequently modified.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Arreguin/Wengraf) to close the public hearing.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Action: M/S/C (Wengraf/Humbert) to adopt Resolution No. 71,354–N.S.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

23. Fee Increase: Senior Center Facility Rental Security Deposit
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution raising the senior center rental facility's security deposit from $350 to $500, a total increase of $150.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Arreguin/Wengraf) to close the public hearing.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Action: M/S/C (Wengraf/Arreguin) to adopt Resolution No. 71,355–N.S.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Action Calendar – Public Hearings

24. Selected Sports Field Fee Increases
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving new fees for select sports field fees; and rescinding Resolution No. 70,869-N.S. and all amendatory resolutions.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Public Testimony: The Mayor opened the public hearing. 0 speakers.
M/S/C (Arreguin/Wengraf) to close the public hearing.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Action: M/S/C (Arreguin/Wengraf) to adopt Resolution No. 71,356–N.S.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

25. Changes to the Planning Department Fee Schedule
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution: 1. Approving revisions to the fee schedule for the Planning and Development Department effective July 1, 2024, to increase the hourly rate for staff time in all divisions of the department to $250 per hour, to set fees for the new Building and Safety Division permits and processes, to create a new Land Use Planning application fee and offset those costs through reductions in discretionary permit fees, to increase the annual fees of the Rental Housing Safety Program, and to update various other fee rates and make minor clarifications to the existing fee schedule; and 2. Rescinding Resolution No. 67,985-N.S.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Arreguin/Wengraf) to close the public hearing.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Action: M/S/C (Arreguin/Wengraf) to adopt Resolution No. 71,357–N.S.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Information Reports

26. Audit Recommendation Status - Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities
From: City Manager
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 3 speakers.

Adjournment

Action: M/S/C (Arreguin/Wengraf) to adjourn the meeting.
Vote: Ayes – Kesarwani, Bartlett, Wengraf, Lunaparra, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Taplin, Hahn.

Adjourned at 10:29 p.m.

Communications

Permits for Restaurants and Food Facilities
1. David Lerman (2)

West Campus Pool Hours
2. Summer Brenner

Farm Workers Grant
3. Mary Parks

BioLab Watch
4. Tina Stevens

Holocaust Remembrance Day
5. Shoshana Dembitz

Blockage of Bateman Street
6. Mike Vandeman

Parking Meters & Residential Parking Permits
7. Dorothea Dorenz
8. Dona Bretherick

Peace and Justice Commission
9. Noam Pitsker
10. Anna Ma
11. Linda Wulf

Homelessness
12. Katelyn Draper
13. Cecelia Mautner

Revolution Books Frame Signs
14. Steve Rood

Cal Sailing J-Dock Berths
15. Michael Scott
16. Nancy Gillette
17. Emily Fox
18. Summer Brenner

Hearst and Oxford Dangerous Intersection
19. Helen Cademartori

4th Street Sidewalk Vendor Selling Knives
20. Cecelia Mautner (2)

Fee Increase Per Rental Unit
21. Dorothe Dorenz

Repaving on Bancroft
22. Adam Naftalin-Kelman, on behalf of Berkeley Hillel

Middle East Conflict
23. Deborah Goldeen
24. Michael Fullerton
25. Sophia Cyris
26. Russell Bates (4)

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #6: Contract No: 32300104 Amendment: The Village of Love for Telegraph Neighborhood Sacred Rest Drop-In Center
27. Alex Knox

Item #14: Develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions
28. Loni Hancock
29. Linda Maio

Item #20: Speed Bump Installation on Russell St at King Street (South Berkeley)
30. Nathan Bigelow
31. KC Cavanagh
32. Karen Weidert
33. Amy Fire

34. Mary Mathaisell
35. Cynthia Augsjoost
36. Sutapa Mallik
37. Nikhilesh Banerjee
38. Ajit Roy
39. Maitreyee Paul
40. Debabrata Paul
41. Ashima Roy
42. Loa Ortiz
43. Scott Gehring

Item #21: Fiscal Years 2025 and 2026 Proposed Budget and Proposed Budget Public Hearing #1

44. John Caner, on behalf of the Downtown Berkeley Association
45. Beth Roessner, on behalf of the Berkeley Chamber of Commerce
46. Lucy Mahaffey
47. David Silverglide
48. Tom Parish
49. David Masenten
50. Nikki Esperson
51. Amy Murray
52. Lorenzo Grayson
53. Angela Jernigan (2)
54. Ann Harlow
55. Blaine Merker
56. Tom Bates and Loni Hancock
57. Julie Sinai, on behalf of LifeLong Medical Care
58. Maria Schell Hassid
59. Coffee Hut
60. Walk Bike Berkeley
61. Supplemental material, submitted by the City Manager's Office

Supplemental Communications and Reports 3

Item #14: Develop a pilot program for 5-10 Seriously Mentally Ill (SMI) persons who have required frequent interventions

62. Margot Dashiell

Item #20: Speed Bump Installation on Russell St at King Street (South Berkeley)

63. Owen Thompson-Lastad
64. Emily Becerra Sigel

Item #21: Fiscal Years 2025 and 2026 Proposed Budget and Proposed Budget Public Hearing #1

65. Presentation, submitted by the City Manager's Office
66. Angela Jernigan
67. Igor Tregub

68. Julia Moss
69. Anthony Iacono
70. Joe Smith
71. Benjamin Fry
72. Kendra Levine
73. Esther Brass

Budget Referral for the Berkeley Faith & Justice Coalition – Grassroots Leader Support Project
74. Submitted by Councilmember Sophie Hahn

Description: Funding to Berkeley Public Schools Fund for "Graduation Sashes" for (Berkeley International High School) BIHS and the African American Studies Department Graduation Ceremonies - Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
75. Submitted by Councilmember Ben Bartlett

Excused Absence for Councilmember Terry Taplin
76. Submitted by Mayor Jesse Arreguin

Miscellaneous Communications
77. Message from Eid
78. Steve Moros
79. Enclave Apartments – West Builder

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Carianna Arredondo, Assistant to the City Manager, City Manager's Office

Subject: Contract: Live Free USA for Gun Violence Intervention and Prevention Program: Custom Notification and Street Outreach Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Live Free USA (Contractor) to design, implement, and assess the Custom Notification and Street Outreach Services component of the City of Berkeley's Gun Violence Intervention and Prevention Program for a two-year pilot, in an amount not to exceed $2,000,000 ($1,000,000 per fiscal year).

FISCAL IMPACTS OF RECOMMENDATION

The $2,000,000 contract will be funded through the General Fund (Fund Code: 011-21-201-000-0000-000-412-612990). The contract term begins July 1, 2024 through July 1, 2026 ($1,000,000 per fiscal year). Initial disbursement will consist of an upfront mobility percentage cost followed by subsequent invoicing.

CURRENT SITUATION AND ITS EFFECTS

The Reimagining Public Safety initiative is a Strategic Plan Priority Project, advancing our goal to create a resilient, safe, connected, and prepared city. In alignment with this initiative, the City of Berkeley issued a Request for Proposals (RFP) to engage an organization that will execute custom notifications and street outreach for the City's two-year pilot Gun Violence Intervention and Prevention Program. The chosen vendor will work in partnership with the City to develop, implement, and evaluate the Custom Notification and Street Outreach services component of the program, with a budget not exceeding $2,000,000 over two years ($1,000,000 per fiscal year).

The City Council approved the formal bids and solicitation request for Specification No. 24-11659-C at the March 12, 2024, City Council meeting. The RFP was then posted on the City's Bids and Solicitation site on March 20, 2024. A Bidder's Conference took place on April 5, 2024, with responses to inquiries subsequently made available on the City's website on April 10, 2024. The deadline for proposal submissions was April 16, 2024, resulting in two complete proposals being received. The selection committee included leaders and staff from the City Manager's Office (CMO), Berkeley Police Department (BPD), Department of Health, Housing, and Community Services (HHCS),

Parks, Recreation and Waterfront Department (PRW), and the Office of the Director of Police Accountability (ODPA). Additionally, community representatives from the Police Accountability Board, the Mayor's Fair and Impartial Policing Working Group, and an appointed member from the D2 Ceasefire Ad Hoc Advisory Group participated in the review, interview, and selection process.

BACKGROUND

The dialogue surrounding public safety in the United States shifted in 2020. National events starkly highlighted that trust in law enforcement and public safety mechanisms had been deeply eroded for many, especially within marginalized communities. The tragic and unjust deaths of George Floyd, Breonna Taylor, and many others underscored the pressing need to address systemic inequities and to deeply reconsider the tenets of public safety. On June 6, 2020, over 7,000 Berkeley residents marched in the streets to call for transformative change in law enforcement. The City of Berkeley, aware of its role and responsibilities in this national context, promptly heeded this call for introspection and reform.

The following provides a chronology of the City of Berkeley's systemic actions in its initiative to design and implement a Gun Violence Prevention and Prevention program:

On November 9, 2021, the Berkeley City Council unanimously approved a budget referral for $200,000 in consulting costs to begin developing a multi-jurisdictional Gun Violence Intervention (GVI) program, also known as "Operation Ceasefire," in Berkeley.

On May 25, 2022, the Berkeley Police Department launched a Transparency Hub dashboard, that includes data and analysis designed to support the Ceasefire process. BPD continues to build automated data visualization tools for violence prevention program stakeholders to track relevant statistics through the duration of the program.

On May 31, 2022, City Council approved a recommendation, submitted by Councilmember Taplin, to refer $1,000,000 to the budget process to provide full staffing for a Berkeley Ceasefire program. Upon approval, Councilmember Taplin hosted a series of Berkeley Ceasefire D2 Ad-hoc advisory sessions.

On June 28, 2022, the City Council adopted the FY 2023-2024 city budget which included key Reimagining Public Safety Tier 1 items.

On November 28, 2022, the Berkeley Police Department expanded its partnership with UC Berkeley to include a collaboration with the Goldman School of Public Policy to design a Gun Violence Prevention program evaluation plan including the definition of success metrics and independent analysis thereof.

On May 12, 2023, the Gun Violence Prevention report, that explores details of assessments and analysis on Violence Prevention Models as it relates to implementation in Berkeley, was completed.

On August 21, 2023, the Assistant to the City Manager, serving as the Reimagining Public Safety (RPS) Project Coordinator was hired and began collaborating with the City's Reimagining Public Safety project team to provide a comprehensive update on RPS initiatives and the City's progress with Gun Violence Prevention program implementation.

On January 23, 2024, the City Manager and staff delivered a detailed status update on the Reimagining Public Safety initiative, outlining its progress, the leadership team driving this effort, and the advances made in key initiatives. This update also addressed the challenges and considerations that have impacted the progress of the initiative. Additionally, a comprehensive presentation on the proposed framework for the Gun Violence Intervention and Prevention Program was presented and subsequently adopted by the City Council.

On March 12, 2024, the City Council approved the formal bids and solicitation request for Specification No. 24-11659-C at the City Council meeting.

On March 20, 2024, the RFP was posted on the City's Bids and Solicitation site.

On April 5, 2024, the City hosted a Bidders Conference, responses to inquiries were subsequently made available on the City's website on April 10, 2024.

On April 16, 2024, the deadline for proposal submissions was April 16, 2024, resulting in two complete proposals being received.

On April 26, 2024, the Assistant to the City Manager coordinated and conducted one-hour interviews with prospective bidders and the Gun Violence Intervention and Prevention Program (GVIPP) Steering Committee.

On May 6, 2024, the GVIPP Steering Committee reviewed score sheets and selected a provider for an intent to award notification.

On May 14, 2024, the City Manager and Staff delivered a Spring 2024 Reimagining Public Safety status update which included progress made with the RFP process for Gun Violence Intervention and Prevention Program.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City conducted a competitive bid process for the Gun Violence Intervention and Prevention Program (GVIPP), and Live Free USA emerged as the top candidate. They

successfully met all bid requirements and ranked highest among all bidders due to their demonstrated experience in community engagement, violence prevention, and inter-agency coordination. Live Free has provided comprehensive implementation plans, which include robust frameworks for GVI/P services tailored to the City's specific needs.

Their proposal outlines effective strategies for stakeholder collaboration, emphasizing structured partnerships with local law enforcement, community organizations, and social services to target and support at-risk populations. Live Free also proposes innovative approaches to street outreach and custom notification systems, aiming to enhance public safety through proactive community involvement and tailored intervention and prevention methods. This clear and actionable plan positions Live Free as a suitable partner for the City in addressing gun violence and enhancing public safety strategies.

ALTERNATIVE ACTIONS CONSIDERED

The City Council has the option to halt the Gun Violence Intervention and Prevention Program implementation and redirect the allocated funds to another local priority. However, this would diverge from previous Council decisions and the expressed preferences of the community. Therefore, staff do not recommend pursuing this course of action.

CONTACT PERSON

Carianna Arredondo, Assistant to the City Manager, City Manager’s Office, 510-981-7000

Attachments:
1: Resolution
2: Selected Pages: Request for Proposals (RFP) for Gun Violence Intervention and Prevention Program, March 2024
3: Reimagining Public Safety Update, Spring 2024

RESOLUTION NO. ##,###-N.S.

Contract: Live Free for Custom Notification and Street Outreach Services

WHEREAS, the City of Berkeley passed an omnibus package to reimagine public safety, including the establishment of a Gun Violence Intervention and Prevention Program (formerly known as “Ceasefire”)

WHEREAS, community engagement and preliminary analysis resulted in a framework and recommendations for the Gun Violence Intervention and Prevention Program which included a four-pronged approach for place-based programming, custom notification, street outreach, and social services were recommended; and

WHEREAS, on January 23, 2024, the City Manager and staff delivered a detailed status update on the Reimagining Public Safety initiative, outlining its progress, the leadership team driving this effort, and the advances made in key initiatives. This update also addressed the challenges and considerations that have impacted the progress of the initiative. Additionally, a comprehensive presentation on the proposed framework for the Gun Violence Intervention and Prevention Program was presented and subsequently adopted by the City Council; and

WHEREAS, the City conducted RFP specification number 24-11659-C with proposals due no later than April 16, 2024; and

WHEREAS, the City received two proposals in response to this RFP; and

WHEREAS, two finalists were invited to interview with the Gun Violence Intervention and Prevention Steering Committee for a more in- depth review of their proposal and describe their past work and qualification with violence intervention strategies in the City of Berkeley, resulting in the selection of Live Free USA as the best qualified community-based organization.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is authorized to execute a contract and any amendments with Live Free USA (Contractor) to design, implement, and assess the Custom Notification and Street Outreach Services component of the City of Berkeley’s Gun Violence Intervention and Prevention Program for a two-year pilot, in an amount not to exceed $2,000,000 ($1,000,000 per fiscal year) funded through the General Fund (Fund Code: 011-21-201-000-0000-000-412-612990). Services will begin on July 1, 2024 and extend to July 1, 2026. Initial disbursement will consist of an upfront mobility percentage cost followed by subsequent invoicing.



Finance Department
General Services Division

REQUEST FOR PROPOSALS (RFP)
Specification No. #24-11659-C
FOR
Gun Violence Intervention and Prevention Program
PROPOSALS WILL NOT BE OPENED AND READ PUBLICLY

Dear Proposer:

The City of Berkeley is soliciting written proposals from qualified firms or individuals to work with the City of Berkeley to establish and implement a Gun Violence Intervention and Prevention Program. As a Request for Proposal (RFP) this is not an invitation to bid and although price is very important, other factors will be taken into consideration.

The project scope, content of proposal, and vendor selection process are summarized in the RFP (attached). **Proposals must be received no later than 2:00 pm on ThursdayApril 16, 2024.** Proposals are to be sent via email with the **"Specification No. #24-11659-C** and "**Gun Violence Intervention and Prevention Program**" clearly indicated in the subject line of the email. Please submit one (1) PDF of the technical Proposal with the filename saved as, "**Proposal Vendor Name - #24-11659-C "Gun Violence Intervention and Prevention Program**" Corresponding pricing proposal shall be submitted as a separate document with the filename saved as, "**Pricing Vendor Name - - #24-11659-C "Gun Violence Intervention and Prevention Program."**

Email Proposals to:
City of Berkeley
Finance Department/General Services Division
purchasing@berkeleyca.gov

Proposals will not be accepted after the date and time stated above. Incomplete proposal or proposals that do not conform to the requirements specified herein will not be considered. Issuance of the RFP does not obligate the City to award a contract, nor is the City liable for any costs incurred by the proposer in the preparation and submittal of proposals for the subject work. The City retains the right to award all or parts of this contract to several bidders, to not select any bidders, and/or to re-solicit proposals. The act of submitting a proposal is a declaration that the proposer has read the RFP and understands all the requirements and conditions.

For questions concerning the anticipated work, or scope of the project, please **contact Carianna "Cari" Arredondo *(Project Manager)***, Assistant to the City Manager, via email at **carredondo@berkeleyca.gov** no later than **Monday, April 8th, 2024**. Answers to questions will **not** be provided by telephone or email. Answers to all questions or any addenda will be **posted** on the City of Berkeley's site at Bid & Proposal Opportunities | City of Berkeley (berkeleyca.gov). It is the vendor's responsibility to check this site. For general questions concerning the submittal process, contact purchasing at 510-981-7320.

We look forward to receiving and reviewing your proposal.

Sincerely,
Darryl Sweet, General Services Manager

I. SUMMARY

In response to the growing gun violence crisis, Berkeley has introduced the Gun Violence Intervention and Prevention Program within its larger "Reimagining Public Safety" framework. Aiming for a comprehensive reduction in gun violence incidents, this initiative blends community engagement, strategic collaboration between internal city departments and external organizations, field experts, and methods based on empirical evidence.

With a $2M budget for a two-year pilot (Not to exceed $1M per fiscal year), the Gun Violence Intervention and Prevention program aims to employ a four-pronged strategy that includes:

- **Place-based interventions** at critical areas with increased shootings,
- Direct engagement with individuals at risk via **custom notifications**,
- **Street outreach**, and
- Provision of robust **social services**.

The program, which is overseen by the City Manager's Office, is seeking proposals for the design and implementation of the ***custom notifications*** and ***street outreach*** components, as detailed below. It is crucial to understand that custom notifications require collaboration with law enforcement, whereas street outreach involves a one-way communication channel from the police to outreach workers.

Proposals may address *either* one or *both* components. **While proposals may involve collaboration among multiple Community-Based Organizations (CBOs), prospective bidders must identify a lead organization and may include partner organizations in their submissions.**

- **Custom Notifications**: Custom notifications in Berkeley are a **collaborative strategy** by ***law enforcement*** and ***community-based organizations*** to mitigate gun violence and target high-risk individuals with simultaneous "hard" and "soft" messaging. The "hard" message, delivered by police, outlines specific legal consequences for future violent acts, emphasizing immediate legal risks. Concurrently, a "soft" message from a community-based organization (CBO) conveys support and care, offering access to social services and assistance. This approach combines clear warnings about the consequences of violence with offers of help, aiming to deter violence through awareness of the repercussions and provision of alternatives. Custom notifications leverage social network analysis (SNA) to identify those at risk and employ focused deterrence to reduce gun violence, making it clear that violence is intolerable while also providing pathways to support and change.

- **Street Outreach:** A critical aspect of their operation is the **unidirectional flow** of information from police to outreach workers, keeping them informed about recent incidents without compromising their neutrality and community trust. Street outreach, conducted by Violence Interrupters, is a public health strategy aimed at curbing the spread of violence as a social contagion in communities. These workers, often with personal experiences of incarceration or violence, use their credibility and understanding of street culture to mediate conflicts and prevent violence escalation. They act as crucial connectors between individuals engaged in violence and broader gun violence intervention programs, enhancing law enforcement efforts with their community trust. Their role includes real-time violence identification and interruption, mentoring high-risk individuals, facilitating workshops and peaceful demonstrations. This partnership allows them to effectively prevent retaliation and support individuals at risk, by reinforcing community norms against violence and fostering a safer environment.

The purpose of this RFP is to solicit proposals from community-based organizations and service providers that have the expertise and ability to quickly meet the City's need to create a successful pilot program for the Gun Violence Intervention and Prevention Program in the City of Berkeley. The selected applicant(s) will be required to comply with all applicable requirements for such funds and will be required to report to the City regularly on the use of funds and services beneficiaries.

II. SCOPE OF SERVICES

Applicants are encouraged to thoroughly review the report and recommendations, as outlined in ***Attachments 1*** **to** ***4***. The selected provider(s) must demonstrate a collaborative approach, involving a wide range of internal and external organizations, community stakeholders and show expertise in gun violence intervention and prevention programming; evidenced by a strong commitment to data-driven evaluation, ability to remain within budget limits, foster effective cross-functional collaboration is crucial for the successful implementation and achieve a measurable decrease in gun violence incidents. The City is looking for detailed proposals for its Gun Violence Intervention and Prevention program, specifically focusing on designing and implementing ***street outreach*** and ***custom notification*** initiatives in alignment with the criteria provided. The sections below serve as a detailed outline and guide for the City's expectations for submissions regarding the program narrative:

A. STRATEGIC PROGRAM DEVELOPMENT

Proposals must incorporate advanced strategies based on criminological and public health research and detail methodologies and approaches for engaging the target population, including identification methods, intervention strategies, and case-management coordination and follow-up.

- **Comprehensive Strategy Development**
  - **Intervention Methodology:** Define a collaborative methodology for engaging in-risk individuals, specifying criteria and tools used. Include intervention techniques, frequency, duration, format, and risk assessment protocols.
    - **Custom Notifications:** Given a subset of individuals identified by law enforcement partners, design a methodology and/or framework for coordinating relevant stakeholders to create unified custom notifications and delivery methods to the individual.
    - **Street Outreach:** Describe a strategic plan for managing a team of street outreach workers including day-to-day functions and special activities.
  - **Effectiveness Indicators:** Provide measurable indicators and success metrics for each component (street outreach and custom notifications), including crime rate reduction, improved community trust, and other social impact metrics.

- **Documentation and Reporting**
  - **Operational Protocols:** Outline clear protocols for escalating interventions and response to emerging situations.
  - **Community Engagement Plan:** Formulate a strategy for sustained engagement with diverse community members and stakeholders. Identify relationships with field experts.

- **Budget and Effectiveness Monitoring**
  - **Budget Monitoring:** Provide a detailed breakdown and justification for each budget item. Describe the financial monitoring system, including checks and balances, audit schedules, and reporting formats.
  - **Effectiveness Monitoring:** Identify specific tools and methods for monitoring reductions in gun violence, such as statistical analysis, community surveys, etc., and explain the process for making program adjustments based on effectiveness data, including decision-making criteria and implementation timelines.

- **Data Management and Evaluation**
  - **Data Collection Tools:** Specify tools and software for data collection and analysis.
  - **Continuous Improvement Plan:** Outline a plan for regular program review and refinement based on data insights.

B. IMPLEMENTATION AND COMPLIANCE MONITORING

Detailed implementation plans are required, including staffing qualifications, resource allocation, operational timelines, and a scalable framework for program expansion. Proposals should address integrating innovative and culturally sensitive practices, considering the diverse needs of the community.

- **Implementation Planning**
  - **Operational Framework**: Outline the operational framework, staffing roles, qualifications, and resource allocation for the program. Focus on the logistical aspects of implementing the proposed strategies.
  - **Resource Allocation**: Present a comprehensive budget with allocations for each program element and justifications, focused on the direct support of proposed strategies.

- **Collaboration and Community Engagement**
  - **Collaboration Framework:** Provide a detailed organizational chart showing each entity's specific responsibilities and points of contact. Describe how the collaboration with ***various entities*** will enhance the program's effectiveness.
  - **Community and Stakeholder Engagement:** Detail specific engagement activities, their frequency, and expected outcomes, along with strategies to sustain and deepen relationships with stakeholders, including regular community meetings, feedback mechanisms, etc. Identify continued partnership with local and national field experts and collaboration with city departments.

C. OPERATIONAL TIMELINE & LOCATION

Applicants are expected to outline the expectations for the operational timeline and spatial needs of the program, detailing the specific period post-contract award and providing timelines for each critical phase of the program.

- **Timeline Expectations:** Outline a realistic and flexible timeline for the program's operational rollout, including milestones and benchmarks for the design, implementation, monitoring, and evaluation phases of the program.
- **Location Considerations:** While the City of Berkeley will not provide a location due to the fieldwork nature of this program, we are open to exploring possible city space for operational needs, if necessary. Applicants should detail their plan for location needs, how they intend to address fieldwork requirements, and any potential city space utilization if applicable.

D. ORGANIZATIONAL CAPACITY AND EXPERTISE

Applicants must demonstrate extensive experience and expertise in gun violence intervention and prevention, showcasing a deep understanding of the dynamics of gun violence and the ability to implement effective programs.

- **Organizational Experience**
  - **Case Study Details:** Include data from past programs, specifying the number of individuals reached, the reduction in violent incidents, and other relevant metrics.
  - **Insight Application:** Describe how previous lessons will be applied in the Berkeley context, with modifications or enhancements specific to local needs.

- **Training and Development**
  - **Curriculum Specifics:** Provide a detailed training schedule, including topics covered and qualifications of trainers.
  - **Training Evaluation:** Outline methods for assessing the effectiveness of training, such as pre- and post-assessment, staff feedback, and performance metrics.

This RFP is designed to facilitate the selection of a comprehensive, collaborative, and innovative approach to reduce gun violence in our community through targeted, data-driven interventions and strategic collaborations.

III. SUBMISSION REQUIREMENTS

All proposals shall include the following information, organized as separate sections of the proposal. The proposal should be concise and to the point.

1. Contractor Identification:

   Provide the name of the firm, the firm's principal place of business (see section VII, F. – Local Vendor Preference), the name and telephone number of the contact person and company tax identification number.

2. Client References:

   Provide a minimum *of 3* client references. References should be California cities or other large public sector entities. Provide the designated person's name, title, organization, address, telephone number, and the project(s) that were completed under that client's direction.

3. Price Proposal:

   The proposal must provide detailed pricing for all services, ensuring all program work does not surpass $1M (per fiscal year) for the broader two-year $2M pilot program. Pricing shall be all inclusive unless indicated otherwise. Pricing proposals shall be a separate document. The Proposal shall itemize all services, including hourly rates for all professional, technical and support personnel, and all other charges related to completion of the work. Evaluation of price proposals are subject to the local vendor business preference (see section VII.F.)

   Please complete the Program Budget Template (**See Attachment 4**).

   Note: The City of Berkeley intends to use this two-year pilot program as a foundation for developing a comprehensive approach to gun violence intervention and prevention. The focus will be on employing effective street outreach methods and custom notifications as principal strategies, as outlined in the attached report and recommendations.

4. Contract Terminations*:*

   If your organization has had a contract terminated in the last five (5) years, describe such incident. Termination for default is defined as notice to stop performance due to the vendor's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the vendor, or (b) litigated and such litigation determined that the vendor was in default.

   Submit full details of the terms for default including the other party's name, address, and phone number. Present the vendor's position on the matter. The City will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience.

   If the firm has not experienced any such termination for default or early termination in the past five (5) years, so indicate.

5. Program Narrative:

Proposals should include a detailed narrative addressing the approach to each of the following criteria as outlined in Section II. SCOPE OF SERVICES:

A. **Strategic Program Development:** Proposals must incorporate advanced strategies based on criminological and public health research and detail methodologies and approaches for engaging the target population, including identification methods, intervention strategies, and case-management coordination and follow-up.
B. **Implementation and Compliance Monitoring:** Present a detailed plan for operationalizing the proposed strategies, including staffing, resource allocation, and program expansion. Describe how compliance will be ensured and how culturally sensitive practices will be integrated.
C. **Operational Timeline & Location:** Outline a realistic timeline for the program's operational rollout and provide details on spatial needs, addressing how fieldwork and potential city space utilization will be managed.
D. **Organizational Capacity and Expertise:** Demonstrate experience and expertise in the relevant field. Include case studies, application of insights, training specifics, and methods for evaluating training effectiveness.

IV. SELECTION CRITERIA

The following criteria will be considered, although not exclusively, in determining which firm(s) is hired. A selection panel comprising staff members with expertise in Gun Violence Intervention and Prevention (GVI/P), community engagement, racial equity, financial management, and relevant local knowledge will evaluate and score submissions. The panel will use a standardized scoring rubric to ensure a fair and comprehensive assessment of each proposal.

Category	Criteria	Points
Project Approach	*Approach to Custom Notifications:* Strategy for a custom notifications program that includes: • **Identification:** Collaborating with law enforcement partners to identify a specific subset of individuals deemed at-risk. • **Coordination:** Designing a framework for coordinating with relevant stakeholders, including local authorities, community organizations, and social service providers, to create a unified approach for the development and delivery of custom notifications. • **Delivery:** Outlining the process for the personalized delivery of these notifications to the identified individuals, ensuring the approach is respectful, privacy-conscious, and tailored to address the specific needs and risks associated with each individual.	**30**
	Approach to Street Outreach: Strategy for a street outreach program that includes: • **Team Management:** Describing the management of a team of street outreach workers, focusing on their day-to-day functions, roles, and responsibilities to ensure a proactive and effective outreach effort. • **Special Activities:** Planning and implementing special activities aimed at engaging target populations, enhancing the outreach program's reach and impact. • **Coordination:** Ensuring the street outreach efforts are well-coordinated with community groups, law enforcement, and other stakeholders to provide seamless support to the target populations. • **Training and Support:** Detailing the training, supervision, and ongoing support mechanisms for outreach workers, preparing them to address the complexities of their roles and adapt to the dynamic needs of the communities they serve.	
Expertise & References	*Comprehensive Experience*: Overview of the organization's background in GVP initiatives, with a special focus on custom notifications and street outreach. Submissions should highlight key staff qualifications, local collaborations, and the ability to manage federal funds effectively.	**30**
Experience Serving Diverse Populations	*Inclusive Engagement Strategies*: Presentation of approaches for engaging diverse communities through custom notifications and street outreach, including evidence of past successes and accessibility measures.	**15**

Presentation of Materials	*Alignment with Project Goals and Tailored Approach to Berkeley:* Evaluation of how the proposal aligns with the defined services and outcomes for the GVI/P project. Proposals must reference specific recommendations or findings in the attached documents and demonstrate a tailored approach to meet Berkeley's unique needs.	**15**
Costs	*Budget and Financial Oversight*: Detailed budget breakdown for custom notifications and street outreach, including justifications for cost efficiency and procedures for financial accountability.	**10**

* Effective 1/1/2022. *Local Vendor Preference. For the purposes of comparing pricing as part of this competitive RFP for goods up to $100,000 or non-professional services up to $250,000, 5% shall be deducted from the bid price proposal from any local Berkeley vendor.*

A selection panel will be convened of staff to evaluate and score submittals.

V. PAYMENT

Invoices: Invoices must be fully itemized and provide sufficient information for approving payment and audit. Invoices must be accompanied by receipt for services in order for payment to be processed. **Email invoices to Accounts Payable and cc' carredondo@berkeleyca.gov;** (List on invoice, Attn: Carianna Arredondo, City Manager's Office) and reference the contract number.

City of Berkeley
Accounts Payable
P.O. Box 700
Berkeley, CA 94710-700
Email: **AccountsPayable@berkeleyca.gov**
Phone: 510-981-7310

Payments: The City will make payment to the vendor within 30 days of receipt of a correct, approved and complete invoice.

VI. CITY REQUIREMENTS

*(Do not modify any part of this section except: Living Wage would not apply if commodities are being purchased and Equal Benefits would not apply if the contract amount will be less than $25,000. If this is the case, do not delete the section just note next to it **"Does Not Apply to this Request for Proposal**")*

A. Non-Discrimination Requirements:

Ordinance No. 5876-N.S. codified in B.M.C. Chapter 13.26 states that, for contracts worth more than $3,000 bids for supplies or bids or proposals for services shall include a completed Workforce Composition Form. Businesses with fewer than five employees are exempt from submitting this form. (See B.M.C. 13.26.030)

Under B.M.C. section 13.26.060, the City may require any bidder or vendor it believes may have discriminated to submit a Non-Discrimination Program. The Contract Compliance Officer will make this determination. This applies to all contracts and all consultants (contractors). Berkeley Municipal Code section 13.26.070 requires that all contracts with the City contain a non-discrimination clause, in which the contractor agrees not to discriminate and allows the City access to records necessary to monitor compliance. This section also applies to all contracts and all consultants.
Bidders must submit the attached Non-Discrimination Disclosure Form with their proposal.

B. Nuclear Free Berkeley Disclosure Form:

Berkeley Municipal Code section 12.90.070 prohibits the City from granting contracts to companies that knowingly engage in work for nuclear weapons. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that engages in nuclear weapons work. If your company engages in work for nuclear weapons, explain on the Disclosure Form the nature of such work. **Bidders must submit the attached Nuclear Free Disclosure Form with their proposal**.

C. Oppressive States:

The City of Berkeley prohibits granting of contracts to firms that knowingly provide personal services to specified Countries. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that is covered by City Council Resolution Nos. 59,853-N.S., 60,382-N.S., and 70,606-N.S. If your company or any subsidiary is covered, explain on the Disclosure Form the nature of such work.
Bidders must submit the attached Oppressive States Disclosure Form with their proposal.

D. Sanctuary City Contracting Ordinance:

Chapter 13.105 of the Berkeley Municipal Code prohibits the City from granting and or retaining contracts with any person or entity that provides Data Broker or Extreme Vetting services to the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security ("ICE").
Bidders must submit the attached Sanctuary City Compliance Statement with their proposal.

E. Conflict of Interest:

In the sole judgment of the City, any and all proposals are subject to disqualification on the basis of a conflict of interest. The City may not contract with a vendor if the vendor or an employee, officer or director of the proposer's firm, or any immediate family member of the preceding, has served as an elected official, employee, board or commission member of the City who influences the making of the contract or has a direct or indirect interest in the contract.

Furthermore, the City may not contract with any vendor whose income, investment, or real property interest may be affected by the contract. The City, at its sole option, may disqualify any proposal on the basis of such a conflict of interest. **Please identify any person associated with the firm that has a potential conflict of interest.**

F. Berkeley Living Wage Ordinance:

Chapter 13.27 of the Berkeley Municipal Code requires that contractors offer all eligible employees with City mandated minimum compensation during the term of any contract that may be awarded by the City. If the Contractor is not currently subject to the Living Wage Ordinance, cumulative contracts with the City within a one-year period may subject Contractor to the requirements under B.M.C. Chapter 13.27. A certification of compliance with this ordinance will be required upon execution of a contract. The current Living Wage rate can be found here: Information for Vendors | City of Berkeley (berkeleyca.gov). The Living Wage rate is adjusted automatically effective June 30th of each year commensurate with the corresponding increase in the Consumer Price Index published in April of each year. If the Living Wage rate is adjusted during the term of your agreement, you must pay the new adjusted rate to all eligible employees, regardless of what the rate was when the contract was executed.

G. Berkeley Equal Benefits Ordinance:

Chapter 13.29 of the Berkeley Municipal Code requires that contractors offer domestic partners the same access to benefits that are available to spouses. A certification of compliance with this ordinance will be required upon execution of a contract.

H. Statement of Economic Interest:

The City's Conflict of Interest Code designates "consultants" as a category of persons who must complete Form 700, Statement of Economic Interest, at the beginning of the contract period and again at the termination of the contract. The selected contractor will be required to complete the Form 700 before work may begin.

VII. OTHER REQUIREMENTS

A. Insurance

The selected contractor will be required to maintain general liability insurance in the minimum amount of $2,000,000, automobile liability insurance in the minimum amount of $1,000,000 and a professional liability insurance policy in the amount of $2,000,000 to cover any claims arising out of the performance of the contract. The general liability and automobile insurance must name the City, its officers, agents, volunteers and employees as additional insured.

Insurance not Necessary: ***If the services are such that the risk of exposure to liability is very low, insurance may not be required. An example of such a service is an individual using his/her computer at home to lay out a newsletter for the City.***

******* *This determination must be made by the Risk Manager in writing before the RFP is issued.* ********

Insurance Waiver: *A situation in which insurance is not necessary is different from a case in which insurance may be waived. An insurance waiver is appropriate where insurance would usually be necessary but when, as a policy matter, the City is willing to take the risk of allowing an uninsured or under-insured individual or business to perform the work (usually when the risk of liability is low). An insurance waiver may be granted only by the Risk Manager in writing with the approval of the City Manager. If a potential bidder expresses an inability to meet the insurance requirement, he or she should be encouraged to contact the Project Manager & Risk Manager for assistance in obtaining insurance.)*

B. Worker's Compensation Insurance:

A selected contractor who employs any person shall maintain workers' compensation insurance in accordance with state requirements. Sole proprietors with no employees are not required to carry Worker's Compensation Insurance.

C. Business License

Virtually every contractor that does business with the City must obtain a City business license as mandated by B.M.C. Ch. 9.04. The business license requirement applies whether or not the contractor has an office within the City limits. However, a "casual" or "isolated" business transaction (B.M.C. section 9.04.010) does not subject the contractor to the license tax. Warehousing businesses and charitable organizations are the only entities specifically exempted in the code from the license requirement (see B.M.C. sections, 9.04.295 and 9.04.300). Non-profit organizations are granted partial exemptions (see B.M.C. section 9.04.305). Persons who, by reason of physical infirmity, unavoidable misfortune, or unavoidable poverty, may be granted an exemption of one annual free license at the discretion of the Director of Finance. (See B.M.C. sections 9.04.290).

Vendor must apply for a City business license and show proof of application to Purchasing Manager within seven days of being selected as intended contractor.

The Customer Service Division of the Finance Department located at 1947 Center Street, Berkeley, CA 94704, issues business licenses. Contractors should contact this division for questions and/or information on obtaining a City business license, in person, or by calling 510-981-7200**.**

D. Recycled Paper

Any printed reports for the City required during the performance of the work shall be on 100% recycled paper, and shall be ***printed on both sides of the page*** whenever practical.

E. State Prevailing Wage:

Certain labor categories under this project may be subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et seq. These labor categories, when employed for any "work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work," constitute a "Public Work" within the definition of Section 1720(a)(1) of the California Labor Code requiring payment of prevailing wages.

Wage information is available through the California Division of Industrial Relations web site at:
http://www.dir.ca.gov/OPRL/statistics_and_databases.html

F. Local Vendor Preference

City of Berkeley applies a local vendor preference for comparing pricing submittals in RFP responses (City Council Resolution No. 69,890-N.S.)

A **local business** is defined as "a business firm with fixed offices or distribution points located within the City of Berkeley boundaries and listed in the Permits and License Tax paid file, with a Berkeley business street address."

Competing for non-professional services
For the purposes of comparing pricing as part of this competitive RFP for non-professional services up to $250,000, 5% shall be deducted from the bid price proposal from any local Berkeley vendor in order to assign evaluation points to the pricing section.

VIII. SCHEDULE (Dates are subject to change)

❑ Issue RFP to Potential Bidders	Friday, March 20, 2024
❑ Bidders Conference	Friday, April 5, 2024
❑ Questions Due	Monday, April 8, 2024
❑ Answers Posted	Wednesday, April 10, 2024
❑ Proposals Due from Potential Bidders	Tuesday, April 16, 2024
❑ Reference Checks	*Week of* April 22-26, 2024
❑ Panel Interviews	Friday April 26, 2024
❑ Completion of Section Process	Tuesday, April 30, 2024
❑ Notification and Contract Negotiations	*Week of* April 30, 2024
❑ Council Approval of Contract (over $50k)	Tuesday, June 4, 2024
❑ Award of Contract	Wednesday, June 5, 2024
❑ Sign and Process Contract	Tuesday, June 25, 2024
❑ Notice to Proceed	Wednesday, June 26, 2024

Thank you for your interest in working with the City of Berkeley for this service. We look forward to receiving your proposal.

Attachments:

• Gun Violence Prevention Report	Attachment 1
• D2 Advisory Recommendations	Attachment 2
• January 23, 2024 City Council Meeting	Attachment 3
• Program Budget Template	Attachment 4
• Check List of Required items for Submittal	Attachment A
• Non-Discrimination/Workforce Composition Form	Attachment B
• Nuclear Free Disclosure Form	Attachment C
• Oppressive States Form	Attachment D
• Sanctuary City Compliance Statement	Attachment E
• Living Wage Form	Attachment F
• Equal Benefits Certification of Compliance	Attachment G
• Right to Audit Form	Attachment H
• Insurance Endorsement	Attachment I

ATTACHMENT A

CHECKLIST

- ❑ Proposal describing service (one (1) PDF of proposal)
- ❑ Contractor Identification and Company Information
- ❑ Client References
- ❑ Costs proposal by task, type of service & personnel (as a separate document from the proposal)
- ❑ Completed Program Narrative and Budget Template
- ❑ The following forms, completed and **signed in blue ink** (attached):
    - o Non-Discrimination/Workforce Composition Form — Attachment B
    - o Nuclear Free Disclosure Form — Attachment C
    - o Oppressive States Form — Attachment D
    - o Sanctuary City Compliance Statement — Attachment E
    - o Living Wage Form ***(may be optional)*** — Attachment F
    - o Equal Benefits Certification (EBO-1) ***(may be optional)*** — Attachment G

ADDITIONAL SUBMITTALS REQUIRED FROM SELECTED VENDOR AFTER COUNCIL APPROVAL TO AWARD CONTRACT.

- ❑ Provide **original-signed in blue ink** Evidence of Insurance
    - o Auto
    - o Liability
    - o Worker's Compensation
- ❑ Right to Audit Form — Attachment H
- ❑ Commercial General & Automobile Liability Endorsement Form — Attachment I
- ❑ Berkeley Business License (Current Year Certificate)

For informational purposes only: Sample of Personal Services Contract can be found on the City's website on the current bid and proposal page at the top of the page.

Office of the City Manager

ACTION CALENDAR
May 14, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Carianna Arredondo, Assistant to the City Manager, City Manager's Office

Subject: Reimagining Public Safety Status Report

RECOMMENDATION

Review and discuss the provided status report from the City Manager with the goal of demonstrating transparency and facilitating informed council discussion towards the advancement of the Reimagining Public Safety initiative in Berkeley.

FISCAL IMPACTS OF RECOMMENDATION

The financial implications detailed in the Spring 2024 status report are associated with the Phase 3 recommendations and will largely impact the City's General Fund. These will be considered and addressed during the biennial budget process.

CURRENT SITUATION AND ITS EFFECTS

The Reimagining Public Safety initiative is a Strategic Plan Priority Project, advancing our goal to create a resilient, safe, connected, and prepared city. It unfolds in three phases, focusing on equitable and community-centered public safety transformation:

- Phase 1 (2020-2022) Community Process and Research
- Phase 2 (2022-2024) Continued Analysis and Implementation
- Phase 3 (2024-2026) Continued Implementation and Expansion

Phase 1 (2020-2022)

On July 14, 2020, City Council adopted an omnibus package to re-imagine public safety and policing in the City of Berkeley. The omnibus package consisted of numerous elements including, *but not limited to* the following:

- ***Community/Consultant Engagement Process***. Engaging qualified firms or individuals for a transformative, equitable community safety model in Berkeley.
- ***Specialized Care Unit Development***. Analyzing and developing a pilot program to re-assign non-criminal police service calls to a Specialized Care Unit.
- ***Community Crisis Response (CCR) Bridge Services.*** Establishing Bridge Services during SCU development for immediate crisis support.

- ***Priority Dispatch Development.*** Creating dispatch plans for calls to be handled by alternative entities, considering placement in the Fire Department or elsewhere outside the Police Department.
- ***City Auditor Analysis.*** Analyzing emergency calls and the police budget through a City Auditor's review.
- ***Fair and Impartial Policing Implementation.*** Implementing fair and impartial policing policies and proposals.
- ***BerkDOT Development.*** Developing a Berkeley Department of Transportation (BerkDOT) to incorporate a racial justice lens in traffic enforcement and minimize pretextual stops.
- ***Violence Intervention Program Implementation.*** Implementing the violence intervention program comprehensively.

Subsequent to City Council's adoption of the omnibus motion, the City formed a multi-department working group to oversee implementation, including the City Manager, Deputy City Managers, City Attorney, Fire Chief, HHCS Director, Human Resources Director, Police Chief, and Public Works Director.

The establishment of the Reimagining Public Safety Task Force in January 2021 allowed for in-depth consultations and strategic planning, with the task force playing a key role in incorporating diverse perspectives into the City's community engagement strategy. Based on community input, the Task Force's insights, and expert recommendations, the City Council developed a framework for the initiative's next phase, carrying forward many Phase 1 initiatives into Phase 2.

Phase 2 (2022-2024)
As Phase 2 implementation progresses, it encompasses a series of critical initiatives and deliverables. This phase is marked by a blend of completing projects and ongoing efforts, all of which contribute to the overarching objectives of the initiative.

- ***Staffing Investments.*** Allocating resources to staff in the Department of Health, Housing and Community Services (HHCS), Police, Public Works, and the City Manager's Office to support the implementation of priority recommendations.
- ***Consultant Costs.*** Identifying costs for consultants to assess areas including dispatch needs, crisis response, staffing, beat structure, and BerkDOT development.
- ***Community Investments.*** Directing resources towards strengthening community resilience through violence prevention initiatives, engagement programs, mental health services, and support for individuals impacted by gender-based violence.

This phase builds on the foundation established in Phase 1, upholding a cohesive and interdepartmental strategy to ensure seamless execution of projects aligned with City Council directives. Additionally, the City's commitment to community engagement

continues, collaborating with commissions, boards, committees, ad-hoc groups, and working groups to thoughtfully inform and steer efforts. Following the approach established in Phase 1, initiatives that have yet to be completed in Phase 2 will be carried forward into Phase 3.

Phase 3 (2024-2026)
Phase 3 of Berkeley's Reimagining Public Safety initiative aims to expand and further implement strategies developed in earlier phases, solidifying a comprehensive and responsive public safety model. This phase will broaden the scope of initiatives to more fully meet the diverse needs of the Berkeley community.

- ***Staffing Investments.*** Continuing to allocate resources to essential departments to support the implementation of priority recommendations, with new requests for positions to enhance the City's diversity, equity, and inclusion (DEI) efforts, Vision Zero initiatives, crisis response efforts, and to sustain the Community Service Officer (CSO) and dispatch units.
- ***Consultant Costs.*** Ongoing identification of costs for consultants, including expanding the Vision Zero program, enhancing grant assistance efforts, and allocating resources for a public education and outreach campaign related to the Reimagining Public Safety initiative.
- ***Community Investments.*** Maintaining and enhancing investments in community resilience through violence prevention initiatives, engagement programs, mental health services, and support for individuals impacted by gender-based violence.

Phase 3 recommendations will champion efforts to enhance efficiency and optimize the public safety paradigm, ensuring that the initiative's goals are achieved sustainably and broadened further. Additionally, these recommendations will highlight the importance of ongoing community investments in violence prevention programs, emphasizing the City's commitment to fostering a safe and inclusive environment for the community.

BACKGROUND
In 2020, the United States experienced a pivotal shift in the public safety dialogue, driven by events that exposed a significant erosion of trust in law enforcement, particularly within marginalized communities. The deaths of George Floyd, Breonna Taylor, and others highlighted the critical need to address systemic inequalities and to fundamentally rethink public safety principles. In response, on June 6, 2020, over 7,000 Berkeley residents marched to demand meaningful changes in law enforcement practices.

Recognizing its responsibility in this pivotal moment, the City of Berkeley embarked on an extensive initiative to Reimagine Public Safety:

On July 14, 2020, the City Council passed Resolution No. 69,501-N.S., outlining a new public safety paradigm and initiating a robust community engagement process for transformative change.

On December 15, 2020, the City Council authorized the City Manager to contract with the National Institute of Criminal Justice Reform (NICJR) to conduct research, analysis, and develop reports and recommendations for community safety and police reform. This included leading an inclusive and transparent community engagement process to achieve a transformative model of positive, equitable, and community-centered safety for Berkeley.

On January 19, 2021, the City Council adopted revisions to the enabling legislation for the Reimagining Public Safety Task Force. The Task Force's work focused on providing input and making recommendations to NICJR and City Staff on a set of proposed programs, structures, and initiatives for a final report and implementation plan to guide future budget decisions.

On March 10, 2022, the culmination of research analysis, and community dialogue was manifested in the comprehensive reports from NICJR, the Reimagining Public Safety Task Force, and Resource Development Associates work on the Specialized Care Unit (SCU) design. These reports provided an overview of recommended programs, structural changes, and new initiatives aimed at creating a community-centric safety paradigm, embodying the principles of *Reduce*, *Improve*, and *Reinvest*.

On April 21, 2022, the City Manager and Staff presented a report to the City Council detailing the achievements of Phase 1 of the Reimagining Public Safety initiative. This included proposals for transforming Berkeley’s police force, enhancing priority dispatch, developing BerkDOT, and establishing an SCU, alongside budget recommendations for these initiatives.

On May 5, 2022, a special council meeting led to the formal adoption of the Mayor's framework for continuing the Reimagining Public Safety initiative. This framework was the culmination of years of diligent work from community members, officials and staff. The key decisions made were as follows:

1. Refer up to $5.3 Million to the FY 2023-2024 Budget Process for staff and/or consulting services and community investments to complete the Priority Reimagining Public Safety Initiatives.
2. Direct the City Manager to prioritize over the next two years the programmatic recommendations for Phase 1 of Reimagining Implementation.
3. Direct the City Manager to initiate a design process for an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration and return with recommendations to the City Council by May 2024 to align with the FY 25-26 Biennial Budget process.

4. Except where resources may allow for expedited implementation, refer additional reforms to the FY 2025-2026 Biennial Budget.

On June 28, 2022, the City Council adopted the FY 2023-2024 City budget which included key Reimagining Public Safety Tier 1 items.

On January 23, 2024, the City Manager and Staff delivered a detailed status update on the Reimagining Public Safety initiative, outlining its progress, the leadership team driving this effort, and the advances made in key initiatives. This update also addressed the challenges and considerations that have impacted the progress of the initiative. Additionally, a comprehensive presentation on the proposed framework for the Gun Violence Intervention and Prevention Program was presented and subsequently adopted by the City Council.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

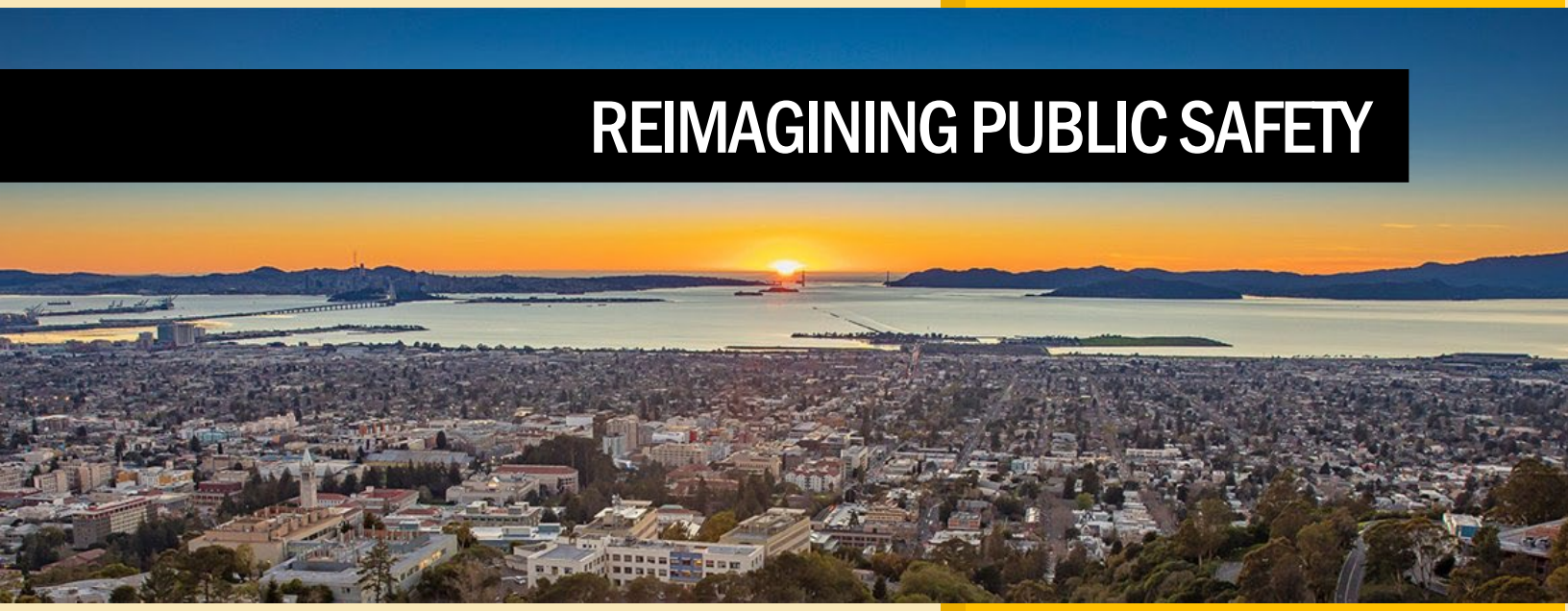
RATIONALE FOR RECOMMENDATION
To improve transparency, provide a progress update, as well as budgetary recommendations related to the City of Berkeley's Reimagining Public Safety efforts, based on the guidelines set forth in Resolution No. 69,501-N.S. and recommendations approved during the Special City Council meeting held on May 5, 2022.

ALTERNATIVE ACTIONS CONSIDERED
Staff does not recommend any alternative actions at this time.

CONTACT PERSON
Carianna Arredondo, Assistant to the City Manager, City Manager's Office, 510-981-6903

Attachments:
1: Reimagining Public Safety Status Update Spring 24 Comprehensive Report
2: Reimagining Public Safety Status Update Spring 24 Companion Appendix

REIMAGINING PUBLIC SAFETY



Status Update and Report Out

City Manager's Office

Spring 2024

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EXECUTIVE SUMMARY

This section provides an overview of Berkeley's work towards Reimagining Public Safety, highlighting key milestones and the City's commitment to creating an equitable and effective model for all residents.

Introduction

Reimagining Public Safety in the City of Berkeley aims to foster an equitable, holistic, and community-centered approach to safety, transforming traditional public safety models to prioritize health, wellness, and security for all residents. Through a collaborative, multidisciplinary strategy, it seeks to reshape the scope of a traditional police-centered model, address systemic inequities, and enhance community trust and well-being. By reinvesting in health, education, and social services, and introducing alternatives to traditional enforcement, the initiative aspires to establish a sustainable, inclusive public safety system that effectively serves the diverse needs of the community.

This initiative involves a comprehensive and inclusive process that unfolds in three main phases:

- ***Phase 1 (2020-2022) Community Process and Research.*** Phase 1 of the City of Berkeley's Reimagining Public Safety initiative, the City Council adopted critical resolutions to transform public safety through extensive community engagement and research, guided by the expertise of the National Institute for Criminal Justice Reform and the input of the Reimagining Public Safety Task Force. This phase was characterized by partnerships and collaborations aimed at developing a new paradigm of community-centered safety, with a focus on equity and inclusivity, and informed by comprehensive community dialogue and expert analysis. The culmination of these efforts was presented in a series of reports and recommendations that laid the groundwork for transforming Berkeley's approach to public safety, emphasizing the principles of reimagine, improve, and reinvest to address the community's diverse needs.
- ***Phase 2 (2022-2024) Continued Analysis and Implementation.*** Phase 2 focused on putting the conceptual framework developed during Phase 1 into practice, marked by the continuation of analytical work and the beginning of implementation efforts. This phase involves significant staffing investments across various city departments, consulting for critical assessments, and community investments aimed at strengthening resilience through various support and engagement programs. An integrated and interdepartmental approach ensures that all efforts are cohesive and aligned with the City Council's directives, leveraging partnerships and collaborations to inform and guide the work towards a community-centric safety model.
- ***Phase 3 (2024-2026) Continued Implementation and Expansion.*** Phase 3 of the Reimagining Public Safety initiative in Berkeley is set to focus on the expansion and further implementation of the strategies developed in earlier phases, aiming to solidify a comprehensive and responsive public safety model. This third phase is dedicated to broadening the scope of the initiatives to more thoroughly incorporate and address the varied needs of the Berkeley community. The objective is to establish a public safety framework that is both effective and reflective of the community's diversity, ensuring resilience and inclusivity in its approach to safety and well-being. Prior direction is incorporated, but also amended, as needed to align with current fiscal circumstances.

Timeline

Timeline of Events		
Date	**Milestone Description**	**References**
June 16, 2020	The introduction of the "Urgency Item: Safety for All" marked a rapid response to the evolving national conversation, setting the stage for in-depth public safety discussions.	• Annotated Agenda
July 14, 2020	Berkeley approved the Omnibus motion, signaling its commitment to substantive and meaningful reforms.	• See Action Calendar: Items 18a-18e • Annotated Agenda
December 15, 2020	A partnership and contract were established with the National Institute of Criminal Justice Reform (NICJR) to incorporate expert input.	• See Consent Calendar: Item 7 • Annotated Agenda
January 19, 2021	The establishment of the Reimagining Public Safety Task Force institutionalized community and stakeholder engagement, ensuring diverse input in the reimagining process.	• See Consent Calendar: Item 18 • Annotated Agenda
March 10, 2022	Research analysis and community dialogue culminated in comprehensive reports from NICJR, the Task Force, and RDA, and other field experts.	• See Action Calendar: Item 1-2 • Annotated Agenda
April 21, 2022	The City Manager presented a synthesis of efforts, providing an in-depth roadmap and strategic vision for Berkeley.	• See Action Calendar: Item 1 • Annotated Agenda
May 5, 2022	The Mayor presented a plan to Council from which the final resolution was adopted: 1. Allocating up to $5.3 million for FY 2023-2024, aimed at reinforcing staff/consultant resources, and critical community investments to complete the Reimagining Public Safety Initiatives. 2. Prioritization of Phase 1 programmatic recommendations for the next two years (2022-2024). 3. A mandate for designing an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration, and return with recommendations to the City Council by May 2024 to align with the FY 2025-2026 Biennial Budget process. 4. Forward-looking plans for further reforms, designated for inclusion in the FY 2025-2026 Biennial Budget.	• See Action Calendar: Item 1a-1c • Annotated Agenda
June 28, 2022	The adoption of the Biennial Budget reflected Berkeley's strategic planning, blending financial prudence with transformative public safety goals.	• See Action Calendar: Item 44 • Annotated Agenda
January 23, 2024	A discussion of the Fall 2023 Status Report took place, along with the presentation and adoption of the Gun Violence Intervention and Prevention Program framework by the City Council.	• See Action Calendar: Item 1 • Annotated Agenda

Phased Deliverables & Status Updates

PHASE I DELIVERABLES

Health, Housing, and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Specialized Care Unit (SCU) Development	Adopt the report, "City of Berkeley Specialized Care Unit Crisis Response Recommendations by Resource Development Associates" and implement the pilot SCU.	**Complete.** HHCS worked extensively with RDA, the Reimagining Public Safety Taskforce, the SCU Steering Committee, and other key community stakeholders to support with the Specialized Care Unit *development* process. The Specialized Care Unit Response Recommendations were shared with Council on March, 10, 2022.
Community Crisis Response (CCR) Bridge Services	Implement the CCR services while Specialized Care Unit stands up.	**In Progress.** Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center renewed/amended, the program is due to sunset Summer 2024.
Gender Violence Recommendations	Implement recommendations from the Reimagining Task Force relating to Gender Violence, LGBTQIA and PEERS as feasible.	**In Progress.** HHCS has hired a Community Services Specialist II to support with implementing these recommendations and preliminary steps of research are underway.

Fire-led Deliverable		
Deliverable	**Recommendation**	**Status Update**
Priority Dispatch Development	Continue development and implementation of prioritized dispatch, request staff return with a recommended plan.	**In Progress.** Federal Engineering, Inc. was contracted for the Dispatch Needs Assessment, a second opinion with another industry expert is underway.

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Community/Consultant Engagement Process	Engaging a qualified firm(s) or individual(s) to lead a robust, inclusive, and transparent community engagement process with the goal of achieving a new and transformative model of positive, equitable and community-centered safety for Berkeley.	**Complete.** The City of Berkeley engaged with several key community stakeholders and field experts in the Reimagining Public Safety process recommendations shared include: the SCU Response Recommendation, Reimagining Public Safety Taskforce Recommendations (shared March 10, 2022), and City Manager's Report and Recommendations (shared April 21, 2022)
Alternative Response Implementation Plan	Develop an implementation plan to expand alternative response from civilian responders beyond the proposed pilot for SCU for other low-level calls that includes but is not limited to: Community Service Officers for only those calls that necessitate police, code enforcement, environmental health, fire inspectors or city-hired community mediators	**In Progress.** Preliminary steps of research are underway.
Violence Intervention Program (GVP/Ceasefire)	Fully implement the Ceasefire violence intervention program	**In Progress.** Gun Violence Prevention analysis has been completed; the RFP process is underway.

PHASE I DELIVERABLES

City Auditor-led Deliverable		
Deliverable	**Recommendation**	**Status Update**
City Auditor Analysis	Having the City Auditor perform an analysis of City's emergency 9-1-1 calls-for service and responses, as well as analysis of the Berkeley Police Department's (BPD) budget.	**Complete.** The City Auditor Completed their report, Data Analysis of the City of Berkeley's Police Response, July 2, 2021.

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Berkeley Department of Transportation (BerkDOT) Development	Pursuing the creation of a Berkeley Department of Transportation ("BerkDoT") to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations.	**In Progress.** While the Public Works Department continues to work with stakeholders and constituents in the BerkDOT development process, progress has been slow, especially concerning legislative matters. For instance, the California SB-50 Bill supporting civilian traffic enforcement was declined on September 14, 2023. Funds have been requested for FY 26 allocation.
Crossing Guards Transition	Transition crossing guards from BPD to Public Works until a Department of Transportation is developed.	**Complete.** Transition of crossing guards from BPD to Public Works until a Department of Transportation is developed is completed. Additionally, Public Works planning capacity has been expanded to include collision analysis.
Transportation Functions Consolidation	Continue consolidating transportation functions as recommended by staff.	**In Progress.** Continued efforts are underway.

Police-led Deliverable(s)		
Fair and Impartial Policing Recommendations	Complete the implementation of Fair and Impartial Policing Recommendations.	**In Progress.** Following the approval of the 14 FIP recommendations, the Berkeley Police Department has fully implemented 13 of them and has hired a consultant to fulfill the remaining recommendation.
Auditor Recommendations	Complete Auditor Recommendations on overtime and calls for service.	**Complete.** The Berkeley Police Department initiated efforts to implement them. Progress Updates have been communicated to council and the community via memos and information reports.

City Attorney-led Deliverable		
Litigation Analysis	Analyzing litigation outcomes and exposure for city departments in order to guide the creation of City policy to reduce the impact of settlements on the General Fund.	**In Progress.** The City Attorney's Offices continues to partner with departments on all Reimagining Public Safety-related efforts.

PHASE 2 DELIVERABLES

STAFFING INVESTMENTS

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Assistant to the City Manager Reimagining Project Coordinator	The responsibilities of project management have fallen under the already heavy burden of the existing Deputy City Manager, with part-time support from a Management Analyst. To effectively coordinate the ongoing work, a full-time senior level staff person is required.	**In Progress.** This position was successfully filled on August 2023. The Assistant to the City Manager will continue to support and report out on the city's Reimagining efforts.
Office of Diversity, Equity, and Inclusion (ODEI)	The development of the Office should consider the recommendations from the Task Force. Particular attention from the Office of Equity should be paid to language access.	**In Progress.** The DEI Officer position was successfully filled on November 2023, while the hiring of the DEI Assistant is in progress and office space is being secured. The DEI Officer is actively engaging with key stakeholders to assess the city's current DEI landscape and familiarize themselves with the city's structure and essential personnel.
Grant Assistance	Recommended by City Manager to access grant funds to support reimagining efforts and other programs.	**In Progress.** The city is currently engaged with California Consulting LLC. for grant writing support and coordinated efforts.

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) SCU Implementation	Adopt the report, "City of Berkeley Specialized Care Unit Crisis Response Recommendations by Resource Development Associates" and implement the pilot Specialized Care Unit (SCU)	**In Progress.** Contract with Bonita House initiated; SCU continues to hire and train staff to build to 24/7 operations.

Police-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) Fair and Impartial Policing Implementation	Recommendation to implement and prioritize FIP and continue to support employee training and professional development.	**In Progress.** 13 of the 14 Task force recommendations have been implemented; BPD will continue to support and fulfill officer training needs through Fiscal Year 2025.
Wellness Funding	Continue to support employee health and wellness.	**In Progress.** Continued partnerships and efforts towards BPD Wellness Practices for officers are underway.
Staffing (CSO & Dispatcher)	Launch a pilot Community Services Officer unit using Police salary savings. Positions would be project based for two-years. Evaluate pilot after two-year period to align with the FY 25-26 Budget Process and determine the appropriate location of the CSO unit within a new Public Safety Department and the role for other non-sworn responders.	**In Progress.** Recruitment is underway, current applicants are being assessed for candidacy.

PHASE 2 DELIVERABLES

STAFFING INVESTMENTS

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Vision Zero Coordinator (Collision Analysis)	Approve a new Vision Zero staff position in Public Works' Division of Transportation to conduct collision analysis. This will promote the City's Vision Zero approach by boosting the City's capacity to analyze collision data collected by the Police Department.	**In Progress.** This position was successfully filled October 2023. The Associate Planner will continue to support and report out on Vision Zero as it relates to Reimagining efforts with preliminary steps of the Collision Analysis underway.

CONSULTANT COSTS

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) BerkDOT Development	Continue BerkDOT process to plan for a civilian traffic enforcement unit, both by informing the content of state law changes to enable such a unit, and by developing two implementation plans: 1) if state law changes to accommodate, and 2) if state law does not change.	**In Progress.** Efforts related to BerkDOT design are in preliminary stages; **project deferred, funding reallocated to existing city services and council referrals.**

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Crisis Needs Assessment	Behavioral Health, Crisis Response, and Crisis-related Services Needs and Capacity Assessments	**In Progress.** Existing contract for SCU program evaluation is amended to add a scope of work for RDA to conduct the crisis needs assessment; work is underway.

Police-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Staffing Assessment	Analysis of BPD Staffing and Beat Structure.	**In Progress.** Contract with Citygate for Staffing Assessment; preliminary stages of data collection underway.

PHASE 2 DELIVERABLES

CONSULTANT COSTS

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Transportation Fines/Fees	Review Municipal Code for proposed changes to increase equity and racial justice in City's transportation fines and fees, and explore the civilianization of the municipal code.	**In Progress.** Preliminary stages of the RFP for the Transportation Fines & Fees Analysis are in process and the RFP is anticipated to be posted in Summer 2024.
Department of Community Safety	Support an organizational design process to create an umbrella Department of Community Safety.	**To Be Initiated.** Efforts related to Department of Community Safety design are in preliminary stages **project deferred, funding reallocated to existing city services and council referrals.**

Fire-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) Dispatch Needs Assessment (DNA)	Consulting costs requested by City Manager to support continued analysis of prioritized dispatch and development of an implementation plan.	**In Progress.** Stage 1 of DNA is well underway, staff are reviewing validation report to determine next steps.

COMMUNITY INVESTMENTS

VIOLENCE PREVENTION

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Violence Prevention and Youth Services	Community investments for violence prevention/services programs (McGee Ave. Baptist Church and Berkeley Youth Alternatives).	**In Progress.** Funds have been allocated to Community Based Organizations.

PHASE 2 DELIVERABLES

COMMUNITY INVESTMENTS

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase1) Gun Violence Prevention (Ceasefire) Development	Fully implement the Ceasefire violence intervention program.	**In Progress.** Preliminary analysis of Gun Violence Prevention Programs completed; RFP published and review and selection process underway.

ALTERNATIVES TO SANCTIONS/FINES

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Expand Downtown Streets Teams (DST)	Expand DST as placement for *low-level violations* (e.g. vehicular camping/parking and sidewalk ordinance infractions).	**In Progress.** A contract with DST has been renewed and it has been expanded to cover additional areas; however, for the specific work to place low-level violators, the DST contract will need to be expanded to include this.
Alternatives to Sanctions/Fines Hearing Officer	Expand hearing officer resources in the City Manager's Office to provide alternative referrals to community service and social services for *parking and other infractions.*	**In Progress.** Hearing officer resources have been expanded, alternatives to sanctions and fines *to be implemented*; **project deferred, funding reallocated to existing city services and council referrals.**

COMMUNITY MENTAL HEALTH, BEHAVIORAL AND CRISIS RESPONSE

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) Community Crisis Response (CCR) Bridge Services	Implement the Community Crisis Response (CCR) services while Specialized Care Unit stands up.	**In Progress.** Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center renewed/amended, the program is due to sunset Summer 2024.
Youth Peers Mental Health Response	Youth Peers Mental Health response as proposed by the Berkeley High School student-led plan for mental health services.	**In Progress.** Contract with BUSD initiated; wellness center opened winter 2024.

PHASE 2 DELIVERABLES

COMMUNITY INVESTMENTS

RESPITE FROM GENDER VIOLENCE

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Respite from Gender Violence	Provide services and housing leads for victims of Gender Violence. Request staff to work with county partners and CBOs to map the system, identify gaps, recommend how to fill them.	**In Progress.** Community Services Specialist II hired with preliminary steps of system mapping underway.

LANGUAGE EQUITY

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Language Equity	Publish victim resources in plain language and in multiple languages.	**In Progress.** Efforts related to Language Equity are in early stages, the Assistant to the City Manager will partner with HHCS and DEI on implementation plan development.

Phase 3 Deliverables & Recommendations

The subsequent sections present a detailed overview of Phase 3 deliverables and costs for the Reimagining Public Safety initiative. Additionally, recommendations regarding priority of each deliverable (noted via Tier assignment) are also included in an effort to prioritize in the face of constrained General Fund resources for FY 25-26. These recommendations are intended to serve a consultative purpose with the ultimate authority on setting priorities and allocating budget resting with the City Council during the biennial and mid-biennial budget process. Included in this overview is a breakdown of funding that has already been accounted for in the FY 25-26 baseline budget, as well as funding recommendations, and long-term Phase 4 recommendations. Please refer to the legend provided below as an essential guide and glossary of terms is included to clarify the context and provide detailed explanations of each item.

Glossary of Terms

Term	Description
Phase	Each Phase of Reimagining Public Safety coincides with a biennial fiscal year. Phase 2 covered FY 23 & 24; Phase 3 covers FY 25 & 26; Phase 4 covers FY 27 & 28.
Deliverable	Specific outcomes or outputs associated with the Reimagining Public Safety Phase 3 initiative. FY 25 & 26
Allocation Type	The categorization of funds, whether they are part of the baseline budget, a tiered recommendation, anticipated carryforward request, or policy consideration.
In Baseline Budget	Indicates the funding is already included in the FY 25-26 baseline budget.
Tiered (1-3) Recommendation	Funding recommendations for deliverables. **Tier 1** items are items that address public health and safety and support the implementation of the City's strategic plan goals. **Tier 2** are items that are considered to be Non-Critical Operational Needs that may be placed on hold or have existing funding while **Tier 3** includes items deemed to be Non-Urgent Operational Needs.
Carryforward	Funds from the previous fiscal year that are recommended to be extended into FY 25.
Approximated Costs	Estimated Costs of bi-annual funding.
Reason for Recommendation	The justification for each funding recommendation, highlighting its importance. Indicates if requests are limited term, one-time, or ongoing.
Staff Funding Request	Staff proposals for ***Long-Term Phase 4 funding*** (from the General Fund) to support the initiative. Not already included in FY 25-26 baseline budget. These shall be considered and revisited throughout the AAO process and in future Fiscal Years.
Expenditure Type	Categorization of cost type Personnel (Staffing Investments), Non-Personnel (Consultant Costs and/or Community Investments)
Department	The City Department responsible for leading the management of funds and execution of the deliverable, indicated by color:

Grey	**City Manager's Office (CMO)**
Yellow	**Health Housing and Community Services (HHCS)**
Blue	**Police**
Red	**Fire**
Green	**Public Works**
Orange	**City Auditor's Office**
Purple	**City Attorney's Office**

Phase 3 Deliverables & Recommendations (Cont'd.)

PHASE 3 DELIVERABLES AND RECOMMENDATIONS

STAFFING INVESTMENTS

Deliverable	Allocation Type	Approximated Costs	Reason for Recommendation	Department
Assistant to the City Manager, RPS Coordinator	In Baseline Budget	**$464,956.00**	Oversees RPS implementation. Project based. NTE 3 years.	**CMO**
Diversity, Equity, and Inclusion (DEI) Officer	In Baseline Budget	**$569,222.00**	Responsible for the creation of DEI Division Citywide. Ongoing Need.	**CMO**
DEI Administrative Assistant	In Baseline Budget	**$315,693.00**	Provides critical DEI Division Support. Ongoing Need.	**CMO**
Associate Planner in Transportation	In Baseline Budget	**$377,808.00**	Supports timely Vision Zero safety projects. NTE 3 years.	**Public Works**
8 Public Safety Dispatcher II	In Baseline Budget	**$2,204,438.00**	Addresses overtime and support expanding dispatch responsibilities.	**Police**
1 Public Safety Dispatch Supervisor	In Baseline Budget	**$380,718.00**	Ensures adequate supervisory positions for expanding dispatch.	**Police**
6 Community Service Officers	In Baseline Budget Tier 2 Recommendation	**$1,968,996.00**	Provides additional capability to address public safety goals with appropriate response level, increase capacity for community engagement. Limited Term. *As these are limited term positions, a policy consideration for Council to make these positions permanent would need to be rendered.*	**Police**
Program Manager II	Tier 2 Recommendation	**$525,622.00**	To support public safety reimagining goals and advance programs, projects and policies that will advance meet the City's Complete Streets and Vision 0 goals. NTE 4 years.	**Fire**
Associate Management Analyst	Tier 3 Recommendation	**$191,756.00**	Supplier Diversity Specialist: Monitor and track performance metrics and meet federal requirements to maintain federal funding. Ongoing Need.	**CMO**

PHASE 3 RECOMMENDATIONS

CONSULTANT COSTS & COMMUNITY INVESTMENTS

Deliverable	Allocation Type	Approximated Costs	Reason for Recommendation	Department
RPS Public Education Campaign	Tier 1 Recommendation	**$25,000.00**	Marketing Costs (billboard, print, outreach and education) related to RPS Priority Initiatives *such as* the Specialized Care Unit and Violence Prevention Programming. One-time Request.	**CMO**
Grant Assistance	Tier 1 Recommendation	**$50,000.00**	Continued from prior fiscal year to sustain RPS efforts. One-time Request.	**CMO**
Violence Prevention and Youth Services	Tier 1 Recommendation	**$420,000.00**	To support Voices Against Violence initiative from McGee Ave. Baptist Church and Berkeley Youth Alternatives counseling center and Summer Jam Day Camp. One-time Request.	**CMO**
Vision Zero Action Plan Consultant Costs	Tier 1 Recommendation	**$250,000.00**	Develop Vision Zero Program Deliverables, including the Quick Build Program and updates to the Vision Zero Action Plan. One-time Request.	**Public Works**
FIP Training	Tier 1 Recommendation	**$200,000.00**	Ongoing training in support of Fair and Impartial Policing concepts, officer safety, professional development. One-time Request.	**Police**
Wellness Funds	Tier 1 Recommendation	**$100,000.00**	Critical Incident Stress Contract, Peer Support Team, and emerging wellness needs. One-time Request. *Pending grant funding.*	**Police**
Recommendations on Public Safety/Crime Prevention for Women and Older Persons	Tier 2 Recommendation	**$250,000.00**	To support phased roll out of recommendations addressing public safety/crime prevention for women and older persons. One-time Request.	**CMO**
Specialized Care Unit	Policy Consideration Tier 2 Recommendation	**$2,160,000 – $3,600,000.00**	To support the SCU program fully-staffed 24/7 operations. This budget is conditional, depending on achieving a 40% MediCal reimbursement rate. If this rate is met, the adjusted budget request will be $2,160,000 annually. Ongoing Need.	**HHCS**
BerkDOT Development	Tier 3 Recommendation	**$300,000.00**	BerkDOT implementation, including funding research in support of new "white paper" and potential state legislation. One-time Request.	**Public Works**

PHASE 3 RECOMMENDATIONS

ANTICIPATED CARRYFORWARD REQUESTS

Expenditure Type	Allocation Type	Approximated Costs	Reason for Recommendation	Department
Transportation Fines & Fees Analysis	Carryforward	**$150,000.00**	RFP Implementation Timeline Delayed. Review Berkeley Municipal Code for proposed changes to increase equity and racial justice in the City's existing transportation fines and fees.	**CMO**
Gun Violence Intervention & Prevention Programming	Carryforward	**$2,000,000.00**	RFP Implementation Timeline Delayed. Fully implement the Ceasefire violence intervention program.	**CMO**
Expand Downtown Street Teams	Carryforward	**$50,000.00**	Implementation Timeline Delayed. Expand downtown streets team (DST) as placement for low-level violations (e.g. vehicular camping/parking and sidewalk ordinance infractions).	**Public Works**

Phase 4 (Long Term) Recommendations

PHASE 4 (LONG TERM) RECOMMENDATIONS

Deliverable	Expenditure Type	Approximated Costs	Long-Term Staff Funding Request	Department
Associate Management Analyst	Personnel	**$191,756.00**	Equity & Access Program Lead: Lead with equity, access and belonging lens in all aspects of citywide decision-making, programming and services to identify service gaps and remove disparities.	**CMO**
Associate Management Analyst	Personnel	**$191,756.00**	Equity Engagement, Belonging and Training Specialist: Public engagement and outreach and internal engagement and training.	**CMO**
Language Equity	Non-Personnel	**$30,000.00**	Language Equity Funds to be expanded out in DEI efforts.	**CMO**
Department of Community Safety	Non-Personnel	**$250,000.00**	To support design and implementation framework for the Department of Community Safety.	**CMO**
Youth Peers Mental Health Response	Non-Personnel	**$350,000.00**	To support wellness-specific efforts for Berkeley High School.	**CMO**
Hearing Officer Resources/Alternative to Sanctions/Fines	Non-Personnel	**$150,000.00**	Expand existing hearing officer to provide alternative referrals to community service and social services for parking and other infractions.	**Public Works**

Considerations

As highlighted in the Fall 2023 Status Report, Berkeley's Reimagining Public Safety initiative is encountering interconnected challenges that may affect its direction, effectiveness, and timeline (see Appendix A for Fall 2023 Report). It is vital to address these issues to ensure the initiative is transformative, compliant, sustainable, and resilient.

Ongoing Funding

For the Reimagining Public Safety initiative, Berkeley has allocated significant budgetary support for Fiscal Years 2023 and 2024, with the current report recommending a number of priorities for the Fiscal Year 2025 and 2026 biennial budget process, with the current, constrained fiscal context in mind.

These recommendations are advisory, with the final decision on priorities and funding allocation resting with the City Council and in the broader context of other organizational needs. Furthermore, implementation delays and the unpredictable nature of securing competitive grant funding present significant challenges, potentially complicating the financial evaluation and feasibility of initiatives by May 2024.

Implementation Timeline

The initiative has ambitious objectives, with a projected timeline of 3-5 years for the complete rollout of all components. This timeline may be extended due to legislative changes and unforeseen factors. Regular evaluation is essential to measure the effectiveness of these efforts, requiring a dynamic and phased approach to allow for adjustments and ensure a thorough assessment of all initiatives.

Vacancies and Attrition

From 2018 to 2022, the City of Berkeley observed a concerning attrition trend, with departures exceeding hires. Although hiring rates have since improved, this shortfall previously impacted service delivery and posed challenges for the Reimagining Public Safety initiative. Reduced staffing has significantly affected city services, leading departments to adjust operations and manage costs. Moreover, attrition has resulted in a notable loss of institutional knowledge. Maintaining a stable and committed workforce is essential in Berkeley's ongoing Reimagining Public Safety efforts, aligning with the City Council's established timeframe, scope, and budget. Staffing challenges in critical departments could broadly impact Berkeley's public safety goals, highlighting the need for a comprehensive staffing strategy, as promoted by the Employer of Choice (EOC) initiative.

Regulatory Compliance

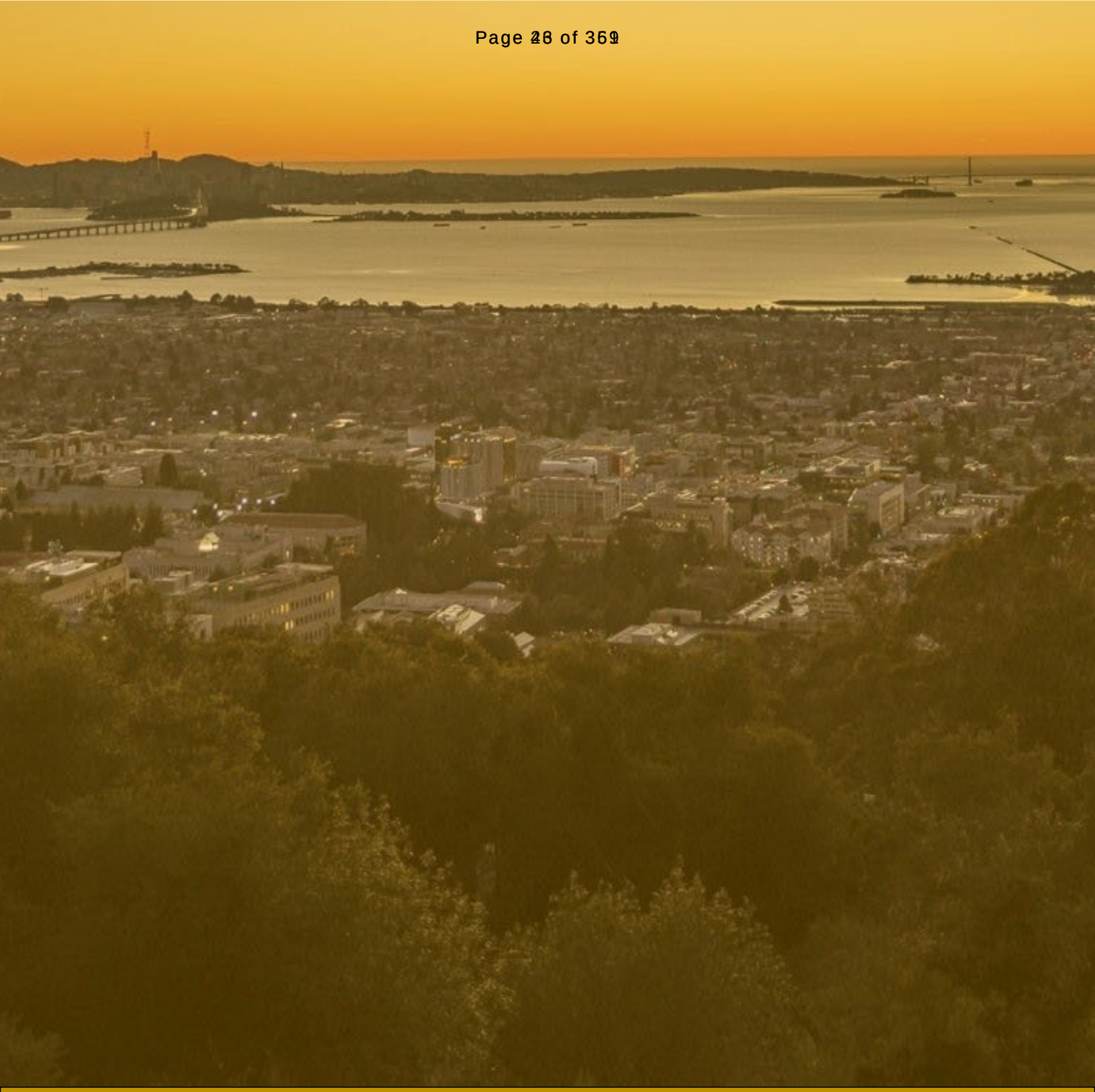
As Berkeley advances with its initiatives, adhering to regulatory frameworks across all sectors is crucial. Local compliance with specific city ordinances and by-laws ensures departmental operations align with established standards. Understanding and navigating California's regulatory landscape is necessary for legal compliance, necessitating regular strategy updates and adjustments. Moreover, initiatives must meet standards set by relevant federal agencies to secure grant eligibility and maintain the integrity of potential national partnerships. This holistic approach to regulatory adherence is fundamental to the success of various city initiatives.

Next Steps

As the City progresses with the Reimagining Public Safety initiative, addressing staffing shortages, legislative changes, and budgetary issues remains crucial, emphasizing a proactive, solution-focused strategy. City leaders are actively working to resolve staffing issues, engaging with legislative bodies to promote the BerkDOT agenda, and expanding efforts in DEI, violence prevention, and mobile crisis response. Budgetary decisions for the upcoming-biennial budget process are also on the agenda.

The City Manager's Office and leading departments aim to provide a progress update by late Fall 2024, offering insights into achievements and ongoing challenges. The City is committed to a community-centric approach throughout this initiative, prioritizing compassion, equity, and democracy in the design, implementation, and evaluation of its efforts.





Priority Reimagining Public Safety Initiatives

This section offers a concise overview of Berkeley's work towards Reimagining Public Safety, highlighting key milestones and the city's commitment to creating an equitable and effective model for all residents.

Overview

Building on the summaries provided in earlier sections, this part of the report offers a more comprehensive view of the City's efforts. It details the unique challenges and considerations for each deliverable, outlining future steps and associated timelines. Additional details can be found in the report's Companion Appendix. **A new feature in this status update is the inclusion of a fiscal summary with budgetary recommendations to advance the Reimagining Public Safety work**.

As highlighted in the Executive Summary, the City continues to reimagine public safety, facing certain obstacles along the way. Some initiatives have experienced delays, primarily due to staffing constraints and the temporary redirection of resources. The City is dedicated to ensuring transparency and maintaining clear communication regarding all aspects of this initiative, covering both accomplishments and challenges encountered.

It is essential to recognize that, although there are more milestones to achieve, real change is an ongoing process. The City of Berkeley is deeply committed to this important work and the significant journey ahead. Rooted in community engagement, this effort is not just a duty but a privilege and remains at the heart of Berkeley's shared vision for a safer, more inclusive City.



STAFFING INVESTMENTS

REIMAGINING PUBLIC SAFETY PROJECT COORDINATOR

Department Lead: City Manager's Office

Status Update: *In Progress*

Overview:

In ***Phase 2***, the City established the Assistant to the City Manager position as the Reimagining Public Safety Project Coordinator, addressing the initiative's extensive demands. Since their hiring, this role has facilitated significant collaboration with key departments—Police, Fire, Health Housing and Community Services, Public Works, and the City Attorney's Office—to formulate the Reimagining Public Safety Coordination Plan (See Appendix B for Updated RPS Coordination Plan). The plan is strategically designed to optimize resource allocation, enhance interdepartmental communication, and guide the initiative's direction efficiently and effectively.

The Assistant to the City Manager's responsibilities extend beyond coordination and project management. They are tasked with the monitoring, tracking, and reporting of the initiative's progress. Furthermore, this role is central to driving key City Manager's Office (CMO) deliverables, such as Gun Violence Intervention and Prevention, Grant Assistance, Transportation Fines & Fees Analysis, Language Equity, and the foundational steps towards establishing a Department of Community Safety. These critical areas, elaborated within this report, underscore the comprehensive approach taken to reimagine public safety within the City.

As the City transitions into ***Phase 3*** of the initiative, there is a concerted effort to ensure the strategic continuation of this vital work. This includes the request for the carryforward of unused Tier I Reimagining Public Safety General Funds, alongside the reassessment of currently deferred funds during the upcoming biennial budget adoption for Fiscal Years 2025-2026. Additionally, the initiative seeks to secure ongoing funding into FY 25-26 for several projects outlined in this report. Notable among new funding requests from the City Manager's Office is the allocation for a Public Education Campaign ($25,000 for FY 26) on Reimagining Public Safety. This strategic alignment and proactive resource management signal the City of Berkeley's dedication to transforming public safety in a manner that is both comprehensive and community centered.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**August 2023**	Assistant to the City Manager hired.
	November 2023	Reimagining Public Safety Coordination Plan.
	December 2023	Reimagining Public Safety Fall 2023 Status Report.
	January 2024	Reimagining Public Safety Fall 2023 Status Presentation to City Council.
	February 2024	Updated Reimagining Public Safety Coordination Plan.
	Anticipated **Ongoing**	The Assistant to the City Manager will continue to coordinate and offer support in project management facets of the initiative.

Fiscal Summary:

Category	Amount	Source	Description of Use
Baseline Allocation	**$464,956.00**	General Fund	Assistant to the City Manager RPS Project Coordinator. NTE 3 years.
Tier I Recommendation	**$25,000.00**	General Fund	To support RPS Public Education and Outreach Campaign for FY 26.

Considerations:

- **Departmental Coordination and Alignment:** Given the multi-departmental involvement, there's a necessity to ensure seamless coordination among various departments such as Police, Fire, Health Housing and Community Services, and Public Works. With city-wide staffing shortages and competing priorities, proper resource management becomes critical to maintain momentum and efficiency. With this in mind, achieving consistent alignment and understanding among the core departmental team leading this work is essential.

Next Steps & Timeline:

- **January 2024 – ongoing:** The Assistant to the City Manager, in their capacity as the Reimagining Public Safety Project Coordinator, will continue to project manage and offer support in various facets of the initiative, collaborating cross-departmentally to provide progress updates to the City Council.

OFFICE OF DIVERSITY, EQUITY, AND INCLUSION (ODEI)

Department Lead: City Manager's Office

Status Update: ***In Progress***

Overview:

Supported by the City Council and the Reimagining Public Safety Task Force, the City Manager's Office has launched a Diversity, Equity, and Inclusion (ODEI) Officer position, part of ***Phase 2*** implementation. As highlighted within the Fall 2023 RPS Status Update, the DEI Officer, operating within the City Manager's Office, will lead the Diversity, Equity, and Inclusion Division, aiming to integrate anti-racism, equity and justice into the City's framework, address disparities, and strengthen community partnerships(See Appendix A, page 25 of Fall 2023 Report). The overarching goal is for City Departments to continue to evolve into entities that are both responsive and truly accountable to the diverse communities they serve.

The DEI Officer's responsibilities will encompass overseeing the division's multifaceted activities and operations, including but not limited to:

- **Strategic Development and Policy Administration:** The DEI Officer will direct the strategic planning and policy development for the DEI Division, ensuring they reflect the City's DEI goals and facilitate long-term change. This role involves aligning divisional efforts across departments for unified city-wide training and professional growth.
- **Inclusive Visionary Leadership:** The DEI Officer will enhance inclusivity by collaborating with city and community leaders, aligning diversity and inclusion initiatives with the City's broader objectives. They will lead strategic planning in diversity and inclusion, evaluating progress and implementing strategies that support the City's commitment to an inclusive and equitable community.

During this phase, the DEI Officer has engaged extensively with a broad spectrum of stakeholders, including City Departments, boards, commissions, and community-based organizations, demonstrating a commitment to incorporating diverse perspectives and insights. The anticipated addition of an Administrative Assistant by the end of Winter 2024 is expected to bolster the division's capacity to achieve its goals effectively. This period of active engagement and strategic personnel planning marks a critical advancement towards establishing a comprehensive Office of Diversity Equity and Inclusion.

As the City transitions into next steps of the initiative, staff recommendations highlight the need for the following key roles to further equity efforts. Additionally, ***staff recommend a long-term phased approach for hiring and buildout of the division.***

- **Supplier Diversity Specialist:** This role will monitor and track performance metrics and comply with federal requirements to secure ongoing federal funding. (***Phase 3***)
- **Equity & Access Program Lead:** This role will champion equity, access, and belonging across all facets of citywide decision-making, programming, and services, identifying service gaps and eliminating disparities. (***Phase 4***)

- **Equity Engagement, Belonging, and Training Specialist:** This role involves extensive public and internal engagement and training to promote significant community outreach and internal development. (***Phase 4***)

These strategic positions, are designed to enhance the City's capabilities in managing diverse supplier relations and requirements, ensuring equitable access and representation across city programs, and advancing both internal and external engagement efforts. This strategic approach underscores the City's commitment to fostering an inclusive and equitable environment for all residents and stakeholders.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**November 2023**	DEI Officer Hired.
	Winter 2024 – ongoing	Onboarding of DEI Officer and preliminary planning of DEI strategic plan.
	Winter 2024 – ongoing	Employee and Community engagement.
	Winter 2024	DEI Administrative Assistant Hired.
	Anticipated **Spring 2024**	Office relocation.

Fiscal Summary:

Category	Amount	Source	Description of Use
Baseline Allocation	**$569,222.00**	General Fund	DEI officer.
	$315,693.00	General Fund	DEI Admin Assistant.
Tier 2 Recommendation	**$191,756.00**	General Fund	$191,756 allocation for Management Analyst serving as Supplier Diversity Specialist.
Long Term Phase 4 Recommendation	**$191,756.00**	General Fund	$191,756 allocation for Management Analyst serving as Equity & Access Program Lead.
	$191,756.00	General Fund	$191,756 allocation for Management Analyst serving as Equity Engagement, Belonging and Training Specialist.

Considerations:

- **Staff Capacity for Regulatory Compliance:** New ordinances and policy initiatives by the City Council and commissions require substantial time of city department staff and the City Attorney's Office (CAO). The CAO also defends legal challenges to DEI programs, underlining the need for a robust compliance framework that meets federal mandates and ensures initiatives comply with regulatory standards.
- **Data Collection:** A shared protocol for collecting employee satisfaction and DEI data between HR and the ODEI is yet to be established. Utilizing EEOC workforce data could inform DEI retention strategies and assess DEI staffing needs, enhancing communication and transparency. Collaboration on this effort remains a pending assignment.

- **Ongoing Funding:** DEI and anti-racism efforts have largely depended on volunteer work, with innovative staff members often leaving the city. To sustain these efforts, the city is strategically utilizing resources to maintain financial stability and ensure the initiative's continuity.
- **Implementation Timeline:** Establishing the Office of Equity is projected to take 2-3 years, potentially extended by legislative changes and other unforeseen challenges. This underscores the importance of ongoing analysis and allocating sufficient time to assess the effectiveness of these initiatives.

Next Steps & Timeline:

- **January 2024 – ongoing:** The DEI Officer is actively engaging with key stakeholders to assess the city's current DEI landscape and familiarize themselves with the city's structure and essential personnel. This foundational work is critical for developing a strategic DEI plan. The appointment of the DEI Administrative Assistant is projected to be finalized by Winter 2024. Staff have recommended a long term, phased approach for the introduction of three pivotal roles: Supplier Diversity Specialist, Equity & Access Program Lead, and Equity Engagement, Belonging, and Training Specialist.



GRANT ASSISTANCE

Department Lead: City Manager's Office

Status Update: *In Progress*

Overview:

In ***Phase 2*** of the Reimagining Public Safety initiative, the City Council approved an allocation of $100,000 for fiscal years 2023 and 2024. To boost grant application skills, the City of Berkeley contracted California Consulting, LLC in 2023, focusing on creating a more inclusive approach to public safety that transcends immediate concerns, aiming to improve community wellbeing and spaces (See Appendix A, page 27 of Fall 2023 Report).

In 2023, the pursuit of state and federal grants led the City to focus on initiatives like the Community Resilience Centers (CRC) for climate resilience, aiming to prepare communities for climate-related challenges. The CalTrans Clean California program was targeted for its commitment to community beautification and equity. Federally, the initiative sought support from the PROTECT program, which focuses on enhancing transportation infrastructure resilience against climate change, and the Reconnecting Communities and Neighborhoods (RCN) program, which aligns with the initiative's goals of improving access to essential services and fostering equitable community development.

For 2024, following the approval of carryover funds via the AAO process, the City amended its contract with California Consulting, LLC to fully allocate the grant assistance funds (See Appendix C for Contract Amendment). The Assistant to the City Manager, Cari Arredondo, together with the Reimagining Public Safety Team Leads, are concentrating on several vital areas:

- **Diversity, Equity, and Inclusion:** Promoting inclusivity and fairness in community initiatives.
- **Universal Basic Income:** Investigating financial support mechanisms to ensure economic stability for all citizens.
- **Mobile/Non-Police/Alternative/Peer-Based Crisis Response:** Advancing alternatives to **traditional police responses to crises, with a focus on program funding.**
- **Domestic/Gender-based/Intimate Partner Violence:** Tackling domestic and gender-based violence through supportive measures and resources.
- **Police Wellness, Fair and Impartial Policing (FIP) Training, Police Community Services:** Encouraging police wellness and unbiased policing to enhance community-police relations.
- **Climate Equity:** Integrating climate justice into public safety strategies, ensuring that climate adaptation and mitigation efforts are equitable and inclusive, particularly for communities disproportionately affected by climate change.

These efforts aim to sustain and expand the initiative, ensuring a comprehensive approach to public safety.

Approaching ***Phase 3*** of Reimagining Public Safety, staff are requesting for continued funding of $50,000 for fiscal year 2025 for grant assistance. This sustained investment is crucial for maintaining key efforts in

these areas, ensuring the initiative's ongoing success and its capacity to adapt and respond to Berkeley's evolving public safety needs. This strategic continuity is vital for extending the initiative's impact, fostering a safer, more equitable, and resilient Berkeley.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**Summer – Fall 2023**	Contract with California Consulting, LLC has been initiated.
	Anticipated **Ongoing**	The Reimagining Public Safety Project Coordinator will manage continued efforts in grant identification, application, and management.

Fiscal Summary:

Category	Amount	Source	Description of Use
Tier I Recommendation	**$50,000.00**	General Fund	$50,000 for FY 25 for Grant Assistance.

Considerations:

- **Grant Alignment and Coordination:** Strategy for securing grants involves a careful balance between meeting specific grant requirements and advancing the Reimagining Public Safety initiative's goals. This dual focus ensures applications are both targeted and aligned with broader safety objectives, while encouraging departments to work together efficiently.
- **No-match Prioritization and Limitations:** The RPS Team prioritizes grants that do not require matching funds, which helps stretch the initiative's budget further by avoiding additional financial commitments. While this approach maximizes available resources, it's important to recognize the limitations, as no-match grants might not cover all areas of interest. Despite this, the city remains committed to exploring all funding avenues, including those requiring matches, to fully support the Reimagining Public Safety goals.

Next Steps & Timeline:

- **January 2024 – ongoing:** The Assistant to the City Manager will collaborate cross-departmentally to pinpoint grant opportunities that align with objectives of the Reimagining Public Safety initiative, with plans to report on the grants successfully obtained.

SPECIALIZED CARE UNIT IMPLEMENTATION

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

In ***Phase 1*** of the Mayor's Reimagining Public Safety initiative, the Berkeley Specialized Care Unit (SCU) was developed through extensive community engagement and research. Guided by a SCU Steering Committee with diverse representatives and informed by research from Resource Development Associates (RDA), the SCU model aligns with Berkeley-specific needs. In 2022, the Health, Housing, and Community Services (HHCS) department bolstered its staff and collaborated with community organizations to provide bridge services for crisis support as the SCU stood up. Bonita House, Inc., selected in December 2022, is implementing the SCU, which began operating in September 2023 and is working towards 24/7 service. The SCU pilot program is funded by various sources, including the American Rescue Plan Act and the California Department of Health Care Services.

Since beginning operations in September 2023, the Specialized Care Unit has provided services to over 200 community members, averaging approximately two to five calls for service each day. SCU services commonly include creating safety plans, which are structured plans for individuals in crisis to follow to seek support in the event of another crisis, as well as providing transportation and referrals to community-based resources, when accepted. The SCU has written less than twenty 5150 psychiatric holds, only using these holds when necessary, and has focused most of its work on de-escalation and creating safety plans.

The SCU currently operates from 6am to 4pm daily and has been working to expand hours into the evening, eventually operating 24/7. Community members can call the SCU through 10-digit phone number that is separate from 911. The SCU will conduct a quick intake to confirm the call is appropriate, and then send the team to the location. HHCS is working with Bonita House to expand these hours of operation as soon as possible to be able to provide this service to community members during the evening

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**December 2020**	SCU Steering Committee Formed.
	January 2021	Contract with RDA Initiated.
	March 2022	RDA Completes Report & Presents to Council.
	May 2022	City Council informed of Reimagining Public Safety Framework for SCU design.

Key Accomplishments and Next Steps (Continued):

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**October 2023 - ongoing**	The SCU continues to hire and train staff to build toward 24/7 operations. Additionally, HHCS and Bonita House have initiated conversations about using a MediCal billing model to contribute to longer term program costs.
	March 2024	Purchased SCU vans arrive at the Berkeley Corporation Yard and are deployed to the SCU team for operations.

Fiscal Summary:

Category	Amount	Source	Description of Use
Policy Consideration Tier 2 Recommendation	**$3,600,000.00/ year**	To be determined	HHCS anticipates that all grants will be expended at the end of the SCU pilot program in June 2025. For FY26 and beyond, the unbudgeted need to support the SCU program will be approximately $3.6M. While MediCal reimbursement may offset some of this cost, the exact reimbursement rate continues to be determined.

Considerations:

- **Scaling Up:** The SCU continues to operate in a ramp-up state as Bonita House continues to hire and train staff for the program. As staff are hired and trained, they can start providing services in the field. The SCU will continue to expand their hours, as staffing allows, to operate a 24/7 non-police response to mental health and substance use crises. Due to the field-based nature of the SCU, there have been some challenges hiring staff who are willing to work in-person for each shift. While this has delayed the expansion of the SCU, it has helped the SCU hire staff who are a good fit for the program to support ongoing operations and expansion.
- **Grants and Long-term Funding:** As grant funding is of a limited-term nature, HHCS is actively pursuing additional funding opportunities, including through the Department of Health Care Services, to sustain and improve the SCU over time. HHCS is working closely with Bonita House to determine potential MediCal billing, but anticipates that there will be an unbudgeted need of approximately $3,600,000/year to sustain the SCU program once the pilot period ends on June 30, 2025.
- **Leadership Changes:** In early 2024, there have been multiple leadership transitions within HHCS and within Bonita House. Program services have remained consistent, but the leadership changes have impacted the rate of expansion. While the direct program management has stayed consistent, these transitions can impact the speed of expansion.

Next Steps & Timeline:

- **January 2024 – ongoing:** The SCU will continue to hire and train staff to build toward 24/7 operations. Additionally, HHCS and Bonita House have started initial conversations about using a MediCal billing model to contribute to longer term program costs.

STAFFING POSITIONS (REIMAGINING PUBLIC SAFETY COMMUNITY SERVICE OFFICERS & DISPATCHERS)

Department Lead: Police

Status Update: *In Progress*

Overview:

As part of ***Phase 2*** implementation, the City Council allocated funds for Fiscal Years 2023 and 2024 to support a temporary, two-year pilot Community Service Officer and Dispatch program. This program sees the addition of several key positions: 8 Public Safety Dispatcher II, 1 Public Safety Dispatch Supervisor, 6 Community Service Officers (CSOs), and 1 CSO Supervisor. The initiative aims to explore the integration of CSOs into the public safety response, utilizing their capabilities in a variety of non-critical tasks to enhance operational efficiency and community engagement. Recognizing the diverse applications of CSOs in other agencies—ranging from taking cold reports and accident scenes, gathering witness statements, obtaining video evidence, conducting neighborhood checks, to managing traffic, ensuring scene security, and executing logistics—it's evident that CSOs can significantly augment the police force. By leveraging CSOs for these tasks, the program intends to free up sworn officers for redeployment to higher priority calls once a scene is stabilized, thereby optimizing resource allocation and response times. As noted in the Fall 2023 Update, the CSO positions, being temporary in nature, have influenced the decision-making of some prospective candidates, with a few declining offers due to the limited duration of these roles (See Appendix A, page 31 of Fall 2023 Status Report). Despite these challenges, the BPD remains committed to maintaining robust recruitment efforts and is actively engaged in a comprehensive staffing evaluation to ensure the effectiveness and sustainability of its workforce.

As the initiative advances into ***Phase 3***, it is recommended by staff ***categorizing the request to convert the limited term positions to career as Tier 2 to allow time for Council discussion and coordination with BPD on this. The staffing assessment from CityGate is scheduled to be complete by June 2024.*** Formalizing these roles within the Police Department is expected to substantially improve the department's capacity to staff and operationalize the unit effectively. This transition aims to ensure a stable and dedicated workforce, fostering sustained community engagement and bolstering public safety measures through a strategic mix of sworn officers and CSOs, reflecting a smart allocation of resources based on the insights garnered from the deployment of CSOs in various supportive roles.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**Summer – Fall 2022**	BPD Recruitment Cycle.
	July 2023	Contract with Citygate for BPD Staffing Assessment.
	Summer – Fall 2023	BPD Recruitment Cycle.
	Anticipated **January 2024 – ongoing**	The Berkeley Police Department will continue recruitment efforts.

Fiscal Summary:

Category	Amount	Source	Description of Use
Baseline Allocation	**$2,204,438.00**	General Fund	Safety Dispatcher II (8).
	$380,718.00	General Fund	Public Safety Dispatch Supervisor (1).
	$1,968,996.00	General Fund Tier 2 Recommendation (for future FY)	Community Service Officers (6). Limited Term.

Considerations:

- **Implementation Timeline with Recruitment Focus:** An effective implementation timeline is essential, now with added emphasis on the recruitment benefits of transitioning positions to permanent status. The shift towards permanency is expected to make the roles within the Community Service Officer and Dispatch program more attractive to potential candidates, addressing some of the recruitment challenges previously encountered due to the temporary nature of these positions. Ensuring that the timeline accommodates for this transition is crucial, as it will likely influence the program's ability to attract and retain qualified personnel.
- **Integration into Future Budgets for Long-term Sustainability:** The recommendation to make these positions permanent underscores the need for careful integration of the program into future budget cycles, particularly looking towards the FY 25-26 Budget Process and beyond. This approach not only secures the necessary funding for these roles but also signals a commitment to the program's long-term viability

Next Steps & Timeline

- **Winter 2023 – ongoing:** The Berkeley Police Department will continue recruitment efforts. Staff recommend that these positions transition from temporary to permanent status. Formalizing these roles within the Police Department is anticipated to significantly enhance the department's ability to staff and effectively operate the unit. This action aligns with the initial recommendations from the ongoing Staffing Assessment.



FAIR AND IMPARTIAL POLICING

Department Lead: Police

Status Update: *In Progress*

Overview:

During ***Phase 1***, In February 2021, the Berkeley City Council approved the implementation of the Mayor's Fair and Impartial Policing (FIP) Taskforce recommendations by the Berkeley Police Department (BPD). To date, BPD has successfully implemented 13 of 14 recommendations as part of their commitment to fair and impartial policing. Which includes specialized FIP training, for which an additional $100,000 was funded in ***Phase 2*** for Fiscal Years 2023 and 2024, covering areas such as Crisis Intervention, LGBTQ awareness, Racial Profiling and Bias training, as well as KIND and ABLE training as noted in the Fall 2023 RPS Update (See Appendix A, page 32 of Fall 2023 Report). Additionally, the Berkeley Police Department presented updates related to FIP at the March 12 Special City Council Meeting (See Appendix D for BPD Annual Report).

As the initiative advances into ***Phase 3***, staff recommend allocating $100,000 for FY 25 & 26 to ensure the force continues to have robust FIP training. Furthermore, the Assistant to the City Manager is collaborating with the Police Department to secure competitive grant funding to advance these efforts.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**February 2021**	Mayor and the City Council pass FIP Recommendations
	August 2021 – ongoing	Berkeley Police has implemented ongoing fair and impartial trainings for its officers.
Phase 2 (2022-2024)	**July 2022 – ongoing**	The Berkeley Police Department will continue to fulfill officer training needs.

Fiscal Summary:

Category	Amount	Source	Description of Use
Tier I Recommendation	**$200,000.00**	General Fund	$100,000 per FY for FIP Training

Considerations:

- **Long-Term Funding Needs:** Securing continuous funding for FIP beyond the initial fiscal allocations is critical. This involves both securing stable city budget funds and exploring external grants to ensure the sustainability and expansion of specialized training and strategies.

Next Steps & Timeline

- **Winter 2023 – ongoing.** The Berkeley Police Department will continue to fulfill officer training needs through Fiscal Year 2026; Berkeley PD will have various related CIT, LGBTQ, Bias/Profiling, and FIP-styled training planned for 2024.

WELLNESS PRACTICES

Department Lead: Police

Status Update: *In Progress*

Overview:

In ***Phase 2*** of the Reimagining Public Safety initiative, the Berkeley Police Department were allocated $50,000 towards enhancing staff wellness services, including Crisis Intervention and Stress Management. As noted in the Fall 2023 Status Update, upgrades to facilities and the introduction of an immersive group therapy program for trauma recovery were key components (See Appendix A, page 34 of Fall 2023 Report). Additionally, the launch of a mobile app offering anonymous access to a wide range of health and wellness resources underscores the department's dedication to the physical and mental well-being of its officers.

As the initiative moves into ***Phase 3***, staff recommend allocating $50,000 for FY 25 and FY 26 to maintain and expand wellness integration within the force. Moreover, the Assistant to the City Manager is partnering with the Department to actively seek competitive grant funding to support and advance these critical wellness efforts.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2022 – Ongoing**	Wellness efforts for FY 2023 included counseling, critical incident stress training, gym updates, and immersive group therapy, evolving in FY 2024 to incorporate an O2X Partnership and wellness apps & resources for first responders.
	Ongoing	Continued partnerships and efforts towards BPD Wellness Practices for officers.

Fiscal Summary:

Category	Amount	Source	Description of Use
Tier I Recommendation	**$100,000.00**	General Fund	$50,000 per FY for Wellness Funds.

Considerations:

- **Long-Term Funding Needs:** Securing continuous funding for wellness beyond the initial fiscal allocations, will involve both securing stable city budget funds and exploring external grants to ensure the sustainability and expansion of emerging wellness and training needs.

Next Steps & Timeline

- **Winter 2023 – ongoing.** The Berkeley Police Department will continue to strengthen and expand wellness training and leverage grant opportunities.

VISION ZERO PROGRAM

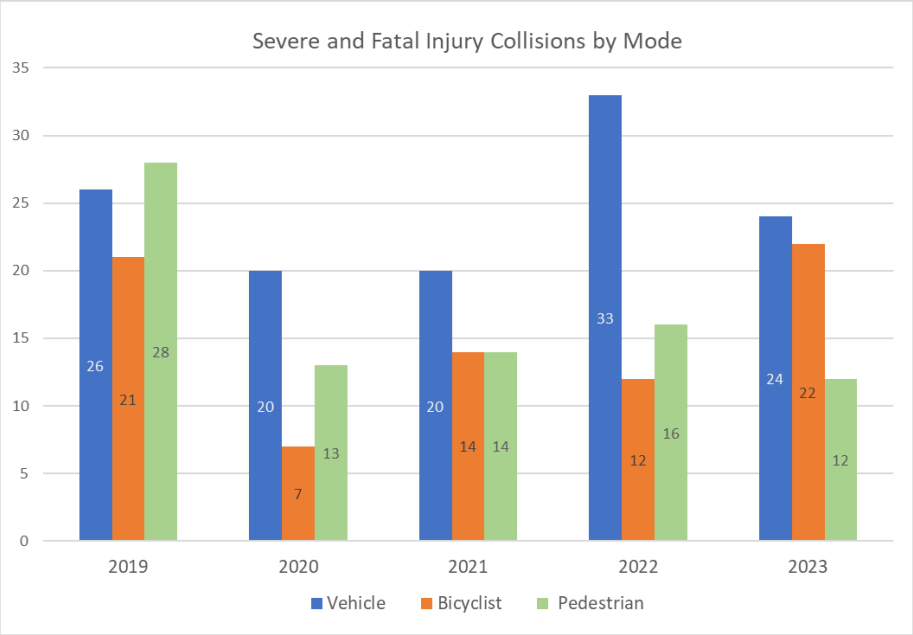
Department Lead: Public Works Department

Status Update: *In Progress*

Overview:

In October 2023, the Public Works department hired a Vision Zero Program Coordinator (Associate Planner). As part of the Reimagining Public Safety initiative this new hire aids in implementing the Vision Zero Action Plan, which includes eleven high-priority actions focused on addressing fatal and serious injury collisions in Berkeley, with the goal of eliminating all fatal and serious injury traffic crashes by 2028. The Vision Zero approach focuses on corridor and system-wide design interventions to improve safety for all modes of transportation in Berkeley, focusing only on severe and fatal collisions, and calling for enforcement only where engineering and education efforts have already been implemented. The Vision Zero Action plan calls for an equity evaluation during the upcoming Plan update to identify gaps in safety and collision datasets and develop milestones to address inequities.

Since being hired, the Vision Zero Program Coordinator has helped manage and support safety projects on Vision Zero High Injury Streets, including the Adeline Street Transportation Improvements Project and Alameda County Transportation Commission's San Pablo Corridor Projects; established monthly meetings with the Berkeley Police Department to discuss collision data and facilitate communication about any gaps necessary for thorough data analysis; and initiated early planning to restart both the Berkeley Vision Zero Coordinating Committee and the upcoming Vision Zero Action Plan update. The Vision Zero Program Manager (Senior Planner) is currently vacant. This position leads the Vision Zero Program and the work of the Vision Zero Program Coordinator (Associate Planner). Recruitment for this position is currently underway with the hope of hiring and onboarding a new Senior Planner by mid-2024.



For the five-year period 2019 through 2023, there was an average of four fatal collisions and 52 severe injury collisions per year on Berkeley streets.

By comparison, the 2020 Berkeley Vision Zero Action Plan reported an average of two fatal collisions and 21 severe injury collisions per year, for the five-year period 2013 through 2017.

STAFFING INVESTMENTS

Vision Zero traffic safety interventions may consist of major grant-funded corridor project or smaller-scale Quick Build projects. More information and an update on both strategies can be found below.

Since the Fall 2023 update, construction has begun on two grant-funded corridor safety projects on Vision Zero High Injury Streets: the Southside Complete Streets Project, and the Martin Luther King Jr. Way Vision Zero Quick Build. These safety projects originate from City Council adopted plans and policies, including the Berkeley Bicycle Plan (2017), the Berkeley Pedestrian Plan (2020), and Berkeley's Transit-First Policy Implementation Plan (2023). Projects based on these plans and policies are developed and implemented by staff in the Transportation and Engineering Divisions of Public Works, including Vision Zero Program and Capital Improvement Projects staff.

Following two serious injury crashes and a fatal injury crash in February 2024, the Vision Zero Rapid Response Protocol was activated. The Vision Zero Rapid Response Protocol was developed based on a recommendation from the Vision Zero Action Plan that Public Works Transportation staff establish protocols following serious injury and fatal collisions to communicate timely and accurate information and take a data-driven approach to developing safety interventions and projects at crash locations.



In the weeks following a suspected serious injury or fatal collision, Public Works Transportation Division Vision Zero program staff (Vision Zero Program Coordinator (Associate Planner) and Vision Zero Program Manager (Senior Planner, currently vacant)) convenes representatives from the Berkeley Police Department Traffic Unit, Public Works Transportation Division, City Attorney's Office, and City Manager's Office Communications Office for a briefing from the Berkeley Police Department about the collision. At this briefing, BPD shares information about crash location, conditions, and contributing factors from its investigation of the collision. This briefing is intended to help Public Works Transportation staff better understand the crash to potentially develop traffic safety interventions at these locations, where warranted.

Following the crash briefing, Public Works staff, including Traffic Engineering and Vision Zero program staff, meets to evaluate and decide whether to implement countermeasures to improve safety at crash locations and prevent future incidents of this type. If staff determine that countermeasures should be implemented, Public Works leadership works with transportation and maintenance staff to determine if interventions can be completed with existing staff and on-call contracts, or if additional steps will be necessary for implementation.

Vision Zero Program staff are in the process of working with the consultants who assisted with the Vision Zero Action Plan to develop a more formalized Quick Build program that would include a design toolkit, recommendations for specific countermeasures, and guidance as to whether near-term quick build and/or longer term grant funded capital project solutions would be effective.

As Reimagining Public Safety moves into ***Phase 3***, staff recommends continuing to fund the Vision Zero Associate Planner role. Additionally, there are funding recommendations for consultant support, and for an FTE that will work within the Fire Department to support Reimagining Public Safety goals and advance programs, projects and policies that will meet the City's Complete Streets and Vision Zero goals. From 2017-2022, traffic-related trauma in Berkeley resulted in average annual injuries to 490 motorists, 103 cyclists and 101 pedestrians. The substantial toll of traffic-related street trauma in the City requires that the Fire Department expand its traditional response mission to include a "street trauma prevention" component. This builds on the successes of the Department's fire prevention activities in preventing fire-related injuries and deaths and applies it to the problem of street trauma.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**October 2023**	Vision Zero Program Coordinator (Associate Planner) Hired.
	January 2024 – Ongoing	In line with the 11 high priority action items identified in key priorities of the Vision Zero Action Plan, the Associate Planner will be supporting the implementation of the programmatic and capital project delivery elements of Vision Zero. Three of the eleven high priority action items include collision analysis as described in the Reimagining Public Safety initiative.
	Fall 2023 – Summer 2024	Martin Luther King Jr Way Vision Zero Quick Build construction. This project is intended to make transportation safer for all modes of transportation along Martin Luther King Jr. Way, a High Injury Street corridor, implementing goals of the Vision Zero Action Plan.
	December 2023 – Early 2025	Southside Complete Streets Project construction. This is a safety project for all modes of travel, and includes improvements on Bancroft Way (a High-Injury Street), as well as portions of Fulton Street, and Dana Street.
	Anticipated **January 2024 – April 2024**	Recruitment for Vision Zero Program Manager (Senior Planner). This position will be responsible for implementing and updating the Vision Zero Action Plan and serve as a project manager for major corridor and "quick build" capital projects on Vision Zero High Injury Streets.

Fiscal Summary:

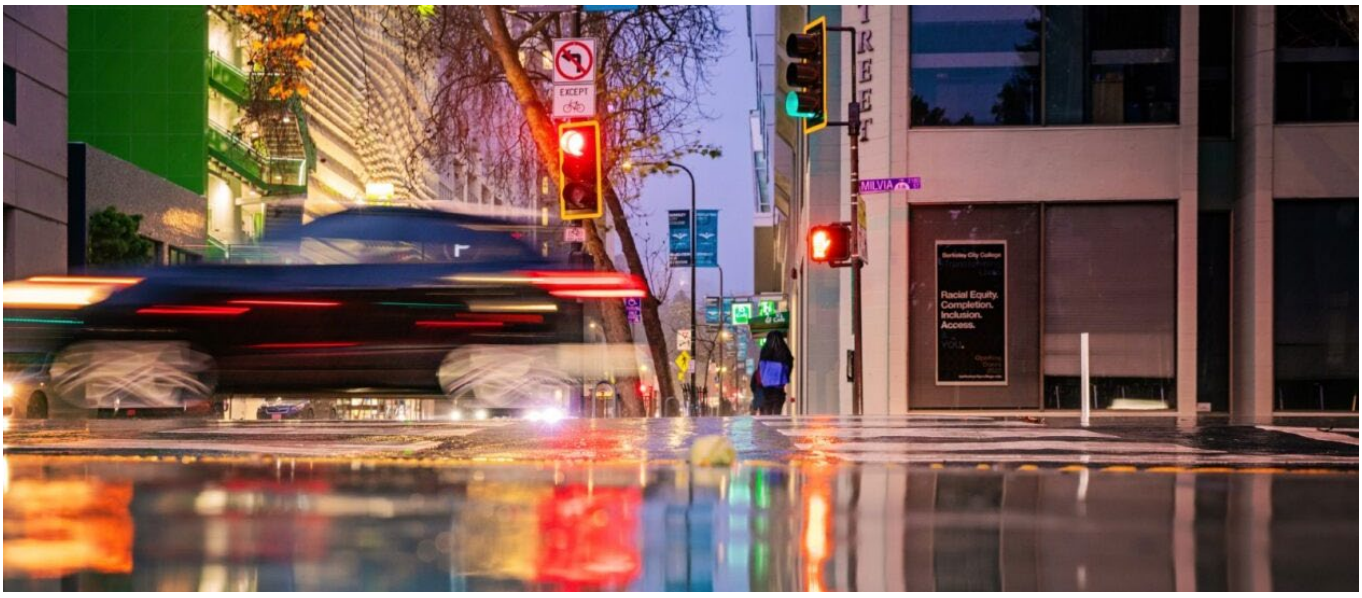
Category	Amount	Source	Description of Use
Baseline Allocation	**$377,808.00**	General Fund	Associate Planner – Vision Zero Program Coordinator.
Tier 1 Recommendation	**$250,000.00**	General Fund	$250,000 for FY 25. Consultant Costs – Develop Vision Zero Program Deliverables.
Tier 2 Recommendation	**$525,622.00**	General Fund	$262,811 per FY for Program Manager II – Fire.

Considerations:

- **Staffing Vacancies.** The City Manager issued Off-Agenda memos, November 2022, December 2022, and October 2023, respectively, to update the City Council on the Public Work's Transportation Division's staffing and work priorities.
    - The Vision Zero Program Manager (Senior Planner) position is currently vacant following the promotion of the former Senior Planner to Principal Planner in August 2023. Recruitment for the Senior Planner position began in January 2024 and closes in mid-March, with anticipated hire by mid-2024.
    - Several key Traffic Engineering positions are currently vacant. This may delay progress on major capital project implementation on High-Injury Streets as this reduces capacity for internal engineering review.

Next Steps & Timeline:

- **January 2024 – ongoing:** In 2024, the Vision Zero program anticipates restarting the Vision Zero Coordinating Committee meetings; initiating the three-year update to the Vision Zero Action Plan; continuing to implement and codify the Vision Zero Rapid Response Protocol, restarting development of the Quick Build Program; continuing to support major grant-funded capital projects on Vision Zero High Injury Streets, such as Southside Complete Streets, Adeline Street Transportation Improvements Project, and the Alameda County Transportation Commission San Pablo Avenue Corridor Projects. Progress on Vision Zero high priority projects and programs in 2024 will depend on hiring a new Vision Zero Program Manager (Senior Planner) by mid-2024.



CONSTULTANT COSTS

BERKEKELY DEPARTMENT OF TRANSPORTATION DEVELOPMENT

Department Lead: Public Works Department

Status Update: *In Progress* (funding deferred)

Overview:

In the Reimagining Public Safety Initiative's ***Phase 1***, groundwork for the Berkeley Department of Transportation (BerkDOT) was established, focusing on consolidating city transportation functions and emphasizing racial justice in transportation policies. For Fiscal Year 2023, the City allocated $300,000 for BerkDOT's development in ***Phase 2***. The Fall 2023 Status Report revealed challenges, including legislative hurdles like the defeat of California SB-50 Bill and significant staffing shortages in the Public Works Department (See Appendix A, page 37 of Fall 2023 Report). These obstacles, along with the deferral of funding due to the Annual Appropriations Ordinance (AAO) process, have temporarily hindered BerkDOT's progress.

As the initiative progresses into ***Phase 3***, staff are closely evaluating the initiative's timeline, dependencies, and priorities. With detailed assessments, pilot programs, and evaluations underway, staff recommend revisiting funding allocation to a future Fiscal Year for a phased approach towards BerkDOT.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase I (2020-2022)	**June 2020 – ongoing**	Community Process for BerkDOT Development
	Fall 2022	Crossing guards transitioned from the Police to Public Works' Division of Transportation.
	Fall 2022 – 2023	Public Works staffing vacancies memos issued to City Council and community.
Phase 2 (2022-2024)	**June 2023**	Council referred several Reimagining Tier I requests to the Annual Appropriations Ordinance process.
	January 2024	Funding for the Department of Community Safety deferred.

Fiscal Summary:

Category	Amount	Source	Description of Use
Tier 3 Recommendation	**$300,000.00**	General Fund	$300,000 allocation request future FY.

CONSULTANT COSTS

Considerations:

- **Regulatory Compliance:** BerkDOT must strictly adhere to local, state and federal transportation regulations. This includes not just road and transit roles, but also any pertaining to pedestrian zones, bike lanes, and other urban transportation forms. Ensuring compliance will prevent potential legal complications and foster smoother collaboration and state federal agencies.
- **Budgetary Limitations:** The BerkDOT's budget is currently deferred. This situation necessitates providing essential project and operations within existing resources. The City must explore innovative solutions and consider alternative funding avenues, such as grants or strategic partnerships.
- **Staffing:** The Public Works Department is currently facing a staffing shortage, which affects its capacity to meet all operational demands. The Department is actively recruiting to fill vacancies. It is important to note that with limited personnel, there are competing priorities to manage.

Next Steps & Timeline:

- **January 2024 – ongoing:** Due to the funding deferment and project timeline, staff suggest categorizing $300,000 as Tier 3, allowing for the completion of dependencies like the Transportation Fines & Fees Analysis. Additionally, this will allow for a phased ramp up for BerkDOT efforts.



BEHAVIORAL HEALTH, CRISIS RESPONSE, AND CRISIS-RELATED SERVICES NEEDS AND CAPACITY ASSESSMENTS

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

In Phase 2, the City of Berkeley allocated $100,000 in Fiscal Year 2023 for assessing service needs related to behavioral health and homelessness, using data from 911, non-911 calls, and other relevant sources since March 2020. In May 2023, the City Council approved additional funds for Resource Development Associates (RDA) to analyze this data, particularly to support the Specialized Care Unit (SCU)'s implementation and evaluation (See Appendix A, page 39 of Fall 2023 Report).

Concurrently, Health, Housing, and Community Services (HHCS) hired a Community Services Specialist II to evaluate crisis response and related services in Berkeley and Alameda County, focusing on identifying system gaps and enhancing programs like the SCU. This work is expected to continue into 2024. The crisis stabilization needs assessment details suggested recommendations on how the city can better strengthen the social safety net for Berkeley residents' after they experience crisis.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	Existing contract for SCU program evaluation is amended to add a scope of work for RDA to conduct the crisis needs assessment.
	June 2023 – August 2023	Crisis needs assessment for 911 call planning begins.
	August 2023 – ongoing	Data analysis of Computer Aided Dispatch (CAD) calls begins.
	August 2023	Community Services Specialist II Hired.
	November 2023 - ongoing	RDA refines data request and is working with the City of Berkeley to complete. This refined data request has delayed the timeline of the initial results, but HHCS continues to work closely with RDA and other stakeholders to receive these initial results of the call data and analysis.
	January 2024 – March 2024	After extensive research, initial recommendations for the Crisis Needs Assessment have been drafted. HHCS is working with affected stakeholders to determine any additional gaps and barriers in crisis stabilization service provision.
	Anticipated **Spring 2024**	Crisis Needs Assessment recommendations pertaining to crisis stabilization reviewed by service utilizers, service providers, community stakeholders, and various city departments whose scope of work may be impacted by the recommendations.

CONSULTANT COSTS

Fiscal Summary:

Category	Amount	Source	Description of Use
New/Continued Recommendation	**TBD**	To be determined	Pending finalization of the crisis needs assessment and recommendations to inform call types that could be diverted to other crisis resources in Berkeley, including the SCU.

Considerations:

- **Expanding Data Analysis & Dynamic Needs:** As the project progresses, there might be a recognition of new data sets essential for comprehensive analysis.
- **Partner Coordination & Feedback:** With multiple partners involved with the different components of the Crisis Needs Assessment, there will be extensive coordination to ensure that all information is gathered to inform these analyses.
- **Policy Awareness:** Staying updated with relevant behavioral health policies and regulations will be key to ensure project success and compliance.

Next Steps & Timeline:

- **Fall 2023 – ongoing:** The data analysis for the 911 call data continues to be ongoing, as the initial data request was revised to gather more specific data. HHCS expects to receive initial results of the analysis in spring of 2024.
- **January 2024 – ongoing:** Initial recommendations for crisis stabilization in Berkeley have been drafted and are being vetted with stakeholders. Next steps will include presenting these recommendations based on the analysis and needs assessment to the appropriate policy committees, and city commissions.

STAFFING ASSESSMENT

Department Lead: Police

Status Update: *In Progress*

Overview:

Under the Reimagining Public Safety ***Phase 2*** recommendations, the Berkeley Police Department has engaged Citygate Associates for a detailed study of its operations. This study focuses on evaluating the Department's organizational structure, resource allocation, and patrol boundaries. Citygate is tasked with proposing organizational enhancements to improve service to the community, while also considering the morale and well-being of the police staff (See Appendix A, page 41 of Fall 2023 Report).

Preliminary insights from Citygate's analysis endorse the Department's proposal to adjust staffing by incorporating Community Service Officers (CSOs) more robustly into its operational strategy. These findings support the initiative's vision to not only refine the Department's structural and operational dynamics but also to ensure a strategic allocation of personnel. This strategic staffing adjustment aligns with broader goals to optimize police resources and response capabilities, leveraging the diverse skill set of CSOs to complement the work of sworn officers.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2023**	The Berkeley Police Department has successfully engaged with Citygate Associates for a comprehensive staffing assessment and workload study.
	August 2023 – ongoing	Citygate Staffing Assessment Tasks 1 & 2.
	Fall 2023	Stakeholder Interviews and Community Survey.
	Anticipated **November 2023 – December 2023**	Review of Organizational Functions and Workload.

Fiscal Summary:

Category	Amount	Source	Description of Use
New/Continued Recommendation	**TBD**	To be determined	Pending finalization of the staffing assessment and recommendations.

Considerations:

- **Sustainable Funding:** Long-term sustainability of any staffing or operational enhancements will require careful budget planning, including identifying sources of funding.

Next Steps and Timelines:

- **January 2024 – ongoing:** Citygate's workload study will take approximately nine months and consists of 6 key tasks outlined in the contract and anticipate presenting findings and recommendations at the Fall 2024 RPS Status Update.

TRANSPORTATION FINES & FEES ANALYSIS

Department Lead: City Manager's Office

Status Update: *In Progress* (anticipated carryforward request)

Overview:

Under ***Phase 2*** of the Reimagining Public Safety initiative, the City Council allocated $150,000 in Fiscal Year 2023 to review and propose amendments for the City of Berkeley's Municipal Code. This effort aims to enhance equity and racial justice within the city's transportation fines and fees system and to consider civilian enforcement for certain Municipal Code violations (detailed in Companion Appendix T, pages 3259-3264). The Fall 2023 Status Report identified delays in several deliverables, including this analysis, due to funding deferral in the Annual Appropriations Ordinance (AAO) process (See Appendix A, page 42 of Fall 2023 Report). Funding was subsequently released in January 2024, following approval by the Mayor and City Council.

A Steering Committee, coordinated by the Assistant to the City Manager and comprising representatives from the City Attorney's Office, the City Manager's Office (including the Hearing Officer and DEI Officer), and the Public Works Transportation Division, was established to oversee the Request for Proposals (RFP) Design and Process. The issuance of the RFP is now scheduled for Summer 2024, owing to an extended council recess.

As the initiative transitions into ***Phase 3***, staff recommend that the allocated funds be carried forward into Fiscal Year 2025. This recommendation is crucial for maintaining the project's continuity and ensuring that the City of Berkeley can effectively pursue its objectives of promoting equity and racial justice through the reassessment of transportation fines and fees. This proactive approach underscores the city's commitment to reevaluating and reforming municipal practices to support a more equitable community environment.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	City Council referred several Reimagining Tier 1 requests to the Annual Appropriations Ordinance process.
	January 2024	Funding for the Transportation Fines & Fees Analysis was released.
	Anticipated **Spring 2024**	RFP Design and Process.
	Anticipated **Summer 2024**	RFP Call for Bidders is expected to be published.

Fiscal Summary:

Category	Amount	Source	Description of Use
Anticipated Carryforward Recommendation	**$150,000.00**	General Fund	$150,000 *carryforward* for FY 25.

Considerations:

- **Legislative Constraints and Compliance:** Navigating legislative hurdles is paramount to ensure that proposed amendments to the Berkeley Municipal Code enhance equity and racial justice within the transportation fines and fees system while remaining compliant with existing laws. This consideration is crucial for achieving the initiative's objectives without legal impediments.
- **Effective Utilization of Allocated Funds:** With $150,000 allocated for Fiscal Year 2023 and plans to carry forward into FY 2025, managing these funds judiciously is essential. Strategic budgeting and oversight will ensure the project's goals are met efficiently, maintaining momentum and achieving impactful outcomes within the set financial parameters.

Next Steps & Timeline:

- **January 2024 – ongoing:** With funding now released, the immediate focus is on finalizing the RFP for the Transportation Fines & Fees Analysis, scheduled to be posted in Summer 2024. Staff will recommend the carryforward of allocated funds into FY 2025, ensuring that the project's momentum is maintained.

DEPARTMENT OF COMMUNITY SAFETY DESIGN AND IMPLEMENTATION

Department Lead: City Manager's Office

Status Update: ***To Be Initiated*** (project deferred)

Overview:

As a ***Phase 2*** item in the Reimagining Public Safety initiative, $250,000 was initially allocated for Fiscal Year 2024 to support a design process for the creation of a Department of Community Safety. The Fall 2023 Status Report brought to light an important issue: several deliverables within the Reimagining Public Safety initiative, including the creation of the Department of Community Safety, have yet to be initiated (See Appendix A, page 43 of Fall 2023 Report). The postponement of efforts to establish the Department of Community Safety arises from concerns regarding the implementation timeline's feasibility, as well as the need to reallocate funding to existing city services and to address council referrals, in accordance with the Annual Appropriations Ordinance (AAO) process.

As the initiative moves into ***Phase 3***, the City of Berkeley recognizes the importance of prioritizing the advancement of other critical areas within the Reimagining Public Safety initiative before proceeding with the establishment of the Department of Community Safety. This strategic recommendation is based on a thorough review of the general implementation timeline, including the specific timelines for assessments, pilots, and evaluations. To ensure a strategic and judicious use of resources, staff advise revisiting allocating funding for the Department of Community Safety to Phase 4. This approach will allow the city to focus on immediate priorities within the Reimagining Public Safety initiative while planning for future developments in a manner that aligns with the initiative's comprehensive goals.

CONSULTANT COSTS

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	Council referred several Reimagining Tier 1 requests to the Annual Appropriations Ordinance process.
	January 2024	Funding for the Department of Community Safety deferred.

Fiscal Summary:

Category	Amount	Source	Description of Use
Long Term Phase 4 Recommendation	**$250,000.00**	General Fund	$250,000 *allocation* for future FY to support design of Department of Community Safety.

Considerations:

- **Strategic Allocation of Resources:** The project deferral and reallocation of the $250,000 allocation intended for the design of the Department of Community Safety for Phase 4 emphasizes the critical need for strategic and judicious management of financial resources. The City of Berkeley must ensure that such funding is aligned with both the immediate and long-term goals of the Reimagining Public Safety initiative. It is proposed that the funding allocation for Fiscal Year 2026, allowing for a prioritized and financially responsible approach to initiative planning and execution.
- **Staffing and Legislative Compliance:** Adequate staffing and compliance with legislative mandates are crucial for the Department of Community Safety's success. This entails recruiting and training skilled personnel for the department's effective operation and ensuring all activities are legally compliant. The City of Berkeley will carefully consider any needed legislative changes or policy adjustments to support the initiative. Addressing staffing needs and legislative compliance is essential to equip the department for its mission within a set timeline.

Next Steps & Timeline:

January 2024 – ongoing: Staff recommends revisiting the funding allocation for Phase 4 concerning the design and establishment of the Department of Community Safety.

DISPATCH NEEDS ASSESSMENT

Department Lead: Fire Department

Status Update: *In Progress*

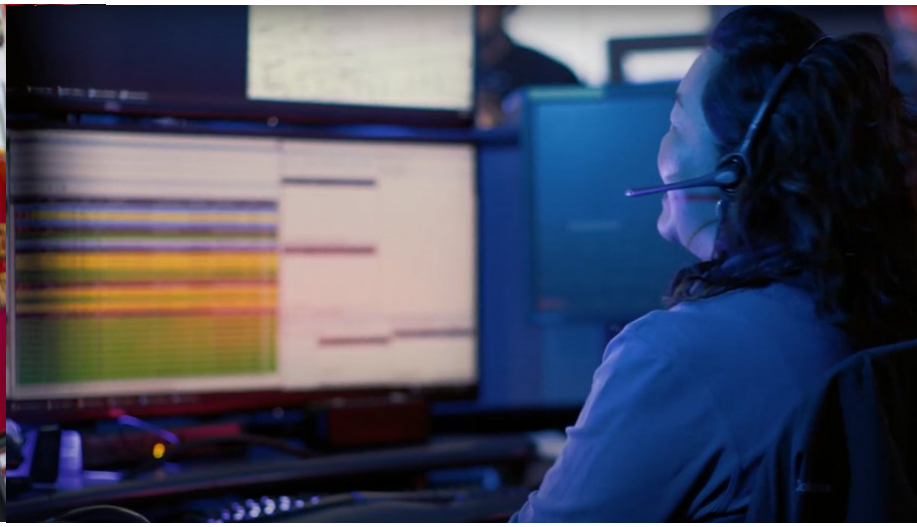
Overview:

As the City moves forward in implementing a plan to evolve and elevate its dispatch system, it's crucial to understand the ongoing enhancements and challenges facing the City's Dispatch Center, a critical hub for police, fire, and emergency medical services (EMS). The center's complex operations echo those of an air traffic control center, where dispatchers handle emergency calls, collect vital information, and coordinate responses using a Computer Aided Dispatch (CAD) system. The Berkeley Fire Department is focused on elevating these services. They aim to implement systematic emergency call triage, provide pre-arrival instructions, and deploy alternative response units like mobile health or the Specialized Care Unit. These enhancements are in line with regional standards and require substantial investment for realization.

The Mayor's phased Reimagining Public Safety initiative, particularly its Phase 1, concentrated on developing the Dispatch Needs Assessment (DNA) and engaging stakeholders. As noted in the Fall 2023 RPS Status Report, with additional funding in Fiscal Year 2023, the focus shifted to DNA redesign as part of Phase 2 (See Appendix A, page 44 of Fall 2023 Report). The initial assessment by proposed a staffing model, facility improvements, and protocols supporting alternative response models and emergency medical dispatch. However, considering the significance of these recommendations and their long-term impact, the Department sought additional subject matter experts (SME) to validate the findings and recommendations of the needs assessment from October 2022. Upon obtaining additional call data and reanalyzing current and recommended models, these SMEs provided an alternative perspective on several key areas: the staffing model, dispatch protocols, alternatives for low-acuity calls, dispatch workflow, and tiered dispatch.

As the Reimagining Public Safety Initiative moves into ***Phase 3***, the validation process aims to ensure that the recommendations are practical, economically viable, and reflective of industry challenges. This crucial step underscores the Department's commitment to informed, effective decision-making and sets the stage for further progress in the following phases of the initiative.





CONSULTANT COSTS

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**Winter 2021 – Fall 2022**	Completion of the RFP process and Stage One of the assessment.
Phase 2 (2022-2024)	**November 2022 – May 2023**	Completion of the initial needs assessment.
	Fall 2023	Development of Validation Scope and Vendor Selection.
	Fall 2023 – Winter 2024	BFD funded Validation Report with Measure FF Funds. The Validation began in November and finished in end of March.
	Anticipated **Spring 2024**	Completion of the Assessment Validation Report and staff presentations
	Anticipated **Spring 2024**	Anticipated discussions with City project stakeholders to determine future actions for the DNA. Following these discussions, BFD plans to issue an RFP for ongoing subject matter expert (SME) support and the implementation of changes, subject to budget approval and determination of next steps.

Fiscal Summary:

Category	Amount	Source	Description of Use
Allocation	**$95,000.00**	Grant Funding	$95,000 for FY21 for *Initial* Needs Assessment Report.
	$20,000.00	Measure FF Fund	$20,000 for FY24 for Validation Report.
	$200,000.00	Measure FF Fund	$200,000 to support a portion of the Reports and Implementation.
New/Continued Recommendation	**TBD**	To be determined	$196,626,70 from the remaining have been encumbered and will be designated for use in FY 2025. This amount will support the implementation efforts arising from the findings and recommendations of the needs assessment and validation reports.

Considerations:

- **Staffing.** Through FY 23 the Fire Department experienced significant and ongoing recruitment and hiring challenges resulting from the global pandemic, the Office of the Fire Chief has struggled to fulfill community needs through day-to-day operations, strategic planning efforts, and project and program management. The most significant challenges surround overseeing operational and programmatic priorities due to short staffing. The Department is working diligently to reorganize its operations to support current and future staff and staffing needs.
- **Unanticipated Delays.** Initially, the Department challenged the conclusions of the first needs assessment, citing a disconnect with our localized operational knowledge. The report had been crafted following a standard collection of call data from Berkeley's Emergency Communication Center (ECC), leading to a proposed staffing model built upon those findings. However, given the significant implications of the recommended changes, leadership made the decision to pursue a validation study. The second group of consultants introduced a new perspective and a

different approach to their analysis, delving deeper into the data collection process by dissecting both the manner in which calls were received and their categorization. The pivotal difference was in the discovery that while existing industry standards dictated specific call-handling protocols for ECCs and dispatchers, the initial study focused on managing call volumes with staff. The validation study looked at methods to optimize workflow to alleviate the burden on staff. This critical and nuanced insight is set to enhance the City's efficiency and simplify the process of implementing necessary changes and upgrades to the ECC. The requirement for this validation study, coupled with the overall availability of contractors, has resulted in a 14-month delay.

- **Facilities Space.** One of the primary challenges and considerations that may inhibit implementation of Stage II of the Dispatch Needs Assessment is securing an appropriate facility space for the center. There is not enough space for the needed expansion of the Dispatch Center in the Public Safety Building before the Fire Department moves to an independent headquarters facility. Identifying and obtaining the appropriate amount of space to house dispatcher workstations is vital for the successful rollout and operation of the project. Ensuring the space meets the specific requirements and standards, both in terms of functionality and accessibility, is paramount and current configuration of the Public Safety Building will need to be adjusted to accommodate a modern and expended dispatch center.
- **Budget.** Stage I of this project was funded through HHCS grant funds. Subsequent activities, including the Validation Report and the planning phase for implementation, have been financed by Measure FF funding. Measure FF is anticipated to cover certain one-time expenses involved in the implementation of the DNA recommendations. However, for recommendations entailing ongoing expenses, securing additional funds will necessitate the City Council's approval and allocation.

Next Steps & Timeline:

- **Winter 2023 – ongoing:** The validation report has resulted in high-level strategic recommendations for an implementation plan. Yet, the development of a more comprehensive implementation plan awaits the City's determination of its preferred direction, and the identification of which recommendations are practical for adoption. These critical decisions are anticipated in the near future. Despite the specifics of the recommendations or the timeline for decision-making, the City's need for continued contractor support to enhance various technology and workflow processes remains unabated. The Berkeley Fire Department team is actively working on preparing a Request for Proposal (RFP) to secure this vital support. Upon finalizing the budget and implementation strategies, the appointed consultant will be charged with devising a strategic plan for phased implementation, projected to span 5 to 10 years.

COMMUNITY INVESTMENTS

VIOLENCE PREVENTION

VIOLENCE PREVENTION AND YOUTH SERVICES

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

In ***Phase 2*** of the Reimagining Public Safety initiative, the City of Berkeley has focused on community investments, with significant funding allocated to two Community-Based Organizations (CBOs) (See Appendix A, page 48 of Fall 2023 Report). McGee Avenue Baptist Church Center for Food, Faith, and Justice has been granted $50,000 to support its "Voices Against Violence" youth campaign. This initiative is part of the City's broader efforts to enhance community safety and enrichment. "Voices Against Violence (VAV)" is a Black-led Berkeley-based program committed to justice, equity, and violence prevention. "Voices Against Violence" serves middle and high school students through weekly workshops ranging from violence prevention, identity formation, diversity training, art expression, urban gardening, and healthy living. Participants receive merit-based stipends for attendance, participation, and community service projects, along with weekly meals to provide food resources identified as a need for participants early in the program. The funds have enabled McGee-CFFJ to build upon their established successes and expand their efforts in serving Berkeley's most vulnerable youth and families. Additionally, the "Voices Against Violence" program is able to have an even greater reach by leveraging McGee-CFFJ programming such as the Urban Garden, Culinary Arts and Technology Program, and Soulful Parenting Support Initiative.

Additionally, Berkeley Youth Alternatives (BYA) received $160,000, with $125,000 earmarked for their Counseling Center, which provides essential support services, and $35,000 allocated for the Summer Jam Day Camp. These funds aim to strengthen the community by supporting key programs that contribute to the wellbeing of Berkeley youth, and, therefore, improve the overall safety of Berkeley.

One highlight includes the successful implementation of the Summer Jam Day Camp for children aged 6 to 12 years. The camp operated from 10 a.m. to 4 p.m., with an aftercare service available until 6 p.m. It consisted of four 2-week sessions, each priced at $200, with scholarships available on a sliding scale. Out of 30 participants, 18 students received scholarships, indicating the program's accessibility and community support. The majority of the children attended the entire duration of the camp. The camp offered a comprehensive array of activities designed to promote health, creativity, and personal development. These included swimming, nutrition and gardening lessons, music, sports and games, photography, cooking classes, and separate groups for girls and boys led by counselors. Educational programs focused on literacy development were provided in collaboration with the U.C. Berkeley Public Service Center's BUILD college student mentors. Campers also participated in lawn bowling and community service visits to the elderly.



In addition, Reimagining Public Safety funds supported the BYA Counseling Center over the past year. This funding enabled BYA to serve more youth and families who do not have Medicare or private insurance. The funding was also used to provide incentives to counseling staff, particularly graduate student interns. The funding allowed BYA to hire a new staff member who focused on supporting students who are enrolled in the BYA Afterschool Center and in need of mental health and wellness support. This past summer, BYA launched therapy groups for young people focused on resilience and positive social relationships. The counseling groups were open to all students in BYA's summer programs. As appropriate, students were invited to co-enroll in BYA's individual counseling program to address deeper issues that emerged in group sessions.

In light of these successes and moving towards ***Phase 3*** of the Reimagining Public Safety initiative, staff recommend continuing to support violence prevention efforts in Fiscal Year 25-26. This approach is expected to create synergies and opportunities in alignment with the city-wide violence prevention efforts, fostering a holistic strategy for community safety and enrichment.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2022- June 2023**	Funds allocated to CBOs
	Fall 2023 – June 2024	Funds continued allocation to CBOs through FY 24.

Fiscal Summary:

Category	Amount	Source	Description of Use
Tier I Recommendation	**$420,000.00**	General Fund	To support Voices Against Violence initiative from McGee Ave. Baptist Church ($50,000) and BYA ($160,000: $125,000 to support their counseling center and $35,000 for the Summer Jam Day Camp).

Next Steps & Timeline

- **January 2024 – ongoing:** The City will continue to allocate funds to McGee Avenue Baptist Church and Berkeley Youth Alternatives corresponding to their programmatic expenditures through the end of Fiscal Year 2024, which ends on June 30, 2024.

GUN VIOLENCE PREVENTION (BERKELEY CEASEFIRE)

Department Lead: City Manager's Office

Status Update: *In Progress* (anticipated carryover request)

Overview:

As noted in the Fall 2023 Status Report, ***Phase 1*** placed a significant emphasis on involving community and expert engagement (See Appendix A, page 49 of Fall 2023 Report). As the project progressed into ***Phase 2***, the City allocated $1 million in the FY 2023 and FY 2024 budget ($2M total) to directly confront the rising issue of gun violence.

The completion of the Gun Violence Prevention (GVP) report in the summer of 2023 marked a pivotal moment, with preliminary analyses and findings subsequently shared with the Chief of Police, the City Manager's Office, and presented to the City Council and community on January 23, 2024. A comprehensive, four-pronged strategy was unanimously approved, emphasizing: 1) place-based interventions in areas experiencing increased shootings, 2) direct engagement with at-risk individuals through custom notifications, 3) street outreach, and 4) the provision of robust social services. Following this strategic direction, the Assistant to the City Manager collaborated with internal staff and subject matter experts to plan the next steps and RFP processes specific to Berkeley's Gun Violence Intervention and Prevention program. This initiative, striving for a 10% reduction in gun violence incidents, harmonizes community engagement, strategic partnerships with internal city departments and external organizations, expertise from field experts, and empirically-based methods. Overseen by the City Manager's Office, the initiative is in the process of inviting proposals for the strategic design and implementation of the program's crucial elements—custom notifications and street outreach.

Launched in March 2024, the Request for Proposals (RFP) sets the groundwork for a comprehensive selection process, supported by a steering committee consisting of both internal and external stakeholders (See Appendix E for RFP). This step signifies the project's transition into ***Phase 3***, a phase where the team anticipates finalizing a contract by the early summer, aiming for the official launch of the Gun Violence Intervention and Prevention program by early fall of 2024. Staff recommend a carryforward of unspent funds into FY 25-26 budget.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**Spring/Summer 2022**	Community Process and Budget Allocation.
Phase 2 (2022-2024)	**Summer 2023**	GVP Report complete. Assistant to the City Manager – Reimagining Public Safety Project Coordinator hired.
	January 2024	Comprehensive RPS update to City Council. Research and stakeholder engagement for next steps and RFP process.
	Anticipated **Spring 2024**	RFP launch and bidding process.
	Anticipated **Summer 2024**	Selection complete and contract finalized.

Fiscal Summary:

Category	Amount	Source	Description of Use
Anticipated Carryforward Recommendation	**$2,000,000.00**	General Funds	$2,000,000 *carryforward* for FY 25 & 26 for Gun Violence Intervention and Prevention Program (Ceasefire).

Considerations:

- **CBO/Staffing Recruitment:** The current recruitment landscape presents its own set of challenges. Staffing up qualified organizations/individuals for this program may face prolonged lead times in recruitment. Beyond initial recruitment, the essential training required to ensure the efficacy of the GVP launch may further extend lead times.

Next Steps & Timeline:

- **January 2024 – ongoing:** Request for Proposals (RFP) process is anticipated to be in progress. Any funds uncommitted during this period will be requested to carry forward into Fiscal Year 2025-2026.



PUBLIC SAFETY/CRIME PREVENTION FOR WOMEN AND OLDER PERSONS

Department Lead: City Manager's Office

Status Update: *In Progress*

Overview:

The recommendation on public safety and crime prevention for women was presented to, and accepted by, the City Council in February of 2024 (See Appendix F for COSOW Item). These recommendations include a comprehensive strategy composed of the following elements:

- **Data-Driven Approach**: Collaboration with the Berkeley Police to identify critical areas and optimal times for safety escorts, aimed at enhancing protection for women based on identified risks.
- **Community Forum:** Organization of a city-wide hybrid safety forum targeted specifically at women, with a focus on engaging older women, to be led by the Berkeley Police Department.
- **Community Ambassadors**: Deployment of ambassador-led safety escorts in business districts and nearby residential areas to improve security.
- **Safety Escorts**: Establishment of a safety escort program inspired by the 2003 Respect-BART initiative.
- **Ride-share Program:** Exploration of the expansion of the Go-Go Grandparent program to provide safer transportation options for women, including potential cost-sharing solutions and modifications for ensuring safe arrivals, pending Council budget review.

In April 2024, staff presented preliminary data and findings to the Commission on the Status of Women and received feedback to inform next steps and further direction (See Appendix G for Presentation Materials). Recognizing the need for a meticulous and diligent approach, there is ongoing engagement with stakeholders to better understand the phased rollout and prioritization of these recommendations. Through data analysis and identification of needs, the goal is to pinpoint areas requiring immediate attention. As the Reimagining Public Safety Initiative advances into ***Phase 3***, staff recommend allocating $250,000 for FY 2025 to support the phased rollout of these programs.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**February 2024**	Recommendation approved by City Council.
	Spring 2024	Preliminary research and data. Presentation to the Commission on the Status of Women.
	Anticipated **Spring 2024 – ongoing**	Ongoing research and stakeholder engagement to refine the scope, timeline, and budget, leveraging grants, and prioritizing actions based on data-driven needs analysis.

Fiscal Summary:

Category	Amount	Source	Description of Use
Tier 2 Recommendation	**$250,000.00**	General Fund	$250,000 allocation for FY 25. To support phased roll out of recommendations addressing public safety/crime prevention for women and older persons.

Considerations:

- **Stakeholder Coordination, Compliance and Budget:** A primary challenge for this referral is the coordination between multiple city departments and compliance with legal and regulatory standards. Ensuring that all parts of the initiative align with current laws and city ordinances while effectively collaborating across various sectors can complicate timelines and require additional resources for thorough legal reviews. The current lack of a dedicated budget to explore and consider these recommendations complicates the implementation of the project, necessitating very careful resource management and possibly seeking external funding sources, such as grant opportunities, to support the initiative.

Next Steps & Timeline:

- **Spring 2024 – ongoing:** Ongoing research and stakeholder engagement to refine the scope, timeline, and budget, leveraging grants, and prioritizing actions based on data-driven needs analysis.

ALTERNATIVES TO SANCTIONS/FINES

HEARING OFFICER-ALTERNATIVES TO SANCTIONS/FINES

Department Lead: Public Works Department

Status Update: *In Progress* (project deferred)

Overview:

Under ***Phase 2***, the City allocated $150,000 for Fiscal Year 2024 to improve hearing officer resources. This funding is designated for referring individuals to community and social services for minor infractions, such as parking violations. However, as noted in the Fall 2023 update, the launch of several Reimagining Public Safety deliverables are pending due to funding deferral (See Appendix A, page 51 of Fall 2023 Report). As the initiative transitions into ***Phase 3***, the City of Berkeley acknowledges the need to prioritize the development of other crucial dependencies within the initiative, such as the Transportation Fines & Fees Analysis is currently in progress. This strategic direction, informed by the overall implementation timeline—suggests allocation these funds to Phase 4.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	Council referred several Reimagining Tier 1 requests to the Annual Appropriations Ordinance process.
	January 2024	Project for Expanding Hearing Officer Resources/Alternative to Sanctions/Fines deferred.

Fiscal Summary:

Category	Amount	Source	Description of Use
Long Term Phase 4 Recommendation	**$150,000.00**	General Fund	$150,000 *allocation* for future FY.

Considerations:

- **Strategic Allocation of Resources and Implementation Timeline:** The project deferral for Fiscal Year 2024 underscores the necessity of strategically reassessing the project's timeline and resource management, particularly considering dependencies. The City is charged with aligning this funding with the phased goals of the Initiative, striking a careful balance between immediate needs and long-term objectives.

Next Steps & Timeline:

- **January 2024 – ongoing:** Due to the project deferral and funding reallocation to existing city services and council referrals, staff recommend revisiting fund allocation in Phase 4.

EXPAND DOWNTOWN STREETS TEAMS

Department Lead: Public Works Department

Status Update: ***In Progress*** (anticipated carryforward request)

Overview:

In ***Phase 2***, the City allocated $50,000 for Fiscal Year 2024 to enhance the contract with Downtown Streets Team (DST). This decision, formalized through City Council Resolution No. 70, 394-N.S on May 31, 2022, enabled negotiations for new pricing, terms, and expanded services under DST's Clean Cities Program. The program includes hand sweeping, leaf and litter removal, graffiti abatement, and poster removal in various commercial districts. The Public Works Department has entered a new contract with DST, effective June 27, 2023. This contract continues DST's involvement in city maintenance activities, including sweeping, graffiti and litter removal, poster removal, and volunteer work programs. The Fall 2023 Status Report identified delays in several deliverables, including the DST contract's expansion to include DST as a placement for low-level violations, due to funding deferral in the Annual Appropriations Ordinance (AAO) process (See Appendix A, page 52 of Fall 2023 Report). Funding was subsequently released in January 2024, following approval by the Mayor and City Council.

As the initiative transitions into ***Phase 3***, staff are requesting a carryforward of funds to allow for time for expanding the scope of the DST contract to fulfill this recommendation.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	City Council referred several Reimagining Tier 1 requests to the Annual Appropriations Ordinance process.
	January 2024	Funding for the Transportation Fines & Fees Analysis was released.
	Anticipated **Summer 2024**	Downtown Streets Team (DST) Contract Expansion.

Fiscal Summary:

Category	Amount	Source	Description of Use
Anticipated Carryforward Recommendation	**$50,000.00**	General Fund	$50,000 *carryforward* for FY 25.

Considerations:

- **Funding:** While the current phase of the project is supported by a one-time allocation, future expansions or enhancements will require careful financial planning.

Next Steps & Timeline:

- **January 2024 – ongoing:** Staff will recommend the carryforward of allocated funds into FY 2025, ensuring that the project's momentum is maintained.

COMMUNITY MENTAL HEALTH, BEHAVIORAL, AND CRISIS RESPONSE

COMMUNITY CRISIS RESPONSE SERVICES (BRIDGE SERVICES)

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

In Phase 1 of Berkeley's Reimagining Public Safety initiative, the city developed the Specialized Care Unit (SCU) to assist individuals in mental health or substance abuse crises without police involvement. To support this, the City Council allocated $1.2 million from the FY 2022 budget for Community Crisis Response (CCR) services, also known as "Bridge Services." The city issued a Request for Proposals to community-based organizations for these services. Peer Wellness Collective, formerly Alameda County Network of Mental Health Clients, Options Recovery, and Women's Daytime Drop-in Center were selected to provide expanded peer support, substance use disorder interventions, and enhanced mental health care services, respectively (See Appendix A, page 53 of Fall 2023 Report).

These contracts, launched in Spring 2022 and extended through the end of December 2023 are meant to provide a wide array of crisis services to Berkeley community members as the SCU began operations. Now that the SCU began operations in September 2023, the Community Crisis Response services contracts are winding down. The Peer Wellness Collective contract ended in December 2023, Options Recovery Services ended in February 2024, and the Women's Daytime Drop-In Center contract will end in June 2024.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**June 2021**	City Council approves to allocate $1,200,000 from the FY 2022 budget, sourced from the American Rescue Plan, to fund the Community Crisis Response (CCR) services.
	Summer 2021	RFP Process initiated.
	November 2021	Consent item issued to adopt three Resolutions authorizing the City Manager to execute contracts and any amendments or extensions with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center for Community Crisis Response Services, in an amount not to exceed $1,200,000.
	Spring 2022 – Winter 2022	Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center initiated.
Phase 2 (2022-2024)	**Spring 2023 – June 2024**	Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center renewed/amended, while the SCU will continue to hire and train staff to build toward 24/7 operations.

Fiscal Summary:

Category	Amount	Source	Description of Use
Allocation	**$1,787,517.11**	American Rescue Plan Act	This includes the initial $1,200,000 allocated in July 2021 to support the Community Crisis Response Services. Additional funds were added to continue the Bridge Services through the end of June 2024 to provide a complete "bridge to SCU" as the SCU continued to hire and train staff.

Next Steps & Timeline:

- **Fall 2023 – December 2023:** HHCS continued partnership with Peer Wellness Collective, formerly Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center for Community Crisis Response Services, while the SCU will continue to hire and train staff to build toward 24/7 operations. The Peer Wellness Collective contract expired and program concluded at the end of December 2023.
- **February 2024 – June 2024:** Options Recovery Services will conclude their Community Crisis Response "Bridge Services" contract at the end of February 2024. Women's Daytime Drop-In Center will continue their contract through the end of June 2024. Community Crisis Response Services contracts expiring and programs concluding is in line with the intent to be a "bridge to the SCU."

YOUTH PEERS MENTAL HEALTH, BEHAVIORAL, AND CRISIS RESPONSE

Department Lead: Health, Housing and Community Services Department

Status Update: ***In Progress***

Overview:

In response to student-led concerns about the scarcity of school resources for mental health and wellness support, the City of Berkeley, in collaboration with the Berkeley Unified School District (BUSD), inaugurated the Wellness Center at Berkeley High School with a soft opening at the start of the 2023-24 school year and a grand opening on December 2, 2023 (See Appendix A, page 55 of Fall 2023 Report). The mission of the Berkeley High School Wellness Center is to provide a space on campus where all students can reset, recharge and make connections. As of early March 2024, the Center reported a total of 598 student visits. A report on the first semester of services indicated that: 39% of students who visited the Wellness Center said they were experiencing academic stress/concerns, 35% said they were stressed or anxious, and 9% they felt sad or depressed. The remainder of students cited that the reasons for visiting the center were due to relationship issues, bullying, other reasons or they preferred not to say. African American/Black students accounted for half of the visits and Latinx students for 20%, indicating that the Wellness Center is being accessed by racially/ethnically diverse population of students.

The Center offers a variety of services including self-directed activities (such as simply sitting to take a break, journaling/coloring, and using theraputty/kinesthetic materials). The Wellness Center also offers wellness groups, check-ins with adults or peer mentors, and referrals to external services, addressing key student concerns such as academic stress (30%) and stress or anxiety (31%). Wellness Center staff have been trained to serve as a Crisis Response Team. City of Berkeley Health Center staff have helped lead the development and implementation of the Wellness Center and are guiding the Center's development, including supporting referrals for mental health counseling from the Wellness Center team.

The Wellness Center is staffed by a dedicated team of BUSD staff, including a full-time coordinator funded through the City's $350,000 investment, two Restorative Justice Coordinators, and a staff member tasked with supporting the youth peer-mental health team and other program areas. This initiative is a testament to the City's commitment to enhancing community mental health and well-being as part of the broader Reimagining Public Safety Initiative's ***Phase 2*** Community Investments. The establishment of the Center marks a pivotal step in offering students a place to self-regulate and improve self-awareness. Preliminary plans are underway for a satellite Wellness Center at Berkeley Technology Academy. The effectiveness of the Wellness Center will be evaluated in its first formal assessment starting July 2024, with findings to be reported to the Health, Housing, and Community Services department.

Given the Wellness Center's significant impact on student mental health and well-being, and that the coordinator position is funded through end of FY 2026, staff recommend continued funding of $350,000 for ***Phase 4*** of the initiative. This request is supported by the Center's vital role in addressing critical student needs and its alignment with the City's ongoing efforts to enhance community safety and well-being.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**Summer 2023**	Mental Health Wellness Coordinator Hired.
	August 2023	Wellness Center Refurbishing and Soft Opening.
	Fall 2023 – ongoing	BUSD - HHCS Collaboration Meeting.
		Outreach activities.
		Preliminary Wellness Center activity and services offered
	Winter 2023	BHS Wellness Center Grand Opening.
	November 2023	BUSD submits project evaluation plan to HHCS.
	Anticipated **July 2024**	Evaluation #1 due to HHCS (for the period of June 26, July 15, 2024 2023 - June 30, 2024).

Considerations:

- **Coordination with the Berkeley High School Health Center:** The BHS Health Center, operated by the mental health and public health divisions of HHCS, continues to provide first aid, mental health, youth development, and reproductive and sexual health services to students

on campus. As Wellness Center services are largely preventive in nature, and Wellness Center and Health Center staff will coordinate as needed to support the unique needs of students.

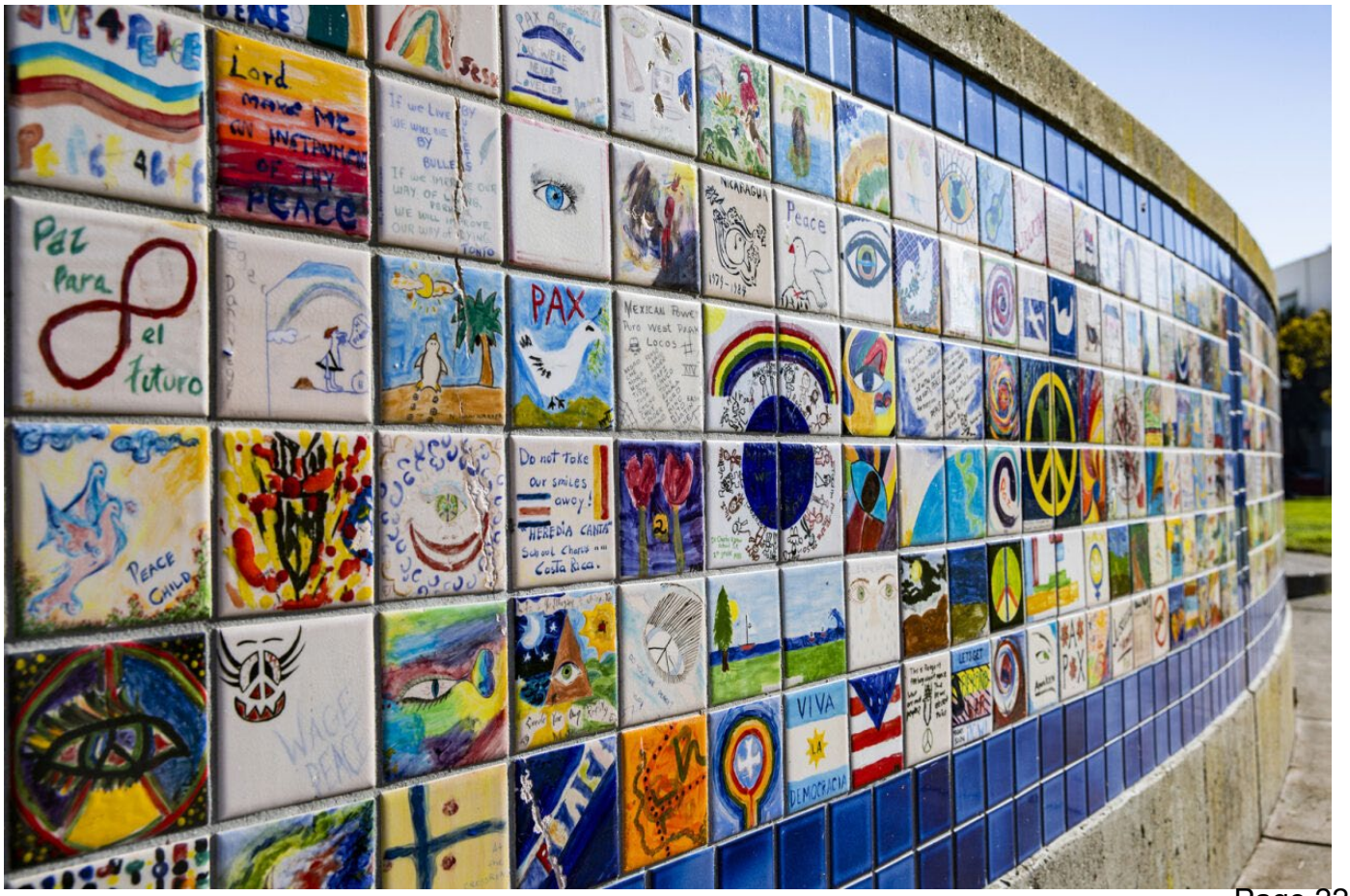
- **Expansion of Programming:** Building upon the foundation of preventive and supportive services, there is a strategic plan to expand the Wellness Center's programming. This development aims to encompass a wider array of workshops, group activities, and individual support services tailored to the evolving needs of the student body.
- **Formation of a Crisis Response Team:** To address the need for prompt support during emergencies, plans include forming a crisis response team at the Wellness Center. This team will specialize in managing mental health crises and other emergencies, providing immediate intervention and support.

Fiscal Summary:

Category	Amount	Source	Description of Use
Long Term Phase 4 Recommendation	**$350,000.00**	General Fund	$175,000 per FY for coordinator position at BHS Mental Health Center.

Next Steps & Timelines:

- **January 2024 – ongoing:** BUSD will submit a project evaluation plan to HHCS. Evaluation #1 will be delivered to HHCS July 2024. Staff recommend continued funding of $350,000 for Phase 4 to support the expansion of the BHS Wellness Center.



RESPITE FROM GENDER VIOLENCE

RESPITE FROM GENDER VIOLENCE

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

The Health, Housing, and Community Services (HHCS) Department has initiated a strategic effort to conduct a systems analysis concerning respite from gender violence and its intersections with other pertinent crisis response systems. As noted in the Fall 2023 Status report, the purpose is to increase the community's knowledge about respite resources, understand the strengths and challenges of the current system, and to identify gaps that can be addressed (See Appendix A, page 56 of Fall 2023 Report). To facilitate this, a temporary Community Services Specialist II was hired in August 2023 to lead the process. Additional resources will be identified to fill service gaps. Through engagement with impacted communities, service providers, City department leaders and commissions, HHCS has developed draft policy recommendations which focus on best practices in the areas of Inter-Personal, Intimate Partner, Domestic and Gender-Based Violence (See Appendix G for Presentation Materials). These drafted recommendations are currently being reviewed for feedback by key stakeholder groups in Berkeley, including various City departments as well as commissions such as the Commission on the Status of Women. Considered drafted domestic violence recommendations touch the following areas of work:

1. Financial independence for survivors,
2. Expansion of the Specialized Care Unit scope of work to include appropriate domestic disturbance interventions and calls for service,
3. City investment in Restorative Justice circle work as an alternative to court intervention
4. City investment in trauma-informed, non-carceral crisis response,
5. City investment in accessible and informational DV resource document available in a variety of languages.

Parallel to this initiative the Commission on the Status of Women (COSOW) put forth recommendations related to Public Safety and Crime Prevention for Women (See Appendix F for COSOW Item). The Assistant to the City Manager will work across departments to identify synergies between the recommendations concerning domestic and gender-based violence and those related to public safety and crime prevention for women.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**August 2023**	Temporary Community Services Specialist II Hired.
	October – November 2023	Preliminary steps of research to identify resources available at the local, state, and federal level.
	December 2023	Continued research and evaluation to identify resources available based on best practices. Best practices designed for and by survivors of domestic violence nation-wide.

	January – April 2024	Community-based needs assessment to determine alignment between researched best practices and local survivors' experience.
	January – April 2024	Internal-external stakeholder meetings with service providers, city departments, the Commission on the Status of Women and the Mental Health Commission.

Fiscal Summary:

Category	Amount	Source	Description of Use
New/Continued Recommendation	**TBD**	To be determined	Pending agreement and finalization of the recommended policy activities, HHCS will explore grants to support and fund relevant programs.

Considerations:

- **Community Collaboration:** Prioritizing insights from community partners ensure that the policy evolution remains responsive to the lived experience, policy needs, and priorities of survivor communities.

Next Steps & Timelines:

- **Winter 2024:** The Health, Housing, and Community Services Department continues research and evaluation to identify resources available based on the needs of the community.



LANGUAGE EQUITY

LANGUAGE EQUITY

Department Lead: City Manager's Office

Status Update: *In Progress*

Overview:

In ***Phase 2*** of the Reimagining Public Safety initiative, the City Council allocated $15,000 for Fiscal Year 2023 to support the publishing of victim resources in plain and multiple languages and printed and digital format. This investment aims to expand accessibility, ensuring that vital information and support services are available to all community members, including those with limited English proficiency and low literacy levels. This initiative aligns with recommendations from the Reimagining Public Safety Task Force Report (See Appendix A, page 57 of Fall 2023 Report).

For 2024, following the approval of carryover funds via the AAO process, the Assistant to the City Manager began preliminary coordination with the Health, Housing, and Community Services Department. The Community Services Specialist, focusing on gender violence respite work, will lead this effort and co-manage the translation and publishing of victim resources with the Assistant to the City Manager. The team anticipates fulfilling this deliverable before the end of the Fiscal Year.

As the initiative enters ***Phase 3***, staff recommend revisiting the opportunity for additional language equity funds for a future fiscal year in Phase 4. This allows the team leading this work to identify critical areas for the expansion of resource translation. This approach enables growth and a measured pace in these efforts.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**Fall 2023**	Research and evaluation to identify resources available based on the needs of the community.
	January 2024 - ongoing	Continued research and evaluation to identify resources available based on the needs of the community; coordination to identify usage for language equity funds.
	Anticipated **Spring 2024**	Initiation of internal partnerships for resource translation and determination of critical areas for language equity expansion.
	Anticipated **Summer 2024**	Contracting Process for Translation Services.

Fiscal Summary:

Category	Amount	Source	Description of Use
Long Term Phase 4 Recommendation	**$30,000.00**	General Fund	$15,000 per FY for Language Equity.

Considerations:

- **Cultural Sensitivity and Inclusivity:** Translating materials into multiple languages is not solely a linguistic task but also requires cultural sensitivity to ensure that the information is culturally relevant and holistically accessible.
- **Coordination with Other Services:** The initiative must be integrated with other support services and resources available in the community to ensure a holistic approach to public safety and support for victims.

Next Steps & Timeline:

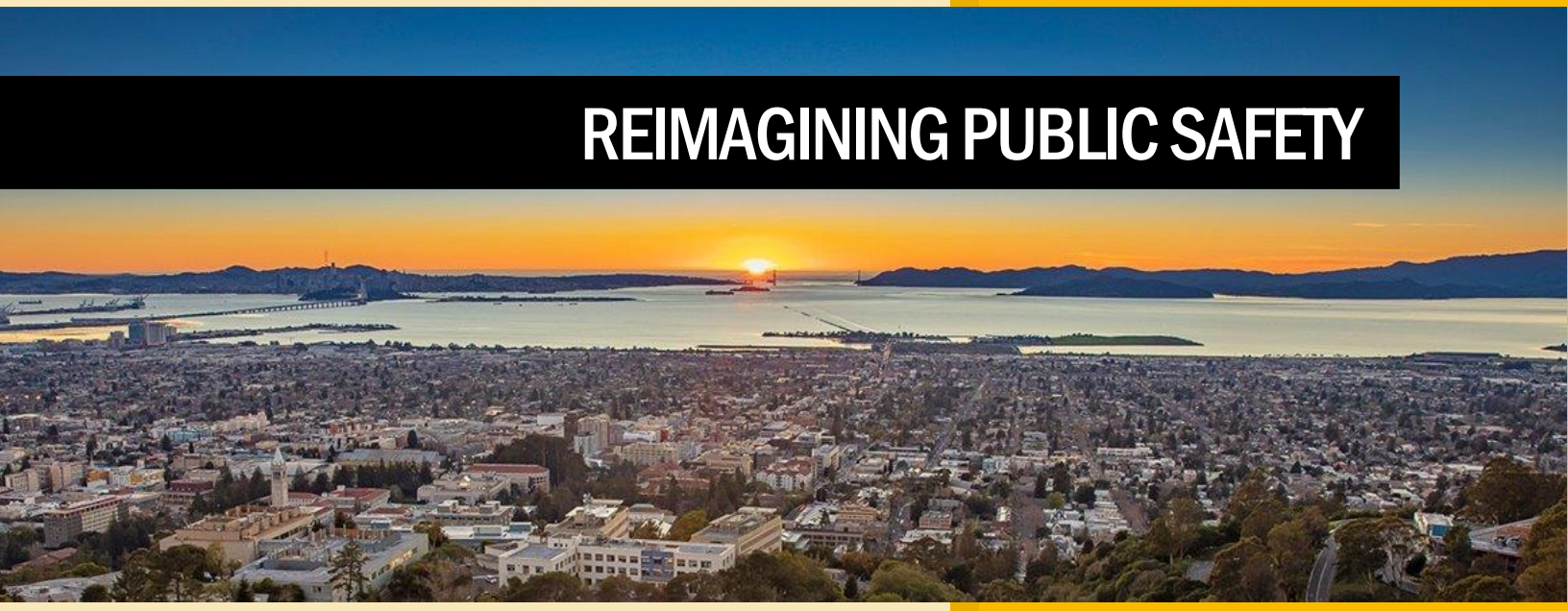
- **January 2024 – ongoing:** The team, led by the Assistant to the City Manager and the Community Services Specialist, aims to complete the translation and publishing of victim resources by the end of Fiscal Year 2024, utilizing approved carryover funds. Staff recommend, an annual $15,000 allocation for language equity funds in Phase 4 to facilitate the expansion of resource translation, focusing on critical areas identified by the Assistant to the City Manager and the DEI Officer for sustainable growth.



APPENDIX

Please refer to the Reimagining Public Safety Status Update Spring 2024 Companion Appendix

REIMAGINING PUBLIC SAFETY

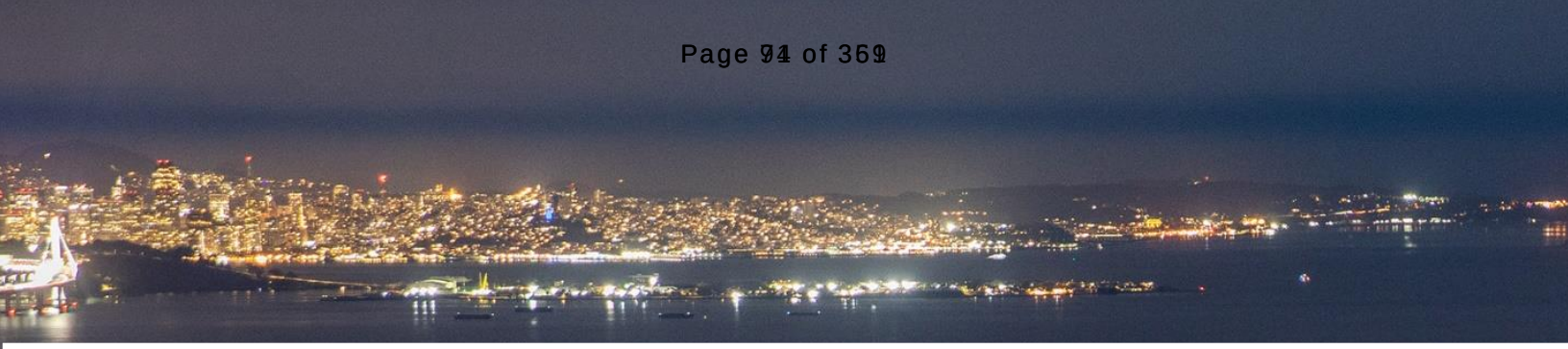


Status Update and Report Out

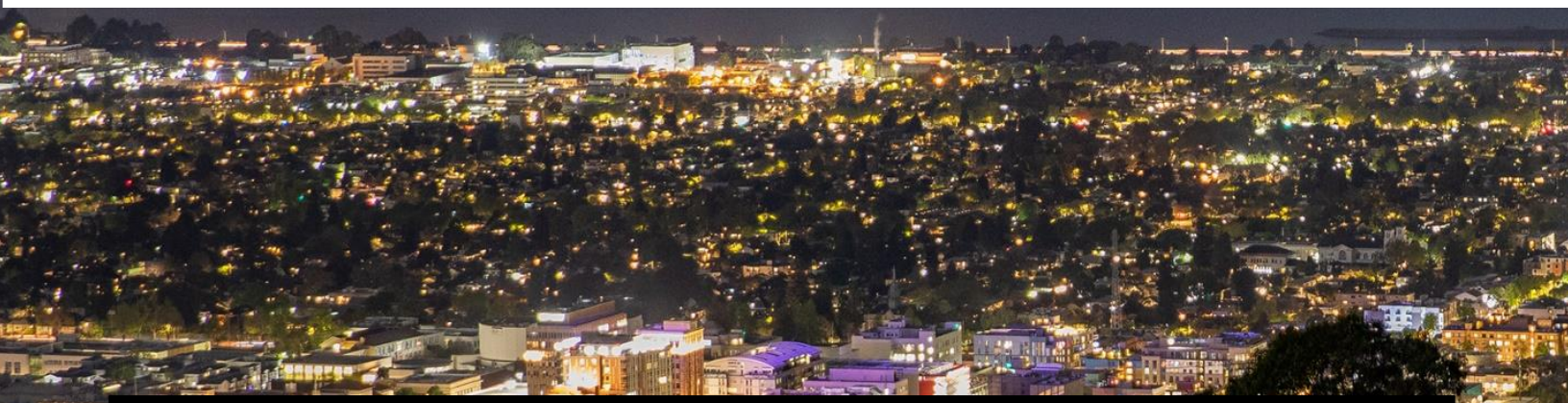
City Manager's Office

Spring 2024

COMPANION APPENDIX



Introduction



The companion appendix document for the Reimagining Public Safety Status Report serves a dual purpose. Firstly, it acts as an archival record, detailing the work conducted in Phase 2 of the initiative. Secondly, it aims to ensure transparency by supplying supporting documents relevant to the initiative's direct engagements. This includes details such as contract numbers and scope of services for contractor role agreements, with the full contracts being accessible through public record requests. This document reflects the commitment to both accountability and due diligence in the ongoing process of redefining public safety measures.

APPENDIX A

APPENDIX A

Reimagining Public Safety Status Update Fall 2023 Report

APPENDIX A

Office of the City Manager

ACTION CALENDAR
January 23, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Carianna Arredondo, Assistant to the City Manager, City Manager's Office

Subject: Reimagining Public Safety Status Report

RECOMMENDATION

1. Review and discuss the provided status report from the City Manager with the goal of demonstrating transparency and facilitating informed council discussion towards the advancement of the Reimagining Public Safety initiative in Berkeley.

2. Provide comments on the Gun Violence Prevention program model report for Berkeley with the goal of facilitating informed council discussion.

FISCAL IMPACTS OF RECOMMENDATION

No direct financial impacts associated with the subject of these reports.

CURRENT SITUATION AND ITS EFFECTS

The Reimagining Public Safety initiative is a Strategic Plan Priority Project, advancing our goal to create a resilient, safe, connected, and prepared city.

The Reimagining Public Safety initiative stands as a pivotal project, dedicated to transforming public safety in an equitable and community-centered way; this initiative involves a comprehensive and inclusive process that unfolds in three main phases:

- Phase 1 (2020-2022) Community Process and Research
- Phase 2 (2022-2024) Continued Analysis and Implementation
- Phase 3 (2024-2026) Continued Implementation and Expansion

Phase 1 (2020-2022)

On July 14, 2020, City Council adopted an omnibus package to re-imagine public safety and policing in the City of Berkeley. The omnibus package consisted of numerous elements including, *but not limited to* the following:

- ***Community/Consultant Engagement Process***. Engaging a qualified firm(s) or individual(s) to lead a robust, inclusive, and transparent community engagement

process with the goal of achieving a new and transformative model of positive, equitable and community-centered safety for Berkeley.

- ***Specialized Care Unit Development***. Analyzing and developing a pilot program to re-assign non-criminal police service calls to a Specialized Care Unit.
- ***Community Crisis Response (CCR) Bridge Services.*** While the SCU Development process and foundational work is taking place, establishing Bridge Services to address immediate needs to strengthen non-police relationships and supports on the ground for individuals on the verge of crisis.
- ***Priority Dispatch Development.*** Creating plans and protocols for calls for service to be routed and assigned to alternative preferred responding entities and consider placing dispatch in the Fire Department or elsewhere outside the Police Department.
- ***City Auditor Analysis.*** Having the City Auditor perform an analysis of City's emergency 9-1-1 calls-for-service and responses, as well as analysis of the Berkeley Police Department's (BPD) budget.
- ***Fair and Impartial Policing Implementation.*** Completing the implementation of Fair and Impartial Policing recommendations and policy proposals.
- ***BerkDOT Development.*** Pursuing the creation of a Berkeley Department of Transportation ("BerkDOT") to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations.
- ***Violence Intervention Program Implementation.*** Fully implementing the Ceasefire violence intervention program.

Subsequent to City Council's adoption of the omnibus motion, the City established a multi-department working group to oversee and implement various components of the package. The working group consisted of the following:

- City Manager;
- Deputy City Managers;
- City Attorney;
- Fire Chief;
- Health, Housing and Community Services (HHCS) Director;
- Human Resources Director;
- Police Chief; and
- Public Works Director

The City Manager, leadership team, and city staff actively engaged in comprehensive consultations and strategic planning sessions. Upon the establishment of the Reimagining Public Safety Task Force in January 2021, City department's responsible for executing Reimagining Public Safety directives, engaged with the Reimagining Public Safety Task Force to shed light on the comprehensive understanding of their

operations. Through these informative interactions, the Task Force was better positioned to form recommendations. Working in tandem with the Mayor's office and City Council, the RPS Task Force served as a central pillar of the City's community engagement strategy, ensuring that diverse perspectives are considered.

Following a community-driven process in Phase 1, based on input from community members, the Reimagining Public Safety Task Force, and recommendations from the National Institute for Criminal Justice Reform and other field experts, council developed a framework and direction on Reimagining Public Safety that would lead the city to carry forward it's work into the next phase. Many Phase 1 initiatives are still underway and have been carried forward into Phase 2.

Phase 2 (2022-2024)
Currently *in progress*, Phase 2 comprises a series of pivotal initiatives and deliverables, including:

- ***Staffing Investments*** in the Department of Health, Housing and Community Services (HHCS), Police, Public Works, and the City Manager's office to support with implementing the priority recommendations of this initiative;
- ***Identifying Consultant Costs*** related to assessments, covering areas such as dispatch needs, crisis response, staffing and beat structure, as well as the development of BerkDOT; and,
- ***Community Investments*** dedicated to strengthening community resilience through violence prevention initiatives, engagement programs and mental health services, and providing support for individuals affected by gender-based violence, among other programmatic elements.

As the city progresses through Phase 2 of the Reimagining Public Safety initiative, diligently advancing the groundwork established in Phase 1, the integrated and interdepartmental approach has remained a cornerstone of our efforts. This approach ensures that city departments leading the execution of our Reimagining Public Safety deliverables work cohesively and in alignment with the directives set by the council. In addition, the City's community-centric process continues to encompass engagement with commissions, boards, committees, ad-hoc groups, and various working groups to strategically inform and guide our work.

BACKGROUND
The dialogue surrounding public safety in the United States shifted in 2020. National events starkly highlighted that trust in law enforcement and public safety mechanisms had been deeply eroded for many, especially within marginalized communities. The tragic and unjust deaths of George Floyd, Breonna Taylor, and many others underscored the pressing need to address systemic inequities and to deeply reconsider the tenets of public safety. On June 6, 2020, over 7,000 Berkeley residents marched in the streets to call for transformative change in law enforcement. The City of Berkeley,

aware of its role and responsibilities in this national context, promptly heeded this call for introspection and reform.

The following provides a chronology of the City of Berkeley's systemic actions in its initiative to Reimagine Public Safety***, and includes key dates and context related to our progress with Gun Violence Prevention program development***:

On July 14, 2020, in Resolution No. 69,501-N.S., City Council passed an omnibus motion, which included a package of items providing direction for the development of a new paradigm of public safety in Berkeley. As part of the items that were adopted, City Council adopted Item 18c ("Referral to City Manager to Re-imagine Policing Approaches to Public Safety Using a Process of Robust Community Engagement, to Develop a Path Forward to Transforming Public Safety and Policing in Berkeley") and Item 18d ("Transform Community Safety and Initiate a Robust Community Engagement"), which directs the City Manager to engage a qualified firm(s) or individual(s) to lead a robust, inclusive, and transparent community engagement process with the goal of achieving a new and transformative model of positive, equitable and community-centered safety for Berkeley. Subsequent to the adoption of the omnibus package, the City established a multidepartment working group to oversee and implement various components of the package. The working group consisted of the following: City Manager; Deputy City Managers; City Attorney; Fire Chief; Health, Housing and Community Services (HHCS) Director; Human Resources Director; Police Chief; and Public Works Director.

On December 15, 2020, the City Council authorized the City Manager to enter into a contract with the National Institute of Criminal Justice Reform (NICJR) to conduct research, analysis, and use its expertise to develop reports and recommendations for community safety and police reform as well as plan, develop, and lead an inclusive and transparent community engagement process to help the City achieve a new and transformative model of positive, equitable and community-centered safety for Berkeley

On January 19, 2021, the City Council adopted revisions to the enabling legislation for the Reimagining Public Safety Task Force Per the Enabling Legislation, the Task Force's work centered on providing input to and making recommendations to NICJR and City Staff on a set of recommended programs, structures and initiatives incorporated into a final report and implementation plan developed by NICJR to guide future decision making in upcoming budget processes for FY 2022-23 and, as a second phase produced, in the FY 2024-2026 budget process. The Public Safety / Police Re-Imagining and community engagement process was led initially by Deputy City Manager David White and then Deputy City Manager LaTanya Bellow who provided overall project management support to the team.

On November 9, 2021, the Berkeley City Council unanimously approved a budget referral for $200,000 in consulting costs to begin developing a multi-jurisdictional Gun Violence Intervention (GVI) program, also known as "Operation Ceasefire," in Berkeley.

On March 10, 2022, the culmination of research analysis, and community dialogue was manifested in the comprehensive reports from NICJR, the Reimagining Public Safety Task Force, and Resource Development Associates work on the Specialized Care Unit (SCU) design. During the council work session, these reports were shared, providing a detailed overview of suggested programs, structural changes, and new initiatives aimed to establish a community-centric safety paradigm. NICJR's approach and recommendations were rooted in the principles of *Reduce*, *Improve*, and *Reinvest*. The report from the Reimagining Public Safety Task Force offered a response to NICJR's recommendations, including a historical context on public safety issues and steps to address community-centric approaches in Berkeley. Additionally, the session included three reports specifically related to the design and implementation of the Specialized Care Unity (SCU).

On April 21, 2022, the City Manager provided Council with a report and presentation of the work accomplished in Phase 1 of the Reimagining Public Safety initiative. The report submitted included recommendations for advancing various critical initiatives within the Reimagining Public Safety framework. This encompassed proposals for transforming Berkeley's police force, enhancing priority dispatch, developing BerkDOT, and establishing a Specialized Care Unit (SCU). The report also included budget recommendations for these initiatives and highlighted important factors for Council to consider in the City's efforts to move forward with implementation.

On May 5, 2022, a special council meeting was convened, wherein the Mayor's final framework for the next steps of the Reimagining Public Safety initiative was formally adopted. Included in this package was an additional $200,000 for Ceasefire. This framework was the culmination of years of diligent work from community members, officials and staff. The key decisions made were as follows:

1. Refer up to $5.3 Million to the FY 2023-2024 Budget Process for staff and/or consulting services and community investments to complete the Priority Reimagining Public Safety Initiatives.
2. Direct the City Manager to prioritize over the next two years the programmatic recommendations for Phase 1 of Reimagining Implementation.
3. Direct the City Manager to initiate a design process for an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration, and return with recommendations to the City Council by May 2024 to align with the FY 25-26 Biennial Budget process.
4. Except where resources may allow for expedited implementation, refer additional reforms to the FY 2025-2026 Biennial Budget.

On May 25, 2022, the Berkeley Police Department launched a Transparency Hub dashboard, that includes data and analysis designed to support the Ceasefire process. BPD continues to build automated data visualization tools for violence prevention program stakeholders to track relevant statistics through the duration of the program.

On May 31, 2022, City Council approved a recommendation, submitted by Councilmember Taplin, to refer $1,000,000 to the budget process to provide full staffing for a Berkeley Ceasefire program. Upon approval, Councilmember Taplin hosted a series of Berkeley Ceasefire D2 Ad-hoc advisory sessions.

On June 28, 2022, the City Council adopted the FY 2023-2024 city budget which included key Reimagining Public Safety Tier 1 items.

On November 28, 2022, the Berkeley Police Department expanded its partnership with UC Berkeley to include a collaboration with the Goldman School of Public Policy to design a Gun Violence Prevention program evaluation plan including the definition of success metrics and independent analysis thereof.

On May 12, 2023, the Gun Violence Prevention report, that explores details of assessments and analysis on Violence Prevention Models as it relates to implementation in Berkeley, was completed.

On August 21, 2023, the Assistant to the City Manager, serving as the Reimagining Public Safety (RPS) Project Coordinator was hired and began collaborating with the City's Reimagining Public Safety project team to provide a comprehensive update on RPS initiatives and the City's progress with Gun Violence Prevention program implementation.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

To improve transparency and provide a progress update related to the City of Berkeley's Reimagining Public Safety efforts, based on the guidelines set forth in Resolution No. 69,501-N.S. and recommendations approved during the special council meeting held on May 5, 2022.

ALTERNATIVE ACTIONS CONSIDERED

Staff does not recommend any alternative actions at this time.

CONTACT PERSON

Carianna Arredondo, Assistant to the City Manager, City Manager's Office, 510-981-6903

Attachments:

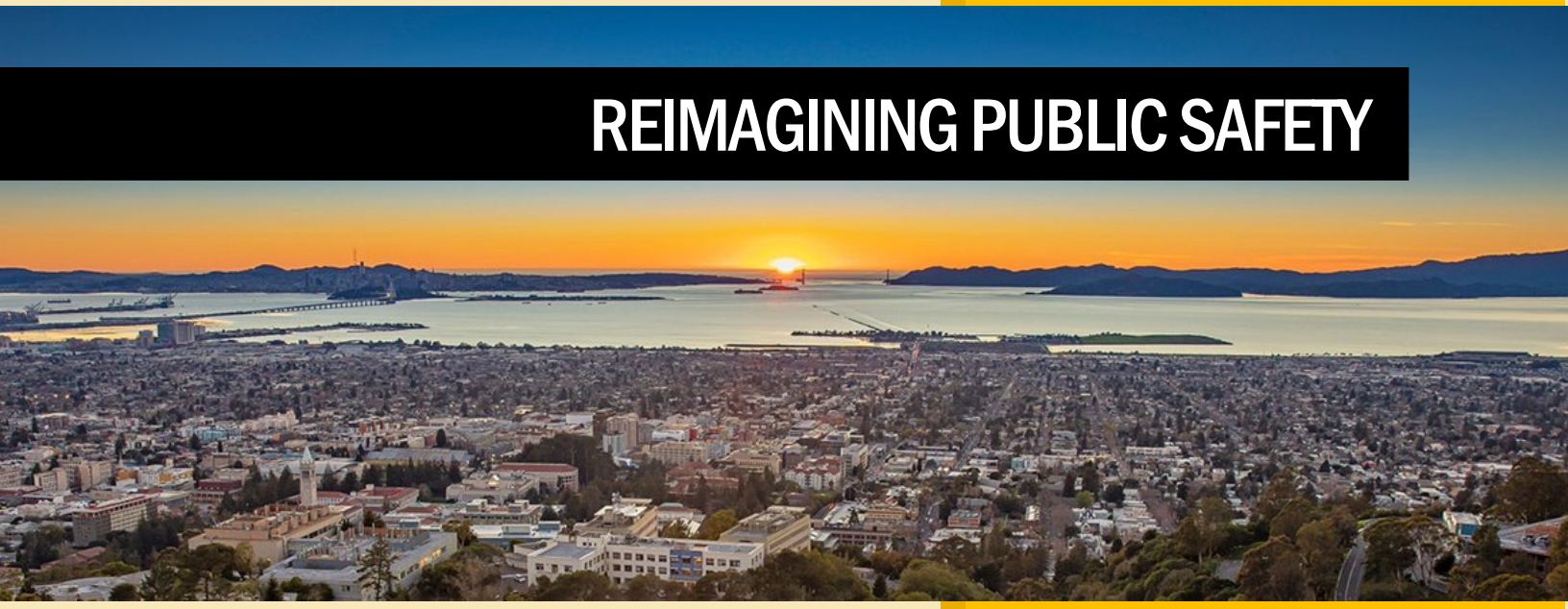
1: Reimagining Public Safety Status Update 2020-23

2: Reimagining Public Safety Status Update 2020-23 Companion Appendix

- For Gun Violence Prevention Program Report, See Appendix N

APPENDIX A

REIMAGINING PUBLIC SAFETY



Status Update and Report Out

City Manager's Office

Fall 2023

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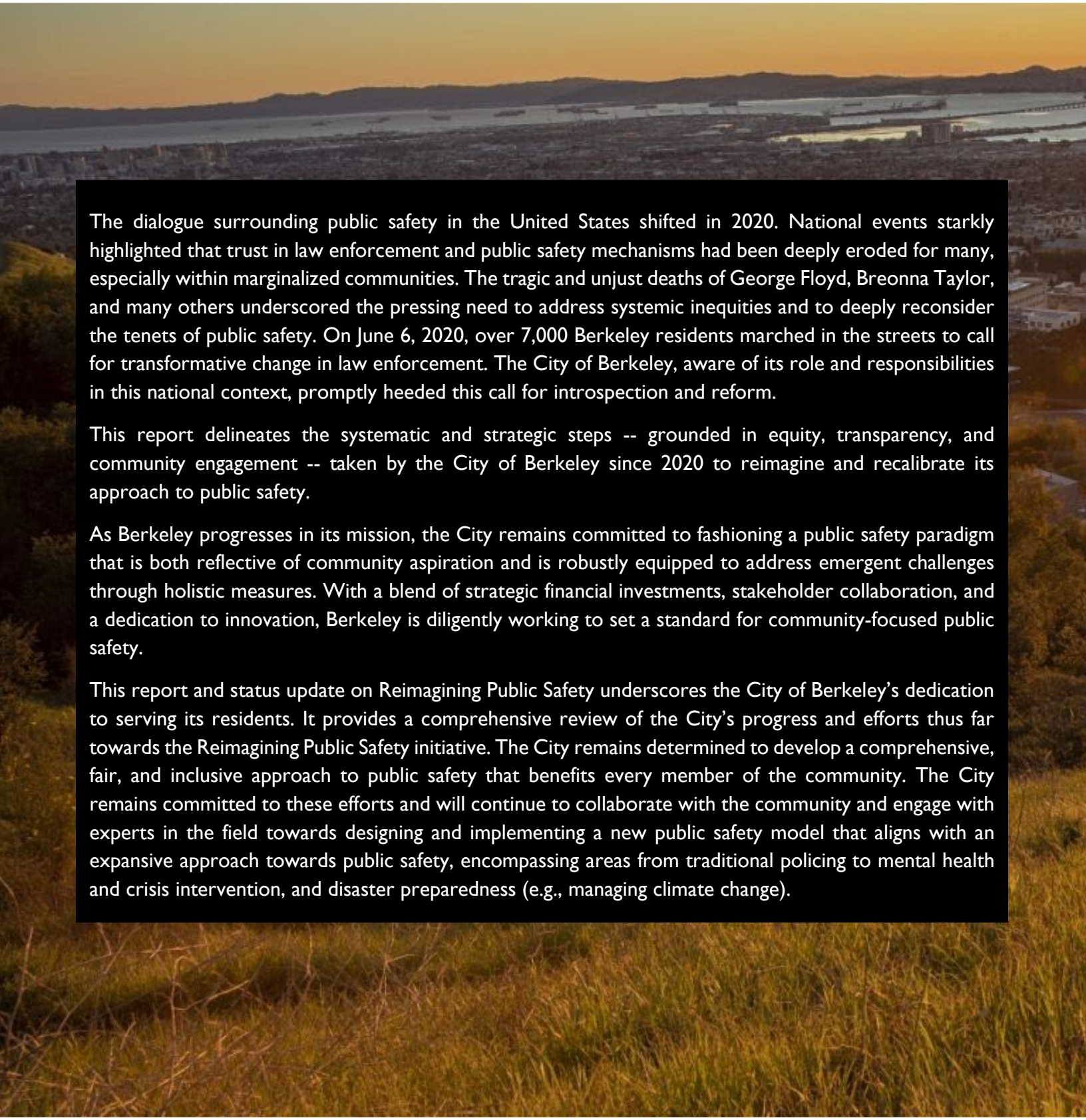


EXECUTIVE SUMMARY

This section provides an overview of Berkeley's work towards Reimagining Public Safety, highlighting key milestones and the city's commitment to creating an equitable and effective model for all residents.

APPENDIX A

Introduction



The dialogue surrounding public safety in the United States shifted in 2020. National events starkly highlighted that trust in law enforcement and public safety mechanisms had been deeply eroded for many, especially within marginalized communities. The tragic and unjust deaths of George Floyd, Breonna Taylor, and many others underscored the pressing need to address systemic inequities and to deeply reconsider the tenets of public safety. On June 6, 2020, over 7,000 Berkeley residents marched in the streets to call for transformative change in law enforcement. The City of Berkeley, aware of its role and responsibilities in this national context, promptly heeded this call for introspection and reform.

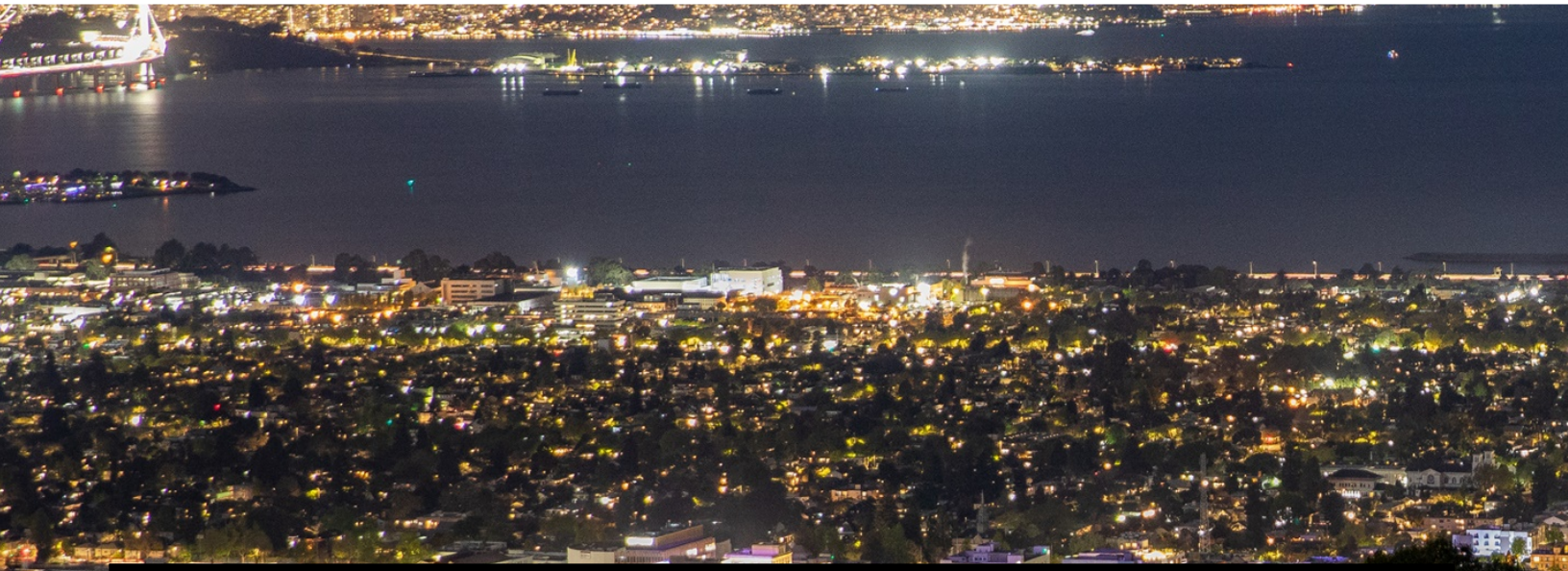
This report delineates the systematic and strategic steps -- grounded in equity, transparency, and community engagement -- taken by the City of Berkeley since 2020 to reimagine and recalibrate its approach to public safety.

As Berkeley progresses in its mission, the City remains committed to fashioning a public safety paradigm that is both reflective of community aspiration and is robustly equipped to address emergent challenges through holistic measures. With a blend of strategic financial investments, stakeholder collaboration, and a dedication to innovation, Berkeley is diligently working to set a standard for community-focused public safety.

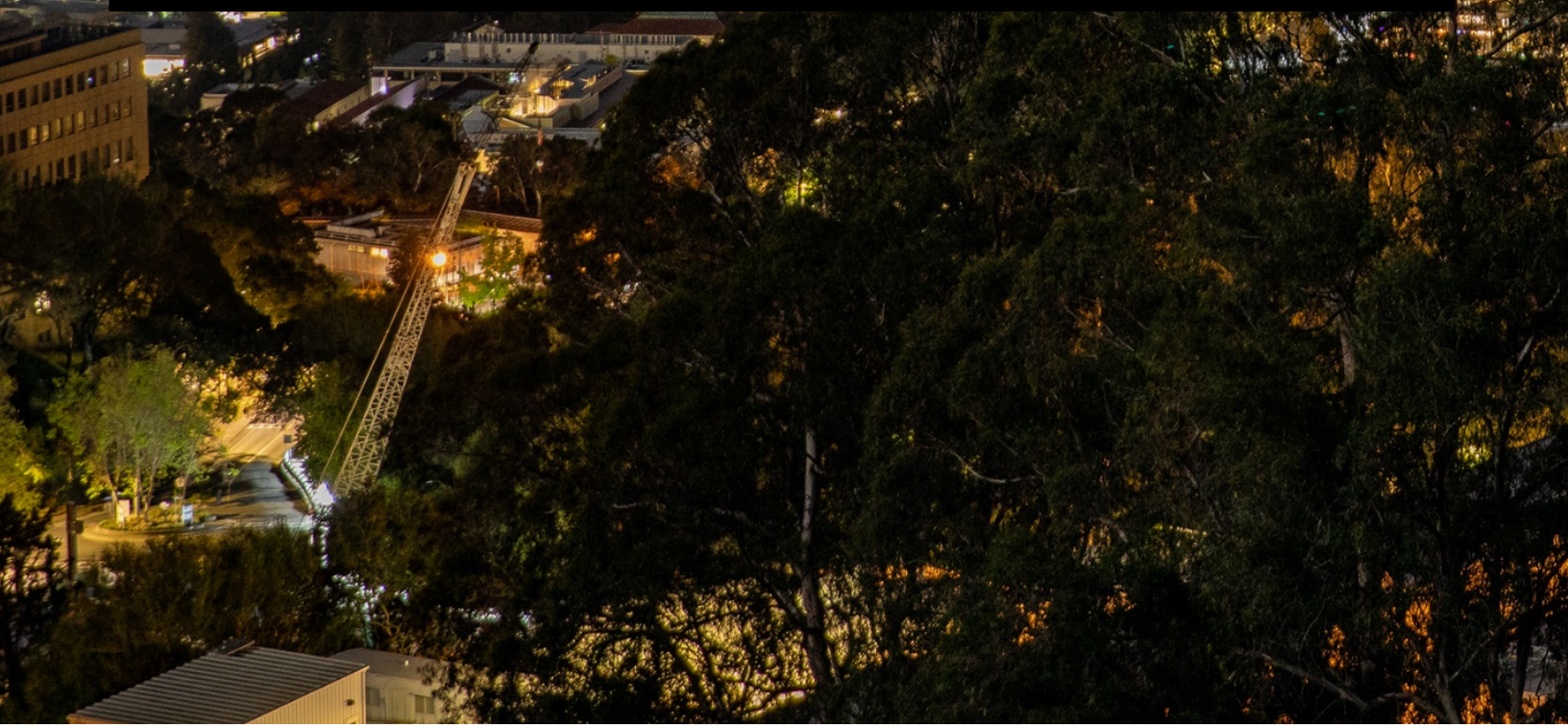
This report and status update on Reimagining Public Safety underscores the City of Berkeley's dedication to serving its residents. It provides a comprehensive review of the City's progress and efforts thus far towards the Reimagining Public Safety initiative. The City remains determined to develop a comprehensive, fair, and inclusive approach to public safety that benefits every member of the community. The City remains committed to these efforts and will continue to collaborate with the community and engage with experts in the field towards designing and implementing a new public safety model that aligns with an expansive approach towards public safety, encompassing areas from traditional policing to mental health and crisis intervention, and disaster preparedness (e.g., managing climate change).

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Timeline of Phase 1 Actions and Commitments



The table presented on the following page provides a chronology of the City of Berkeley's systemic actions in its initiative to Reimagine Public Safety. This timeline highlights significant milestones, serving as a testament to the work, due diligence, and unwavering commitment of both city officials and vibrant community. It sheds light on process, emphasizing the importance of community engagement, fostering cross departmental collaboration, liaising with pivotal stakeholders and subject matter experts, all converging towards a judicious allocation of resources. Such planning and execution ensure that strategies are not only envisioned, but also effectively operationalized with the community's best interests in mind.



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Phase 1: Community Process and Research		
Date	**Milestone Description**	**References**
June 16, 2020	A rapid response to the evolving national dialogue was evidenced with the introduction of the "Urgency Item: Safety for All," a directive that set the stage for the Omnibus motion, and comprehensive deliberations on public safety.	• Annotated Agenda
July 14, 2020	With the approval of the Omnibus motion, Berkeley signaled its intention to undertake substantive and meaningful reforms.	• See Action Calendar: Items 18a-18e • Annotated Agenda
December 15, 2020	Recognizing the need for expert input, a partnership and contract with the National Institute of Criminal Justice Reform (NICJR) was established.	• See Consent Calendar: Item 7 • Annotated Agenda
January 19, 2021	Institutionalizing community and stakeholder engagement, the Reimagining Public Safety Task Force was instituted, ensuring that diverse voices were actively included in the reimagining process.	• See Consent Calendar: Item 18 • Annotated Agenda
March 10, 2022	The culmination of research analysis, and community dialogue was manifested in the comprehensive reports from NICJR, the Task Force, and Specialized Care Unit (SCU).	• See Action Calendar: Item 1-2 • Annotated Agenda
April 21, 2022	A presentation by the City Manager's Office served as a synthesis of the work done, offering an in-depth view of Berkeley's roadmap and strategic vision.	• See Action Calendar: Item 1 • Annotated Agenda
May 5, 2022	The Mayor presented a plan to the City Council from which a final framework was adopted: 1. Allocating up to $5.3 million for FY 2023-2024, aimed at reinforcing staff/consultant resources, and critical community investments to complete the Reimagining Public Safety Initiatives. 2. Prioritization of Phase 1 programmatic recommendations for the next two years (2022-2024). 3. A mandate for designing an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration, and return with recommendations to the City Council by May 2024 to align with the FY 2025-2026 Biennial Budget process. 4. Forward-looking plans for further reforms, designated for inclusion in the FY 2025-2026 Biennial Budget.	• See Action Calendar: Item 1a-1c • Annotated Agenda
June 28, 2022	The Biennial Budget adoption was emblematic of Berkeley's strategic foresight, weaving in financial judiciousness with transformative public safety objectives.	• See Action Calendar: Item 44 • Annotated Agenda

Progress Overview

Phase I

Community Process and Research

On July 14, 2020, in Resolution No. 69,501-N.S., City Council passed a package of items providing direction for the development of a new paradigm of public safety in Berkeley. As part of the items that were adopted, City Council adopted Item 18c ("Referral to City Manager to Re-imagine Policing Approaches to Public Safety Using a Process of Robust Community Engagement, to Develop a Path Forward to Transforming Public Safety and Policing in Berkeley") and Item 18d ("Transform Community Safety and Initiate a Robust Community Engagement"), which directs the City Manager to engage a qualified firm(s) or individual(s) to lead a robust, inclusive, and transparent community engagement process with the goal of achieving a new and transformative model of positive, equitable and community centered safety for Berkeley.

Partnerships & Collaborations

As outlined in the City Manager's April 2022 report, the City has embraced a holistic and integrated community engagement process. This initiative aims to lead the community toward a transformative model of equity and community-centered safety (See Companion Appendix A, pp. 2-17 of City Manager's Report).

National Institute for Criminal Justice Reform (NICJR) Partnership and Community Engagement

On December 15th 2020, the City Council authorized a contract with NICJR to enhance community safety and police reform strategies. NICJR, selected due to their recognized expertise and alignment with Berkeley's ethos, worked hand-in-hand with City teams, stakeholders, and community to ensure comprehensive strategies for Reimagining efforts.

Reimagining Public Safety Task Force and Departmental Presentations

On January 19, 2021, the City Council adopted revisions to the enabling legislation for the Reimagining Public Safety (RPS) Task Force. The RPS Task Force's work centered on providing input and making recommendations to NICJR and City Staff on a set of recommended programs, structures and initiatives incorporated into a final report and implementation plan developed by NICJR to guide future decision making in upcoming budget processes for FY 2022-23 and, as a second phase advanced, in the FY 2024-2026 budget process. The Public Safety / Police Re-Imagining and community engagement process was led initially by Deputy City Manager David White and then Deputy City Manager LaTanya Bellow who provided overall project management support to the team.

City departments responsible for executing Reimagining Public Safety directives engaged with the Reimagining Public Safety Task Force to shed light on the comprehensive nature of their operations. Through these informative interactions, the Task Force was better positioned to form recommendations. Working in tandem with the Mayor's Office and City Council, the RPS Task Force served as a central pillar of Berkeley's community engagement strategy, ensuring that diverse perspectives are considered as we continue to shape the future of public safety in Berkeley.

Culmination of Efforts and Adopted Framework

On March 10, 2022, the culmination of research, analysis, and community dialogue was manifested in the comprehensive reports from NICJR, the Reimagining Public Safety Task Force, and Resource Development Associates work on the Specialized Care Unit (SCU) design. During a City Council work session, these reports were shared, providing a detailed overview of suggested programs, structural changes, and new initiatives aimed to establish a community-centric safety paradigm. NICJR's approach and recommendations were rooted in the principles of *Reduce*, *Improve*, and *Reinvest*. The report from the Reimagining Public Safety Task force offered a response to NICJR's recommendations, including a historical context on public safety issues and steps to address community-centric approaches in Berkeley (See Companion Appendix A, pp. 861-1005 for Reimagining Public Safety Task Force Report). Additionally, the session included three reports specifically related to the design and implementation of the Specialized Care Unit (SCU) (See Companion Appendix E, pp. 2497-2701 for RDA SCU Reports).

On April 21, 2022, the City Manager provided the City Council with a report and presentation on the work accomplished in Phase 1 of the Reimagining Public Safety initiative. The report submitted included recommendations for advancing various critical initiatives within the Reimagining Public Safety Framework of ***Reimagine***, ***Improve***, and ***Reinvest***:

- ***Reimagine:*** Redesign public safety from a traditional Police enforcement model to one that is focused on the diverse needs of the community it serves.
- ***Improve:*** Improve the City of Berkeley's public safety system for residents and communities that have experienced the greatest harm from the existing public safety model.
- ***Reinvest:*** Increase equitable investment in vulnerable communities and for those who have been historically marginalized.

This encompassed proposals for transforming Berkeley's police force, enhancing priority dispatch, developing a Berkeley Department of Transportation (BerkDOT), and establishing a Specialized Care Unit (SCU). The report also included budget recommendations for these initiatives and highlighted important factors for the City Council to consider in the City's efforts to move forward with implementation (See Companion Appendix A, pp. 2-17 of City Manager's Report).

On May 5, 2022, a special City Council meeting was convened, wherein the Mayor's final framework for the next steps of the Reimagining Public Safety initiative was formally adopted (See Companion Appendix C, pp. 2287-2307). This framework was the culmination of years of diligent work from community members, officials and staff. The key decisions made were as follows:

1. Refer up to $5.3 Million to the FY 2023-2024 Budget Process for staff and/or consulting services and community investments to complete the Priority Reimagining Public Safety Initiatives.
2. Direct the City Manager to prioritize over the next two years the programmatic recommendations for Phase 1 of Reimagining Implementation.
3. Direct the City Manager to initiate a design process for an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration, and return with recommendations to the City Council

by May 2024 to align with the FY 25-26 Biennial Budget process.

4. Except where resources may allow for expedited implementation, refer additional reforms to the FY 2025-2026 Biennial Budget.

On June 28, 2022, the City Council adopted the FY 2023-2024 city budget which included key Reimagining Public Safety Tier 1 items.

Ongoing Engagement

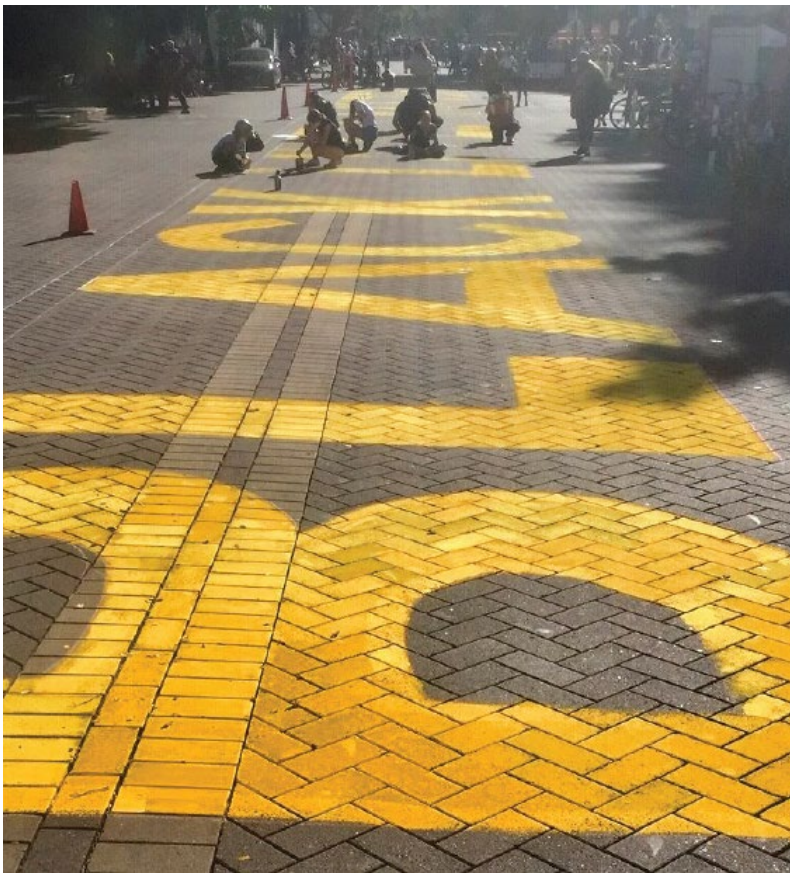
While in 2020, a collaborative strategy was set in motion, drawing on the expertise of multiple city departments, as well as the City Auditor, to ensure alignment with the City Council directives, this collaborative approach has remained. In ongoing efforts to maintain transparency and foster trust, the City's team has held public forums, presented City Manager comments, and issued progress memos to the City Council and the community (See Companion Appendix B, pp. 1899-2285 for City Manager's Reimagining Public Safety Off-Agenda Memos).

Deliverables & Status Update

Based on the recommendations listed in the omnibus package, **Phase 1** of the Reimagining Public Safety Initiative, directed by City Leadership, consisted of numerous elements. The following pages provide a high-level overview of the Phase 1 recommendations and status updates. Additionally, the following legend offers an overview of the key Reimagining Public Safety departments leading the implementation of these priority initiatives. It is crucial to emphasize that this initiative is a city-wide effort, reliant on the active involvement of a variety of city staff and community-based subject matter experts throughout its phased implementation. This team is uniquely situated to continue accomplishing this work. Their dedication, passion and leadership around this work is truly exceptional.

Lastly, please refer to the ***Companion Appendix***[1] online for a full scope of archival documentation related our efforts; the ***Abbreviated Appendix*** includes new items introduced.

Reimagining Public Safety Deliverable Leads	
Color Code	**Lead Department**
Grey	City Manager's Office (CMO)
Yellow	Health Housing and Community Services (HHCS)
Blue	Police
Red	Fire
Green	Public Works
Orange	City Auditor's Office
Purple	City Attorney's Office (CAO)



[1] https://berkeleyca.gov/your-government/boards-commissions/reimagining-public-safety-task-force

Health, Housing, and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Specialized Care Unit (SCU) *Development*	Adopt the report, "City of Berkeley Specialized Care Unit Crisis Response Recommendations by Resource Development Associates" and implement the pilot Specialized Care Unit (SCU).	**Complete.** HHCS worked extensively with RDA, the Reimagining Public Safety Taskforce, the SCU Steering Committee, and other key community stakeholders in the Specialized Care Unit *development* process. The Specialized Care Unit Response Recommendations were shared with the City Council on March, 10, 2022 (See Companion Appendix E).
(Phase I) *Community Crisis Response (CCR) Bridge Services*	Implement the Community Crisis Response (CCR) services while the Specialized Care Unit is piloted and reaches full operations.	**In Progress.** Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center renewed/amended.
Gender Violence Recommendations	Implement recommendations from the Reimagining Task Force relating to Gender Violence, LGBTQIA and PEERS as feasible.	**In Progress.** HHCS has hired a Community Services Specialist II to support with implementing these recommendations and preliminary steps of research are underway.

Fire-led Deliverable		
Deliverable	**Recommendation**	**Status Update**
Priority Dispatch *Development*	Continue development and implementation of prioritized dispatch, request staff return with a recommended plan.	**In Progress.** Federal Engineering, Inc. was contracted for the Dispatch Needs Assessment, a second opinion with another industry expert is underway.

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Community/Consultant Engagement Process	Engaging a qualified firm(s) or individual(s) to lead a robust, inclusive, and transparent community engagement process with the goal of achieving a new and transformative model of positive, equitable and community-centered safety for Berkeley.	**Complete.** The City of Berkeley engaged with several key community stakeholders and field experts in the Reimagining Public Safety process. Recommendations shared include: the SCU Response Recommendation, Reimagining Public Safety Taskforce Recommendations (shared March 10, 2022), and City Manager's Report and Recommendations (shared April 21, 2022) (See Companion Appendix A).
Alternative Response Implementation Plan	Develop an implementation plan to expand alternative response from civilian responders beyond the proposed pilot for SCU for other low-level calls that includes, but is not limited to: Community Service Officers for only those calls that necessitate police, code enforcement, environmental health, fire inspectors or city-hired community mediators.	**To Be Initiated.** Preliminary steps of research are underway.
Violence Intervention Program (GVP/Ceasefire)	Fully implement the Ceasefire Violence Intervention Program.	**In Progress.** Gun Violence Prevention analysis has been completed, the Assistant to the City Manager is outlining preliminary next steps for implementation.

City Auditor-led Deliverable		
Deliverable	**Recommendation**	**Status Update**
City Auditor Analysis	Have the City Auditor perform an analysis of City's emergency 9-1-1 calls-for service and responses, as well as analysis of the Berkeley Police Department's (BPD) budget.	**Complete**. The City Auditor Completed their report, Data Analysis of the City of Berkeley's Police Response, July 2, 2021 (See Companion Appendix A, pp. 521-600).

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Berkeley Department of Transportation (BerkDOT) ***Development***	Pursuing the creation of a Berkeley Department of Transportation ("BerkDoT") to ensure a racial justice lens in traffic enforcement and the development of transportation policy, programs and infrastructure, and identify and implement approaches to reduce and/or eliminate the practice of pretextual stops based on minor traffic violations.	**In Progress.** While the City Manager's Office Public Works Department continues to work with stakeholders and constituents in the BerkDOT *development* process, progress has been slow, especially concerning legislative matters. For instance, the California Senate Bill 50 supporting civilian traffic enforcement was declined on September 14, 2023. Additionally, since Berkeley is not included in the Assembly Bill 645, introducing a Speed Safety System Pilot Program locally would require separate legislation.
Crossing Guards Transition	Transition crossing guards from BPD to Public Works until a Department of Transportation is developed.	**Complete.** Transition of crossing guards from BPD to Public Works until a Department of Transportation is developed is completed. Additionally, Public Works planning capacity has been expanded to include collision analysis.
Transportation Functions Consolidation	Continue consolidating transportation functions as recommended by staff.	**In Progress.** Continued efforts are underway.

Police-led Deliverable(s)		
Deliverable	**Recommendation**	**Status Update**
Fair and Impartial Policing Recommendations	Complete the implementation of Fair and Impartial Policing (FIP) Recommendations.	**In Progress.** Following the approval of the 14 Fair and Impartial Policing recommendations, the Berkeley Police Department has fully implemented 13 of them and has hired a consultant to fulfill the remaining recommendation.
Auditor Recommendations	Complete Auditor Recommendations on overtime and calls for service.	**Complete.** The Berkeley Police Department initiated efforts to implement recommendations. Progress updates have been communicated to council and the community via memos and information reports (See Companion Appendix S, pp. 3246-3257 for latest update).

City Attorney-led Deliverable		
Deliverable	**Recommendation**	**Status Update**
Litigation Analysis	Analyzing litigation outcomes and exposure for city departments in order to guide the creation of City policy to reduce the impact of settlements on the General Fund.	**In Progress.** The City Attorney's Offices continues to partner with departments on all Reimagining Public Safety-related efforts.

Progress Overview

Phase 2

Continued Analysis and Implementation

The Reimagining Public Safety initiative stands as a pivotal project, dedicated to transforming public safety in an equitable and community-centered way; this initiative involves a comprehensive and inclusive process that unfolds in three main phases:

1. Phase 1 (2020-2022) Community Process and Research
2. Phase 2 (2022-2024) Continued Analysis and Implementation
3. Phase 3 (2024-2026) Continued Implementation and Expansion

Following a community-driven process in Phase 1, based on input from community members, the Reimagining Public Safety Task Force, and recommendations from the National Institute for Criminal Justice Reform and other field experts, the City Council developed a framework and direction on Reimagining Public Safety that would lead the city to carry forward it's work into the next phase.

Employing the guiding principles of *Reimagine*, *Improve*, and *Reinvest*, as a framework for the city's efforts, Phase 2 comprises a series of pivotal initiatives and deliverables, including:

- ***Staffing Investments*** in the Department of Health, Housing and Community Services (HHCS), Police, Public Works, and the City Manager's Office, to support with implementing the priority recommendations of this initiative;
- ***Identifying Consultant Costs*** related to assessments, covering areas such as dispatch needs, crisis response, staffing and beat structure, as well as the development of BerkDOT; and
- ***Community Investments*** dedicated to strengthening community resilience through: violence prevention initiatives, engagement programs and mental health services, and providing support for individuals affected by gender-based violence, among other programmatic elements.

Partnerships & Collaborations

As the City of Berkeley progresses through Phase 2 of the Reimagining Public Safety initiative, the City staff leading this work have diligently carried forward the groundwork established in Phase 1. During this phase, an integrated and interdepartmental approach has remained a cornerstone of the City's efforts. This approach ensures that departments leading the execution of the Reimagining Public Safety deliverables work cohesively and in alignment with the directives set by the City Council. In addition, the City's community-centric process continues to encompass engagement with commissions, boards, committees, ad-hoc groups, and various working groups to strategically inform and guide the work. Preparations are underway to provide a detailed account of the evolving nature of these partnerships as Phase 2 nears conclusion.

Deliverables and Status Update

The following pages contain tables that offer a summarized overview of the key deliverables associated with the Reimagining Public Safety initiative. These deliverables, as outlined, derive from the phased approach adopted during the City Council meeting on May 5, 2022 (See Companion Appendix C, pp. 2290-2298 for outline of phased approach and deliverables).

Subsequently, beginning on page 23, the "Priority Reimagining Public Safety Initiatives" section offers a detailed account of each department's specific actions and their current status. Through this structure, the City team leading this work aims to clearly communicate both the individual steps taken by departments and the broader progress made in Berkeley's efforts to reimagine public safety.



REIMAGINE PHASE 2 DELIVERABLES

APPENDIX A

STAFFING INVESTMENTS

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Assistant to the City Manager Reimagining Project Coordinator	The responsibilities of project management have fallen under Deputy City Manager, with part-time support from a Management Analyst. To effectively coordinate the ongoing work, a full-time senior level staff person is required.	**In Progress.** This position was successfully filled on August 21, 2023. The Assistant to the City Manager will continue to support and report out on the city's Reimagining efforts.
Office of Equity (DEI Officer and Assistant)	The development of the Office of Equity should reflect the recommendations from the Task Force. Particular attention from the Office of Equity should be paid to language access.	**In Progress.** The individual appointed to the DEI Officer role is anticipated to commence their duties on November 27, 2023.
Grant Assistance	Recommended by City Manager to access grant funds to support reimagining efforts and other programs.	**In Progress.** The city is currently engaged with California Consulting LLC. for grant writing support and coordinated efforts; **FY 23 funding *carryover request* for AA0#1.**

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) *SCU Implementation*	Adopt the report, "City of Berkeley Specialized Care Unit Crisis Response Recommendations by Resource Development Associates" and implement the pilot Specialized Care Unit (SCU)	**In Progress.** Contract with Bonita House initiated; SCU continues to hire and train staff to build to 24/7 operations.

Police-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) *Fair and Impartial Policing Implementation*	Recommendation to implement and prioritize FIP and continue to support employee training and professional development.	**In Progress.** 13 of the 14 Task force recommendations have been implemented; BPD will continue to support and fulfill officer training needs through Fiscal Year 2025.
Wellness Funding	Continue to support employee health and wellness.	**In Progress.** Continued partnerships and efforts towards BPD Wellness Practices for officers are underway.
Staffing (CSO & Dispatcher)	Launch a pilot Community Services Officer unit using Police salary savings. Positions would be project based for two-years. Evaluate pilot after two-year period to align with the FY 25-26 Budget Process and determine the appropriate location of the CSO unit within a new Public Safety Department and the role for other non-sworn responders.	**In Progress.** Recruitment is underway, current applicants are being assessed for candidacy.

STAFFING INVESTMENTS

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Vision Zero Coordinator (Collision Analysis)	Approve a new Vision Zero staff position in Public Works' Division of Transportation to conduct collision analysis. This will promote the City's Vision Zero approach by boosting the City's capacity to analyze collision data collected by the Police Department.	**In Progress.** This position was successfully filled October 2023. The Associate Planner will continue to support and report out on Vision Zero as it relates to Reimagining efforts.

CONSULTANT COSTS

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) *BerkDOT Development*	Continue BerkDOT process to plan for a civilian traffic enforcement unit, both by informing the content of state law changes to enable such a unit, and by developing two implementation plans: 1) if state law changes to accommodate, and 2) if state law does not change.	**In Progress.** Efforts related to BerkDOT design are in preliminary stages; **funding deferred for AA0#1 review.**

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Crisis Needs Assessment	Behavioral Health, Crisis Response, and Crisis-related Services Needs and Capacity Assessments	**In Progress.** Existing contract for SCU program evaluation is amended to add a scope of work for RDA to conduct the crisis needs assessment; work is underway.

Police-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Staffing Assessment	Analysis of BPD Staffing and Beat Structure.	**In Progress.** Contract with Citygate for Staffing Assessment; preliminary stages of data collection underway.

REINVEST PHASE 2 DELIVERABLES

APPENDIX A

CONSULTANT COSTS

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Transportation Fines/Fees	Review Municipal Code for proposed changes to increase equity and racial justice in City's transportation fines and fees, and explore the civilianization of the municipal code.	**To Be Initiated.** This deliverable has yet to be implemented; **funding deferred for AA0#1 review.**
Department of Community Safety	Support an organizational design process to create an umbrella Department of Community Safety.	**To Be Initiated.** Efforts related to Department of Community Safety design are in preliminary stages; **funding deferred for AA0#1 review.**

Fire-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) *Dispatch Needs Assessment (DNA) & Implementation*	Consulting costs requested by City Manager to support continued analysis of prioritized dispatch and development of an implementation plan.	**In Progress.** Stage 1 of DNA is well underway, a second opinion will be initiated with an additional vendor.

COMMUNITY INVESTMENTS

VIOLENCE PREVENTION

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Violence Prevention and Youth Services	Community investments for violence prevention/services programs (McGee Ave. Baptist Church and Berkeley Youth Alternatives).	**In Progress.** Funds have been allocated to CBOs.

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase1) *Gun Violence Prevention (Ceasefire) Development*	Fully implement the Ceasefire violence intervention program.	**In Progress.** Preliminary analysis of Gun Violence Prevention Programs complete; **FY 23 funding *carryover request* for AA0#1.**

COMMUNITY INVESTMENTS

ALTERNATIVES TO SANCTIONS/FINES

Public Works-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Expand Downtown Streets Teams (DST)	Expand Downtown Streets Team (DST) as placement for *low-level violations* (e.g. vehicular camping/parking and sidewalk ordinance infractions).	**In Progress.** A contract with DST has been renewed and it has been expanded to cover additional areas; however, for the specific work to place low-level violators; **funding deferred for AA0#1 review.**
Alternatives to Sanctions/Fines Hearing Officer	Expand hearing officer resources in the City Manager's Office to provide alternative referrals to community service and social services for *parking and other infractions.*	**In Progress.** Resources in Public Works have been expanded to support these efforts; alternatives to sanctions and fines to be initiated; **funding deferred for AA0#1 review.**

COMMUNITY MENTAL HEALTH, BEHAVIORAL AND CRISIS RESPONSE

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
(Phase 1) *Community Crisis Response (CCR) Bridge Services*	Implement the Community Crisis Response (CCR) services while Specialized Care Unit ramps up.	**In Progress.** Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center renewed/amended.
Youth Peers Mental Health Response	Youth Peers Mental Health Response is retained as proposed by the Berkeley High School student-led plan for mental health services.	**In Progress.** Contract with BUSD initiated; wellness center work is underway with a soft launch of the new center in winter 2024.

APPENDIX A

IMPROVE PHASE 2 DELIVERABLES

COMMUNITY INVESTMENTS

RESPITE FROM GENDER VIOLENCE

Health Housing and Community Services-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Respite from Gender Violence	Provide services and housing leads for victims of gender violence. Request staff to work with county partners and CBOs to map the system, identify gaps, recommend how to fill them.	**In Progress.** Community Services Specialist II hired with preliminary steps of system mapping underway.

LANGUAGE EQUITY

City Manager's Office-led Deliverables		
Deliverable	**Recommendation**	**Status Update**
Language Equity	Publish victim resources in plain language and in multiple languages.	**To Be Initiated.** Efforts related to Language Equity are in preliminary stages, the Assistant to the City Manager will partner with HHCS on implementation; **FY 23 funding *carryover request* for AA0#1.**

Considerations

In the process of Reimagining Public Safety, Berkeley is faced with a series of interconnected challenges that could shape the trajectory, efficacy, and timeline of implementation. Understanding and addressing these considerations is imperative to ensure that efforts are not only transformative but also compliant, sustainable, and resilient to potential challenges.

Staffing Vacancies and Attrition

From 2018 to 2022, the City of Berkeley observed a concerning trend in attrition, with departures surpassing hires. According to the City Auditors report, by October 2022, the city of Berkeley's vacancy rate was 19%, ranking it as the second highest in the Bay Area (See Companion Appendix U, pp. 3271-3275 for report). This staffing challenge has had tangible impacts on service delivery, and poses significant challenges, especially as the City staff strive to successfully implement the Reimagining Public Safety initiative.

Reduced staffing has had a pronounced impact on various city services. Confronting these challenges, several departments have had to adjust operations and manage costs. Furthermore, attrition has led to substantial loss of institutional knowledge. With that said, in the city's continued progression toward the Reimagining Public Safety initiative, it is crucial to have a stable and committed workforce to drive these transformative changes. This approach is essential to align with the City Council's established timeframe, scope, and budgetary parameters. Ultimately, the staffing challenges in key departments may have ripple effects on the City of Berkeley's broader public safety objectives, emphasizing the interconnectedness of city services and the urgency to address these staffing concerns holistically, such as through the Employer of Choice (EOC) initiative (See Companion Appendix V, pp. 3328-3361 for EOC supporting documentation).

Regulatory Compliance

As the City of Berkeley moves forward with its initiatives, particularly in developing the Berkeley Department of Transportation (BerkDOT), the City must adhere to regulatory frameworks.

- **Local Adherence:** Compliance with City of Berkeley's specific ordinances and by-laws is crucial. These local guidelines dictate the foundation and operation of city departments, ensuring that efforts remain consistent with established standards.
- **State-Level Conformity:** Navigating the intricacies of California's regulatory landscape is essential. For example while the California SB-50 Bill, which supported civilian traffic enforcement, was not approved as of September 14, 2023, it serves as a significant legislative consideration. It is imperative that the City stay updated on these legislative developments and align, or adjust, our strategies accordingly to ensure legal compliance.
- **Federal Standards:** The City's initiatives must meet the expectations set by federal entities, including the United States Department of Transportation and related federal mandates in the realms of public safety and transportation. This ensures eligibility for federal grants and maintains the integrity of potential national partnerships.

We will rely on the City Attorney's Office to ensure that the initiatives associated with these efforts comply with federal, state, and local laws, regulations, and statutes.

Ongoing Funding

In the context of Reimagining Public Safety, it is important to underscore the fiscal parameters under which this effort is operating. The City of Berkeley has allocated budgetary support specifically for Fiscal Years 2023 and 2024, with the anticipation of supplying recommendations for the next budgetary cycle by May 2024 (See Companion Appendix C, pp. 2290-2298 and Appendix T, pp. 3259-3264).

- **Implementation Delays:** Due to delays in rolling out select deliverables, there is a potential challenge ahead. By the time budgetary recommendations are presented to the City Council in May 2024, some Reimagining-related initiatives may still be in the early stages of implementation. This early phase could complicate accurate evaluations of their financial implications and long-term feasibility.
- **Grant Funding:** While external grant funding is being pursued to execute some of the deliverables, the nature of such funding is inherently uncertain. Grants, whether from foundations or government sources, are highly competitive, often involving lengthy decision-making processes. As a result, and there is no guarantee of securing them for intended purposes.

Implementation Timeline

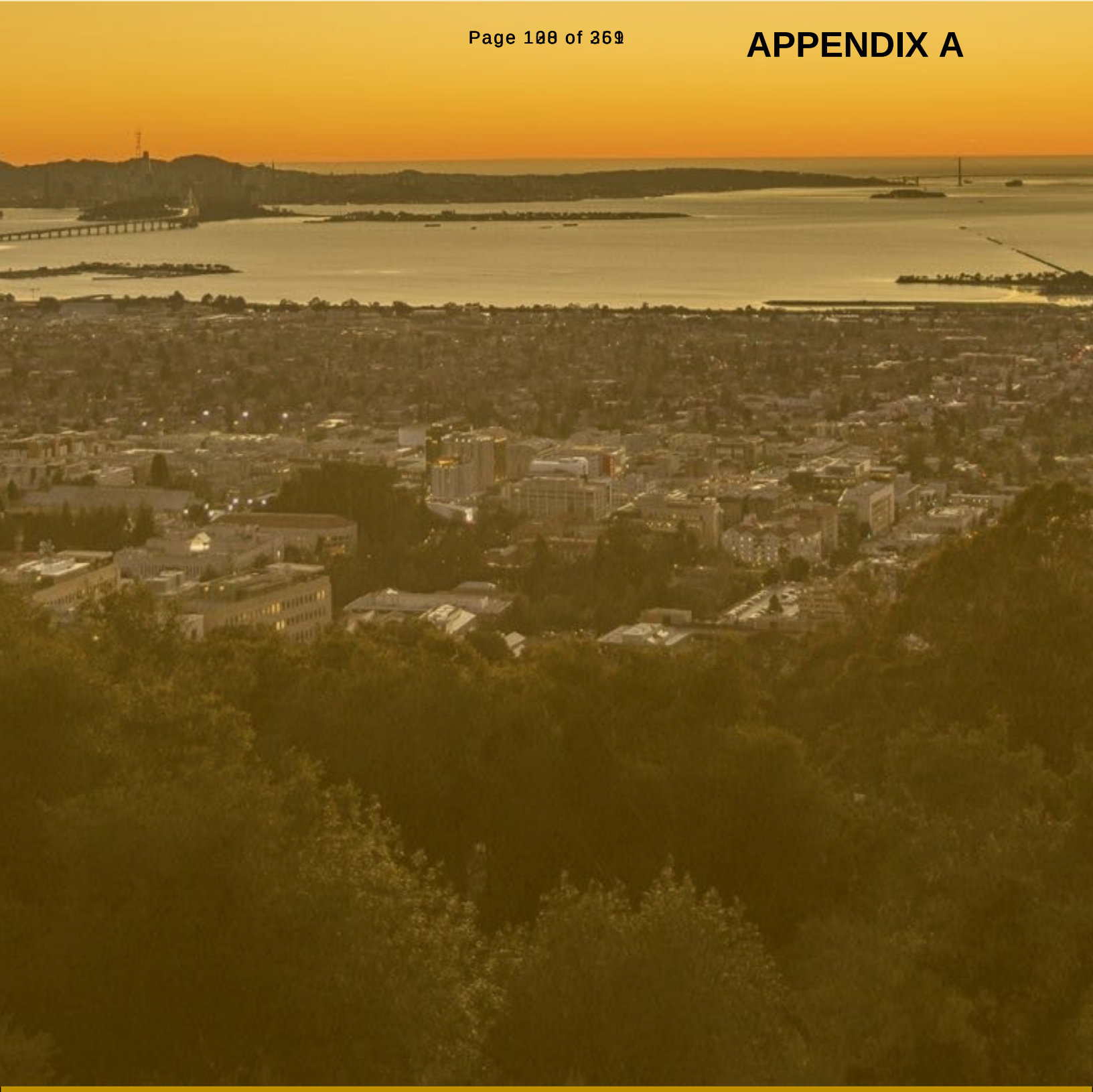
While the Reimagining Public Safety initiative has set ambitious goals, the full realization of these objectives and deliverables may span an extended timeframe. Estimations project a timeline of 3-5 years for the complete roll-out of all items. However, it is paramount to consider that legislative progress and other unforeseen factors could extend this period. Furthermore, regular analysis is vital to understand and ascertain the effectiveness of these implemented initiatives. To ensure accurate assessment, it is crucial to allow enough time for initiatives and measures to take effect. The timeline and phased approach presented, while informed and deliberate, should be viewed as a dynamic structure.

Next Steps

As the City advances efforts towards the Reimagining Public Safety initiative, continuing to strategically navigate evolving challenges such as staffing vacancies, legislative considerations, and budgetary constraints will remain a priority, with a proactive and solution-oriented approach. City leaders, in conjunction with Human Resources, are diligently working to address staffing concerns. Concurrently, the City Manager's Office and Public Works Department is engaged with relevant legislative entities to further the BerkDOT agenda. And lastly, the City staff and Council will make budgetary decisions during the AAO#1 (First Amendment Annual Appropriations Ordinance) process scheduled for mid-December. In this process, the City Council will consider re-appropriation of unspent Fiscal Year (FY) 2023 funds and deferred items into FY 24, informing the development of FY 25-26 Biennial Budget.

The City Manager's Office, alongside the departments spearheading this work, will plan to deliver the next progress update on Reimagining Public Safety by Spring 2024, which will provide further insights into both accomplishments and challenges. In line with these efforts, the City expects to continue to cultivate a community-centered approach as initiatives are designed, implemented, and assessed with principles of compassion, equity, and democracy at the forefront.

APPENDIX A



Priority Reimagining Public Safety Initiatives

This section offers a concise overview of Berkeley's work towards Reimagining Public Safety, highlighting key milestones and the city's commitment to creating an equitable and effective model for all residents.

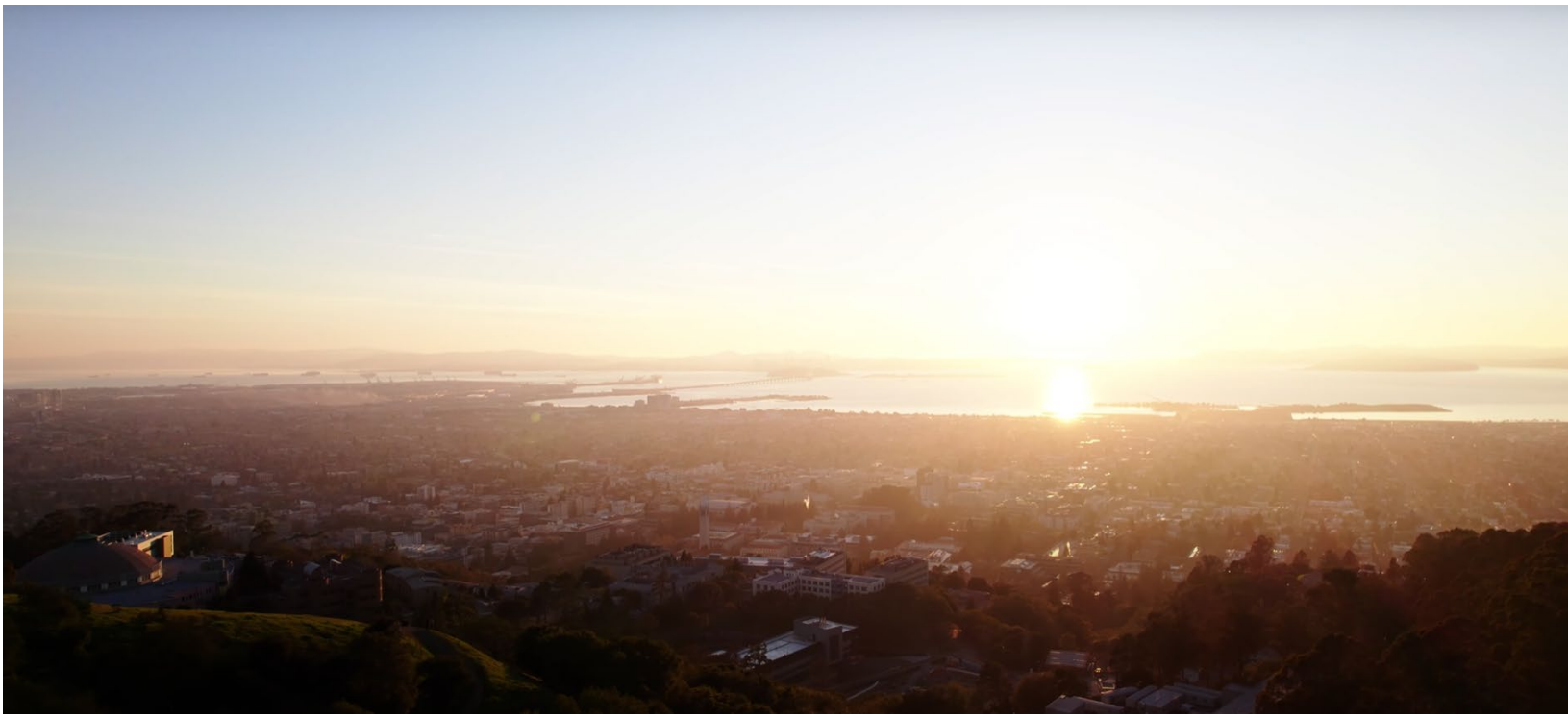
APPENDIX A

Overview

Building upon the summaries outlined in the earlier sections for Phases I and II, this part of the report delves deeper, offering an expanded view of the City's ongoing endeavors. It will detail the unique challenges and considerations associated with each deliverable, laying out forthcoming steps and associated timelines. Further corroborative details can be found in the report's companion appendix.

As mentioned in the Executive Summary, while the City presses forward in efforts to reimagine public safety, it is pivotal to acknowledge certain roadblocks. Some initiatives have faced delays, primarily attributed to staffing constraints and temporary deferral of resources. It is the City's duty and responsibility to ensure transparency and clear communication regarding all facets of this initiative, including both achievements and challenges encountered.

It is vital to recognize that, while there are further milestones to attain, real change is a continuous process. The City of Berkeley remains deeply invested in this essential work and its impactful journey ahead. This work, grounded in community, is not just an obligation but a privilege, and it remains central to Berkeley's shared vision of a safer, more inclusive city.



STAFFING INVESTMENTS

REIMAGINING PUBLIC SAFETY PROJECT COORDINATOR

Department Lead: City Manager's Office

Status Update: ***In Progress***

Overview:

The City recognized the need for dedicated leadership to support the multi-departmental responsibilities of the Reimagining Public Safety initiative. This requirement led to the creation of the role of Assistant to the City Manager as a Reimagining Public Safety Project Coordinator. Previously, such responsibilities were managed by the Deputy City Manager with support from a Management Analyst. Given the extensive scope of the initiative, this appointment became an essential need and priority. ***This position was successfully filled on August 21, 2023***.

Since assuming the position, the Assistant to the City Manager has engaged with pivotal departments including Police, Fire, Health Housing and Community Services, and Public Works. To streamline the reporting and documentation process, the Assistant to the City Manager has worked collaboratively with these departments to craft the Reimagining Public Safety Coordination Plan (See Abbreviated Appendix D, pp. 2477-2485 for RPS Coordination Plan). This plan serves as an essential roadmap, aiming to efficiently manage resources, bolster communication, and ensure methodical progress towards a new public safety paradigm.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**August 2023**	Assistant to the City Manager hired.
	September – November 2023	Reimagining Public Safety Coordination plan created and a Reimagining Public Safety status report is underway.
	Anticipated **December 2023**	Reimagining Public Safety presentation to the City Council (December 5, 2023).
	Anticipated **Fall 2023 – ongoing**	The Assistant to the City Manager, will continue to coordinate and offer support in project management facets of the initiative.

Considerations:

- **Departmental Coordination and Alignment:** Given the multi-departmental involvement, there's a necessity to ensure seamless coordination among various departments such as Police, Fire, Health Housing and Community Services, and Public Works. With city-wide staffing shortages and competing priorities, proper resource management becomes critical to maintain

momentum and efficiency. With this in mind, achieving consistent alignment and understanding among the core departmental team leading this work is essential.

Ongoing Timelines:

- **Fall 2023 – ongoing:** The Assistant to the City Manager, in their capacity as the Reimagining Public Safety Project Coordinator, will continue to project manage and offer support in various facets of the initiative. Their role will be pivotal ensuring seamless progression and implementation of all endeavors associated with Reimagining Public Safety. They will continue to collaborate cross-departmentally to report back to the City Council with updates on the initiative's progress in Spring 2024.

DIVERSITY, EQUITY, AND INCLUSION (DEI) OFFICER

Department Lead: City Manager's Office

Status Update: ***In Progress***

Overview:

Endorsed by the City Council, Reimagining Public Safety Task Force, the City Manager's Office championed the establishment of a DEI Officer position, as part of ***Phase 2*** implementation. Situated within the City Manager's Office, the DEI Officer will helm the Diversity, Equity, and Inclusion Division. The primary vision guiding the Diversity, Equity, and Inclusion Division is to centralize and embed equity and justice practices within the City's infrastructure. By adopting this approach, the City aspires to not only address present disparities but also to cultivate strong alliances with community organizations. The overarching goal is for City Departments to continue to evolve into entities that are both responsive and truly accountable to the diverse communities they serve.

The DEI Officer's responsibilities will encompass overseeing the division's multifaceted actives and operations, including but not limited to:

- ***Strategic Development and Policy Administration:*** Under the direction of the City Manager, the DEI Officer will lead the creation, planning, and deployment of the DEI Division's strategic objectives. Their responsibility will extend to crafting and endorsing policies and procedures, ensuring they resonate with the City's DEI vision and lay the groundwork for enduring, meaningful change. Central to this role will be the Officer's capability to harmonize divisional activities cross-departmentally, fostering a unified approach to city-wide training and professional advancement.
- ***Inclusive Visionary Leadership:*** The DEI Officer will be an integral part of promoting inclusivity within the City. Tasked with the responsibility to collaborate with City and community leadership, the Officer will help align diversity and inclusion initiatives with the City's broader objectives. They are expected to facilitate strategic planning in areas of diversity and inclusion and periodically engage in evaluations through surveys. The aim is to collaboratively develop and implement strategies that reflect the City's mission, vision, and goals, ensuring that Berkeley continues its commitment to being an inclusive and equitable community.

APPENDIX A
STAFFING INVESTMENTS

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	***Anticipated*** **November 2023**	DEI Officer Hired. The individual appointed to the DEI Officer role is anticipated to commence their duties on November 27, 2023.
	Anticipated **Fall 2023 – ongoing**	Onboarding of DEI Officer and preliminary planning of DEI strategic plan. Hiring of DEI Administrative Assistant. Next steps would likely include onboarding and familiarization with the city's current DEI landscape and getting acquainted with the City's structure and key personnel in order to begin building a strategic DEI plan.

Considerations:

- **Definition and Scope, and Sustainability:** Navigating the evolving landscape of DEI requires the city of Berkeley to maintain a clear, shared understanding of its significance. Ensuring the that City's DEI vision remains aligned with evolving norms and values while planning for long-term sustainable impact. This overarching consideration encompasses understanding DEI, implementing initiatives, and working towards continuity.
- **Inter-departmental Collaboration and Resource Allocation:** Effective DEI integration hinges on seamless collaboration between various city departments. It is essential to strike a balance between promoting DEI principles and other citywide priorities, which can pose challenges in terms of communication, coordination, and the optimal allocation of resources.
- **Community Trust, Engagement, and Evaluation Metrics:** Building and retaining community trust is vital for the success of DEI efforts. This involves effective communication and the establishment of clear metrics to evaluate the effectiveness of DEI efforts and implementation.

Ongoing Timelines:

- **Fall 2023 – ongoing:** The individual appointed to the DEI Officer role is anticipated to commence their duties on November 27, 2023. The City Manager's Office anticipates next steps would likely include onboarding and familiarization with the city's current DEI landscape and getting acquainted with the City's structure and key personnel in order to begin building a strategic DEI plan and hiring the DEI Administrative Assistant to support this implementation.

GRANT ASSISTANCE

Department Lead: City Manager's Office

Status Update: ***In Progress*** (FY 23 carryover request to AAO#1)

Overview:

In ***Phase 2*** of the Reimagining Public Safety initiative, the City Council approved an allocation of $100,000 for fiscal years 2023 and 2024. This funding aims to bolster the longevity and sustainability of the City's commitment to Reimagining Public Safety. In 2024, the City of Berkeley has engaged California Consulting, LLC to enhance grant application capabilities (See Companion Appendix R, pp. 3241-3244 for California Consulting Contract and Scope of Services). In the pursuit of a more comprehensive Reimagining Public Safety initiative, the City of Berkeley has turned its attention to opportunities that not only address immediate safety concerns but also contribute to the overall wellbeing and enhancement of community spaces.

Among the state and federal grants pursued, notable prospective state funders include the Community Resilience Centers Program[2] (CRC) and the CalTrans Clean California Local Grant Program[3]. The CRC aims to fund facilities that serve as community safe havens during climate adversities, offering shelter and vital resources during challenges such as extreme heat or poor air quality events. The Clean California program is devised to channel funds into local communities, aiming to beautify and uplift local streets, tribal lands, parks, pathways and transit centers. Equally important, the Clean California program is committed to advancing equity, promoting public health, strengthening cultural connections, and enhancing community place making.

Significant Federal grant applications include the PROTECT Discretionary Grant Program[4] and Reconnecting Communities and Neighborhoods (RCN) Program[5]. The PROTECT program's vision revolves around bolstering the resilience of transportation infrastructure against the impending climate crisis. The primary objective of the PROTECT program is not only to ensure resilient transportation infrastructure but also to promote equity by safeguarding disadvantaged communities, who often bear the brunt of natural hazards. The RCN program holds significant alignment with the Reimagining Public Safety objectives as one of its priorities. It emphasizes the advancement of disadvantaged communities, broadens access to essential services such as jobs, education, healthcare, food, and recreation, and underscores the importance of equitable development and community restoration. Additionally, a key focus is on bridging community divides by tackling transportation facilities that impede connectivity, ensuring that mobility, access, and economic development are unobstructed.

Unspent funds ($100,000) from Fiscal Year 2023 have been requested for carryover to FY 2024 as part of AA0#1. The Assistant to the City Manager will collaborate cross-departmentally to pinpoint grant opportunities that align with objectives of the Reimagining Public Safety initiative.

[2] https://sgc.ca.gov/programs/community-resilience-centers/
[3] https://cleancalifornia.dot.ca.gov/local-grant-program
[4] grants.gov/search-results-detail/347585
[5] https://www.transportation.gov/grants/rcnprogram

APPENDIX A
STAFFING INVESTMENTS

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**Summer – Fall 2023**	Contract with California Consulting, LLC has been initiated. Seven grant applications were submitted under the direction of Parks, Recreation and Waterfront Department.
	Anticipated **Winter 2023 – ongoing**	The Reimagining Public Safety Project Coordinator will manage continued efforts in grant identification, application, and management.

Considerations:

- **Grant Alignment and Coordination:** Grants from state, federal, and local sources come with varied criteria. Balancing Berkeley's Reimagining Public Safety goals with these diverse requirements demands precise tailoring of applications, ensuring both alignment with grant specifics and adherence to overarching Reimagining Public Safety objectives. In addition to this, inter-departmental collaboration introduces considerations for streamlined processes.

Ongoing Timelines:

- **Fall 2023 – ongoing:** Unspent funds ($100,000) from Fiscal Year 2023 have been requested for carryover to FY 2024 as part of AA0#1. The Assistant to the City Manager will collaborate cross-departmentally to pinpoint grant opportunities that align with objectives of the Reimagining Public Safety initiative.



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STAFFING INVESTMENTS

SPECIALIZED CARE UNIT *IMPLEMENTATION*

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

In part of the Mayor's phased approach to Reimagining Public Safety, ***Phase I*** work primarily focused on extensive community engagement and research to create recommendations for a Berkeley-specific crisis response model. To ensure that the design of the Specialized Care Unit (SCU) model was aligned with community expectations, Health, Housing, and Community Services created a Steering Committee that includes representatives from the Mental Health Commission, Berkeley Community Safety Coalition, and community service providers, as well as staff from the City's HHCS and the Fire Departments, to provide guidance on SCU design and implementation. In addition, the City contracted with Resource Development Associates (RDA), to conduct research on non-police crisis response models, lead the community engagement process with guidance from the Steering Committee, and make recommendations for a SCU model for Berkeley (See Companion Appendix E, pp. 2487-2496 for RDA Contract). RDA's final report includes 25 recommendations for implementing a successful Specialized Care Unit in Berkeley (See Companion Appendix E, page pp. 2497-2701 for RDA reports). The Steering Committee analyzed and further refined these recommendations, laying the groundwork to move forward with a SCU pilot program.

At the beginning of 2022, to bolster these initiatives, HHCS brought on board several key staff, including a Senior Management Analyst, dedicated to aiding the implementation of the SCU as well as the Community Crisis Response ("Bridge Services") programs. To support these Bridge Services, the City contracted with Options Recovery Services, Peer Wellness Collective (formerly Alameda County Network for Mental Health Clients), and Women's Daytime Drop-In Center to provide a variety of services for vulnerable community members who experience mental health and substance use crises. These programs helped to support the continued need for community crisis support while the City worked toward implementation of the Specialized Care Unit.

In December, 2022, after a competitive Request for Proposal process, Bonita House, Inc. was selected to be the Specialized Care Unit provider. (See Companion Appendix F, pp. 2703-2785 for Bonita House/SCU Contract). In 2023, Bonita House hired and trained initial SCU staff and worked collaboratively with the City and the SCU Steering Committee to ensure the program is implemented in alignment with the recommendations from RDA and Steering Committee. On September 5, 2023, the SCU began providing services to the Berkeley community and currently operates daily from 6 am to 4 pm. Bonita House continues to hire and train staff to ramp-up to full 24/7 operations.

The SCU pilot program is supported by grant funding from the American Rescue Plan Act, California Department of Health Care Services (Crisis Care Mobile Units program), and Mental Health Services Act funding. The full budget breakdown of the SCU contract can be found in Companion Appendix F, pp. 2714-2717.

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Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**December 2020**	SCU Steering Committee Formed.
	January 2021	Contract with RDA for research, community-engagement, and SCU design.
	March 2022	RDA Completes Report & Presents to Council.
	May 2022	City Council informed of Reimagining Public Safety Framework for SCU design.
Phase 2 (2022-2024)	**December 2022**	Contract with Bonita House for SCU Implementation.
	January 2023 – ongoing	SCU staff are hired and trained; Systems for implementation are developed.
	February 2023 – Ongoing	HHCS hosts Community Dialogues to provide updates on SCU development and implementation. Community listserv begins to provide program-specific updates.
	September 2023	SCU soft launch begins; SCU team begins providing daily services from 6am to 4pm in mid-September. Outreach materials are distributed throughout the community.
	Anticipated **October 2023 - ongoing**	The SCU will continue to hire and train staff to build toward 24/7 operations. Additionally, HHCS and Bonita House have initiated conversations about using a MediCal billing model to contribute to longer term program costs.

Considerations:

- **Scaling Up:** The SCU continues to operate in a ramp-up state as Bonita House continues to hire and train staff for the program. As staff are hired and trained, they can start providing services in the field. The SCU will continue to expand their hours, as staffing allows, to operate a 24/7 non-police response to mental health and substance use crises. The City of Berkeley continues to work on receiving City-purchased vehicles for SCU operations, which are currently being customized for SCU operations.
- **Grants and Long-term Funding:** As grant funding is of a limited-term nature, HHCS is actively pursuing additional funding opportunities to sustain and improve the SCU over time.

Ongoing Timeline:

- **Fall 2023 – ongoing:** The SCU will continue to hire and train staff to build toward 24/7 operations. Additionally, HHCS and Bonita House have started initial conversations about using a MediCal billing model to contribute to longer term program costs.

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STAFFING POSITIONS (PILOT RPS COMMUNITY SERVICE OFFICERS & DISPATCHERS)

Department Lead: Police

Status Update: *In Progress*

Overview:

In part of the ***Phase 2*** implementation, funding was allocated for Fiscal Years 2023 and 2024 by City Council to introduce a temporary two-year pilot program of additional Community Service Officers and Public Safety Dispatchers. City Council directives included an evaluation of the pilot after the two-year period to align with the FY 25-26 Budget Process and determine the appropriate location of the CSO unit within a new Public Safety Department and the role for other non-sworn responders.

The Mayor and City Council approved the Recruiting and Retention Incentive Program (RRIP) for the Berkeley Police Department (BPD). The City has intensified recruitment efforts across the department to address staffing vacancies. These efforts include the approved RPS-designated positions: 8 Public Safety Dispatcher II, 1 Public Safety Dispatch Supervisor, 6 Community Service Officers (CSO), and 1 Community Service Officer Supervisor. The CSO positions are temporary and were budgeted for 3 years starting July 1, 2022. We are currently in the 3rd month of year 2, and any new hires must be told the position ends June 30, 2025. Previous candidates have declined the job offer because of the temporary status.

The Berkeley Police Department's recent Community Service Officer recruitment drive concluded on September 18, 2023 and saw a marked increase in interest attracting 138 CSO applicants – nearly double the previous year's count. The subsequent evaluation, involving written and physical tests, is scheduled for October 21, 2023. It is important to acknowledge that in previous evaluations, several candidates faced challenges in clearing one or both tests. Given the increased applicant pool this year, Berkeley PD remains optimistic about securing a larger number of qualified candidates.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**Summer – Fall 2022**	RPS funding allocation of approximated ~$2.5 million for pilot program. BPD Recruitment Cycle commenced.
	July 2023	Contract with Citygate for BPD Staffing Assessment.
	August 2023	Recruiting and Retention Incentive Program.
	Anticipated **Summer – Fall 2023**	BPD Recruitment Cycle.
	Anticipated **October 2023 – ongoing**	The Berkeley Police Department is on track to assess approximately 138 CSO applicants in the month of October.

Ongoing Timeline:

- **October 2023 – ongoing:** The Berkeley Police Department is on track to assess approximately 138 applicants in the month of October and continue efforts to fill these vacancies in 2024, further enhancing BPD's capacity to serve the community.

FAIR AND IMPARTIAL POLICING

Department Lead: Police

Status Update: *In Progress*

Overview:

On February 23, 2021, during a City Council Special Meeting, the recommendations put forth by the Mayor's Fair and Impartial Policing (FIP) Taskforce were directed to the Berkeley Police Department for implementation. Berkeley PD provides quarterly updates to City Council, and has completed 13 of the 14 recommendations to date. These FIP recommendations were introduced during ***Phase 1*** of the Mayor's strategy for Reimagining Public Safety. The Berkeley Police Department has subsequently facilitated a series of FIP-dedicated training sessions, emphasizing key fair and impartial policing tenets. As Berkeley PD continues to advance the recommendations of the Fair and Impartial Policing Task Force, additional Tier 1 funding of $100,000 was approved for Fiscal Years 2023 and 2024 for specialized FIP training for Berkeley police officers. This enactment is a part of ***Phase 2*** in the Mayor's phased approach.

Berkeley PD FIP training also includes Crisis Intervention Team (CIT), LGBTQ, Racial Profiling and Bias[6] training offered through the California Commission on Peace Officer Standards and Training (POST)[7]. Furthermore, BPD has mandated the KIND Policing Education Incentive in the newest 2023 – 2025 Berkeley Police Association MOU with the city (See Companion Appendix H, pp. 2799-2801). The KIND Policing Educational Incentive is a first-of-its-kind initiative that promotes the City's policing values while ensuring the availability of robust training for sworn members of BPD in effective policing that is rooted in procedural justice and impartiality, community-oriented, and culturally competent.

Berkeley PD believe these efforts will enable the Department to better serve the community and ensure public safety for all. The Berkeley Police Department will continue to work closely with the City Council and other stakeholders to develop and implement strategies that are effective, equitable, and just. Berkeley PD remains committed to promoting fair and impartial policing practices and fostering trust and mutual respect between the police and the community we serve.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**June 2020 – March 2021**	Community Process for FIP Recommendations *Development* convened.
	February 2021	Mayor and the City Council pass FIP Recommendations
	August 2021 – ongoing	Berkeley Police has implemented ongoing fair and impartial trainings for its officers.

[6] https://catalog.post.ca.gov/SearchResult.aspx?category=Mandates&MAC=9jfKTy12dmPZ5m6b632T9DV8U5Q
[7] https://post.ca.gov/

APPENDIX A
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RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	July 2022 – ongoing	Continued training inclusive of FIP tenets.
	August 2023	The KIND Policing Educational Incentive is a first-of-its-kind initiative that promotes the City's policing values while ensuring the availability of robust training for sworn members of the Berkeley Police Department in effective policing that is rooted in procedural justice and impartiality, community-oriented, and culturally competent.
	October 2023 – ongoing	The Chief of Police submitted an "Update on the Implementation of Fair and Impartial Policing Task Force Recommendations" October 3 2023. Thirteen of the fourteen Task Force recommendations have been implemented and we remain committed to upholding and sustaining these measures (See Companion Appendix G, pp. 2787-2797).
	Anticipated October 2023 – ongoing	BPD will continue to support and fulfill officer training needs through Fiscal Year 2025. We will have various related CIT, LGBTQ, Bias/Profiling, and FIP-styled training planned for 2024.

Ongoing Timeline:

- **October 2023 – ongoing.** The Berkeley Police Department will continue to fulfill officer training needs through Fiscal Year 2025. Berkeley PD will have various related CIT, LGBTQ, Bias/Profiling, and FIP-styled training planned for 2024.



WELLNESS PRACTICES (CRITICAL INCIDENT STRESS, PEER SUPPORT TEAM, AND EMERGING WELLNESS NEEDS)

Department Lead: Police

Status Update: *In Progress*

Overview:

The Berkeley Police Department has built out a suite of wellness and mental health services for staff as outlined in the key accomplishments section. In part of the Reimagining Public Safety Phase 2 directives, the department has utilized the allocated $50,000 Reimagining Public Safety funds for Crisis Intervention and Critical Incident Stress Management Services. Acknowledging that physical health is intertwined with mental well-being, improvements have been made to BPD's gym facilities, both at the Public Safety Building and the substation. For those officers in need of specialized support, Berkeley PD provided access to an immersive group therapy program designed to provide employees with the ability to recover from traumatic incidents with resilience. In addition to these wellness efforts, we're on the brink of launching a mobile application designed to provide anonymous access to a vast array of health and wellness resources.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2022 – June 2023**	FY 2023 Wellness Efforts Include: • Contracted with a local first responder-specific counseling group, Public Safety Family Counseling Group (PSFCG). • International Critical Incident Stress Foundation training in Assisting Individuals in Crisis and Group Crisis Intervention[8]. • Gym Updates • Access to immersive group therapy
	July 2023 – ongoing	FY 2024 Wellness Efforts Include: • O2X Partnership[9] • First Responder Wellness Apps & Resources
	Anticipated **October 2023 – ongoing**	Continued partnerships and efforts towards BPD Wellness Practices for officers.

Ongoing Timeline:

- **October 2023 – ongoing.** The Berkeley Police Department will continue to work with PSFCG to utilize Crisis Intervention and Critical Incident Stress Management Services for the officers through Fiscal Year 2026, in addition to continued wellness offerings. Berkeley PD will have various related CIT, LGBTQ, Bias/Profiling, and FIP styled training planned for 2024.

[8] https://icisf.org/individual-crisis-intervention-and-peer-support-group-crisis-intervention/
[9] https://www.o2x.com/

VISION ZERO PROGRAM COORDINATOR

Department Lead: Public Works Department

Status Update: *In Progress*

Overview:

The Public Works department have successfully hired a Vision Zero Program Coordinator (Associate Planner) in October 2023. This position supports the work of the Vision Zero Program Manager (Senior Planner) which is currently vacant. In line with the eleven high priority action items identified in the Vision Zero Action Plan, the Associate Planner will be supporting with the implementation of the programmatic and capital project delivery elements of Vision Zero. Three of the eleven high priority action items include collision analysis as described in the Reimagining Public Safety initiative. Note the latest Vision Zero Annual Report (2021-2022) (See Companion Appendix I, pp. 2803-2886 for Vision Zero Action Plan and Vision Zero Annual Report). Some of the current program priorities include: supporting the delivery of grant-funded capital traffic safety capital projects on Vision Zero High Injury Streets; reconvening the Vision Zero Coordinating Committee; restarting development and implementation of a Rapid Response program, including: supporting the City's interdepartmental Rapid Response team in understanding the reasons for traffic crashes and restarting development and implementation of a Quick Build program to be able to respond through appropriate traffic safety countermeasures; conducting the three-year update of the Vision Zero Action Plan; and resuming Vision Zero Annual Reports.

Key Accomplishments and Next Steps:

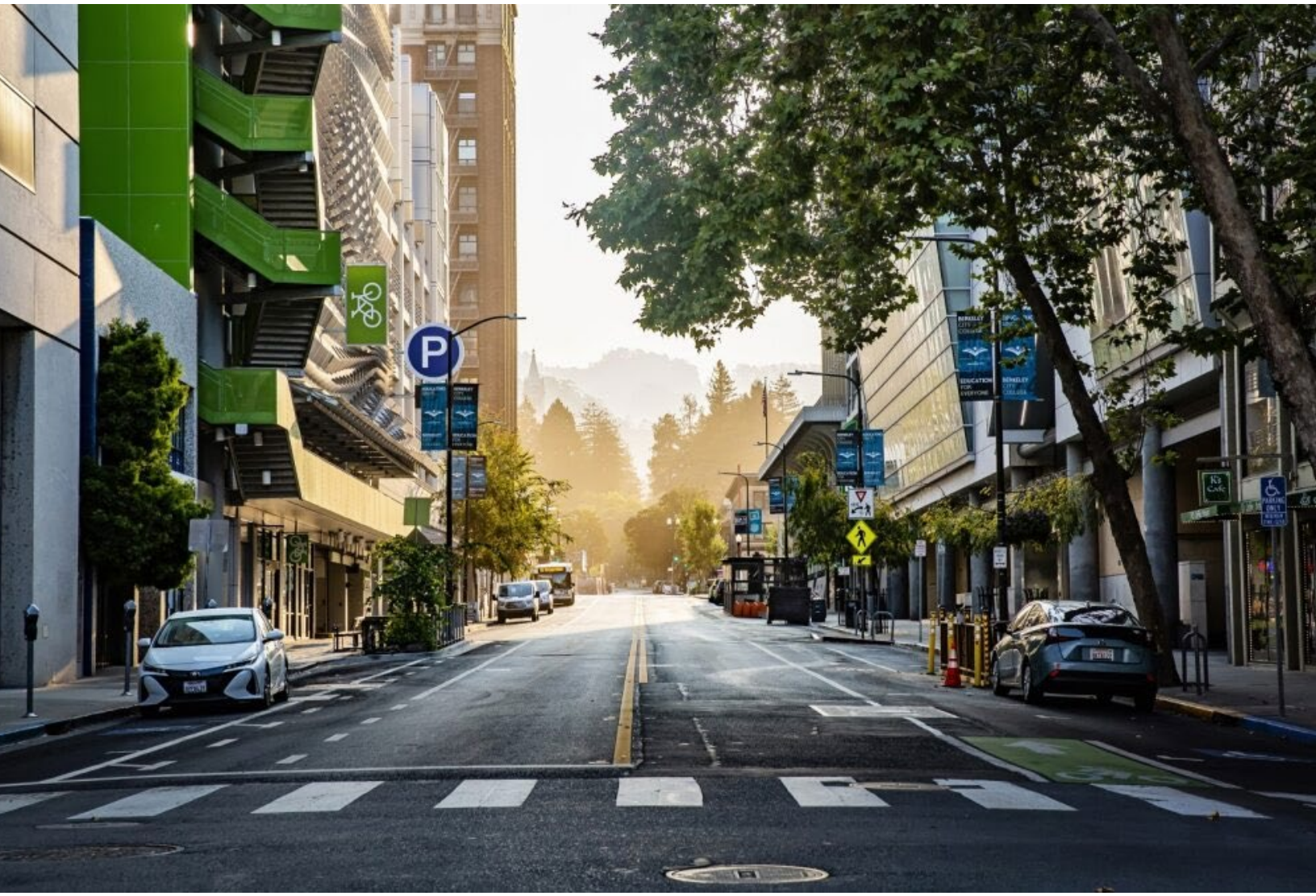
RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**October 2023**	Vision Zero Program Coordinator (Associate Planner) Hired.
	Anticipated **January 2024 – ongoing**	In line with the 11 high priority action items identified in key priorities of the Vision Zero Action Plan, the Associate Planner will be supporting the implementation of the programmatic and capital project delivery elements of Vision Zero. Three of the eleven high priority action items include collision analysis as described in the Reimagining Public Safety initiative.

Considerations:

- **Staffing Vacancies.** The City Manager issued three Off-Agenda memos, November 2022, December 2022, and October 2023, respectively, to update the City Council on the Public Work's Transportation Division's staffing and work priorities (See Companion Appendix J, pp. 2888-2900 for Staffing Memos).
    - While the Vision Zero Program Coordinator (Associate Planner) has been hired, the Vision Zero Program Manager (Senior Planner) position is currently vacant following the promotion of the former Senior Planner to Principal Planner in August 2023. Public Works is preparing to kick off the recruitment for this position.

Next Steps & Timelines:

- **January 2024 – ongoing:** In 2024, the Vision Zero program anticipates restarting the Vision Zero Coordinating Committee meetings; initiating the three-year update to the Vision Zero Action Plan; restarting the development of the Rapid Response and Quick Build Programs; continuing to support major grant-funded capital projects on Vision Zero High Injury Streets, such as Southside Complete Streets, Sacramento St Pedestrian Crossing Safety Improvements, and the Alameda County Transportation Commission San Pablo Avenue Corridor Projects. Progress on Vision Zero high priority projects and programs in 2024 will depend on hiring a new Vision Zero Program Manager (Senior Planner).



CONSTULTANT COSTS

BERKEKELY DEPARTMENT OF TRANSPORTATION (BERKDOT) DEVELOPMENT

Department Lead: Public Works Department

Status Update: *In Progress* (funding deferred to AAO#1)

Overview:

In the structured approach to the Reimagining Public Safety initiative, ***Phase 1*** played an instrumental role in laying the groundwork for BerkDOT. This phase focused on preliminary design and development, underpinned by robust stakeholder engagement (See Companion Appendix B, pp. 1899-2285 for Off-Agenda Memos). Central to the vision of BerkDOT is the consolidation of all transportation-related functions in the city into a single entity. This department would be responsible for diverse areas, from traffic management and road maintenance to school crossing guards. Additionally, an embedded racial justice lens in BerkDOT's mandate ensures that transportation policies, programs, and infrastructure actively address racial disparities. By doing so, the City aims to create transportation environments that reduce burdens historically placed on communities of color, ensuring streets where all residents feel secure and included.

The City approved a Tier 1: Reimagining Public Safety budget allocation of $300,000 for Fiscal Year 2023 with the objective of propelling BerkDOT's implementation forward. This budget allocation, which is central to ***Phase 2***, will also support research for a forthcoming "white paper" and potential advocacy for state legislation.

Below outlines five core deliverables *related* to early implementation of BerkDOT:

1. Continue legislative advocacy for changes in state law to grant cities the authority for non-sworn civilian traffic enforcement, and automated enforcement for speeding/red lights.
2. Transition crossing guards from the Police Department to Public Works' Division of Transportation.
3. Strategize for a Civilian Traffic Enforcement Unit, pending legislative changes.
4. Review Berkeley Municipal Code for proposed changes to increase equity and racial justice in the City's existing transportation fines and fees.
5. Develop a roadmap for establishing a standalone Berkeley Department of Transportation.

While the Public Works Department successfully transitioned crossing guards, progress in other sectors have been slow, especially concerning legislative matters. For instance, the California SB-50 Bill[10] supporting civilian traffic enforcement was declined on September 14, 2023. Additionally, since Berkeley

[10] https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB50

is not included in the Assembly Bill 645 (AB-645[11]), introducing a Speed Safety System Pilot Program locally would require separate legislation.

Other challenges include the Public Works Department's significant staffing issues. The Berkeley Public Works Department, central in BerkDOT's, faced significant staffing challenges. The City Manager issued Off-Agenda memos in November and December of 2022, and again in October 2023 (See Companion Appendix J, pp. 2888-2900 for Staffing Memos). These memos informed the City Council on the department's staffing challenges and their implications for ongoing projects, highlighting that several initiatives led by Public Works, including BerkDOT's evolution, had been temporarily halted. This pause was later addressed at the Berkeley Budget & Finance Committee on June 22, 2023 and at the June 27, 2023 City Council session. Notably, several Reimagining Tier 1 requests have been referred to the December 2023 Annual Appropriations Ordinance #1 process (See Companion Appendix K, pp. 2902-2997 for Budget & Finance Committee Annotated Agenda and June 2023 Item 53 Council Supplemental Item).

As of this report's submission, movement related to this deliverable has yet to be initiated. The Public Works Department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting. Should the allocation be returned, Public Works' proactive response plan will be to launch a comprehensive Request for Proposal (RFP) process to bring aboard a third party with a proven track record in urban transportation to assess preliminary research, bridge any existing gaps, and devise an actionable BerkDOT implementation plan.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**June 2020 – ongoing**	Community Process for BerkDOT Development
	Fall 2022	Crossing guards transitioned from the Police to Public Works' Division of Transportation.
	November 2022 – ongoing	Public Works staffing vacancies memos issued to City Council and community.
Phase 2 (2022-2024)	**June 2023**	City Council referred several Reimagining Tier 1 requests to the December 2023 Annual Appropriations Ordinance #1 process.
	Anticipated **November 2023 – ongoing**	Public Works anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been made at the AAO#1 meeting. Next Steps would include a possible RFP process for BerkDOT implementation planning.

Considerations:

- **Regulatory Compliance:** BerkDOT must strictly adhere to local, state and federal transportation regulations. This includes not just road and transit roles, but also any pertaining to pedestrian zones, bike lanes, and other urban transportation forms. Ensuring compliance will prevent potential legal complications and foster smoother collaboration and state federal agencies.

[11] https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB645

- **Budgetary Limitations:** The BerkDOT's budget is currently deferred. This situation necessitates providing essential project and operations within existing resources. The City must explore innovative solutions and consider alternative funding avenues, such as grants or strategic partnerships.
- **Staffing:** The Public Works Department is currently facing a staffing shortage, which affects its capacity to meet all operational demands. The Department is actively recruiting to fill vacancies. It is important to note that with limited personnel, there are competing priorities to manage.

Ongoing Timeline:

- **Fall 2023 – ongoing:** As of this report's submission, movement related to this deliverable has yet to be initiated. The Public Works Department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting. Should the allocation be returned, Public Works' proactive response plan will be to launch a comprehensive Request for Proposal (RFP) process to bring aboard a third party with a proven track record in urban transportation to assess preliminary research, bridge any existing gaps, and devise an actionable BerkDOT implementation plan.

BEHAVIORAL HEALTH, CRISIS RESPONSE, AND CRISIS-RELATED SERVICES NEEDS AND CAPACITY ASSESSMENTS

Department Lead: Health, Housing and Community Services Department

Status Update: ***In Progress***

Overview:

In ***Phase 2,*** the City of Berkeley allocated $100,000 in Fiscal Year 2023 for a service needs assessment based on 911 and non-911 calls for service, dispatch, and response to address the needs of Berkeley people with behavioral health issues and/or who are unhoused. This needs assessment should be conducted using computer-aided dispatch (CAD) or other data from the Berkeley Communications Center, other dispatch agencies, BPD, BFD, and any other relevant data during the COVID-19 pandemic from at least March 2020 through the present. In addition to this service assessment, the recommendation also includes a capacity assessment of crisis response and crisis-related services available to Berkeley.

In May 2023, the City Council authorized the City Manager to add a portion of this funding to an existing contract with Resource Development Associates (RDA) to support a CAD data analysis to better inform the implementation and evaluation of the Specialized Care Unit (SCU) (See Companion Appendix E, pp. 2487-2496 for RDA Contract).

Analyzing the CAD data will help inform future SCU and crisis system operations by gaining a better understanding of the types of calls that could apply to behavioral health crises. Components of this CAD data analysis and follow-up recommendations, as it applies to current program operations will be incorporated into the broader SCU evaluation, and provided to the City throughout the SCU pilot.

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In addition to the RDA contract to analyze 911 call data, HHCS recently hired a Community Services Specialist II (CSSII) who is focused on analyzing care support systems in the City of Berkeley and Alameda County, including crisis response and crisis-related services. This CSSII will focus on conducting the capacity assessment to determine what exists and system gaps with respect to the SCU, respite, and sobering centers. This work will continue throughout the calendar year and into early 2024.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	Existing contract for SCU program evaluation is amended to add a scope of work for RDA to conduct the crisis needs assessment.
	June 2023 – August 2023	Crisis needs assessment for 911 call planning begins with initial data scoping.
	August 2023 – ongoing	Data analysis of Computer Aided Dispatch (CAD) calls begins with City of Berkeley stakeholders.
	August 2023	HHCS hired a Community Services Specialist II to analyze crisis response and related systems, specifically including crisis stabilization.
	Anticipated **Ongoing – December 2023**	Data collection and systems planning.
	Anticipated **December 2023 – ongoing**	Reporting. These projects continue to be ongoing through the rest of 2023. HHCS expects to receive initial results of the analysis of the 911 call data and crisis systems by the beginning of next year

Considerations:

- **Expanding Data Analysis & Dynamic Needs:** As the project progresses, there might be a recognition of new data sets essential for comprehensive analysis.
- **Partner Coordination & Feedback:** With multiple partners involved, there will be extensive coordination to ensure that all information is gathered to inform these analyses.
- **Policy Awareness:** Staying updated with relevant behavioral health policies and regulations will be key to ensure project success and compliance.

Ongoing Timeline:

- **Fall 2023 – ongoing:** These projects continue to be ongoing through the rest of 2023. HHCS expects to receive initial results of the analysis of the 911 call data and crisis systems by the beginning of next year.

STAFFING ASSESSMENT

Department Lead: Police

Status Update: *In Progress*

Overview:

As part of ongoing efforts in the Reimagining Public Safety ***Phase 2*** recommendations, the Berkeley Police Department has contracted with Citygate Associates to undertake a thorough study of the Berkeley Police Department (See Companion Appendix L, pp. 2999-3006 for Contract and Scope of Services). This comprehensive study aims to evaluate the Department's organizational structure, resource allocation, and geographical patrol boundaries. Citygate will also recommend organizational improvements to enhance overall service to the community with consideration given to the morale and well-being of police staff.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2023**	The Berkeley Police Department has successfully engaged with Citygate Associates for a comprehensive staffing assessment and workload study. Citygate's workload study will take approximately nine months and consists of 6 key tasks outlined in the contract. RPS funding allocation of $125,000 for FY 2024.
	August 2023 – ongoing	Citygate Staffing Assessment Tasks 1 & 2.
	Anticipated **October 2023 – November 2023**	Stakeholder Interviews and Community Survey.
	Anticipated **November 2023 – December 2023**	Review of Organizational Functions and Workload.

Ongoing Timeline:

- **October 2023 – ongoing.** Citygate's workload study will take approximately nine months and consists of 6 key tasks outlined in the contract. The Berkeley Police Department anticipates providing updates during the next Reimagining



Public Safety status report out.

TRANSPORTATION FINES & FEES ANALYSIS

Department Lead: City Manager's Office

Status Update: *To Be Initiated* (funding deferred to AAO#1)

Overview:

As a ***Phase 2*** item in the Reimagining Public Safety initiative, $150,000 was allocated by the City Council for Fiscal Year 2023 to review the City of Berkeley's Municipal Code for proposed changes to increase equity and racial justice in City's transportation fines and fees, and explore the civilianization of enforcement of various Municipal Code violations (See Companion Appendix T, pp. 3259-3264).

As previously mentioned, several Reimagining Public Safety deliverables, have yet to be initiated. Additionally, at the City Council's Budget & Finance Committee meeting on June 22, 2023 and June 27, 2023 City Council session, several Reimagining Tier 1 requests were deferred to the December 2023 Annual Appropriations Ordinance #1 process (See Companion Appendix K, pp. 2902-2997 for Budget & Finance Committee Annotated Agenda and June 2023 Item 53 Council Supplemental Item). The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable once a decision around funding has been finalized at the AAO #1 meeting.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	City Council referred several Reimagining Tier 1 requests to the December 2023 Annual Appropriations Ordinance #1 process.
	Anticipated **October 2023 – ongoing**	The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been made at the AAO#1 meeting.

Ongoing Timeline:

- **Fall 2023 – ongoing:** As of this report's submission, this deliverable has yet to be initiated. The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting.

DEPARTMENT OF COMMUNITY SAFETY DESIGN AND IMPLEMENTATION

Department Lead: City Manager's Office

Status Update: ***To Be Initiated*** (funding deferred to AAO#1)

Overview:

As a ***Phase 2*** item in the Reimagining Public Safety initiative, $250,000 was allocated for Fiscal Year 2024 to support a design process for the creation of a Department of Community Safety (See Companion Appendix T, pp. 3259-3264).

As previously mentioned, several Reimagining Public Safety deliverables, have yet to be initiated. Additionally, at the City Council's Budget & Finance Committee meeting on June 22, 2023 and June 27, 2023 City Council session, several Reimagining Tier 1 requests were deferred to the December 2023 Annual Appropriations Ordinance #1 process (See Companion Appendix K, pp. 2902-2997 for Budget & Finance Committee Annotated Agenda and June 2023 Item 53 Council Supplemental Item). The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable once a decision around funding has been finalized at the AAO #1 meeting.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	Council referred several Reimagining Tier 1 requests to the December 2023 Annual Appropriations Ordinance #1 process.
	Anticipated **October 2023 – ongoing**	The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been made at the AAO#1 meeting.

Ongoing Timeline:

- **Fall 2023 – ongoing:** As of this report's submission, this deliverable has yet to be initiated. The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting.



DISPATCH ASSESSMENT & IMPLEMENTATION

Department Lead: Fire Department

Status Update: *In Progress*

Overview:

The City's Dispatch center is the hub of both police, fire and emergency medical services (EMS) for the community. When a resident call 911 for help, there is a simple expectation that person has: that the right responders arrive on scene to provide help quickly. What happens behind the scenes is a complex process that is similar to that of an air traffic control center. Dispatchers receive calls for help via 911 or a ten-digit phone number, they ask questions to clarify the need, collect critical information and enter information into a Computer Aided Dispatch (CAD) system, alert the right resource(s), coordinate the response to the call, all the while maintaining awareness of the system status.

With this project, the Berkeley Fire Department's goal is to enhance the City's Dispatch center to allow for the systematic triage of emergency calls, to provide pre-arrival emergency medical instructions to callers, and to create the opportunity to send alternate resources like an alternative mobile health unit (similar to the Fire Departments Mobile Integrated Paramedic unit deployed early in the Pandemic) or the Specialized Care Unit (SCU). To meet these modern fire and EMS capabilities, as seen in most other centers in the region including the Contra Costa Regional Fire Communications Center, the Alameda County Regional Emergency Communications Center, and the San Francisco Emergency Communications Department, a substantial initial and on-going investment may be required.

In part of the Mayor's phased approach to Reimagining Public Safety, ***Phase 1*** work primarily focused on preliminary development and stakeholder engagement of the Dispatch Needs Assessment (DNA) design prior to soliciting a formal (See Companion Appendix B, pp. 1899-2285 for City Manager's Reimagining Public Safety Off-Agenda Memos). As we advanced efforts towards Dispatch Needs Assessment and Redesign, additional funding was approved for Fiscal Year 2023 for DNA efforts, this enactment is a part of ***Phase 2*** in the Mayor's three-tiered approach.

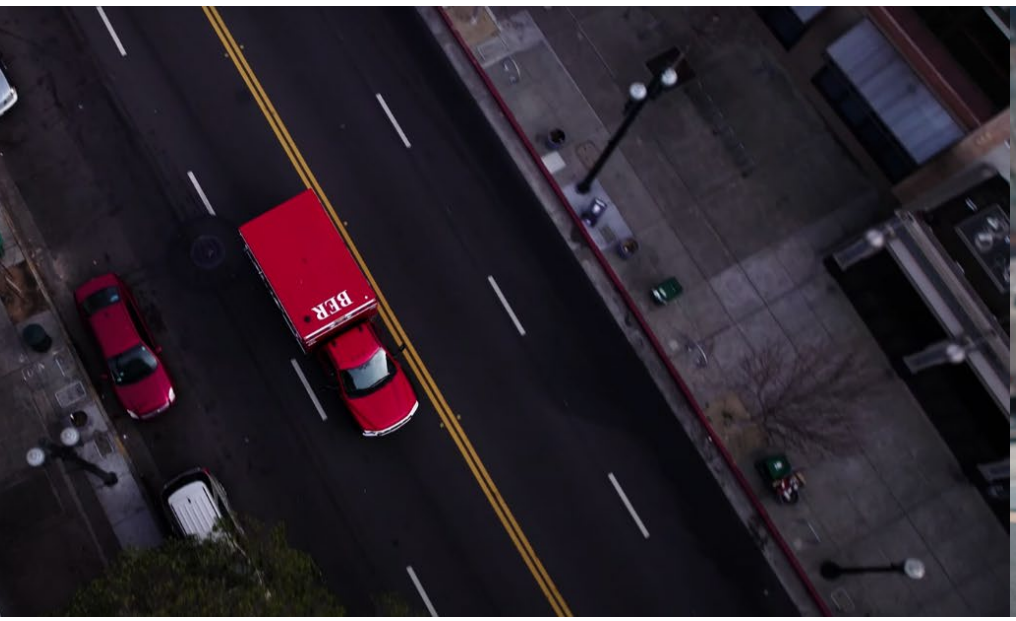
Leading into ***Phase 2*** of the Reimagining Public Safety initiative, the Berkeley Fire Department contracted with Federal Engineering, Inc. (FE) to conduct a Dispatch Needs Assessment (DNA). The results of the completed scope of work is detailed in the high-level implementation plan (See Companion Appendix M, pp. 3009-3014 for FE Contract and High Level Implementation Plan). The recommendations included a staffing model, facility improvements, advanced training and protocols required to support call triaging for alternative response models, and the implementation of emergency medical dispatch.

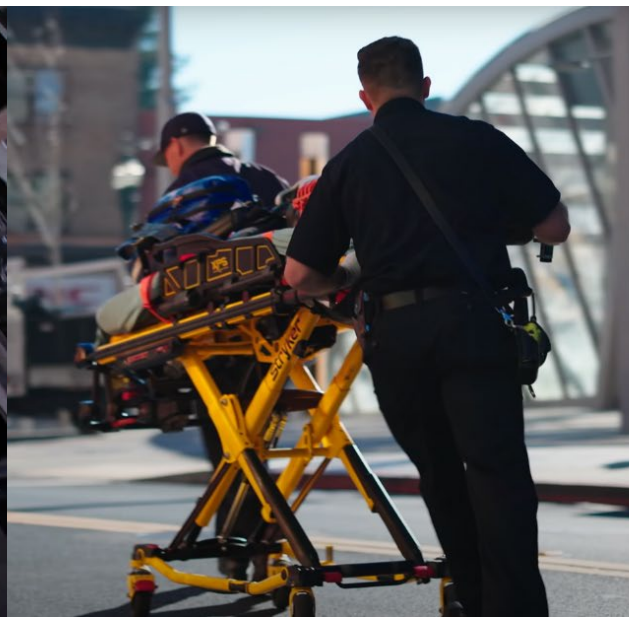
Due to the significance of the recommendations from FE and following extensive discussions with stakeholders from dispatch, the City Manager's Office, the fire department, and the police department, staff is seeking a second opinion from other industry experts in the field before bringing the full report to City Council and advancing to the next phase of the DNA (implementation of the plan). The scope and lasting impacts of implementation of the DNA recommendations is so significant, it is imperative

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that the team exercises due diligence. By soliciting a second opinion, staff aim to ensure that the report and subsequent recommendations to the City Council are anchored in best practices, are pragmatic, fiscally responsible, and represent a comprehensive understanding of the challenges and requirements of this industry. This careful approach underscores the Berkeley Fire Department's commitment to the highest standards of professional and strategic implementation.

The cost of the second opinion is not expected to exceed $20,000 and will be paid by Measure FF funds. Contract initiation and reassessment will conclude in Spring 2024. Within this timeframe, the core objective is to undertake a comprehensive reassessment of the current and proposed staffing model. The reassessment will utilize the most recent call data, as the FE report is now a year old. It is important to contextualize that the data, influenced by the unprecedented challenges of the COVID-19 Pandemic, may not represent typical patterns. The final output will encompass a plan for strategic implementation of the derived recommendations. Upon the completion of the second opinion, Fire Department staff anticipates engaging with City leadership to shape and inform next steps. The findings from this review will be presented to the appropriate stakeholder groups and the Council in 2024. The total contract for the Dispatch Needs Assessment and Implementation Plan is $300,000. In addition to City allocation ($200,000) the initial assessment was funded by HHCS grants (approximately $100,000).





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Key Accomplishments and Next Steps:

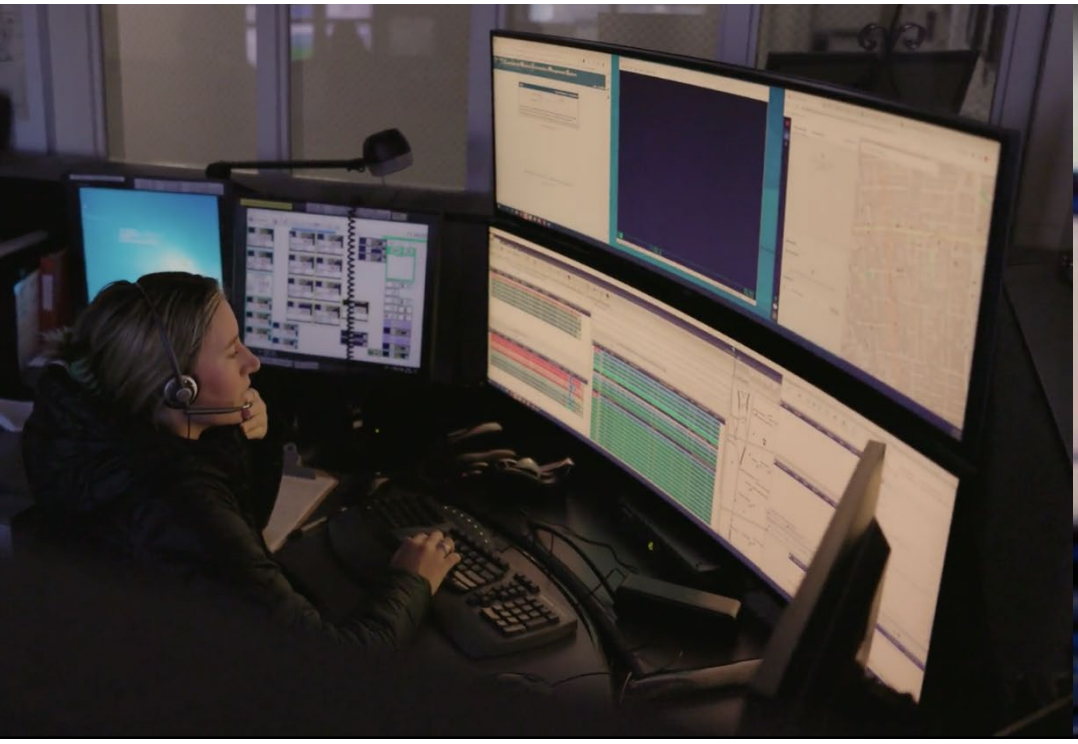
RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	February 2021 – December 2021	RFP Process Executed.
	January 2021 – October 2022	Federal Engineering Conducts Assessment. The scope of work for this project examined existing dispatch capabilities and the City's goals to develop a gap analysis and path forward on how to triage calls, divert non-emergency calls—including mental health calls—to appropriate resources, and implement the delivery of emergency medical instructions to callers.
Phase 2 (2022-2024)	November 2022 – May 2023	The Federal Engineering Report on Priority Dispatch was presented to key stakeholders and discussed internally.
	July 2023 – October 2023	Development of Second Opinion Scope and Vendor Selection
	Anticipated Fall 2023	A budget of $20,000 from Measure FF funds is allocated for a second opinion, set to begin in November for a three-month duration. This review will re-evaluate our staffing model using the latest call data, considering the anomalies from the COVID-19 impacted years. The outcome will provide strategic recommendations for implementation.
	Anticipated Winter/Spring 2024	Second opinion report complete.
	Anticipated Winter/Spring 2024	Discussion with City project stakeholders of FE's report and the second opinion to determine next steps for the DNA.

Considerations:

- **Staffing.** Through FY23 the Fire Department experienced significant and ongoing recruitment and hiring challenges resulting from the global pandemic, the Office of the Fire Chief (the Department) has struggled to fulfill community needs through day-to-day operations, strategic planning efforts, and project and program management. The most significant challenges surround overseeing operational and programmatic priorities due to short staffing. The Department is working diligently to reorganize its operations to support current and future staff and staffing needs.
- **Facilities Space.** One of the primary challenges and considerations that may inhibit implementation of Stage II of the Dispatch Needs Assessment is securing an appropriate facility space for the center. There is not enough space in the Public Safety Building before the Fire Department moves to an independent headquarters facility. Identifying and obtaining the appropriate amount of space to house dispatcher workstations is vital for the successful rollout and operation of the project. Ensuring the space meets the specific requirements and standards, both in terms of functionality and accessibility, is paramount and current configuration of the Public Safety Building will need to be adjusted to accommodate a modern and expended dispatch center.
- **Budget.** Stage I of this project was paid for with HHCS grant funds and the second opinion and planning for implementation is funded by Measure FF. Additional funding for implementation of any/all recommendations will need to be approved and appropriated by the City Council.

Ongoing Timeline:

- **Fall 2023 – ongoing:** A budget of $20,000 from Measure FF funds is allocated for a second opinion, set to begin in late Fall 2023. This review will re-evaluate Fire's staffing model using the latest call data, considering the anomalies from the COVID-19 impacted years. The outcome will provide strategic recommendations for implementation.





COMMUNITY INVESTMENTS

VIOLENCE PREVENTION

VIOLENCE PREVENTION AND YOUTH SERVICES

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

In ***Phase 2*** of the initiative to Reimagine Public Safety, emphasis was placed on community investments. Two prominent Community-Based Organizations (CBOs), namely McGee Avenue[12] Baptist Church Center for Food, Faith, and Justice and Berkeley Youth Alternatives[13] were identified and selected to receive funds. These allocations are instrumental in bolstering collective efforts to reshape and enhance the dynamics of Berkeley's community. For Fiscal Years 2023 and 2024, $50,000 has been designated to support the "Voices Against Violence" series by the McGee Avenue Baptist Church. Additionally, Berkeley Youth Alternatives has been allocated $160,000, of which, $125,000 is dedicated to their Counseling Center[14] and the remaining $35,000 is designated for the Summer Jam Day Camp.

Center for Food, Faith. In the City's ongoing efforts to enhance community safety and enrichment, the McGee Avenue Baptist Church was granted funding of $50,000 to support with their "Voices Against Violence" youth campaign.

Berkeley Youth Alternatives. BYA, another pillar in the community, has been awarded $160,000. A substantial portion, $125,000 is dedicated to fortifying their counseling center, which plays a crucial role in providing support to many. The remaining $35,000 is allocated to ensure successful continuation of their Summer Jam Day Camp.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2022- June 2023**	Funds allocated to CBOs
	Anticipated **Fall 2023 – June 2024**	Funds continued allocation to CBOs through FY 24.

Ongoing Timeline:

- **Fall 2023 – June 2024:** The City will continue to allocate funds to McGee Avenue Baptist Church and Berkeley Youth Alternatives corresponding to their programmatic expenditures through the end of Fiscal Year 2024, which ends on June 30, 2024.

[12] https://www.cffj.org/programs-services
[13] https://www.byaonline.org/
[14] https://www.byaonline.org/programs/counseling-center/counseling-center

GUN VIOLENCE PREVENTION (BERKELEY CEASEFIRE)

Department Lead: City Manager's Office

Status Update: *In Progress* (FY 23 carryover request to AAO#1)

Overview:

As part of the Mayor's phased approach to Reimagining Public Safety, ***Phase 1*** work primarily focused on community-centric processes and comprehensive engagement with key stakeholders and field experts. In this engagement, analysis, and design process, the National Institute for Criminal Justice Reform[15] (NICJR), was commissioned to conduct an assessment of programs and models that increase safety, properly respond to emergencies, reduce crime and violence, and improve policing. Included in their final report was a dedicated assessment of Community Driven Violence Reduction Strategies[16], also known as Gun Violence Prevention or "Ceasefire," This report was presented to the Reimagining Public Safety Task Force, and thereafter to the City Council in Spring 2022 (See Companion Appendix A, pp. 1107-1111, for NICJR Report).

Councilmember Terry Taplin recommended a series of budget referrals (November 2021, May 2022) for a Gun Violence Intervention (Operation Ceasefire) program to be designed and implemented within the city of Berkeley (See Abbreviated Appendix N, pp. 3088-3095). To support this initiative, the Berkeley Police Department (BPD) has established a comprehensive Transparency Hub[17] with data and analysis designed to support the Ceasefire process and inform the community of BPD's efforts in this space.

As the Reimagining Public Safety work transitioned to ***Phase 2*** of analysis and implementation, on June 28, 2022, the City of Berkeley ratified a budget for FY 2023 & FY 2024 with an allocation of $1,000,000 dedicated to addressing the increase in gun violence that the city of Berkeley has experienced in recent years. The budget item, titled "Ceasefire," is predicated on said prior discussions on potential community-based violence prevention strategies. The City Manager has since issued an Off Agenda Memo in October 2022 providing updates on progress thus far, highlighting BPD's preliminary steps, including engagement with Ceasefire programs in surrounding cities and other violence prevention programs when there are Berkeley connections to crime in other jurisdictions as well as their expanded partnership with UC Berkeley to include a collaboration with the Goldman School of Public Policy to design a Gun Violence Prevention program evaluation plan including the definition of success metrics and independent analysis thereof. (See Abbreviated Appendix N, pp. 3014-3087, for Report). In addition to the Police Department's efforts, Councilmember Taplin has coordinated several advisory group meetings inviting a number of community stakeholders and experts in violence reduction programs. These meetings included faith leaders and community-based organizations in Berkeley. The meetings involved identifying current systems and other stakeholders who should be engaged in the process as

[15] https://nicjr.org/
[16] https://berkeleyca.gov/sites/default/files/documents/BerkeleyReport_030722.pdf#page=100
[17] https://bpd-transparency-initiative-berkeleypd.hub.arcgis.com/

well as discussions as to what strategies would work best in Berkeley. A memo was published April 2023 (See Abbreviated Appendix N, page p. 3088, for April 2023 memo).

The Gun Violence Prevention (GVP) report was completed in summer 2023 and preliminary analyses and findings have been presented to the Chief of Police and City Manager's Office, and are expected to be presented to the City Council December 5, 2023 (See Appendix N, pp. 3014-3087, for Gun Violence Prevention Report). Unspent funds ($1,000,000) from Fiscal Year 2023 have been requested for carryover to FY 2024 as part of AA0#1. The Assistant to the City Manager, now onboarded in their role as the Reimagining Public Safety Project Coordinator, will collaborate with essential stakeholders to design the forthcoming steps and processes tailored to meet the specific requirements of Berkeley's GVP program. The team will also explore the potential need for a Request for Proposal (RFP) during this phase.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Status
Phase 1 (2020-2022)	**Spring 2022**	**Preliminary Steps.** NICJR Presents report to Task Force and Council. Councilmember Terry Taplin presents budget recommendations. BPD launches transparency hub.
	June 2022	$1M allocation adopted for Gun Violence Prevention Program.
Phase 2 (2022-2024)	**November 2022**	Gun Violence Prevention (GVP) Preliminary Analysis Initiated
	May 2023	GVP Report complete.
	August 2023	Assistant to the City Manager – Reimagining Public Safety Project Coordinator hired.
	Anticipated **December 2023**	Comprehensive update on Reimagining and Project update for GVP.
	Anticipated **Winter 2024 – ongoing**	Preliminary research and stakeholder engagement for next steps and possible process.

Considerations:

- **CBO/Staffing Recruitment:** The current recruitment landscape presents its own set of challenges. Staffing up qualified organizations/individuals for this program may face prolonged lead times in recruitment. Beyond initial recruitment, the essential training required to ensure the efficacy of the GVP launch may further extend lead times.

Ongoing Timeline:

- **December 2023 – ongoing:** Unspent funds from FY 2023 have been requested for carryover as part of AA0#1. GVP findings are scheduled to be presented to the City Council December 5, 2023. The Assistant to the City Manager will collaborate with essential stakeholders. This collaboration aims to design the forthcoming steps and processes tailored to meet the specific requirements of the GVP program.

ALTERNATIVES TO SANCTIONS/FINES

HEARING OFFICER-ALTERNATIVES TO SANCTIONS/FINES

Department Lead: Public Works Department

Status Update: *In Progress* (funding deferred to AAO#1)

Overview:

As a ***Phase 2*** item in the Reimagining Public Safety initiative, $150,000 was allocated for Fiscal Year 2024 to enhance hearing officer resources. The remit of this allocation includes referring individuals to community service and social services for various infractions, such as low-level violations related to parking.

As previously mentioned, several Reimagining Public Safety deliverables, have yet to be initiated. Additionally, at the City Council's Budget & Finance Committee meeting on June 22, 2023 and June 27, 2023 City Council session, several Reimagining Tier 1 requests were deferred to the December 2023 Annual Appropriations Ordinance #1 process (See Companion Appendix K, pp. 2902-2997 for Budget & Finance Committee Annotated Agenda and June 2023 Item 53 Council Supplemental Item). The City Manager's Office anticipates exploring next steps towards fulfilling this deliverable once a decision around funding has been finalized at the AAO #1 meeting. In light of the need to address the backlog of the administrative review queue, the Public Works Department has expanded resources to bring on an assistant to support with this process.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	City Council referred several Reimagining Tier 1 requests to the November 2023 Annual Appropriations Ordinance #1 process.
	Anticipated **October 2023 – ongoing**	The Public Works Department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been made at the AAO#1 meeting.

Ongoing Timeline:

- **Fall 2023 – ongoing:** As of this report's submission, this deliverable has yet to be initiated. The Public Works Department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting.

EXPAND DOWNTOWN STREETS TEAMS

Department Lead: Public Works Department

Status Update: *In Progress* (funding deferred to AAO#1)

Overview:

In ***Phase 2,*** a budgetary provision of $50,000 was allocated for Fiscal Years 2023 and 2024 to expand the scope of the City's contract with Downtown Streets Team[18]. On May 31, 2022, City Council approved Resolution No. 70, 394-N.S to allow for City staff to enter into sole source negotiations with DST for new pricing, contract terms, and scope of services in support of the Clean Cities Program for the continuation of hand sweeping, leaf and litter removal, graffiti abatement, and poster removal services for various commercial districts (See Companion Appendix O, pp. 3097-3100 for 2022 Contract with Downtown Streets Team).

As mentioned, several Reimagining Public Safety deliverables have yet to be initiated. Additionally, at the Berkeley Budget & Finance Committee meeting on June 22, 2023 and June 27, 2023 City Council session, several Reimagining Tier 1 requests have been referred to the December 2023 Annual Appropriations Ordinance #1 process (See Companion Appendix K, pp. 2902-2997 for Budget & Finance Committee Annotated Agenda and June 2023 Item 53 Council Supplemental Item).

Public Works has since then entered into a *new* contract with Downtown Streets Team, June 27, 2023 wherein which DST supports the city with services related to hand sweeping, graffiti and litter abatement, poster removal, and low barrier volunteer work experience programming (See Companion Appendix O, pp. 3101-3103 for 2023 Contract with Downtown Streets Team). The Public Works department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**June 2023**	City Council referred several Reimagining Tier 1 requests to the December 2023 Annual Appropriations Ordinance #1 process. Public Works enters contract with Downtown Streets Team.
	Anticipated **October 2023 – ongoing**	The Public Works Department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been made at the AAO#1 meeting.

Ongoing Timeline:

- **Fall 2023 – ongoing:** As of this report's submission, this deliverable has yet to be initiated. The Public Works Department anticipates exploring next steps towards fulfilling this deliverable, once a decision around funding has been finalized at the AAO #1 meeting.

[18] https://www.streetsteam.org/berkeley

COMMUNITY MENTAL HEALTH, BEHAVIORAL, AND CRISIS RESPONSE

COMMUNITY CRISIS RESPONSE SERVICES (BRIDGE SERVICES)

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

Within the framework of ***Phase 1*** of the Reimagining Public Safety initiative, the city was actively engaged in the planning stages of the Specialized Care Unit (SCU). The SCU, envisioned as a 24/7 mobile unit, will provide support to individuals experiencing a mental health or substance abuse crisis, without necessitating direct police involvement. During the design period, with HHCS actively engaged in the development process, the city recognized the pressing need to enhance non-police relationships and support for individuals at risk of entering a crisis state. In response to this need, the City Council, on June 29, 2021, allocated up to $1,200,000 from the FY 2022 budget, sourced from the American Rescue Plan, to fund the Community Crisis Response (CCR) services. These services, intended to bridge the gap until the SCU became operational, were also referred to as "Bridge Services."

In pursuit of these goals, the City issues a Request for Proposals, seeking community-based organizations (CBOs) and groups with expertise to provide these supportive services. The City of Berkeley received proposals from three local organizations, Alameda County Network of Mental Health Clients[19] (Berkeley Drop-in Center), Options Recovery[20], and Women's Daytime Drop-in Center[21], each with intent to expand their current service offerings. The review committee, consisting of representatives from the Health, Housing and Community Services Department, the Fire Department, the Mental Health Commission, and the Berkeley Community Safety Coalition, recommended funding all three contracts (See Companion Appendix P, pp. 3105-3110 for City Manager's consent item).

These contracts will provide financial support to:

1. Alameda County Network of Mental Health Clients (Berkeley Drop-in Center) to expand their peer support programming for crisis prevention, crisis intervention and post-crisis support (See Companion Appendix P, pp. 3111-3150 for Peer Wellness Berkeley Drop-In Center Contract)
2. Options Recovery for hiring Substance Use Disorder (SUD) Navigators for culturally competent stage-matched interventions (See Companion Appendix P, pp. 3151-3244 for Options Recovery Contract)
3. Women's Daytime Drop-in Center for enhanced mental health care services to the community including assessment, linkages, workshops, and goal-setting (See Companion Appendix P, pp. 3180-3215 for Women's Daytime Drop-in Center Contract)

[19] https://alameda.networkofcare.org/mh/services/agency.aspx?pid=BerkeleyDropInCenter_344_2_0
[20] https://optionsrecoveryservices.com/
[21] https://www.womensdropin.org/

As Reimagining efforts have transitioned into ***Phase 2*** of the implementation process, these contracts were initiated in Spring 2022, and amended to be extended the following year, while the Specialized Care Unit, having launched September 2023, continues to build and ramp up.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 1 (2020-2022)	**June 2021**	City Council approves to allocate $1,200,000 from the FY 2022 budget, sourced from the American Rescue Plan, to fund the Community Crisis Response (CCR) services.
	Summer 2021	RFP Process initiated.
	November 2021	Consent item issued to adopt three Resolutions authorizing the City Manager to execute contracts and any amendments or extensions with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center for Community Crisis Response Services, in an amount not to exceed $1,200,000.
	Spring 2022 – Winter 2022	Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center initiated.
Phase 2 (2022-2024)	**Spring 2023 – ongoing**	Contracts with Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center renewed/amended, while the SCU will continue to hire and train staff to build toward 24/7 operations.

Ongoing Timeline:

- **Fall 2023 – ongoing:** HHCS will continue partnership Alameda County Network of Mental Health Clients (Berkeley Drop-in Center), Options Recovery, and Women's Daytime Drop-in Center for Community Crisis Response Services, while the SCU will continue to hire and train staff to build toward 24/7 operations.



YOUTH PEERS MENTAL HEALTH, BEHAVIORAL, AND CRISIS RESPONSE

Department Lead: Health, Housing and Community Services Department

Status Update: *In Progress*

Overview:

The City's Health, Housing, and Community Services (HHCS) Department has initiated a collaborative effort with the Berkeley Unified School District (BUSD). Central to this partnership is the establishment of a Wellness Center at Berkeley High School[22]. This center is envisioned as a new space for students, providing an environment conducive to rejuvenation, connectivity, and well-being. This initiative falls under of ***Phase 2*** of the Reimagining Public Safety's Community Investments, with "Community Mental Health, Behavioral and Crisis Response" identified as a focal sub-category. In alignment with this vision, the City of Berkeley has allocated $175,000 for Fiscal Year 2023 and 2024 (totaling $350,000) to contract and cover the salary and benefits for a BHS Mental Health and Wellbeing Coordinator to oversee the Wellness Center. In addition, the City partially funds the MEET and Wellness Counselor at the Center (See Companion Appendix Q, pp. 3215-3239 for BUSD Contract and Scope of Services).

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**July 2023**	Mental Health Wellness Coordinator Hired.
	August 2023	Wellness Center Refurbishing and Soft Opening.
	August 2023 – ongoing	BUSD - HHCS Collaboration Meeting.
		Outreach activities to introduce MHW Coordinator to BUSD staff, students, and parents (as appropriate).
		Preliminary Wellness Center activity and services offered
	Anticipated **November 2023**	BUSD submits project evaluation plan to HHCS.
	Anticipated **July 2024**	Evaluation #1 due to HHCS (for the period of June 26, July 15, 2024 2023 - June 30, 2024).

Considerations:

- **Coordination with the Berkeley High School Health Center:** The BHS Health Center, operated by the mental health and public health divisions of HHCS, continues to provide first aid, mental health, youth development, and reproductive and sexual health services to students on campus. As Wellness Center services are largely preventive in nature, and Wellness Center and Health Center staff will coordinate as needed to support the unique needs of students.

Ongoing Timeline:

- **Fall 2023 – ongoing:** BUSD will submit a project evaluation plan to HHCS. Evaluation #1 will be delivered to HHCS July 2024.

[22] https://sites.google.com/berkeley.net/bhswellness/bhs-mental-health-resources

RESPITE FROM GENDER VIOLENCE

RESPITE FROM GENDER VIOLENCE

Department Lead: Health, Housing and Community Services Department

Status Update: ***In Progress***

Overview:

The Health, Housing, and Community Services (HHCS) Department has initiated a strategic effort to conduct a systems analysis concerning respite from gender violence and its intersections with other pertinent crisis response systems. The purpose is to increase the community's knowledge about respite resources, understand their strengths and challenges, and to identify gaps that can be addressed. To facilitate this, a temporary Community Services Specialist II was hired in August 2023 to lead the process. Additional resources will be identified to fill service gaps.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**August 2023**	Temporary Community Services Specialist II hired.
	October – November 2023	Preliminary steps of research to identify resources available at the local, state, and federal level.
	Anticipated **Fall 2023 – ongoing**	Continued research and evaluation to identify resources available based on the needs of the community.

Considerations:

- **Community Collaboration:** Prioritizing insights from community partners ensure that the policy evolution remains responsive to the lived experience, policy needs, and priorities of survivor communities.

Ongoing Timeline:

- **Fall 2023 – ongoing:** The Health, Housing, and Community Services Department anticipates continuing research and evaluation to identify resources available based on the needs of the community.

LANGUAGE EQUITY

LANGUAGE EQUITY

Department Lead: City Manager's Office

Status Update: *To Be Initiated* (FY 23 carryover request to AAO#1)

Overview:

In ***Phase 2*** of the Reimagining Public Safety initiative, the City Council allocated a budget of $15,000 for Fiscal Year 2023 to support the publication of victim resources in plain language and multiple languages. This strategic investment is aimed at expanding accessibility and ensuring that vital information and support services are readily available to all members of the community, including those with limited English proficiency, non-English speakers, and individuals with low-literacy levels. This initiative directly aligns with the recommendations outlined in the Reimagining Public Safety Task Force Report (See Companion Appendix A, pp. 938-941 for Reimagining Public Safety Task Force Report).

Unspent funds ($15,000) from Fiscal Year 2023 have been requested for carryover to FY 2024 as part of AA0#1. The Assistant to the City Manager, serving as the Reimagining Public Safety project manager will coordinate with the Health Housing and Community Services Department, specifically, their newly appointed Community Services Specialist II who is focusing on respite from gender violence work.

Key Accomplishments and Next Steps:

RPS Phase	Timeline	Milestone
Phase 2 (2022-2024)	**August 2023**	Assistant to the City Manager and temporary Community Services Specialist II hired.
	October – November 2023	Preliminary steps of research to identify resources available at the local, state, and federal level.
	Anticipated **Fall 2023 – ongoing**	Continued research and evaluation to identify resources available based on the needs of the community; coordination to identify usage for language equity funds.

Ongoing Timeline:

- **Fall 2023 – ongoing:** The team anticipates continuing research and evaluation to identify resources available based on the needs of the community. As the City progresses in this phase, the team will coordinate to identify usage for language equity funds.

APPENDIX B

APPENDIX B

Updated RPS Coordination Plan

APPENDIX B

City Manager's Office

Reimagining Public Safety Coordination Plan

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1 Executive Summary

Introduction: The Reimagining Public Safety (RPS) initiative is a groundbreaking effort by the City of Berkeley to transform its approach to public safety. The initiative aims to build a safe, equitable, and thriving community through a redefined, multidisciplinary approach to public safety.

Justification: The RPS initiative aims to achieve a transformative approach to public safety, improving community well-being and potentially reducing long-term costs. The expected outcome includes not just policy adjustments but also broad, systemic change.

Objectives: To fulfill[1] the task activities and deliverables outlined within the Mayor and Councils recommendations and phased approach regarding Reimagining Public Safety:

1. Refer up to $5.3 Million to the FY 2023-2024 Budget Process for staff and/or consulting services and community investments to complete the Priority Reimagining Public Safety Initiatives listed in Attachment 1, Section A to the report
2. Direct the City Manager to prioritize over the next two years the programmatic recommendations for Phase 1 of Reimagining Implementation listed in Attachment 1, Section B to the report.
3. Direct the City Manager to initiate a design process for an innovative and comprehensive public safety agency or Department of Community Safety within the City of Berkeley administration, as outlined in Attachment 1, Section C to the report, and return with recommendations to the City Council by May 2024 to align with the FY 25-26 Biennial Budget process.
4. Except where resources may allow for expedited implementation, refer additional reforms to the FY 2025-2026 Biennial Budget as outlined in Attachment 1, Section D to the report.

Scope: The initiative encompasses a breadth of fields including, but not limited to, law enforcement, health, housing and community services, dispatch analysis and coordination with our fire teams, and public works. It will focus on collaborative, proactive, and problem-solving approaches that align with the mission and values of our City and Reimagining Public Safety efforts.

Purpose of the Coordination Plan: This coordination plan is aims to integrate the Assistant to the City Manager, serving as the Reimagining Public Safety Project Coordinator, into the RPS Team and establish a framework for collaborating. Designated City Departments (CMO, HHCS, Police, Fire, Public Works), who have been spearheading this initiative forward, will continue to serve as leads for respective Reimagining Public Safety deliverables. The Assistant to the City Manager will serve as the RPS project coordinator and work collaboratively alongside Departments to catalog and report-out RPS project progress.

Timeline: This timeline will follow the 2020-2026 phased approach outlined here.

Budget and Resources: A budget of up to $5.3 million has been referred for the FY 2023-2024 Budget Process. Staff and/or consulting services will be engaged for implementing deliverables.

Next Steps: ***This coordination plan is a dynamic document and may be updated as needed. Upon formal approval of this plan, we will make every effort to execute the plans and activities outlined herein.***

[1] Unless otherwise amended.

2 Introduction

2.1 Objective of the Reimagining Public Safety Initiative Coordination Plan

The primary objective of this Coordination Plan is to articulate the integration of project coordinator responsibilities within the broader context of leaders and teams committed to propelling the Reimagining Public Safety (RPS) initiative forward. Given the dynamic nature of the RPS initiative, the coordination plan is inherently a living document, adaptable to the evolving needs of the team. It establishes a framework for reporting on the progress of various deliverables and sub-deliverables associated with the Reimagining Public Safety initiative (RPS) being implemented across the City of Berkeley. The Assistant to the City Manager – RPS Project Coordinator's role will primarily involve cataloging ongoing work, managing information flow, and ensuring that the key stakeholders are informed of RPS developments and progress.

2.2 Drivers, Problems to be Solved, and Communities Impacted

In striving to reimagine public safety, Berkeley's efforts encompass a balanced distribution of resources, reassessment of policing responsibilities, strategic community investments, and the design of a holistic approach to safety. This approach seeks to offer a balanced model for addressing public safety while also attending to various community needs.

Drivers & Motivators	Problems to be Solved	Communities Impacted
• Community Well-being • Public Trust • Equity and Inclusion • Legislative Momentum • Resource Optimization • Fiscal Responsibility • Compliance and Accountability • Resilience and Preparedness • Technological Advances	• Addressing Historical Inequities • Scope and Range of Police Responsibilities • Community Investment Gap • Resource Allocation • Public Perception and Trust • Data and Reporting • Diverse Population Dynamics • Community Call Responses • Holistic Safety and Well-being Approach • Sustainability	• City of Berkeley Residents o Communities of Color o Low Income Communities o LGBTQIA+ Communities o Justice-Impacted Communities o Mental Health & Substance Use Communities o Youth & Students o Immigrant Communities o Justice-Impacted Communities • Community Based Organizations • Government Officials o City Departments: *CMO, Fire, Police, HHCS, Public Works, HR, IT, Finance* o Council Committees: *Public Safety Policy Committee, FITES Committee, Health, Life Enrichment, Equity & Community Committee, Budget & Finance Policy Committee* o Boards & Commissions*: Mental Health Commission, Public Safety Policy Committee, Police Accountability Board, RPS Taskforce*

2.3 Purpose and Value to Organization

The purpose of the Reimagining Public Safety Initiative in the City of Berkeley is to develop a more equitable, holistic, and community-centered approach to public safety. By reassessing and restructuring traditional models, we aim to address systemic inequities, increase community trust, and efficiently allocate resources for the well-being of all residents. This initiative not only seeks to enhance the city's public safety and community engagement, but also positions Berkeley as a potential model for innovative, comprehensive, and inclusive public safety strategies nationwide. Reimagining Public Safety Principles, Commitments, and Objectives

Guiding Principle	Commitment
REIMAGINE Redesign public safety from a traditional Police Department to one that is focused on the diverse needs of the community it serves.	**A transformative approach to community-centered safety and reducing the scope of policing**, by re-defining our understanding of safety to be holistic and focus not just on crime prevention but health, wellness, and economic security for all of our residents. While the focus has been on reducing the footprint of policing, we recognize that police play a critical role in our society, and we must determine the right size, focus and function of our Police Department to prevent and respond to crime, while exploring alternative response models and upstream investments in social services to create a healthy, safe and equitable community.
	Reimagining health and safety, considering allocating resources towards a more holistic approach - one that shifts resources away from policing towards health, education and social services, and is able to meet crises with a variety of appropriate responses.
	Identifying alternatives to policing and enforcement to reduce conflict, harm, and institutionalization, introduce alternative and restorative justice models, and reduce or eliminate use of fines and incarceration.
IMPROVE Improve the City of Berkeley's public safety system for residents and communities that have experienced the greatest harm from the existing public safety model.	**A broad, inclusive community process** that will result in deep and lasting change to support safety and wellbeing for all Berkeley residents.
	Determining the appropriate response to community calls for help including size, scope of operation and powers and duties of a well-trained police department.
	Supporting police by freeing them to focus on what they do best: respond to and investigate crimes.
REINVEST Increase equitable investment in vulnerable communities and for those who have been historically marginalized.	**Equitable investment in the essential conditions of a safe and healthy community**, especially for those who have been historically marginalized and have experienced disinvestment.
	Providing meaningful safety, continuing critical health and social services, and committing to, and investing in, a new, positive, equitable and community-centered approach to health and safety that is affordable and sustainable.
	Ensuring an appropriately staffed and deployed Police Department while reducing the impact of Police expenditures to the General Fund; Investing in a suite of alternative response services and a sophisticated dispatch system to deploy the most appropriate emergency response in a cost-effective manner.

3 Reimagining Public Safety Team

The Reimagining Public Safety Team has undertaken the substantial task of reshaping the city's approach to public safety, following the City Council's adoption of the July 2020 omnibus motion. This initiative, as noted in the City Manager's report, represents a collective effort, drawing together city departments, community stakeholders, field experts, and the dedicated Reimagining Public Safety Task Force to collaboratively design a new public safety paradigm.

In Phase 1 (2020-2022), the City Manager, leadership team, and city staff actively engaged in comprehensive consultations and strategic planning sessions; their efforts, focused on ensuring that the initiatives underway are well-aligned with both the community's needs and the city council's directives, set the stage leading into Phase 2 (2022-2024).

The table below offers an overview of the Reimagining Public Safety Team's structure for Phase 2, acknowledging the individuals and their collaborative work[2]. It is crucial to emphasize that this initiative is a city-wide effort, reliant on the active involvement of a variety of city staff and community-based subject matter experts throughout its phased implementation. This team is uniquely situated to continue accomplishing this work. Their dedication, passion and leadership around this work is truly exceptional.

Department	RPS Team	
City Manager's Office (CMO)	**Dee Williams Ridley**	City Manager
	LaTanya Bellow	Deputy City Manager
	Anne Cardwell	Deputy City Manager
	Rex Brown	DEI Officer
	Carianna Arredondo	Assistant to the City Manager *Reimagining Public Safety Project Coordinator*
Health Housing and Community Services (HHCS)	**Scott Gilman (Interim)**	Interim Director, Health Housing and Community Services
	Katherine Hawn	Senior Management Analyst, HHCS *RPS Team Lead Representative (HHCS)*
Police	**Chief Jennifer Louis**	Chief of Police
	Lt. Matthew McGee	Lieutenant, Police *RPS Team Lead Representative (Police)*
Fire	**Chief David Sprague**	Chief of Fire
	Shanalee Gallagher	Program Manager, Fire *RPS Team Lead Representative (Fire)*
Public Works	**Terrance Davis**	Director, Public Works *RPS Team Lead Representative (Public Works)*
	Wahid Amiri	Deputy Director, Public Works Transportation Div.

[2] As noted in the Executive Summary, this coordination plan is aims to integrate the Assistant to the City Manager, serving as the Reimagining Public Safety Project Coordinator, into the RPS Team and establish a framework for collaborating. Designated City Departments (CMO, HHCS, Police, Fire, Public Works), who have been spearheading this initiative forward, will continue to serve as leads for respective Reimagining Public Safety deliverables. The Assistant to the City Manager will serve as the RPS project coordinator and work collaboratively alongside Departments to catalog and report-out RPS project progress.

		RPS Team Lead Representative (Public Works)
City Attorney's Office (CAO)	**Brendan Darrow**	Assistant City Attorney
City Attorney's Office (CAO)	**Emile Durette**	Assistant to the City Attorney *RPS Team Lead Representative (City Attorney's Office)*

4 Deliverables and Tasks

At the time of this coordination plan's creation, the Reimagining Public Safety initiative has already been set into motion. City departments, each taking steps in line with their specific mandates and responsibility, are continuing to move forward in their efforts to support this initiative. Department Heads and the designated RPS Team leads will collaborate with the Assistant to the City Manager serving as the RPS project coordinator in identifying and cataloging work that has already been completed, work that is in progress, and future tasks that still require action. This consolidated view will enable effective resource allocation, risk management, and strategic planning, thus ensuring the deliverables are executed in a timely and effective manner.

Department	Deliverable	
City Manager's Office (CMO)	Phase 1	• Community Engagement Process
	Phase 2	• Asst. To City Manager – RPS Project Coordinator • DEI Officer & Asst to DEI Officer • Grant Assistance • Department of Community/Public Safety *Design* • Fines/Fees Analysis • Ceasefire *Analysis, Design & (early) Implementation*
	Phase 3	• Ceasefire Implementation • Launch Universal Basic Income Pilot
Health Housing and Community Services (HHCS)	Phase 1	• Specialized Care Unit *Design* • Bridge Services
	Phase 2	• Specialized Care Unit *Implementation* • Respite from Gender Violence • Needs and Capacity Assessment • Violence Prevention and Youth Services • Youth Peers Mental Health Response
	Phase 3	• Specialized Care Unit *Expansion*
Police	Phase 1	• Fair and Impartial Policing
	Phase 2	• Fair & Impartial Policing • Beat Study & Staffing Assessment • Wellness Funding -- CIS Contract & PST • Staffing – Community Service Officers & Dispatchers
	Phase 3	• BPD Budget & Staffing Update
Fire	Phase 1	• Dispatch Analysis Study *Design*
	Phase 2	• Dispatch Analysis Study *Implementation*
	Phase 3	• Dispatch Redesign *Application*
Public Works	Phase 1	• BerkDOT *Design*

	Phase 2	• BerkDOT *Analysis & Implementation* • Associate Planner for Vision Zero Collision Analysis • Expand Downtown Streets Teams • Hearing Officers Alternatives to Sanctions/Fines
	Phase 3	• BerkDOT *Implementation* • Implementation of Public Safety Department

5 Assumptions and Constraints

In planning and executing the Reimagining Public Safety initiative, it's crucial to identify the underlying assumptions that guide our strategies, as well as the constraints that may limit our options. This section outlines these assumptions and constraints to provide a structured framework for decision-making, risk management, and effective project implementation on an inter-departmental level.

Assumption/Constraint	Description	Example Detail
Funding	*Adequate financial resources will be available for implementing various aspects of the project.*	*Budget allocation, grants, etc.*
	Limited funds may restrict the extent of changes or pace implementation.	*Budget caps, competing priorities.*
Community Support	*There is strong community support and engagement in the reimagining process.*	*Community meetings, surveys, etc.*
	Resistance or opposition from certain community groups may slow down the project's pace.	*Public protests, negative media attention.*
Legislative Framework	*Necessary changes in local and state laws will be made to facilitate project goals.*	*Policy adjustments for unarmed enforcement.*
	Existing laws may limit the types of changes that can be implemented immediately.	*State laws on unarmed enforcement.*
Staff Recruitment/Retention	*Required staff positions will be filled timely and will remain stable throughout the project.*	*Assistant City Managers, Vision Zero Coordinator, etc.*
	Constraints on hiring or retaining the specialized staff required for the project.	*Recruitment challenges, staffing shortages, causing delay.*
	High attrition rates.	*Hiring and training can take up to a year due to added measures in this specialty.*
Technology	*Technology platforms will effectively support new dispatch and response models.*	*Software for prioritized dispatch.*
	Technological limitations may constrain the speed or effectiveness of new systems or models.	*Outdated systems, interoperability issues, extended timelines.*
	Request for Proposals is often a 6-month process. Actual implementation of new systems could take up to two years.	

6 Project Budget

A budget allocation of up to $5.3 million[3] has been designated for Fiscal Year 2023-2024. Together with additional grants, the total funding for the Reimagining Public Safety Initiative exceeds approximately $9 million. Developed based on recommendations from the City Manager, Mayor, and City Council the budget serves as a financial blueprint for responsibly allocating resources and achieving the initiative's objectives. For optimized tracking and reporting, we've established a simple process that involves multiple stakeholders.

6.1 Reporting Process, Frequency, and Deadlines

The given the dynamic nature of the Reimagining Public Safety work, the team will continue to collaborate on identifying and improving best practices for budget process. RPS Project Leads will be responsible for sharing the following information for respective RPS-related deliverables:

Type of Expense	Tracking Information
For Contracted Items	• Vendor Name • Contract # (if applicable) • Budget COA
For Staffing Positions	• Position Filled (Y/N) • Job Description/Posting Link

Considering the RPS work is funded by the city across FY 2023 and FY 2024, a quarterly reporting cadence is most effective.

By adhering to these guidelines and protocols, we aim to maintain rigorous control and agility while effectively making meaningful progress on the Reimagining Public Safety Initiative.

[3] Subject to change based on bi-annual budget review process and recommendations.

APPENDIX C

APPENDIX C

Amended Contract for Grant Assistance

Office of the City Manager

CONSENT CALENDAR
March 26, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Contract No. 32400015 Amendment: California Consulting for on-call grant writing services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32400015 with California Consulting, Inc. for on-call grant writing services to increase the contract amount by $303,000 for a new not-to-exceed amount of $350,000 and extend the contract term to June 30, 2026.

FISCAL IMPACTS OF RECOMMENDATION

This on-call contract has spent almost 95% of the currently authorized not-to-exceed amount of $47,000. A contract amendment in the amount of $303,000 for this on-call contract will come from the following funding sources: Reimagining Public Safety General Fund allocation ($153,000), Fire Department Measure FF allocation ($100,000), and a Parks Tax allocation ($50,000).

CURRENT SITUATION AND ITS EFFECTS

On November 15, 2021, the Bipartisan Infrastructure Law (BIL) enacted the Infrastructure Investment and Jobs Act by congress, which set up a wide variety of competitive grant programs for public agencies. These grant programs will fund billions in infrastructure projects and public safety programs across the U.S. over the next several years. Examples of upcoming grant programs for the Reimagining Public Safety Initiative will include, but are not limited to Crisis Intervention programs, public safety equipment and technology, Diversity, Equity, and Inclusion programs, Gender and Domestic violence prevention programs, and Law Enforcement Mental Health and Wellness Act (LEMHWA) programs; examples of upcoming grant programs for the Berkeley Fire Department will include, but are not limited to fire prevention and safety FEMA grants, community wildfire prevention and mitigation projects, and urban and community forestry management grants; and examples of upcoming Parks infrastructure projects will include, but are not limited to hazardous soil remediation projects, parks improvement projects, and sea-level rise adaptation and habitat projects. Several City departments have a need for grant writing services to compete for these funding programs. A contract amendment with California Consulting, Inc.

will provide the City with high quality grant writing services to compete for these upcoming grant programs.

BACKGROUND
On July 27, 2023, the City executed contract no. 32400015 with California Consulting, Inc. for on-call grant writing services in an amount not to exceed $47,000 for the period of July 20, 2023 through July 20, 2024. For over twenty-seven years, California Consulting has provided grant writing services to cities, school districts, and other public entities throughout California. In the past five years, California Consulting has provided grant-writing assistance to the City of Berkeley for thirteen (13) competitive grants. To-date, the City has received four grant awards totaling $12.9 million, two were not awarded, and we will learn about another seven (7) grant award decisions in the next three to six months. A contract amendment with California Consulting will provide the City with the necessary capacity to submit competitive grant proposals as Notice of Funding Opportunities (NOFO's) for grant programs are announced over the next two fiscal years.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no negative impacts to environmental sustainability and climate change associated with the contents of this report.

RATIONALE FOR RECOMMENDATION
In the past five years, California Consulting has provided grant-writing assistance to the City of Berkeley for thirteen (13) competitive grants. To-date, the City has received four grant awards totaling $12.9 million, two were not awarded, and we will learn about seven (7) grant award decisions in the next three to six months. California Consulting has a team of highly-qualified grant writers that will provide the City with the necessary capacity to submit competitive grant proposals as Notice of Funding Opportunities (NOFO's) for grant programs are announced over the next two fiscal years.

ALTERNATIVE ACTIONS CONSIDERED
None

CONTACT PERSON
Scott Ferris, Director, Parks Recreation & Waterfront, (510) 981-6700
David Sprague, Fire Chief, (510) 981-6903
Jen Louis, Police Chief, (510) 981-5900
Carianna Arredondo, Assistant to the City Manager, City Manager's Office, 510-981-7655

Attachments:
1: Resolution

APPENDIX C

RESOLUTION NO. ##,###-N.S.

AMENDMENT TO CONTRACT NO. 32400015 WITH CALIFORNIA CONSULTING, Inc. FOR ON-CALL GRANT WRITING SERVICES

WHEREAS, on November 15, 2021, the Bipartisan Infrastructure Law (BIL) enacted the Infrastructure Investment and Jobs Act by congress, which set up a wide variety of competitive grant programs for public agencies. These grant programs will fund billions in infrastructure projects and public safety programs across the U.S. over the next several years; and

WHEREAS, on July 27, 2023, the City executed contract no. 32400015 with California Consulting, Inc. for on-call grant writing services in an amount not to exceed $47,000 for the period of July 20, 2023 through July 20, 2024; and

WHEREAS, for over twenty-seven years, California Consulting has provided grant writing services to cities, school districts, and other public entities throughout California; and

WHEREAS, in the past five years, California Consulting has provided grant-writing assistance to the City of Berkeley for thirteen (13) competitive capital improvement grants. To-date, the City has received four grant awards totaling $12.9 million, two were not awarded, and we will learn about seven (7) grant award decisions in the next three to six months.

WHEREAS, funding for this contract amendment in the amount of $303,000 will come from the following funding sources: Reimagining Public Safety General Fund allocation ($153,000), Fire Department Measure FF allocation ($100,000), and a Parks Tax allocation ($50,000).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32400015 with California Consulting, Inc. for grant writing services increasing the amount by $303,000 for a revised contract amount not-to-exceed $350,000, and extending the contract to June 30, 2026. A record signature copy of said contract will be on file in the Office of the City Clerk.

APPENDIX D

APPENDIX D

Berkeley Police Department Annual Report

APPENDIX D
01
Worksession Item

Office of the City Manager

WORKSESSION
March 12, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jennifer Louis, Chief of Police

Subject: 2023 Berkeley Police Department Annual Report

INTRODUCTION

At the request of City Council, the City Manager provides regular reports on crime in Berkeley. The Berkeley Police Department Annual Report details 2023 year-end crime, collision, stop data and use of force data. This annual report also serves to provide a number of status updates on Council referral items, department initiatives and legislative mandates.

CURRENT SITUATION AND ITS EFFECTS

The mission of the Berkeley Police Department is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect. The Department works in service to the community and in partnership with the community, the Office of the Director of Police Accountability and the Police Accountability Board, as well as other City Departments and our regional partners.

The Berkeley Police Department understands the importance of partnering with the community and maintaining accountability. We are committed to being transparent about our policies and actions, to sharing data and information, and welcoming suggestions on enhancing our service quality as we safeguard our community. To help achieve that goal, the Department launched our Transparency Hub. That hub gives the public an accessible platform to analyze critical data and insights related to policing activities, calls for service, crimes, traffic safety, and community engagement. It can be accessed at bit.ly/bpd-transparency and provides near-real-time, area-specific data directly to our community.

APPENDIX D

To further support our public safety efforts and collaboration with stakeholders and our commitment to transparency and accountability, the Department has expanded the annual crime report to provide a more comprehensive annual report which is attached here and will be presented to Council during the Special Meeting on March 12, 2024. This report will cover a range of topics beyond the traditional reporting on crime and collision data. It will include reporting on staffing levels, specific information on call volume, type and response, efforts related to fair and impartial policing initiatives, crime and public safety problem solving responses, as well as other important departmental efforts.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

FISCAL IMPLICATIONS

Specific fiscal implications related to items referred to within this report are addressed in the biennial budget process. Additional information of costs can be provided as needed.

CONTACT PERSON

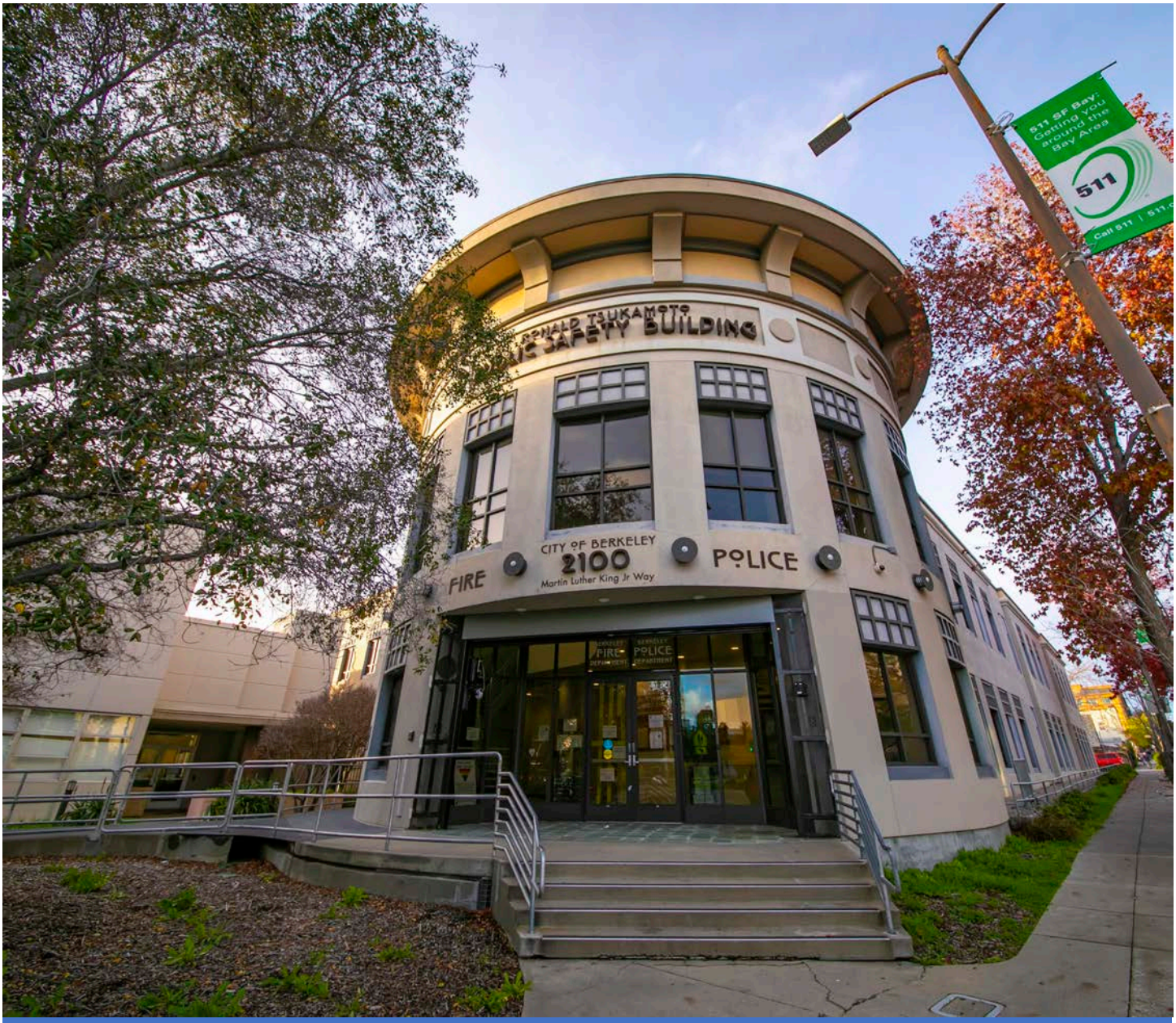
Chief Jennifer Louis, Police Department, (510) 981-5700
Data and Policy Analyst Arlo Malmberg, Police Department (510) 981-5747

ATTACHMENT

1. 2023 Berkeley Police Department Annual Report

cc: Dee Williams-Ridley, City Manager
LaTanya Bellow, Deputy City Manager
Anne Cardwell, Deputy City Manager
Jennifer Louis, Chief of Police
Mark Numainville, City Clerk

APPENDIX D



2023 Berkeley Police Department Annual Report

March 12, 2024

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Introduction

In presenting the Berkeley Police Department's annual report, we reaffirm our enduring mission, embrace our vision for the future, and recommit to our core values. These principles guide our daily operations and strategic planning, ensuring that we serve our community with the utmost integrity, respect, and dedication.

Mission: United in service, our mission is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Vision: The Berkeley Police Department will be a team of leaders at every level. We will foster strong relationships with our community, inspiring trust through our service, building on our historic tradition of progressive policing, and dedicated to the safety of all.

Values: Service is our calling. As members of this community, the Berkeley Police Department team is committed to proactive law enforcement and problem solving, holding these as our core values:

- ***Integrity***: We are ethical, fair, and trustworthy in all we do.
- ***Safety***: We strive to keep our community and each other safe.
- ***Respect***: We fulfill our duties with dignity, compassion, and empathy.
- ***Diversity***: We value the strength of a diverse workplace and community. We endeavor to reflect the community we serve, promoting inclusion and fairness.
- ***Professionalism***: We commit to organizational excellence through progressive training, positive attitude, and superior performance.

Command Staff began the year by strategically assessing the key challenges and opportunities facing the department. We sought to align our priorities with the needs of the community, the concerns of the Council, and the principles named above. Guided by this analysis, we focused on three priorities for 2023:

Recruitment and Retention: Our priority is attracting and retaining staff who align with our core principles. We are proud of our diverse team that shares our community's values and commitment to service.

Proactivity and Problem Solving: Crime prevention and long-term problem solving is a major focus for us. That's why we emphasize being proactive, using data to spot potential issues early and working with the community to find solutions before problems escalate.

Internal Communication: This year we recommitted ourselves to clear, consistent communication so every member of our department feels informed, understands what's expected, and has the resources they need to do their jobs well.

These priorities are reflected in the work completed in 2023 and detailed below. To that end, the value of this report is multifold. To the Council, it offers a transparent, measurable account of our stewardship of public trust and resources, while also highlighting how our strategies align

with and complement the work of the Office of the Director of Police Accountability and the Police Accountability Board. To the community, it underscores our unwavering commitment to public safety and service, demonstrating our efforts in connecting with and uplifting the Reimagining Public Safety initiative and Fair and Impartial Policing principles. To our department, it provides a foundation for continuous improvement and a benchmark for the pursuit of excellence as we move into 2024.

As we present this annual report we invite our community and its representatives to reflect on our shared achievements, to engage with us in addressing the challenges ahead, and to contribute to the evolution of our service to better suit the needs of all those we are privileged to serve.

Staffing & Workload

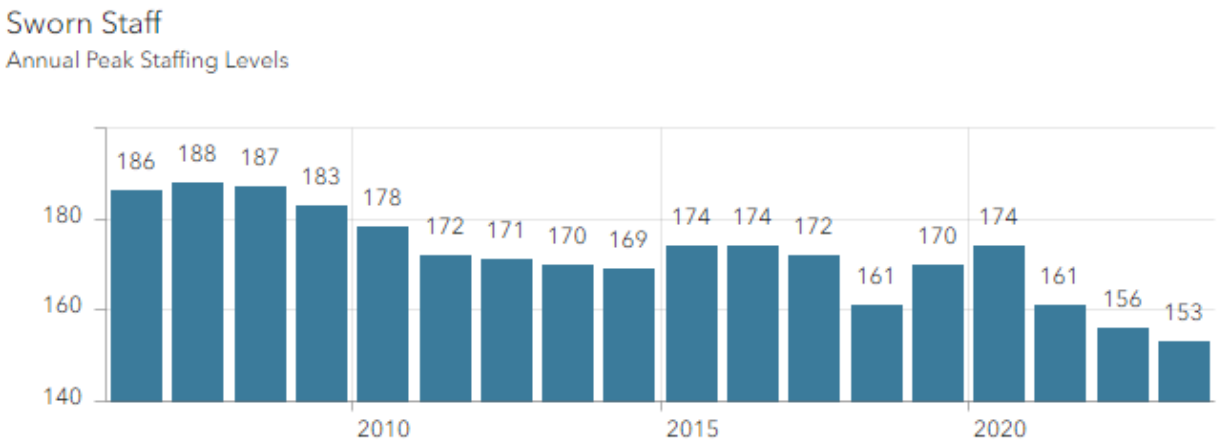
Despite a high workload, our department has sought to enhance efficiency and service quality. Through innovative recruitment and retention strategies, community engagement, and performance analytics, we have continued to strengthen our operational effectiveness. Our ongoing commitment to strategic analysis and accountability ensures sustained care and excellence in our service to the community.

Staffing

Current Levels

As of 2/7/24, we are staffed at 151 police officers, well below our current authorized staffing level of 181 sworn personnel. Two of those positions are held by recruit officers who are currently in the academy, and 5 are in field training and will not reach solo officer status until June 2024. Twenty four of the 151 officers are eligible to retire, and at least half of these 24 have stated an intent to retire over the course of 2024.

Berkeley Police Department currently is authorized 36 dispatch positions and is currently staffed with 23 dispatchers and 4 dispatch supervisors. There are currently 2 dispatchers and 0 supervisors that are eligible to retire. The Communications Center is supported by several per diem and other dispatch-qualified employees who alleviate some of the strain of understaffing.



We are also in the process of hiring additional Community Service Officers (CSO). We are authorized 29 CSOs and are currently staffed with 25. For the last several years we were authorized 22 CSOs but 6 CSOs and 1 CSO Supervisor were added to the Fiscal Year 2023 budget as a recommendation stemming from the reimagining public safety process. Conceptually, the additional CSOs will be trained to respond to lower priority calls and bridge the gap between sworn and professional personnel performing a variety of tasks that would have traditionally fallen to a sworn officer. Community outreach and engagement will be part of the work of CSOs as well. Staff has encountered difficulty identifying the scope of necessary training and attracting existing CSOs to this developing position since it was only funded on a limited three-

year term in the FY 2023 budget. The Department is committed to supporting this reimagining public safety goal and will continue work to develop this program.

Recruitment and Retention Strategies

The Berkeley Police Department prides itself on rigorous evaluation of police officer applicants, as well as hiring and training some of the profession's best officers who exemplify the department's overall mission as well as the values of our diverse and vibrant City. Beyond the expectations to successfully complete training and education requirements, the department demands that officers hold themselves to a departmental culture of integrity, respect, and professionalism. The Department continues to actively recruit and work with Human Resources to facilitate open and continuous recruitments to reach full staffing of police officers, dispatchers and other critical positions in the department.

Recruitment and Retention Team

To help address the challenges associated with hiring, in 2022 the department committed to the creation of a Recruitment and Retention Team. That team is comprised of officers and dispatchers who work with Personnel and Training on a part-time basis to attend job fairs, work on our social media outreach, respond to applicants who submit interest cards, and facilitate ride-alongs with officers and sit-alongs with dispatchers. In 2023, the Recruitment and Retention Team attended 111 events, corresponded with 2,600 potential applicants, and ultimately funneled 8 recruits into the academy and 4 Lateral officers into the Field Training Program. They also helped to hire 7 Public Safety Dispatchers.



Recruitment Incentives

In 2022, the department introduced the Recruitment and Retention Incentive Program, approved by City Council, to enhance our recruitment strategy and strengthen community ties. This initiative allowed all city employees to refer potential candidates, significantly increasing our recruiter base and ensuring that we are attracting candidates familiar with the community. In that way, this initiative supports our efforts to hire individuals who understand and embody Berkeley's deeply rooted values. The incentive program also boosted hiring bonuses for applicants, with 19 applicants qualifying for the incentive in 2023.

Wellness

In 2023, BPD received Collaborative Reform Assistance through the COPS Office, which funded in-person financial wellness training to all employees. This also provided future virtual training for 30 new employees as they are hired. The department used funding from the BSCC Officer Wellness Grant to contract with the West Coast Post Trauma Retreat to provide confidential immersive assistance to employees to work through traumatic experiences and build resilience. We also used this funding to provide two blocks of training from The Counseling Team International. The training was called First to Respond, Last to Seek Help and Mental Health Mayday, which further assisted officers navigating vicarious trauma and negative health impacts. The BSCC grant was also used to purchase a two-year contract to provide staff with a mobile wellness application called Light House. This application provides staff with anonymous access to health and wellness resources. We renewed our Public Safety Family Counseling Group contract, which supports our Peer Support Team through training and guidance. Their clinicians are essential to assisting with our response to critical incidents, facilitation of critical incident stress debriefs, and providing individual support to employees. BPD continued our partnership with O2X staff to provide nutrition, mental health, sleep and yoga workshops to employees. Our onsite strength and conditioning coach and athletic trainer both saw improved engagement with public safety personnel. Outdated fitness equipment was replaced, a new outdoor break area was created to provide staff an area to regroup and hold meetings outdoors. The BPD Wellness and Resilience Group along with BPD leadership will continue to look for ways to provide services and opportunities to enhance the overall well-being of BPD employees.

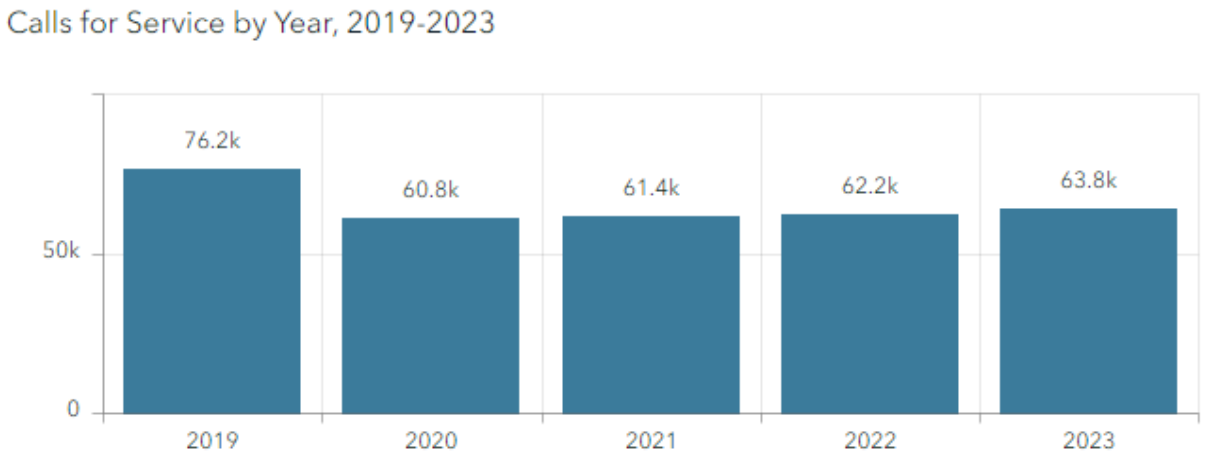
APPENDIX D

Workload / Calls for Service

The Berkeley Police Department (BPD) is committed to providing timely and effective responses to calls for service from our community. This section of the annual report provides a detailed analysis of the calls for service we receive and the strategies we have employed to manage and respond to these calls efficiently and effectively.

Yearly

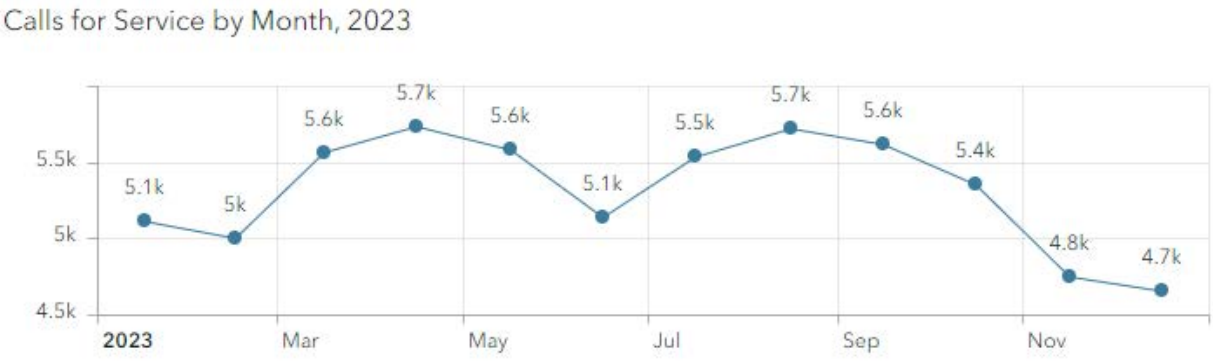
In 2023, the Berkeley Police Department received a total of 63,791 calls for service (CFS). This figure gives us a sense of the community's needs and the demand for police services.



The data shows a 2.3% increase in the volume of calls compared to the previous year (62,245 total in 2022), signaling a slow increase of call volumes towards pre-pandemic levels. Over the past 5 years, BPD has managed an average of 64,868 calls for service annually.

Monthly

The average number of calls for service per month in 2023 was 5,308.



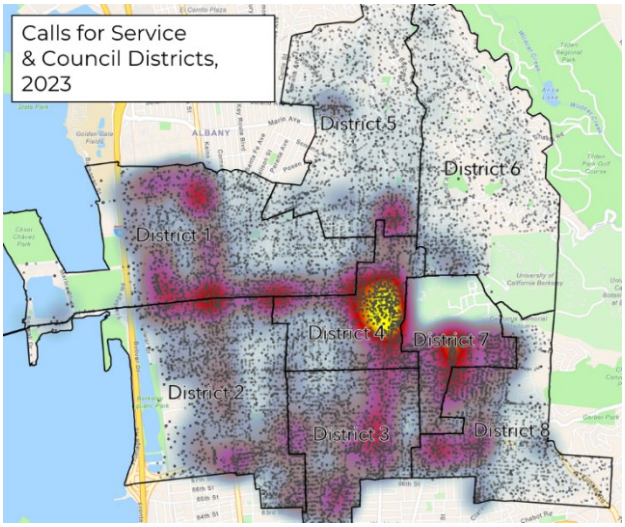
There is a discernible pattern throughout the year with peaks in May and September, reaching up to 5,737 calls. This pattern is consistent with trends observed in recent years and provides insight into seasonal variations in the frequency of calls that we may expect to see in future years.

APPENDIX D

Geography

Geographically, the distribution of calls for service highlights areas of higher demand within the city. In 2023, City Council District 4 registered the most calls of any council district.

This geographical pattern has informed our operational strategies, leading to adjustments in police beats (more on our beat map below) and resource allocation to ensure an appropriate and timely response to community needs.



Initial Call Type

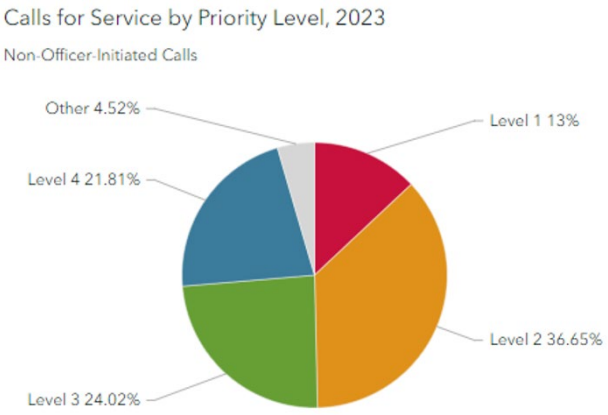
When a dispatcher receives a call for service, they determine a call type, often a penal code type, using the information immediately available from the caller. An officer may arrive on scene and determine the nature of the incident is different than that of the initial call type. Therefore, the call type data, along with priority level data (below), is useful as an indication of the information available to the call taker before an officer arrives on scene to investigate further. The most frequent non-officer-initiated call types in 2023 were:

Most Frequent Initial Call Types*	**2019**	**2020**	**2021**	**2022**	**2023**
Disturbance	6,833	5,578	5,493	5,450	5,378
Audible Alarm	4,207	3,405	3,671	4,007	4,231
Wireless 911	2,830	2,401	2,580	2,814	3,144
Welfare Check	3,020	2,559	2,693	2,679	2,736
Theft	2,864	2,852	2,101	2,187	2,312

**Non-officer-initiated calls; 5 most frequent in 2023*

APPENDIX D

The data for 2023 shows that the most frequent call types align with the patterns observed in recent years, offering insight into the prevalent issues and concerns within the community.



Priority Level

In 2023, nearly 50% of non-officer-initiated calls for service were classified as Priority 1 or Priority 2. These categories represent the most urgent calls, requiring immediate police response due to their potential threat to life, safety, or property.

It is important to note that calls classified as lower priority, such as Priority 3 or Priority 4, often involve serious matters that are considered 'cold,' meaning there is no immediate danger to life or property. These calls might include reports of past incidents where the suspect is no longer on the scene or situations that, while serious, do not require an urgent police response. BPD is dedicated to investigating and resolving these matters with the same level of professionalism and thoroughness as higher priority calls, as every call represents a significant concern for the community members involved.

Dispositions

The disposition of a call for service is selected by officers and dispatch from a predefined list and marks the conclusion of the incident. Due to the complexity and dynamic nature of police responses, a single call may result in multiple dispositions.

Dispositions of Interest*	**2019**	**2020**	**2021**	**2022**	**2023**
Case Report	10,141	8,819	8,948	10,318	11,247
RIPA Survey	-	594*	1,489	1,379	1,118
Homeless-Related	-	-	1,275*	2,721	2,727
Mental-Health Related	1,573	1,133	1,840	2,912	3,109

**Non-officer-initiated calls; dispositions for RIPA and Homeless-Related started in 2020 and 2021, respectively.*

The disposition data shows a notable increase in “Mental-Health Related” dispositions in 2022 (reflecting a change in reporting practice) and “Case Report” dispositions in 2023 (reflecting a rise in crime). “Homeless-Related” dispositions have rapidly increased since being tracked in 2021, while “RIPA Survey” dispositions (stops) have decreased since being tracked in 2020. These trends reflect evolving community needs and the changing focus of police response efforts.

APPENDIX D

Workload Metrics

The workload metrics below offer insights into the operational challenges and demands that BPD faces. As staffing levels grow at a slow pace in comparison to the increasing volume of calls for service, it is important to assess the impact on the workload of our officers and the quality of service provided to the community.

Calls per Officer per Shift



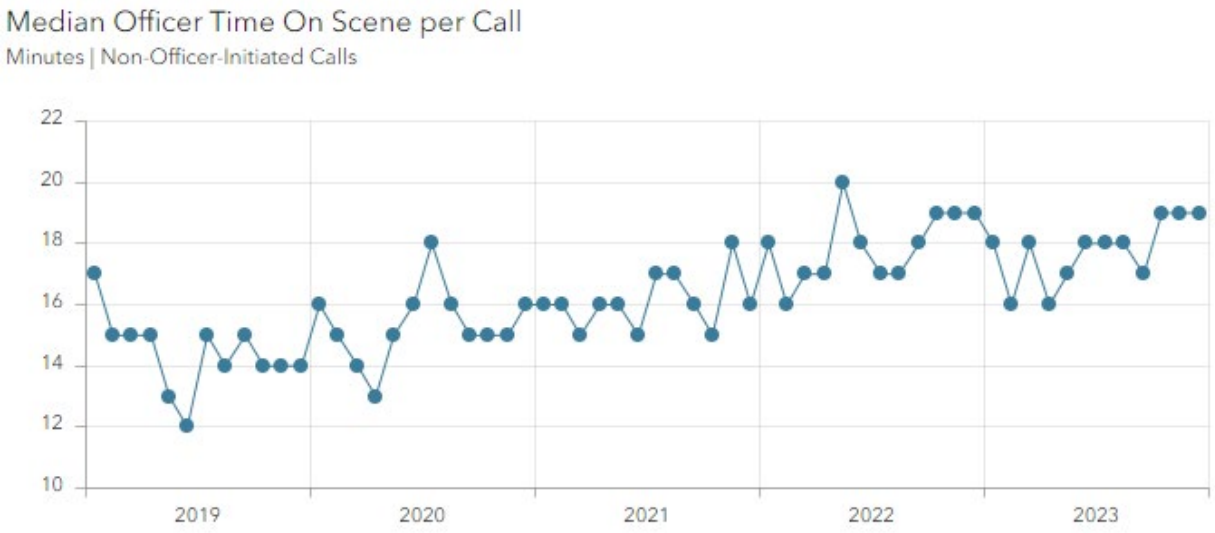
One of the primary indicators of an officer's workload is the number of calls handled per shift. Despite efforts to manage workload through backfilling shifts with overtime, officers addressed more calls per service per shift than in any year since 2019.

This trend is an indicator of the growing demands placed on our officers, highlighting the need for strategic planning and resource allocation to maintain high service standards.

Time on Scene per Call

Another crucial aspect of an officer's workload is the time spent on scene per call. This metric is influenced by various factors, including the nature of the call and the overall activity in the city at the time of the call.

APPENDIX D



Despite the increase in calls per shift seen above, officers are dedicating more time on scene for each call. This trend reflects both the increasingly complex and demanding nature of the calls and our officers' commitment to providing thorough and quality service in response to each incident.

Department Initiatives

What We've Done

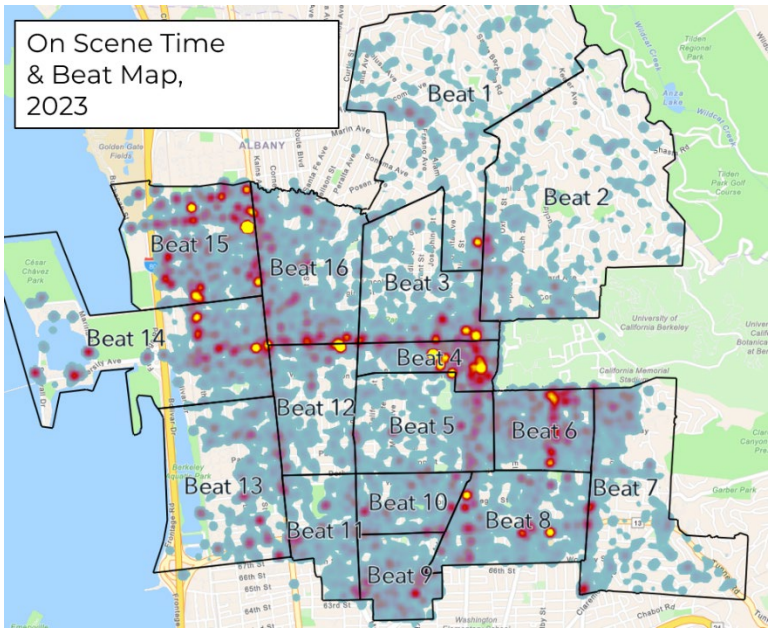
In the face of challenging staffing levels coupled with an increasing workload, the Berkeley Police Department (BPD) has proactively taken steps to prioritize our efforts and enhance organizational efficiency.

Department Priorities

In 2023, BPD identified and committed to three core priorities that guided our actions and decisions throughout the year: recruitment and retention, proactivity and problem solving, and internal communication. These priorities were carefully chosen to address the most pressing challenges and opportunities facing the department and thereby maximize the impact of our efforts

The deliberate focus on these three priorities in 2023 was instrumental in keeping the department on track amidst a myriad of challenges and decisions. By consistently revisiting and reflecting on these key areas, we strived to align critical and pivotal decisions made throughout the year with our overarching objectives and the needs of the community we serve. This strategic focus has streamlined our efforts and reinforced our commitment to excellence, innovation, and community engagement.

Updated Beat Structure



Due to the dynamic nature of crime patterns, service demands and staffing levels, BPD recognized the necessity to re-evaluate our beat structure, which had been in place for nearly a decade. Though effective at its inception, the previous 16-beat structure placed a significant strain on our limited patrol resources and intensified a need for forced overtime.

In response to these challenges, our Strategic Analysis Team conducted a comprehensive analysis of calls for service volume, considering temporal and spatial factors. This data-driven approach culminated in the development of a more efficient 14-beat map, designed to achieve a better balance in workload distribution and service delivery across the city.

The transition to the new beat structure was implemented in April of 2023 by the Operations Division. This strategic shift not only addressed the immediate need for more manageable workloads and reduced reliance on overtime but also sets the stage for the generation of valuable data that will inform the ongoing sworn staffing study.

Early results suggest our efforts to achieve a more equitable workload distribution among officers have been successful. Nevertheless, we believe the addition of swing officers would significantly enhance the effectiveness of this new structure. This would provide the adaptability necessary to address unanticipated fluctuations in service demands.

As BPD continues to evaluate and improve its operations, we look forward to the analysis and recommendations from an impending comprehensive staffing assessment (detailed later in this report). That assessment will be invaluable as we make informed decisions about staffing levels and beat design.

Community Engagement

The limitations on officer resources puts greater emphasis on the importance of trusted relationships with our community. The Department's community engagement efforts are of

vital necessity to maintaining and increasing an efficient workflow. The Berkeley Police Department's dedication to community engagement and connectedness was a primary focal point in 2023. From monthly Coffee with a Cop events, to numerous neighborhood meetings, city sponsored special events and strategic department Pop Up events, the diverse community engagement activities have initiated, deepened and expanded police department relationships with our community.

One program in particular which highlights our ongoing relationship with our community is the Law and Social Justice pathway, a two-year criminal law program at Berkeley High School. Now in its 8th year, Law & Social Justice brings professionals working within the criminal justice system into contact with juniors and seniors at Berkeley High. The BHS students are introduced to police officers, community service officers, dispatchers, prosecutors, defense lawyers, judges, probation officers, and parole officers, both in the classroom and in the field. The goal of the class is to introduce students to careers while creating a place of informed dialogue pertaining to the criminal justice system. At the completion of this school year the class will have educated more than 680 students.

How We're Doing

In our ongoing effort to provide transparent and accountable policing, BPD closely monitors a range of performance metrics. These metrics serve as indicators of our effectiveness and

MOMENTS OF IMPACT

Among the many opportunities offered by the Law and Social Justice class at Berkeley High, ride-alongs with Berkeley PD police officers stand out for their profound impact on students. One student recounted their experience with Officer Villaroel, saying, "*The most thrilling part about the ride along was when we went code 3 with lights and sirens and we started speeding down the street... I could just feel the adrenaline going through me.*" The student went on to reflect "*people either have good experiences or bad experiences with cops and depending on the experience you've had your opinion on cops might change… being on that ride alone makes me want to become a cop*." This firsthand experience not only highlights the challenges and skills involved in policing but also emphasizes the importance of understanding the diverse perspectives people have towards law enforcement.

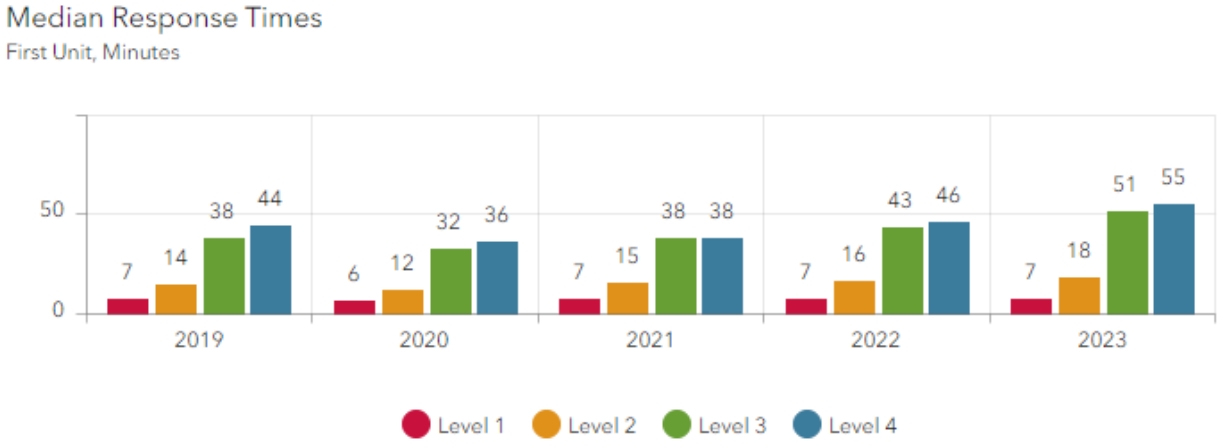
Similarly, another student was moved by the personal story of Officer Valle, noting, "*he also told us that [he] could have never imagined he would become a police officer, because as a teenager he had multiple unpleasant experiences with law enforcement*" Officer Valle ultimately "*decide[d] that he wanted to be the change in the system which resulted in him doing some ride alongs, and then going to the academy*" Such stories are emblematic of the transformative potential of the Law and Social Justice pathway, bridging the gap between law enforcement and the community by fostering empathy, understanding, and dialogue.

Through these interactions and experiences, the Law and Social Justice pathway not only educates but also molds future leaders, thinkers, and change-makers in our society, reinforcing the connection between Berkeley PD and our community.

efficiency and also offer insights into areas where we can improve. This section dives into key performance indicators including response times, time on scene by call type, and officer-initiated calls.

Response Times

Response time is a critical measure of our service to our community. BPD is committed to maintaining swift response times and ensuring that community members receive timely assistance in emergencies and other situations requiring police presence.



*Excludes Officer Initiated calls and call types: Audible Alarms and Traffic Stop

Our median response time for Priority 1 calls was 7 minutes, meeting or exceeding regional standards.

Below is a comparison of response times to agencies in the region that publish this data. Because every agency defines priority levels differently, we have included (where available) the percentage of calls that each priority level represents for the corresponding agency.

Median Response Times, 2023 (minutes)	Level 1 (% of all calls)	Level 2	Level 3	Level 4
Berkeley	7 (13%)	18 (37%)	51 (24%)	55 (22%)
San Francisco	9 (19%)	32 (30%)	105 (51%)	-
Oakland	14	184	443	-
San Jose	7 (5%)	24 (42%)	-	-

Comparison cities chosen based on data availability and region

Time on Scene by Call Type

The time our officers spend on the scene is indicative of the complexity of incidents and our commitment to thorough, community-centered policing. Below is a table of 5 types of calls for service and the resources that BPD allocated to those calls. Below the on-scene time is

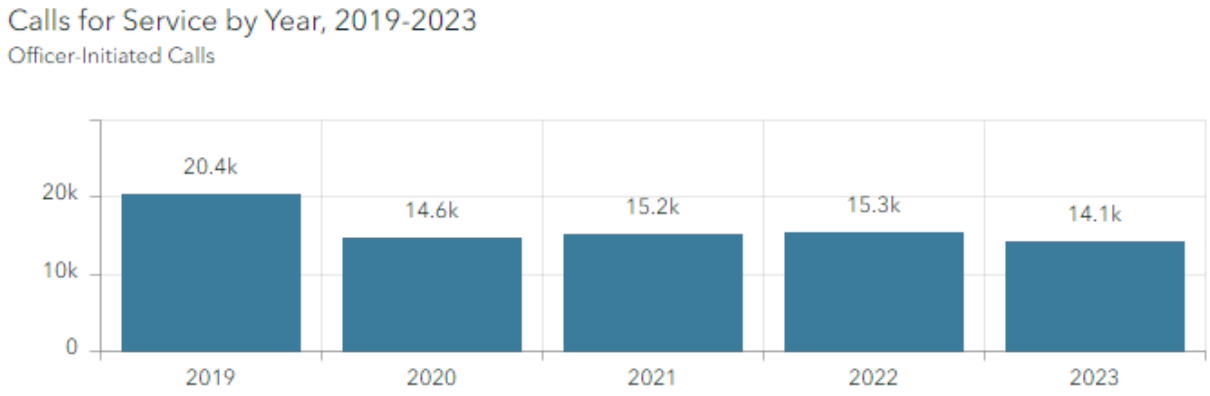
measured from the time that the primary unit- that is, the officer responsible for managing the scene and initial investigation- arrives on scene until that officer is no longer working on the incident.

Median Time on Scene by Call Types of Interest	Median Primary Unit On-Scene Time	Avg. Units/Call
Disturbance	17 minutes	1.9
Grand Theft	62 minutes	1.8
Robbery	116 minutes	5.3
Sexual Assault	194 minutes	2.0
Shooting	285 minutes	15.9

The call types listed above represent some of our most common (Disturbance, Grand Theft) and resource intensive (Robbery, Sexual Assault, Shooting) call types. Less severe calls like disturbances required less time on scene, while more serious crimes such as shootings demanded significantly more officer time and resources. This reflects the department's adaptive resource allocation intended to ensure that more critical situations receive the attention necessary for thorough investigation and community support.

Officer-Initiated Calls

Officer-initiated calls serve as an indicator of proactive policing practices and our dedication to ensuring community safety and preventing crime (for an analysis of the impact of our proactive stops, see the “Stop Report” section below). In 2023, the number of officer-initiated calls reflected the challenges and constraints faced by the BPD, including staffing levels and prioritization of non-officer-initiated calls for service.



APPENDIX D



The data indicates a lower volume of officer-initiated calls, with an average of 1,173 calls per month. This trend is unsurprising given the impact of staffing levels and the distribution of workload among our officers. Despite these figures, BPD remains committed to proactive community engagement and crime prevention. We are actively exploring strategies to enhance our proactive policing efforts and ensure that our officers have the support and resources they need to effectively engage in community policing and crime prevention, alongside their responsibilities in responding to non-officer-initiated calls for service.

What's Next

As the Berkeley Police Department (BPD) continues to evolve and adapt to the changing needs of our community and the broader landscape of public safety, we are focused on implementing strategic initiatives that enhance our operational capabilities, ensure accountability, and foster community trust. The upcoming initiatives outlined below represent our proactive approach to addressing current challenges and embracing opportunities for growth and innovation.

Sworn Staffing Study

In our continuous efforts to enhance operational efficiency and align our staffing strategy with the evolving needs of the community, BPD has partnered with Citygate Associates, a firm renowned for its expertise in public safety organizational strategies. Citygate is currently in the process of conducting a comprehensive and independent staffing analysis. This report will bring their extensive experience and specialized knowledge to bear on challenges surfaced by the department, the City Auditor's Audit on Police Overtime and the Fair and Impartial Policing Working Group (more details on recommendations by those bodies below).

Citygate is wrapping up the information gathering phase which involves soliciting feedback from stakeholders as well as analyzing relevant data. The study is on track to be completed by the end of the fiscal year (June 30, 2024). We are optimistic that the findings and recommendations provided by Citygate Associates will be instrumental in shaping our strategic staffing decisions. Early recommendations are being incorporated into the budget process as well as the Command Team Building Workshop we are holding in March 2024. The insights gained from this study will guide our department through this phase of rebuilding staffing levels

and make sure that future deployment of police services in Berkeley is both effective and aligned with the principles of the Reimagining Public Safety initiative.

Strategic Analysis and Accountability

In a step toward institutionalizing data-driven decision-making and enhancing accountability, the department is focusing analytical efforts on strategic planning and accountability. This approach builds upon the foundational work of the Strategic Analysis Team and aims to drive the implementation of equitable, fair, and effective public safety strategies that are deeply rooted in the principles articulated by the City's Reimagining Public Safety initiative.

This organizational focus will deepen collaboration with key partners including the Police Accountability Board by providing essential data and insights that support comprehensive police accountability and oversight. Key initiatives will include the enhancement and management of our Early Intervention Systems (EIS, more information in the "Audits and Oversight" section) and the overall risk management framework, demonstrating a commitment to operational excellence and innovation in public safety. This shift represents a proactive effort to meet the emerging needs of the department and community and embodies a vision of a more accountable, transparent, and community-aligned approach to public safety.

Crime & Investigations

Amid increasing crime rates, our department employs creative, problem-oriented solutions. Our robust clearance rates, competitive on a regional scale, reflect our commitment to delivering first-class police work from start to finish.

Crime Data

Understanding the distinctions between calls for service, case reports, and confirmed crimes is crucial for clarity when reviewing crime data. Calls for service are the initial contacts made by the public with our department, ranging from reports of suspicious activities to requests for emergency assistance. These calls often prompt further investigation.

Following an investigation, if there is reason to believe a crime has occurred, an officer writes a case report. These case reports document the investigation's details, including any evidence collected, witness statements, and the officer's observations and conclusions at that stage.

The determination of whether prosecution will be pursued falls to the District Attorney (DA). The DA reviews the case report and decides whether they can prove beyond a reasonable doubt that a crime occurred. This higher standard—beyond a reasonable doubt—is the legal benchmark used in criminal trials to determine the guilt of the accused before any criminal penalty is imposed.



The statistics presented below are derived from case reports. These reports form the backbone of our crime data analysis as they provide a comprehensive overview of our department's investigative activities and outcomes.

It is important to note that the data below utilizes the Uniform Crime Reporting (UCR) Summary Reporting System (SRS) methodology. The SRS is a national reporting standing that facilitates a summarized account of major crime categories, thereby allowing comparisons over time and across jurisdictions. In 2024 we transitioned to the National Incident-Based Reporting System (NIBRS), which is an updated national reporting standard that promises a more detailed and nuanced approach to crime data collection and analysis.

NIBRS provides several key advantages over the UCR SRS. Unlike UCR SRS, which focuses on a limited number of "Part One" crimes, NIBRS includes a broader range of crime categories, offering a more comprehensive view of crime in the community. NIBRS captures detailed

information about each criminal incident, including the types of offenses committed, characteristics of the victims and offenders, types of property involved, and the relationship between the victim and the offender. The detailed data collected through NIBRS supports more sophisticated and nuanced analysis, enabling law enforcement agencies, policymakers, and researchers to identify trends, patterns, and correlations in crime data more effectively across jurisdictions nationwide.

Part One Crimes

Part One Crimes, as classified by the UCR, are comprised of both violent and property crimes, reflecting the most serious offenses. Part Two Crimes include a range of other offenses, providing a broader scope of the crime landscape.

Part One Crimes by Year

In 2023, there was a 10.5% overall increase in total Part One Crime in Berkeley compared to 2022. Specifically, Part One Violent Crimes saw an increase of 100 cases, while Part One Property Crimes rose by 759 cases.

Part One Crimes by Year	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**% Change 2022-2023**
Homicide	3	1	2	1	1	0	5	0	3	1	-66.7%
Sexual Assault	35	44	54	83	65	74	47	57	89	97	+9.0%
Robbery	263	330	361	364	353	369	274	265	292	386	+32.2%
Aggravated Assault	130	155	185	218	167	175	210	210	282	282	+0.0%
Total Violent Crimes	**431**	**530**	**602**	**666**	**586**	**618**	**536**	**532**	**666**	**766**	**+15.0%**
Burglary	932	1090	805	843	829	771	797	803	1036	1228	+18.5%
Larceny	3615	4099	3965	4556	4004	4993	3933	3736	4611	4532	-1.7%
Auto Theft	555	717	650	621	548	492	805	1098	836	1350	+61.5%
Total Property Crimes	**5102**	**5906**	**5420**	**6020**	**5381**	**6256**	**5535**	**5637**	**6483**	**7110**	**+9.7%**
Arson	15	22	24	30	31	17	52	72	52	84	+61.5%
Total Part One Crimes	**5548**	**6458**	**6046**	**6716**	**5998**	**6891**	**6123**	**6241**	**7201**	**7960**	**+10.5%**

The most significant percentage increases in Part One Crimes were observed in Auto Theft (61.48%), Arson (61.54%), and Burglary (18.53%). Conversely, decreases were recorded in Homicide (-66.7%) and Larceny (-1.71%).

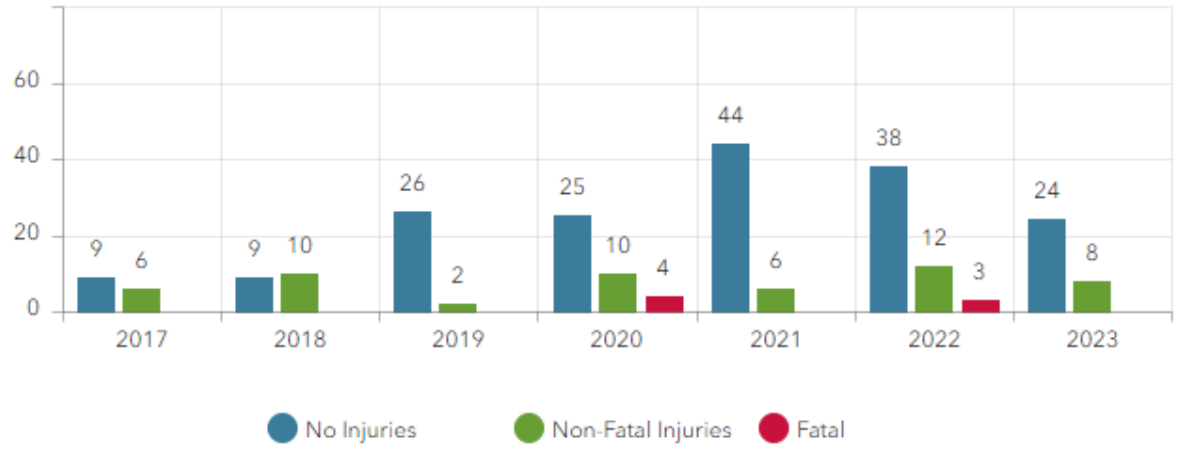
Crime Categories of Interest

In 2023, we observed notable trends in specific crime categories, each presenting unique challenges and requiring tailored approaches for effective management and prevention.

Shootings

2023 marked a significant decrease in shooting incidents within Berkeley, with a total of 31 confirmed incidents compared to 53 in 2022. Confirmed shooting incidents encompass both witnessed events and instances where evidence of gunfire, such as shell casings, was discovered.

Shootings by Type



While the decline in shootings in 2023 is encouraging, the data presented in the chart above shows that the number of incidents remains substantially higher than the 15 reported in 2017. The data further indicates that the decrease in 2023 primarily stems from a reduction in 'No Injury' events, where a firearm was discharged but no individuals were struck; however, the persistent occurrence of both 'Fatal' and 'Non-Fatal Injury' shootings highlights the need for ongoing interventions to combat gun violence. For more on our efforts to recover guns and our collaboration with the City of Berkeley's Gun Violence Intervention & Prevention program see below.

Robbery

Robberies are crimes involving the unlawful taking of property from a person or their immediate presence, through the use of force or threat of force. This definition encompasses a range of scenarios, from physical confrontations where a victim is threatened or harmed to secure their belongings, to intimidation tactics where the threat of violence compels a victim to surrender their property. Robberies can occur in various settings, including but not limited to,

public streets (pedestrian robberies), commercial establishments (commercial robberies), residences (home invasions), banks (bank robberies), and incidents involving vehicles (carjackings). The key elements that define an act as robbery include the intent to permanently deprive the owner of their property, the use or threat of force, and the direct interaction with the victim.

Robberies	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**
Pedestrian	229	247	131	119	148	205
Commercial	108	97	117	118	117	135
Home Invasion	5	4	8	8	8	5
Bank	3	2	5	6	4	2
Carjacking	10	14	13	14	15	39
Total	**355**	**364**	**274**	**265**	**292**	**386**
By Gun (% of total)	82 (23%)	74 (20%)	46 (17%)	74 (28%)	69 (24%)	111 (29%)

The data for 2023 indicates a noticeable increase in robbery incidents, particularly in the pedestrian and carjacking categories. This uptick brings the total number of robberies to 386, marking a 32% rise from the 292 cases in 2022.

Hate Crimes

Hate crimes are crimes motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability. Hate crimes in Berkeley continue to be a critical concern. The majority of hate crime reports in 2023 were characterized as crimes of intimidation, involving slurs or graffiti, rather than physical violence.

Hate incidents are acts of prejudice that are not crimes and do not involve violence, threats, or property damage. We take hate incident reports because these incidents perpetuate prejudice and intolerance, creating an environment of fear and alienation for the targeted individuals and communities, even in the absence of criminal activity.

Hate Crimes	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**
Race/Ethnicity/National Origin	11	5	7	29	24	27
Religion	3	1	2	11	3	9
Sexual Orientation	3	2	1	2	11	9
Gender	1	0	2	0	0	0
Disability	0	0	0	0	0	1
Total	**18**	**8**	**12**	**42**	**38**	**46**

Hate Incidents	2021	2022	2023
Race/Ethnicity/National Origin	16	22	24
Religion	1	5	19
Sexual Orientation	4	4	7
Gender	0	0	0
Disability	1	0	0
Total	**22**	**31**	**50**

Prior to October 7th, there were 29 hate crimes, 24 of which were tied to race or religion, including 5 anti-Jewish and 1 anti-Arab or anti-Muslim hate crimes. There were 31 hate incidents before this date, with 24 of these being race or religion-related, including 5 anti-Jewish and 4 anti-Arab or anti-Muslim incidents. Since October 7th, we recorded 17 hate crimes, of which 12 were directly related to race or religion, including 5 anti-Jewish hate crimes and a single hate crime targeting Arab or Muslim individuals. In the same period, hate incidents rose to 19, all related to race or religion, with a notable increase to 13 anti-Jewish hate incidents, while no anti-Arab or anti-Muslim hate incidents were reported.

Sexual Assault

The number of sexual assault cases remained at a high level in 2023, mirroring the figures from 2022. This persistent trend emphasizes the importance of providing support services, raising awareness, and implementing preventive measures to address and reduce instances of sexual assault within the community. The Department continues to take reports where the full elements of the penal code are not met, when a survivor requests a report for catharsis and in other non-investigatory situations. For a significant number of cases the survivors choose not to follow through with an investigation. There are a number of reasons for this, but it inflates our reported numbers compared to other agencies and leads to lower clearance rates. It also reflects our total commitment to providing support to survivors. Additionally, these cases are typically closed as “Suspend” not “Closed” as an added safeguard to protect information on these sensitive cases from being released; this practice directly lowers our clearance rate for sexual assaults.

Sexual Assault	2018	2019	2020	2021	2022	2023
Felony	65	74	47	57	89	97
Misdemeanor	31	64	38	50	81	62
Total	**96**	**138**	**85**	**107**	**170**	**159**

In 2023, there were 97 felony and 62 misdemeanor sexual assault cases reported, totaling 159 cases, including an increase in the number of felony cases, and a slight decrease from the previous year's total of 170 cases.

Property Crimes

2023 saw a notable increase in certain property crimes, specifically retail thefts and vehicle thefts, while catalytic converter thefts declined significantly.

Property Crimes of Interest	2018	2019	2020	2021	2022	2023
Commercial Burglaries	275	307	324	316	435	574
Vehicle Thefts	548	492	805	1098	836	1350
Catalytic Converter Thefts	35	186	586	573	847	457

The Department works in collaboration with regional loss prevention agents to identify organized retail theft offenders. Additionally, the department has been working with the San Francisco Police Department Organized Retail Crime and Fencing units, the Oakland Police Department CRT, the CHP Organized Retail Crime Unit, the Emeryville Police Department, the Palo Alto Police Department, the Walnut Creek Police Department, and the Central Marin Police Authority. We share suspect information, including surveillance photos/videos, suspect vehicles, and suspect MO to link cases committed by the same groups of suspects throughout the Bay Area.

Department Initiatives

What We've Done

Firearm Recoveries

In 2023, a total of 69 firearms were recovered, marking a decrease of 42% from the previous year.

Firearm Recovery Methods	2019	2020	2021	2022	2023
Patrol calls for service	33	36	51	64	41
Patrol proactive traffic stops	25	17	24	12	11
Detective Follow-up investigation	29	32	43	43	17
Total	**87**	**85**	**118**	**119**	**69**

All firearms recovered are processed through the National Integrated Ballistic Information Network (NIBIN). This database is a nationwide collaboration coordinated by the Bureau of Alcohol, Tobacco and Firearms (ATF). The Department enters ballistic information for each firearm recovered and the database makes connections with evidence recovered from shooting scenes, provides information about persons who have owned and or purchased the firearm.

BPD routinely processes recovered firearms for DNA and fingerprints. This work is key to helping determine who shooters or illegal firearms possessors are.

Gun Violence Intervention & Prevention

To further address the issue of gun violence, the City of Berkeley has developed a Gun Violence Intervention & Prevention program framework as a key component of its Reimagining Public

Safety initiative. This comprehensive program aims to significantly reduce gun violence incidents through a multifaceted approach. The strategy combines place-based interventions in critical areas, direct engagement with individuals at risk, street outreach, and the provision of robust social services. This collaborative effort, involving multiple city departments, community-based organizations and field experts, is grounded in empirical evidence and best practices. It represents Berkeley's holistic and proactive approach to fostering a safer community by addressing the proximate causes of gun violence and supporting those most at risk.

Tailored Response and Proactivity to Hate Crimes

In response to hate crimes, the Berkeley Police Department emphasizes customized and effective strategies. Each incident is carefully evaluated based on its specific details, including the people involved and the context, ensuring the response is accurately tailored.

Area Coordinators from the Community Services Bureau work closely with community leaders from the areas impacted, offering targeted safety advice. This includes specific strategies for Crime Prevention Through Environmental Design (CPTED) and personal safety, all adapted to fit the unique needs of each situation.

The department also proactively keeps an eye out for potential threats to stay ahead of any issues. To further enhance safety, patrols are increased around places of worship and sensitive locations during important events, providing extra security when it matters most.

Additionally, the Hate Crime Awareness Week campaign plays a crucial role in raising awareness about hate crimes, encouraging community resilience, and urging people to report incidents. Through these focused and anticipatory actions, the Berkeley Police Department commits to maintaining a safe and welcoming environment for everyone.

Automated Security Checks

BPD, with insights from our Strategic Analysis Team, has started using data to guide our patrols through automated security checks. These checks send officers to specific places at times where their presence can help prevent crime. By using detailed crime data to decide where and when officers should go, we are more effectively deterring crime. This careful planning of patrols is part of our larger goal to make our policing strategies smarter and more data-driven. This way, we can ensure our crime prevention efforts are not only successful but also adapt to the changing needs of our community.

Engravings

To combat a rise in catalytic converter thefts, the BPD invested in an engraving tool, marking 82 catalytic converters with unique identifiers. This initiative is meant to deter thieves by making stolen parts more identifiable and thus harder to sell.

Through these initiatives, the Berkeley Police Department has demonstrated its resolve in adopting a forward-thinking and community-centric approach to law enforcement. Our efforts in 2023 have sought to address immediate concerns as well as lay a strong foundation for sustainable safety and security in our community.

How We're Doing

As we navigate the complexities of crime and law enforcement, the Berkeley Police Department (BPD) remains steadfast in its commitment to transparency and accountability. Our performance metrics for 2023, including Part One Crimes per capita and clearance rates, provide valuable insights into our effectiveness and our ongoing efforts to enhance public safety in our community.

Part One Crimes per Capita:

With a population of approximately 118,950 (as of July 2022), there were 669 part one crimes overall per 10,000 residents in Berkeley. There were **64 violent crimes** per 10,000 residents and **598 property crimes** per 10,000 residents in 2023. In 2022, there were 57 violent crimes per 10,000 residents and 555 property crimes per 10,000 residents.

Based on the latest data from the Department of Justice available to the public, the following crime statistics were reported in 2022 for cities selected for their proximity to Berkeley and similar population sizes:

- In Santa Clara, population 126,930, there were **31 violent crimes** (395

MOMENTS OF IMPACT

On 1/21/2023 officers responded to an assault between multiple subjects. The offender had threatened the 14-year-old survivor with a knife, twisted her wrist, causing pain and stole various items from her.

The survivor explained she had been living on the street and she had met the offender three weeks prior. The survivor had begun living with the offender and she was sexually and physically assaulted by the offender during this time. The offender also threatened to kill the survivor and prevented her from leaving the apartment. The survivor disclosed that the offender furnished and injected methamphetamine into the victim's hand. The offender was arrested at the scene.

Through extensive conversations and follow up, Detective Martinez and the survivor built trust and established a close connection. The victim disclosed that she was a victim of human trafficking in other cities prior to her arrival in Berkeley. Detective Martinez connected her with a shelter specializing in homeless and trafficked youth. Ultimately the Alameda County District Attorney's Office charged the offender with multiple sexual crimes, robbery, burglary and drug possession.

In the department's continued commitment to the survivor, Detective Martinez worked with her family to find the right family member for her to live with long term and we matched her with a social worker specializing in trafficked youth. This social worked helped get the survivor back into school, into therapy and helped obtain other resources for the survivor and her family. Throughout the department's contact with the survivor she expressed how she felt seen and heard by the department and her appreciation for the work that was done on her case.

incidents in total) and **360 property crimes** (4,564 incidents in total) reported per 10,000 residents.

- San Leandro, population 86,762, reported **58 violent crimes** (499 incidents in total) and **490 property crimes** (4,254 incidents in total) per 10,000 residents.
- Richmond, population 114,301, reported **88 violent crimes** (1,006 incidents in total) and **272 property crimes** (3,117 incidents in total) per 10,000 residents.

Clearance Rates

Forensic and electronic evidence, diligent and detailed investigative efforts, as well as community willingness to share information are critical to developing leads and chargeable cases. The following table summarizes our clearance rates of crimes in UCR categories alongside clearance rates for Santa Clara PD (SCPD), San Leandro PD (SLPD) and Richmond PD (RPD) . A note about clearance rates: the numbers reported for BPD in the second table below only cover cases closed within one year of being reported; however, many investigations occur over an extended period and these cases will be closed after this reporting period.

Part One Crimes Clearance Rates* by Year – *DOJ*	2020 SCPD	2020 SLPD	2020 RPD	**2020 BPD**	2021 SCPD	2021 SLPD	2021 RPD	**2021 BPD**	2022 SCPD	2022 SLPD	2022 RPD	**2022 BPD**
Homicide	100 %	14%	25%	**33%**	-	100 %	25%	**100 %**	0.0%	0.0%	35%	**67%**
Sexual Assault	23%	27%	9.1%	**6.4%**	15%	17%	67%	**5.3%**	27%	0.0%	17%	**7.9%**
Robbery	39%	20%	19%	**21%**	35%	19%	26%	**26%**	24%	12%	10%	**31%**
Aggravated Assault	57%	32%	27%	**37%**	65%	38%	44%	**44%**	64%	41%	34%	**43%**
Burglary	7.6%	5.0%	7.6%	**11%**	6.4%	4.7%	17%	**16%**	10%	5.2%	11%	**15%**
Larceny	5.5%	4.1%	2.6%	**6.8%**	4.0%	4.2%	1.5%	**4.8%**	8.5%	4.1%	1.1%	**5.4%**
Auto Theft	4.3%	2.7%	11%	**3.7%**	3.7%	2.7%	7.4%	**4.3%**	6.7%	2.4%	2.5%	**6.1%**
Arson	20%	20%	6.1%	**15%**	47%	4.5%	17%	**19%**	29%	8.3%	17%	**15%**

Part One Crimes Clearance Rates* by Year – *1-Year*	2020 BPD	2021 BPD	2022 BPD
Homicide	**100 %**	**100 %**	**100 %**
Sexual Assault	**22%**	**10%**	**15%**
Robbery	**30%**	**29%**	**32%**
Aggravated Assault	**57%**	**61%**	**46%**
Burglary	**12%**	**15%**	**10%**
Larceny	**7.3%**	**7.0%**	**6.6%**
Auto Theft	**9.3%**	**8.2%**	**11%**
Arson	**25%**	**32%**	**27%**

**Here we are reporting both a DOJ-calculated clearance rate and a 1-year clearance rate for BPD cases. The DOJ rates are calculated by dividing the number of cases reported by the number of cases closed in the same calendar year. A 1-year clearance rate is the percentage of cases that were closed within a year of being reported.*

Looking at the 1-year clearance rates, BPD consistently achieved a 100% clearance rate for homicides across all three years. For sexual assault, BPD's clearance rates ranged from 22% in 2020 to 15% in 2022. Robbery and aggravated assault rates for BPD were generally high, with robbery clearance peaking at 32% in 2022 and aggravated assault at 61% in 2021. Burglary, larceny, and auto theft clearance rates remained relatively low across all jurisdictions, with BPD maintaining consistent rates over the past 3 years.

In 2023, the Property Crimes Bureau was staffed with 3 detectives out of 5 allocated positions, the Youth Services Detail was staffed with 2 detectives of 3 allocated positions, while the Robbery, Homicide and Sex Crimes units were fully staffed.

What's Next

Gun Violence Restraining Orders

The Department recently began using a newly created tool called the Gun Violence Retraining Order (GVRO). This restraining order allows for the seizure of firearms from a person who "poses an immediate and present danger of causing personal injury to self or another by custody or control, owning, purchasing, receiving or having access to a firearm or ammunition." Thus far this tool has been used in response to calls for service where gun violence or self-harm could be an issue. Going forward we will leverage this powerful tool to proactively take guns from individuals who pose an immediate and present danger.

Automated License Plate Readers & External Fixed Surveillance Cameras

As directed by City Council, in 2023 the Berkeley Police Department (BPD) took additional steps forward in acquiring fixed Automated License Plate Readers (ALPR) and External Fixed Video Surveillance Cameras. Since ALPRs and video surveillance cameras are clearly defined as surveillance technology by the City of Berkeley Surveillance Technology Ordinance (#7,592), we spent months completing the steps outlined in the ordinance to acquire these technologies, including: drafting Surveillance Use Policies; presenting those policies for recommendations to the Police Accountability Board; and receiving City Council Approval of the policies.

Fixed ALPR: After receiving Council approval of the policies (422 and 1305), Berkeley Police Department secured a contract with the preferred vendor, Flock Safety, for the acquisition and installation of 52 cameras on a two-year trial basis from the time of activation. BPD is currently working with Flock Safety and Berkeley Public Works (PW) Department to determine placement of the cameras.

External Fixed Video Surveillance Cameras: San Pablo Park, Berkeley Marina and the PW Transfer Station have had fixed cameras in place for several years. In 2021 BPD was given approval by Council to install additional cameras at ten locations. Those locations are listed in the BPD policies related to Fixed Cameras, 351 and 1304. In 2023, Public Works installed the first camera approved in Policy 351 at 6th and University Avenue and the Berkeley Police Department established procedures for tracking access that will permit an audit to be conducted annually.

Throughout 2023, BPD fielded many inquiries from the Berkeley community expressing a strong interest and support for ALPR and fixed surveillance cameras. In 2024 we will continue on our path to installing and utilizing these technologies for combatting crime with careful consideration of cost, equity, privacy and efficacy guiding us every step of the way.

Regional Collaboration

In January 2024, Berkeley PD participated in a regional convening on crime and public safety hosted by Mayor Arreguín. In attendance were law enforcement leaders and elected officials from across the Bay Area. We discussed the regional efforts underway to address crime and safety concerns as criminals have become more sophisticated and brazen. We identified opportunities for strengthened partnerships across jurisdictional lines and will continue our collaboration in this space to more efficiently and effectively use our resources to solve crimes. There is a lot to be gained from improving our regional approach to data collection and analysis. Investing in both real-time crime analysis for tactical purposes and to inform strategic analysis and long-term planning can enhance our efforts significantly. By sharing data and insights, we can develop more effective strategies to combat crime and ensure public safety. In 2024, we will continue this partnership further at a regional level, exploring innovative solutions and fostering a more collaborative environment for tackling these challenges together.

APPENDIX D

Road Safety & Collisions

Leveraging detailed collision data and community insights, our department has strategically enhanced traffic safety through targeted initiatives and enforcement. As we move forward, our partnership with Vision Zero promises to further deepen our dedication to efficient and effective traffic safety solutions.

Collision Data

In 2023, there were a total of 873 collisions. They included 514 injury and 359 non-injury collisions. Total collisions increased by 23, or 2.6% from 2022. Non-injury collisions increased by 3.6% and fatal collisions decreased to 0. Injury collisions decreased by 6.2% and DUI collisions increased by 3.7%.

Collisions	**2019**	**2020**	**2021**	**2022**	**2023**
Fatal collisions	4	2	7	2	0
Injury collisions	520	316	431	548	514
Non-injury collisions	405	271	351	346	359
Total	**929**	**589**	**789**	**896**	**873**

The most common causes of injury collisions (the primary collision factor or PCF) were 22350 VC, 21800-21804 VC, 21950(a)VC, and 22107 VC. Bicyclists (107) and pedestrians (97) accounted for 39.7% of the injury collisions. Bicyclists were found at fault in 60 of the collisions and pedestrians in 22 of the collisions. A closer examination of the 60 at fault injury collisions involving a bicycle revealed 19 involved a solo bicyclist falling or hitting an object.

In 2023, 81 collisions (26 injury / 55 non-injury) involved a DUI driver (an increase from 53 in 2022) which resulted in 39 injured people.

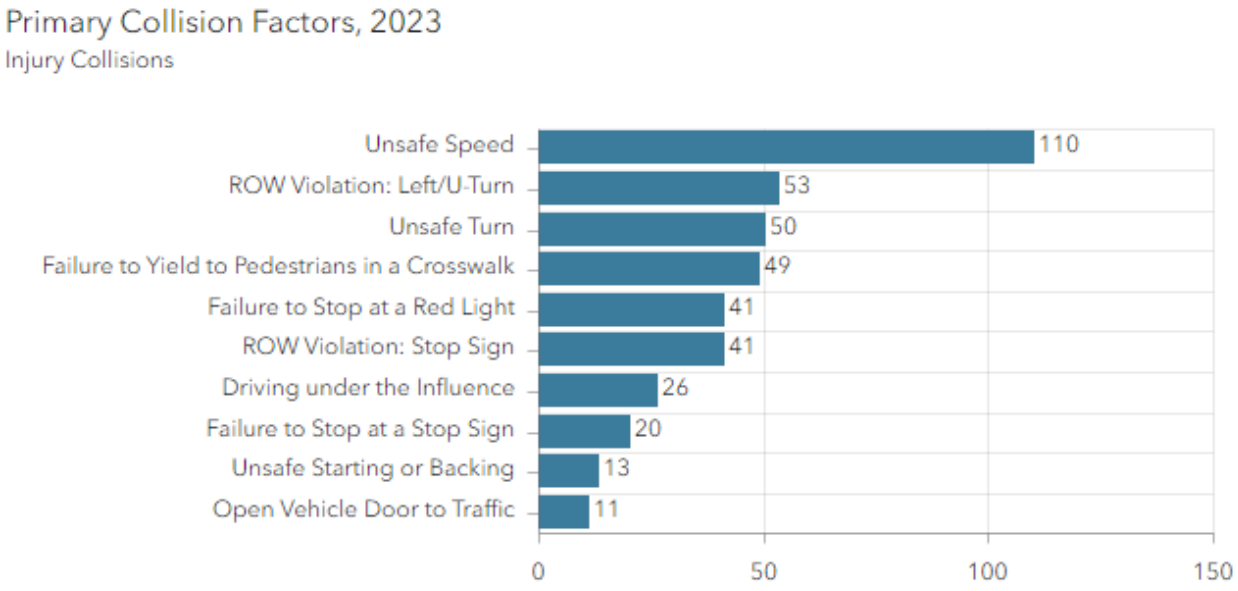
2023 was the first year with no fatal collisions since 2011.

The three intersections which accounted for the highest number of collisions were University Ave/ Acton St, Ashby Ave / San Pablo Ave, and Ashby Ave / Shattuck Ave. The top twelve intersections where collisions occurred were:

APPENDIX D

High Collision Intersections, 2023	Total Collisions	Injury Collisions	# of People Injured	Suspected Serious Injury*
University Ave / Acton St	11	9	14	2
Ashby Ave / San Pablo Ave	11	7	11	0
Ashby Ave / Shattuck Ave	11	4	5	0
Ashby Ave / College Ave	10	6	7	1
University Ave / San Pablo Ave	9	4	8	1
University Ave / MLK Jr Way	9	5	5	0
Ashby Ave / MLK Jr Way	8	7	12	4
San Pablo Ave / Gilman St	8	7	10	0
Shattuck Ave / Channing Way	7	4	4	0
Shattuck Ave / University Ave	7	4	4	0
Mlk Jr Way / Blake St	6	6	9	0
Sacramento St / Alcatraz Ave	6	5	9	0

**Suspected serious injury is any injury other than a fatality that results in significant injury as defined in the CHP Collision Investigation Manual (CHP, 2017, p. 5-5)*



As previously stated, bicycles were involved in 107 of the injury collisions and pedestrians were involved in 97. Of the 97 injury collisions involving a pedestrian, 22 found the pedestrian to be at fault, 74 found the driver of a vehicle to be at fault and 1 found a bicyclist to be at fault. Of the 107 injury collisions involving a bicyclist, 60 found the bicyclist at fault, 34 found the driver of a vehicle at fault, 2 found a pedestrian at fault and the remainder were either unable to

determine fault or a person other than a driver, caused the collision. The biggest factor for this is an occupant in a parked vehicle opening a car door before it is safe/ not yielding to bicyclist in violation of 22517 VC (PCF for 10 bicycle injury collisions in Berkeley in 2023.)

Department Initiatives

What We've Done

In 2022, BPD reprioritized traffic enforcement efforts around a three-prong approach that focuses on primary collision factors, community member reports and observations reported to the BPD and community caretaking. Community caretaking functions consider safety violations that aren't always noted as the primary collision factor but can be a significant contributing factor in serious collisions. BPD will continue to collect and analyze collision data to understand and guide needs and shape future resource allocation decisions.

Primary Collision Factors

Automated Security Checks – Calls for service are automatically generated based on collision data, and time and location of occurrence to focus officer discretionary enforcement time on collision prone locations.

Community Reports

Community members are able to submit traffic safety concerns via the Transparency Hub. The submission is triaged and added to the traffic unit's enforcement requests. After launching this feature in April 2023, the traffic unit received 53 traffic concern submissions.

Community Caretaking

BPD Traffic Unit uses OTS funds to hold DUI checkpoints and DUI saturation patrols. The checkpoints are set up at strategic locations based on the DUI collision and arrest data. DUI checkpoints and saturation patrols use highly trained officers to identify and apprehend impaired drivers and educate the motoring public.

BPD Traffic Bureau just completed a full year of offering a free presentation to senior drivers focusing on the importance of roadway safety for older drivers. The unit has been using education funds from the Office of Traffic Safety (OTS) Grant to teach the program called, "Drive Safer, Drive Longer". This material was developed by the Training, Research and Education for Driving Safety (TREDS) Program at the University of California San Diego School of Medicine. The classes are held once a quarter at the north and south Berkeley Senior Centers and is designed to increase awareness of the dangers older drivers encounter and to offer strategies to keep them safe and mobile.

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In 2023, BPD applied for and was awarded grant funding that supports our efforts to reduce traffic collisions and impaired driving in Berkeley. Grant sources include the Office of Traffic Safety (Selective Traffic Enforcement Program / STEP Grant) and the California Highway Patrol Cannabis Tax Fund Grant to provide additional enforcement, education and traffic safety programs. The funding allows us to conduct DUI checkpoints, DUI saturation patrols and provide enforcement in locations identified as high collision areas targeting dangerous driving behavior. Grant funding allows officers to attend training to become proficient in field sobriety testing to detect both alcohol and drug impairment. In partnership with OTS and other law enforcement agencies throughout the state BPD participates in national campaigns such as pedestrian safety month, winter DUI mobilization, distracted driving awareness, bicycle safety, motorcycle safety, walk to school day and click it or ticket enforcement.

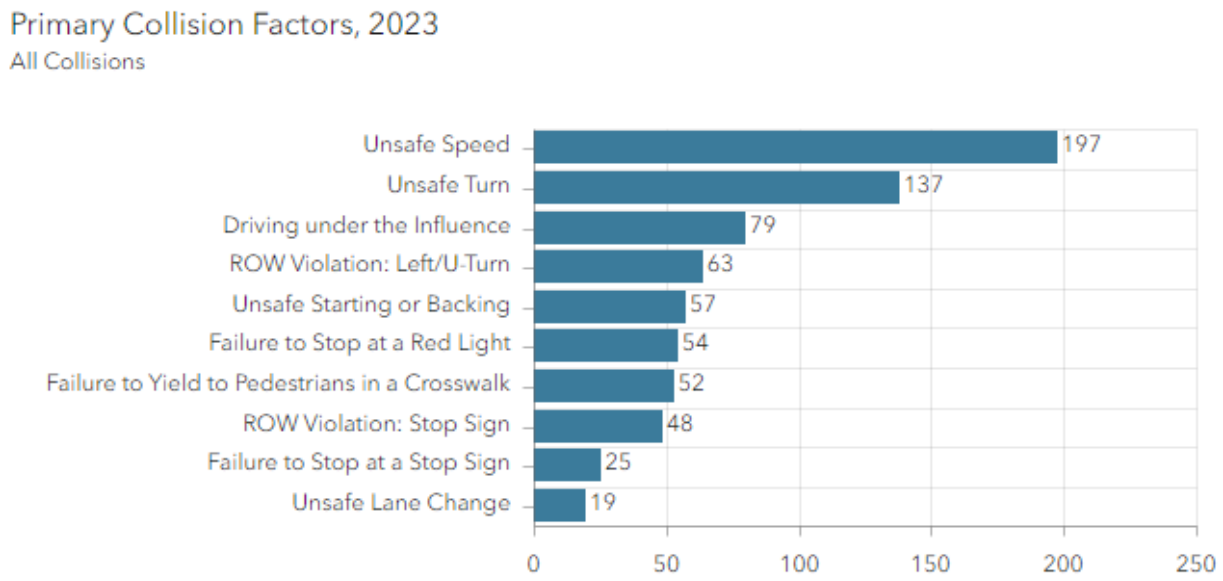
How We're Doing

Moving Violations and Primary Collision Factors



*Excludes stops made in response to calls for service and information-based stops

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The tables above outline the moving violations associated with our vehicle stops as well as the primary collision factors for all stops. The violations related to this year's stop data correlate closely with primary collision factors as well as other serious traffic safety violations geared toward community caretaking.

Transparency Hub Survey Responses

After a community member submits a traffic safety concern via the Transparency Hub and enforcement or education is conducted at the location by the traffic unit, the submission is updated by traffic unit staff indicating the concern had been addressed. In 2023, the traffic bureau conducted 10 traffic safety interventions in response to community concern submissions.

What's Next

In 2024, BPD will continue to use Office of Traffic Safety grant funding to support traffic safety measures to enhance our enforcement and education efforts. Through grant funding, we intend to increase the number of Drive Safer, Drive Longer classes for aging drivers, increase the number of DUI checkpoints, and continue to use the Traffic Safety Transparency Hub and collision data to guide our traffic enforcement strategies. As we look for other ways to improve our strategies, we are committed to deepening our Vision Zero collaboration with key stakeholders to identify high-risk locations, analyze the causes and contributing factors of collisions, and develop meaningful interventions. Our continued partnership with Vision Zero stakeholders will allow BPD leadership to identify strategies that inform decision making around the way and areas we prioritize traffic safety, guided by our three-pronged approach for traffic enforcement.

APPENDIX D

Accountability: Stops & Use of Force

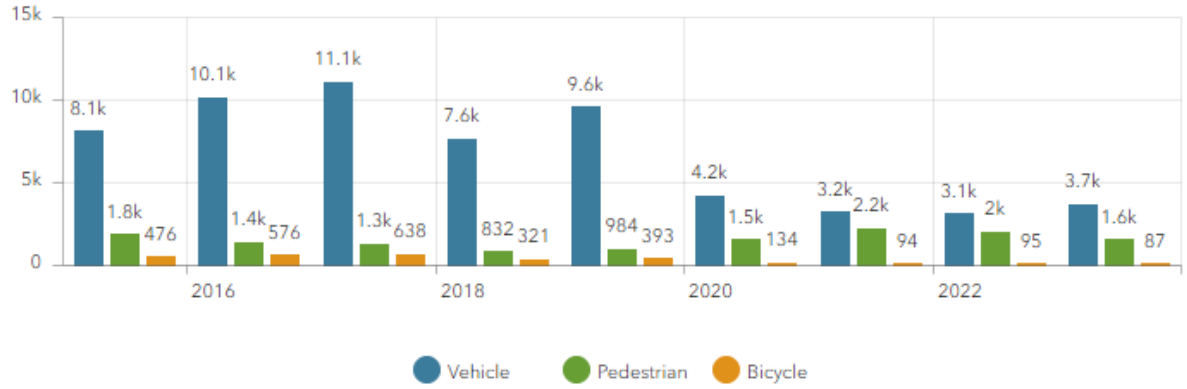
Our department's thorough review of stop data and use of force incidents underscores our commitment to moving forward efforts supporting Fair and Impartial Policing. Performance metrics and tests for bias help ensure our practices don't perpetuate societal inequities. With ongoing enhancements in our Early Intervention System (for more, see the "Audits & Oversight" section below), we are steadfast in our mission to deliver public safety equitably to our community.

Stop Data Report

In October 2020, the Berkeley Police Department began tracking and ultimately supplying the State of California with our stop data pursuant to the Racial Identity Profiling Act (RIPA). BPD began this data collection a full two and a half years before agencies our size were required to comply with RIPA. Berkeley began this process early as part of the department's efforts to better capture, understand and share the data associated with our stops.

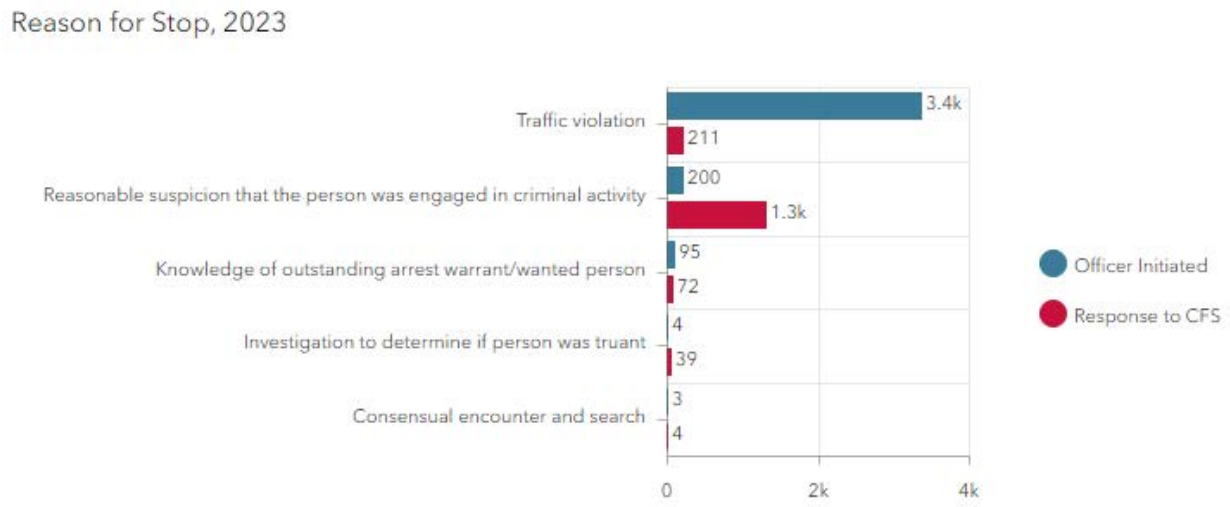
During 2023, BPD averaged 442 total stops including 305 vehicle stops, 129 pedestrian stops, and 7 bicycle stops per month for a yearly count of 5,306 total stops, 3,665 vehicle stops, 1,554 pedestrian stops, and 87 bicycle stops.

Stops by Year and Type



69.08% of all stops were officer-initiated, primarily focusing on traffic violations, while the remaining stops were in response to calls for service. This data, along with the breakdown of reasons for the stops, is depicted in the following graph.

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Yields

880 stops resulted in at least 1 arrest, 2,100 stops resulted in a citation and 1,661 resulted in a warning. 471 stops resulted in no enforcement action.

According to data published by the RIPA board in 2024, Berkeley's yield rate was higher than 92% of all agencies in California in 2022.

In 2023 BPD's search rate for all stops was 14% and had an overall contraband yield rate of 42%. Those searches resulted in 82 seizures of one or more weapons, including 15 recoveries of one or more firearms. The yield rate for all discretionary searches (searches not incident to arrest, a search warrant, vehicle inventory for towing, or exigent circumstances/emergency) was 48%.

Tests for Bias

BPD is deeply committed to ensuring fairness and impartiality in all aspects of law enforcement. To uphold these values, we rigorously examine our practices for any potential biases, employing a series of analytical methods to evaluate the objectivity of our policing. This section details our approach to testing for bias. From analyzing at-fault collision demographics to employing methods like yield rate analysis and the veil of darkness test, our approach is multifaceted and data-driven, aiming to foster a culture of transparency, accountability, and equitable policing.

At the core of our analytical approach is an emphasis on discretionary decision making. Research in this field posits that moments of discretion are when implicit bias is most likely to manifest itself. For that reason, in the analyses below we focus on stops where officers were not responding to a call for service nor relying on additional information (for example, a description of a wanted vehicle) when making the decision to stop. This filtering allows us to key in on moments of maximum discretion where we would most clearly see the effects of implicit bias if such bias were to play a role in officer decision making.

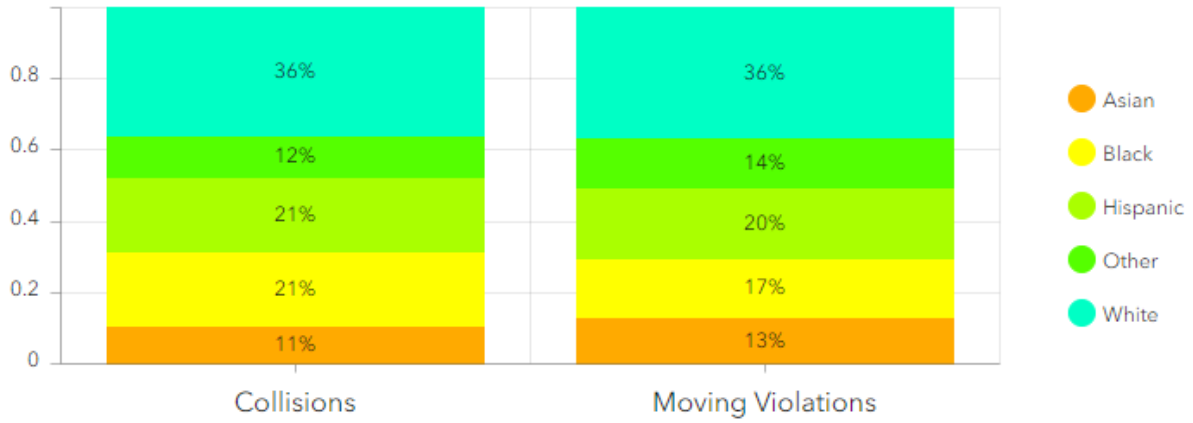
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At-Fault Collision Demographics

A key component of this approach is the comparison of at-fault collision demographics with the demographics of individuals stopped for moving violations. This comparison helps us assess whether traffic stops are being conducted based on objective, race-neutral criteria. This test is particularly important because moving violations made up 81% of all discretionary stops in 2023.

Collision data gives us representative sample of who is driving in Berkeley. This information is useful because it gives us a baseline of the population that officers encounter when they make a stop. Looking at drivers who were determined to be the at-fault party in a collision further refines that baseline to give us a sample of who is driving dangerously in Berkeley. Because we expect our traffic enforcement to focus on dangerous drivers, if our traffic enforcement is unbiased, we would expect a close alignment between the demographics of those involved in at-fault collisions and those stopped for moving violations. Close alignment of those demographics would indicate that stops are influenced by driving behavior rather than implicit biases.

At-Fault Collision & Discretionary Moving Violation Demographics, 2023

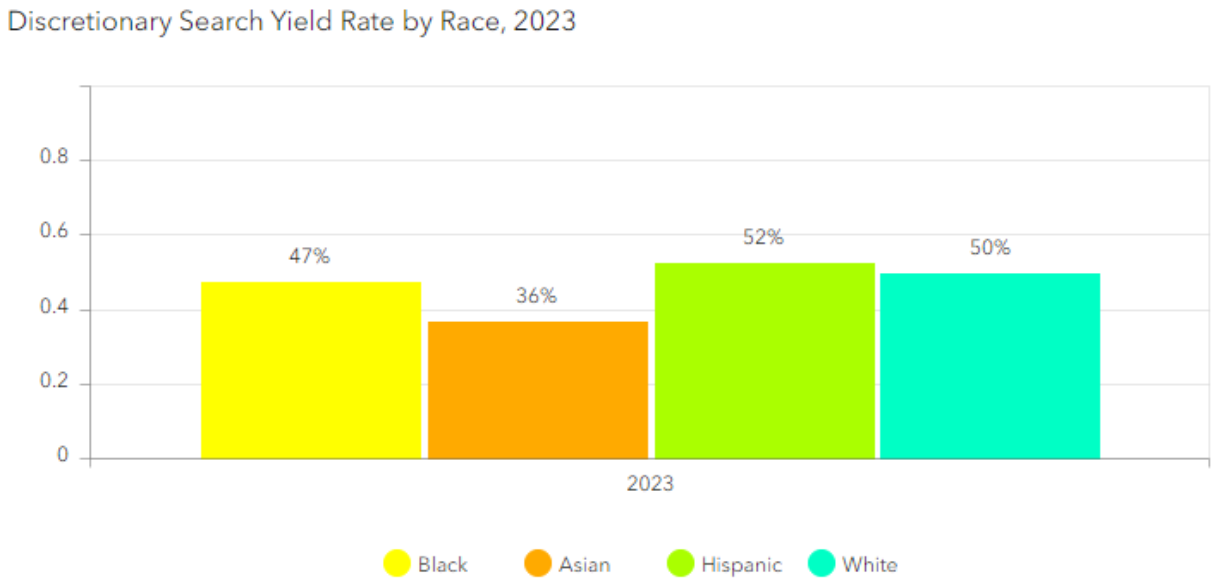


An analysis of 2023 data indicates a close alignment between these two demographic groups. This is the finding we would expect if officers are using race-neutral factors when making a discretionary stop for a moving violation.

Yield Rate Analysis

Another method of determining whether officer discretion is influenced by implicit racial bias is to measure whether the officer's decision to search is subject to a lower threshold of suspicion for Black and Brown people as compared to for White people. Often called yield rate analysis, the method assumes that race-neutral indicators observable by an officer will accurately predict the probability that a search will uncover contraband. The logic follows that a search triggered by a given level of suspicion based on race-neutral factors will 'yield' contraband at the same rate across racial groups. Conversely, a higher yield rate for searches of White people

as compared to searches of Black people would indicate that officers are deciding to search White people when they have a higher confidence of finding contraband.



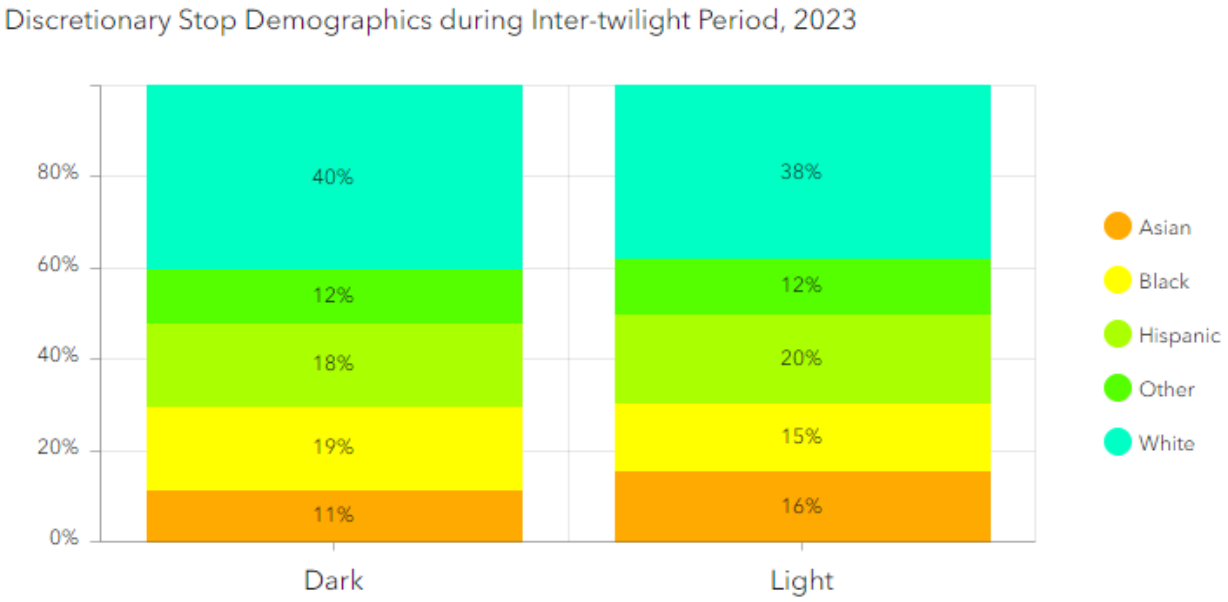
The nearly equivalent search yield rates between Black and White individuals are in line with what we would expect to see if searches conducted by officers were based on factors that do not involve race. A regression analysis conducted by the RIPA board in 2024, which examined data from 2022, found that race—specifically being Black or Hispanic as opposed to White—did not have a statistically significant effect on the likelihood of a Berkeley PD search yielding contraband. This is the result we would expect to see from search decisions being carried out without bias.

Veil of Darkness

The "veil of darkness" analysis is a test of implicit bias at the decision to stop. The analysis looks at the proportion of stops that are of a racial group when it is light outside versus when it is dark outside. If Black people are stopped more often in the light than in the dark, it could indicate that the visibility of race is playing a role in the decision to stop. The test takes advantage of daylight savings time and seasonal changes in day length by looking at times of the day (say, 6:30pm) where for part of the year it is dark outside and part of the year it is light out. Those times can be called the “inter-twilight period.” In that way the test can control for any changes in the distribution of who is on the street throughout the day (as opposed to just doing day vs. night) while observing the difference in stop patterns when race is more visible or less visible to an officer.

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The graph below is a visual representation of this comparison. The test relies on the assumption that race is more apparent to the officer in the light than in the dark, and to the extent that the assumption is violated by the presence of streetlights or racially correlated characteristics of the car or neighborhood, the validity of the test is undermined. Nevertheless, as long as the assumption holds on average, the test can indicate the presence of the effect; that is, a result



concluding a statistically significant result would be evidence of the presence of bias, while a null result would not necessarily prove the absence of bias.

The close alignment of demographic groups for discretionary stops in the dark and in the light during the “inter-twilight period” seen above is what we would expect to see if those stops were being made based on race-neutral factors.

Use of Force Report

Berkeley Police Department takes pride in our ability to accomplish our work with minimal reliance on force through approaches that include de-escalation techniques, as well as an awareness of mental health crisis issues and appropriate responses. The department reinforces these skills and strategies through regular training.

In February 2021, BPD transitioned to a new Use of Force Policy that had several substantial changes, that included a de-escalation requirement and an expanded use of force reporting standard. Under this policy, reportable force is delineated into the following four categories:

Level 1 – Involves grabs, control holds, the use of leverage, or body weight with no injury or complaint of pain.

Level 2 – Applies when an officer points or deploys a firearm while interacting with someone. It also applies to a Level 1 force that involves more than momentary discomfort but does not have an injury or complaint of pain.

Level 3 – Parallels our old Use of Force reporting standard and involves the use of a weapon, subject injury, or complaint of pain. This category also applies to specific circumstances when an officer does not activate their body-worn camera.

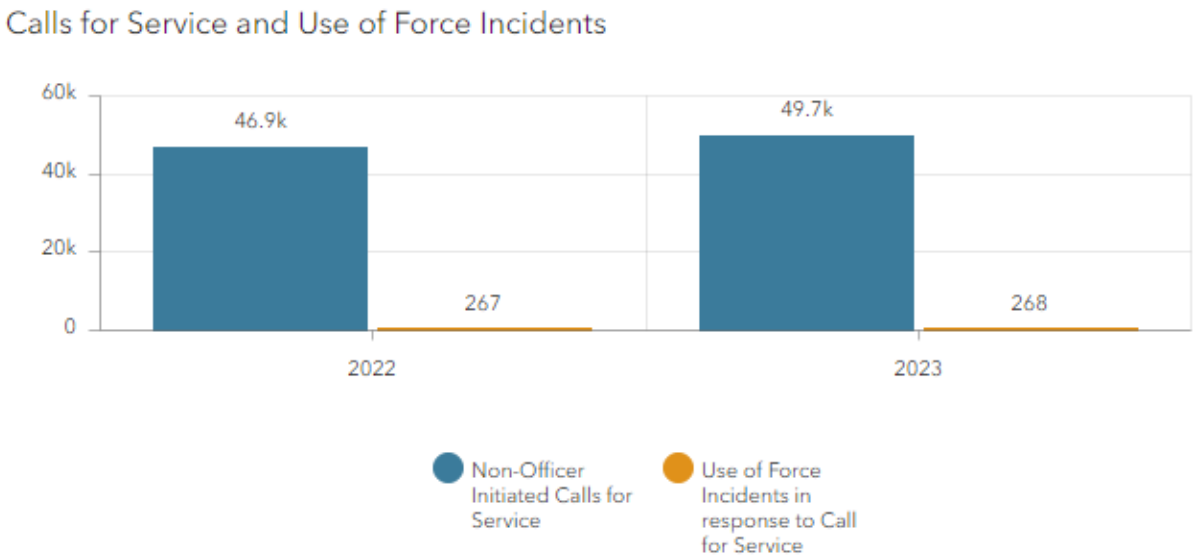
Level 4 – Applies when an officer uses a firearm or when there is an in-custody death.

The department use of force policy requires officers to report uses of force to their sergeant, who documents these incidents in a formal report. A lieutenant and captain review each report, including associated body worn camera (BWC) footage, before forwarding it to Internal Affairs. In a given incident, more than one technique or type of force may be used to bring a resistant or combative individual into custody, and more than one officer may use force during the incident.

In 2023 there were 346 incidents that involved 1,214 uses of force. 68 % of all uses were Level 1 uses of force, and 28% were level two. These two categories accounted for 96% of all uses.

While the department has consistently evaluated individual use of force incidents, our expanded data collection and analysis tools allow us to understand and evaluate our use of force trends and share them with the community.

Of the 49,703 non-officer-initiated calls for service that BPD received in 2023, 0.54% (268 incidents) resulted in a use of force incident, and 0.06% (29) resulted in a use of force that produced more than a minor complaint of pain or where a weapon was used (Level 3 and 4). 77.46% of our use of force incidents occurred when officers responded to calls for service from the community, and trends show that calls for service account for a larger percentage of cases



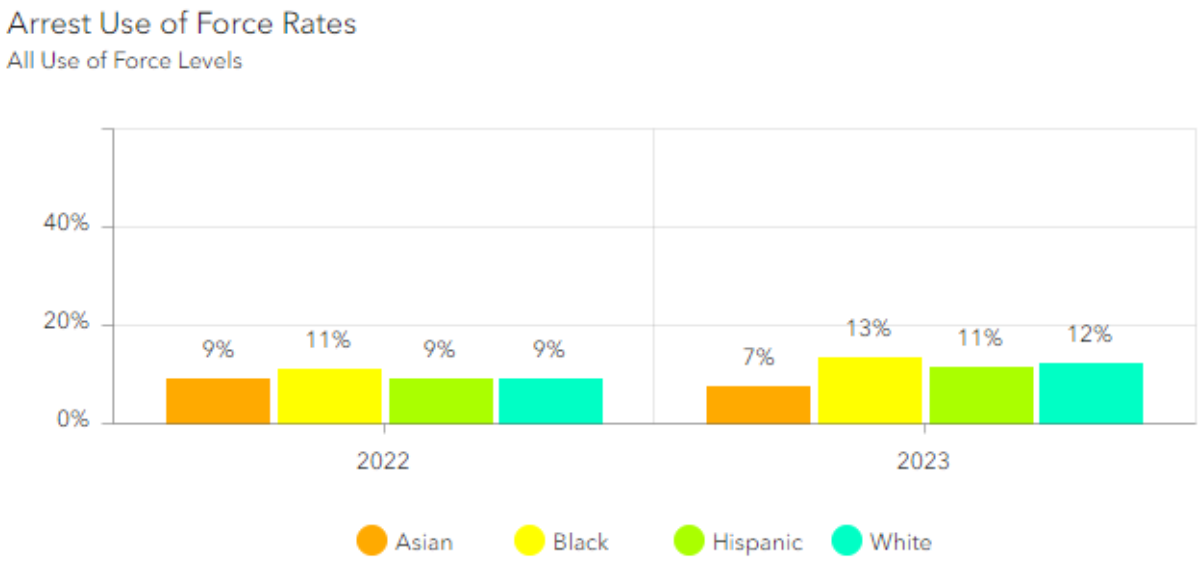
where force was used this year than in previous years: 77.46% versus 75.85% in 2022 and 68.5% in 2021.

The chart below illustrates that while carrying out arrests, the likelihood of use of force incidents occurring during arrests is relatively similar across racial groups. Specifically, the use

of force was involved in 7% of arrests for Asian subjects, 13% for African American subjects, 11% for Hispanic subjects, and 12% for White subjects. These closely aligned rates are what we would expect if the decision to use of force is being determined by factors other than race.

Utilizing the number of arrested subjects as a baseline for comparing use of force rates is a valuable approach because it reflects the most common scenario in which force is applied. By evaluating use of force as a percentage of arrests, we can more accurately assess the frequency and circumstances in which force is used. This method helps to isolate the act of arrest as a variable and allows for a direct comparison of use of force incidents relative to that variable across different racial groups.

The close percentages across racial groups is what we would expect to observe if use of force is



more closely associated with the dynamics of the arrest situation itself rather than the race of the individuals involved.

The department also tracks use of force complaints. While our use of force cases are always reviewed by a Lieutenant and Captain, those associated with a personnel complaint are also subject to an Internal Affairs Bureau (IAB) investigation. The results of the investigation (including BWC footage) are given to a Board of Review that evaluates the case and makes a recommendation to the Chief.

In 2023 the department received a total of 12 complaints associated with use of force incidents. To date, 7 of those investigations have been completed while 5 are still being evaluated. Additionally, 6 out of those 12 cases were also independently assessed by the Office of the Director of Police Accountability and Police Accountability Board. Of the 7 completed cases reviewed by the department or the ODPA/PAB, 0 resulted in sustained findings of misconduct.

The department will continue to collect, evaluate, and assess our use of force data and use it to inform our policies and training with a focus on achieving positive outcomes.

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Audits & Oversight

In 2023, the Berkeley Police Department significantly advanced towards fulfilling oversight directives, completing key reports, audits, and policy reviews, while actively engaging in training and collaborative efforts to ensure fair and impartial policing.

In 2023 we completed a number of reports and audits including:

- The 2022 Annual Complaint Statistics from the Internal Affairs Bureau
- The 2022 Police Equipment and Community Safety Ordinance Annual Report
- The 2022 Police Department Annual Report
- Biannual Automated License Plate Reader audits
- Quarterly Early warning system audits
- Quarterly Fair and Impartial Policing updates
- City Auditor open audit updates
- Contracted for a department-wide staffing and resources assessment with Citygate consulting

The department also actively participated in a number of subcommittees and collaborative conversations with the PAB including reviews of the policies for Body Worn Cameras, Off Duty Officer Conduct, Early Intervention System, and Departmental budget development.

Our personnel also completed annual refresher training to satisfy our policies and state requirements for continuing education.

The work mentioned here is just a portion of the 2023 efforts within the department, which also included contributions to the city's Gun Violence Intervention & Prevention program and the assessment of 911 dispatch services, alongside collaborations with Health, Housing, and Community Services on reimagining public safety projects. Much of this administrative work falls to sergeants and lieutenants, who are also responsible for the supervision and leadership of their teams.

MOMENTS OF IMPACT

One of the duties of the Police Accountability Board (PAB) is to recognize officers who demonstrate exceptional service. An illustrative example of this is the commendation awarded to Officers Gasper and Ludovico for their skilled and empathetic handling of a critical incident on April 6th.

Facing a situation where a person in crisis threatened to jump from a third-story window, the commendation highlights,

"Both [Ofc. Gasper] and Ofc. Ludovico know many of the people encountered in the west area of Berkeley and have established working relationships with many of those people which has allowed them to gain both trust and compliance in critical incidents. April 6th was one of those days where that trust mattered the most."

Their ability to deescalate the situation and secure medical and mental health support for the individual underscores the importance of community trust and engagement in policing.

This act of recognition by the PAB not only celebrates the officers' dedication but also emphasizes the board's commitment to acknowledging the positive impact of law enforcement personnel who vividly illustrate BPD's commitment to service.

Below are updates on our progress towards completing the recent City Auditor report recommendations and our quarterly update on our implementation of the Fair and Impartial Policing Working Group recommendations.

City Auditor Reports

There were three open audits in 2023. Working with Auditor Wong and her staff, two have been fully completed. The remaining open audit contains 12 recommendations. Of these, 10 are complete leaving only 2 open recommendations. Both of these items are related to staffing and involve our in-progress work with an outside consultant (Citygate). Both are actively being worked on;

- 911 Dispatchers: Understaffing Leads to Excessive Overtime and Low Morale (Complete)
- Data Analysis of Berkeley's Police Response (Complete)
- Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities (Open/In Progress)

The Department will be submitting our next audit update to City Council in May 2024 regarding the two remaining open audit items. We look forward to continuing to work with Auditor Wong's office to accomplish all of the recommendations in this budget related audit.

Fair and Impartial Policing Recommendations

BPD has worked hard to fully implement the Fair and Impartial Policing (FIP) Working Group recommendations, and efforts in this area are ongoing and live well beyond the specific recommendations of Council. A prime example of this is the analysis presented in the "Accountability" section above, where we track key measures of fair and impartial policing outcome. The FIP Working Group recommendations have provided invaluable guidelines as we enhance our policies and protocols to ensure the highest standards of policing and are deeply aligned with our departmental values. The department will continue ensuring our personnel, policies and actions support fair, impartial and equitable treatment of all those we serve. The department is also committed to maintaining transparency and accountability in our reporting on these efforts to the community and Council. To ensure this, we will continue providing information both via our Transparency Hub as well as our annual department report.

FIP Working Group Recommendations Progress Report: March 2024

We have made significant progress in implementing the recommendations set forth for the department, with actions taken in nearly all areas specified. The final piece, an extensive staffing assessment conducted by Citygate Associates, is underway and its completion will mark the fulfillment of the last recommendation.

To date, implementation of the recommendations has led to the amendment of departmental policies and the establishment of new protocols. Some major accomplishments included a departmental policy focusing traffic stops on safety and preventing collisions, using evidence-

based models and strong data analysis to guide enforcement actions, and our current work to strengthen and expand our Early Intervention System

The additional FIP training funds allocated as part of the reimagining process have allowed us to continue to move this important work forward. We have created a training focus on courses strengthening responses that are Constitutional, Humane, Impartial, Neighborhood and Community Oriented and DEI-Centered. We refer to this as “KIND” training.

We are also bringing Active Bystander for Law Enforcement (ABLE) training to our agency. ABLE is a nationally recognized program with the aim of creating a police culture in which officers routinely intervene and accept interventions from their peers as necessary to: prevent misconduct, avoid police mistakes, and promote officer health and wellness. ABLE guides agencies and communities on the concrete measures that must be in place to create and sustain a culture of peer intervention leading to the benefit of the community and department. The department was honored to receive letters of support and partnership for this program from community-based organizations in our city such as Dorothy Day House and the Center for Food, Faith and Justice

With this progress, we're turning our attention to further enhancing our practices. Central to this is the development of our Early Intervention System (EIS). We recognize the power of an EIS to promote transparency, proactive intervention, and a supportive environment for officer development. We have taken pride in having an EIS protocol since 2004, reflecting our long-held commitment to accountability. In 2023, guided by the recommendations of the FIP Working Group, we updated our policy, significantly broadening the scope and depth of our audits to include the incorporation of RIPA-mandated stop data. Also in 2023, after collaboration with the Police Accountability Board, the department added audits of body-worn camera footage to our quarterly audit procedure.

To accelerate the expansion of our EIS, we've recently released an RFP for design support in building a cutting-edge, real-time system. This system will give us a comprehensive overview of officer and team performance, helping us identify potential areas where proactive support would be beneficial.

Our EIS work has benefited from ongoing collaboration with the Police Accountability Board (PAB), and we understand they are preparing a comprehensive report on the subject. We look forward to continuing our engagement with the PAB on EIS implementation and improvement.

The Berkeley Police Department remains committed to equitable and unbiased policing and we are proud to have implemented almost all of the FIP recommendations. A Special Order (policy) has been released to ensure that current and future members of the Berkeley Police Department carry forward and build upon this important foundational work initiated by the FIP Working Group. Once the final recommendation of the referral is completed, the department will continue efforts related to fair and impartial policing and provide annual updates and progress in this report.

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Gun Violence Intervention and Prevention Program RFP



Finance Department
General Services Division

REQUEST FOR PROPOSALS (RFP)
Specification No. #24-11659-C
FOR
Gun Violence Intervention and Prevention Program
PROPOSALS WILL NOT BE OPENED AND READ PUBLICLY

Dear Proposer:

The City of Berkeley is soliciting written proposals from qualified firms or individuals to work with the City of Berkeley to establish and implement a Gun Violence Intervention and Prevention Program. As a Request for Proposal (RFP) this is not an invitation to bid and although price is very important, other factors will be taken into consideration.

The project scope, content of proposal, and vendor selection process are summarized in the RFP (attached). **Proposals must be received no later than 2:00 pm on Thursday April 16, 2024.** Proposals are to be sent via email with the **"Specification No. #24-11659-C** and "**Gun Violence Intervention and Prevention Program**" clearly indicated in the subject line of the email. Please submit one (1) PDF of the technical Proposal with the filename saved as, "**Proposal Vendor Name - #24-11659-C "Gun Violence Intervention and Prevention Program**" Corresponding pricing proposal shall be submitted as a separate document with the filename saved as, "**Pricing Vendor Name - - #24-11659-C "Gun Violence Intervention and Prevention Program."**

Email Proposals to:
City of Berkeley
Finance Department/General Services Division
purchasing@berkeleyca.gov

Proposals will not be accepted after the date and time stated above. Incomplete proposal or proposals that do not conform to the requirements specified herein will not be considered. Issuance of the RFP does not obligate the City to award a contract, nor is the City liable for any costs incurred by the proposer in the preparation and submittal of proposals for the subject work. The City retains the right to award all or parts of this contract to several bidders, to not select any bidders, and/or to re-solicit proposals. The act of submitting a proposal is a declaration that the proposer has read the RFP and understands all the requirements and conditions.

For questions concerning the anticipated work, or scope of the project, please **contact Carianna "Cari" Arredondo *(Project Manager)***, Assistant to the City Manager, via email at **carredondo@berkeleyca.gov** no later than **Monday, April 8th, 2024**. Answers to questions will **not** be provided by telephone or email. Answers to all questions or any addenda will be **posted** on the City of Berkeley's site at Bid & Proposal Opportunities | City of Berkeley (berkeleyca.gov). It is the vendor's responsibility to check this site. For general questions concerning the submittal process, contact purchasing at 510-981-7320.

We look forward to receiving and reviewing your proposal.

Sincerely,
Darryl Sweet, General Services Manager

I. SUMMARY

In response to the growing gun violence crisis, Berkeley has introduced the Gun Violence Intervention and Prevention Program within its larger "Reimagining Public Safety" framework. Aiming for a comprehensive reduction in gun violence incidents, this initiative blends community engagement, strategic collaboration between internal city departments and external organizations, field experts, and methods based on empirical evidence.

With a $2M budget for a two-year pilot (Not to exceed $1M per fiscal year), the Gun Violence Intervention and Prevention program aims to employ a four-pronged strategy that includes:

- **Place-based interventions** at critical areas with increased shootings,
- Direct engagement with individuals at risk via **custom notifications**,
- **Street outreach**, and
- Provision of robust **social services**.

The program, which is overseen by the City Manager's Office, is seeking proposals for the design and implementation of the ***custom notifications*** and ***street outreach*** components, as detailed below. It is crucial to understand that custom notifications require collaboration with law enforcement, whereas street outreach involves a one-way communication channel from the police to outreach workers.

Proposals may address *either* one or *both* components. **While proposals may involve collaboration among multiple Community-Based Organizations (CBOs), prospective bidders must identify a lead organization and may include partner organizations in their submissions.**

- **Custom Notifications**: Custom notifications in Berkeley are a **collaborative strategy** by ***law enforcement*** and ***community-based organizations*** to mitigate gun violence and target high-risk individuals with simultaneous "hard" and "soft" messaging. The "hard" message, delivered by police, outlines specific legal consequences for future violent acts, emphasizing immediate legal risks. Concurrently, a "soft" message from a community-based organization (CBO) conveys support and care, offering access to social services and assistance. This approach combines clear warnings about the consequences of violence with offers of help, aiming to deter violence through awareness of the repercussions and provision of alternatives. Custom notifications leverage social network analysis (SNA) to identify those at risk and employ focused deterrence to reduce gun violence, making it clear that violence is intolerable while also providing pathways to support and change.

- **Street Outreach:** A critical aspect of their operation is the **unidirectional flow** of information from police to outreach workers, keeping them informed about recent incidents without compromising their neutrality and community trust. Street outreach, conducted by Violence Interrupters, is a public health strategy aimed at curbing the spread of violence as a social contagion in communities. These workers, often with personal experiences of incarceration or violence, use their credibility and understanding of street culture to mediate conflicts and prevent violence escalation. They act as crucial connectors between individuals engaged in violence and broader gun violence intervention programs, enhancing law enforcement efforts with their community trust. Their role includes real-time violence identification and interruption, mentoring high-risk individuals, facilitating workshops and peaceful demonstrations. This partnership allows them to effectively prevent retaliation and support individuals at risk, by reinforcing community norms against violence and fostering a safer environment.

The purpose of this RFP is to solicit proposals from community-based organizations and service providers that have the expertise and ability to quickly meet the City's need to create a successful pilot program for the Gun Violence Intervention and Prevention Program in the City of Berkeley. The selected applicant(s) will be required to comply with all applicable requirements for such funds and will be required to report to the City regularly on the use of funds and services beneficiaries.

II. SCOPE OF SERVICES

Applicants are encouraged to thoroughly review the report and recommendations, as outlined in ***Attachments 1*** **to** ***4***. The selected provider(s) must demonstrate a collaborative approach, involving a wide range of internal and external organizations, community stakeholders and show expertise in gun violence intervention and prevention programming; evidenced by a strong commitment to data-driven evaluation, ability to remain within budget limits, foster effective cross-functional collaboration is crucial for the successful implementation and achieve a measurable decrease in gun violence incidents. The City is looking for detailed proposals for its Gun Violence Intervention and Prevention program, specifically focusing on designing and implementing ***street outreach*** and ***custom notification*** initiatives in alignment with the criteria provided. The sections below serve as a detailed outline and guide for the City's expectations for submissions regarding the program narrative:

A. STRATEGIC PROGRAM DEVELOPMENT

Proposals must incorporate advanced strategies based on criminological and public health research and detail methodologies and approaches for engaging the target population, including identification methods, intervention strategies, and case-management coordination and follow-up.

- **Comprehensive Strategy Development**
  - **Intervention Methodology:** Define a collaborative methodology for engaging in-risk individuals, specifying criteria and tools used. Include intervention techniques, frequency, duration, format, and risk assessment protocols.
    - **Custom Notifications:** Given a subset of individuals identified by law enforcement partners, design a methodology and/or framework for coordinating relevant stakeholders to create unified custom notifications and delivery methods to the individual.
    - **Street Outreach:** Describe a strategic plan for managing a team of street outreach workers including day-to-day functions and special activities.
  - **Effectiveness Indicators:** Provide measurable indicators and success metrics for each component (street outreach and custom notifications), including crime rate reduction, improved community trust, and other social impact metrics.

- **Documentation and Reporting**
  - **Operational Protocols:** Outline clear protocols for escalating interventions and response to emerging situations.
  - **Community Engagement Plan:** Formulate a strategy for sustained engagement with diverse community members and stakeholders. Identify relationships with field experts.

- **Budget and Effectiveness Monitoring**
  - **Budget Monitoring:** Provide a detailed breakdown and justification for each budget item. Describe the financial monitoring system, including checks and balances, audit schedules, and reporting formats.
  - **Effectiveness Monitoring:** Identify specific tools and methods for monitoring reductions in gun violence, such as statistical analysis, community surveys, etc., and explain the process for making program adjustments based on effectiveness data, including decision-making criteria and implementation timelines.

- **Data Management and Evaluation**
  - **Data Collection Tools:** Specify tools and software for data collection and analysis.
  - **Continuous Improvement Plan:** Outline a plan for regular program review and refinement based on data insights.

B. IMPLEMENTATION AND COMPLIANCE MONITORING

Detailed implementation plans are required, including staffing qualifications, resource allocation, operational timelines, and a scalable framework for program expansion. Proposals should address integrating innovative and culturally sensitive practices, considering the diverse needs of the community.

- **Implementation Planning**
  - **Operational Framework**: Outline the operational framework, staffing roles, qualifications, and resource allocation for the program. Focus on the logistical aspects of implementing the proposed strategies.
  - **Resource Allocation**: Present a comprehensive budget with allocations for each program element and justifications, focused on the direct support of proposed strategies.

- **Collaboration and Community Engagement**
  - **Collaboration Framework:** Provide a detailed organizational chart showing each entity's specific responsibilities and points of contact. Describe how the collaboration with ***various entities*** will enhance the program's effectiveness.
  - **Community and Stakeholder Engagement:** Detail specific engagement activities, their frequency, and expected outcomes, along with strategies to sustain and deepen relationships with stakeholders, including regular community meetings, feedback mechanisms, etc. Identify continued partnership with local and national field experts and collaboration with city departments.

C. OPERATIONAL TIMELINE & LOCATION

Applicants are expected to outline the expectations for the operational timeline and spatial needs of the program, detailing the specific period post-contract award and providing timelines for each critical phase of the program.

- **Timeline Expectations:** Outline a realistic and flexible timeline for the program's operational rollout, including milestones and benchmarks for the design, implementation, monitoring, and evaluation phases of the program.
- **Location Considerations:** While the City of Berkeley will not provide a location due to the fieldwork nature of this program, we are open to exploring possible city space for operational needs, if necessary. Applicants should detail their plan for location needs, how they intend to address fieldwork requirements, and any potential city space utilization if applicable.

D. ORGANIZATIONAL CAPACITY AND EXPERTISE

Applicants must demonstrate extensive experience and expertise in gun violence intervention and prevention, showcasing a deep understanding of the dynamics of gun violence and the ability to implement effective programs.

- **Organizational Experience**
  - **Case Study Details:** Include data from past programs, specifying the number of individuals reached, the reduction in violent incidents, and other relevant metrics.
  - **Insight Application:** Describe how previous lessons will be applied in the Berkeley context, with modifications or enhancements specific to local needs.

- **Training and Development**
  - **Curriculum Specifics:** Provide a detailed training schedule, including topics covered and qualifications of trainers.
  - **Training Evaluation:** Outline methods for assessing the effectiveness of training, such as pre- and post-assessment, staff feedback, and performance metrics.

This RFP is designed to facilitate the selection of a comprehensive, collaborative, and innovative approach to reduce gun violence in our community through targeted, data-driven interventions and strategic collaborations.

III. SUBMISSION REQUIREMENTS

All proposals shall include the following information, organized as separate sections of the proposal. The proposal should be concise and to the point.

1. Contractor Identification:

   Provide the name of the firm, the firm's principal place of business (see section VII, F. – Local Vendor Preference), the name and telephone number of the contact person and company tax identification number.

2. Client References:

   Provide a minimum *of 3* client references. References should be California cities or other large public sector entities. Provide the designated person's name, title, organization, address, telephone number, and the project(s) that were completed under that client's direction.

3. Price Proposal:

   The proposal must provide detailed pricing for all services, ensuring all program work does not surpass $1M (per fiscal year) for the broader two-year $2M pilot program. Pricing shall be all inclusive unless indicated otherwise. Pricing proposals shall be a separate document. The Proposal shall itemize all services, including hourly rates for all professional, technical and support personnel, and all other charges related to completion of the work. Evaluation of price proposals are subject to the local vendor business preference (see section VII.F.)

   Please complete the Program Budget Template (**See Attachment 4**).

   Note: The City of Berkeley intends to use this two-year pilot program as a foundation for developing a comprehensive approach to gun violence intervention and prevention. The focus will be on employing effective street outreach methods and custom notifications as principal strategies, as outlined in the attached report and recommendations.

4. Contract Terminations*:*

   If your organization has had a contract terminated in the last five (5) years, describe such incident. Termination for default is defined as notice to stop performance due to the vendor's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the vendor, or (b) litigated and such litigation determined that the vendor was in default.

   Submit full details of the terms for default including the other party's name, address, and phone number. Present the vendor's position on the matter. The City will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience.

   If the firm has not experienced any such termination for default or early termination in the past five (5) years, so indicate.

5. Program Narrative:

Proposals should include a detailed narrative addressing the approach to each of the following criteria as outlined in Section II. SCOPE OF SERVICES:

A. **Strategic Program Development:** Proposals must incorporate advanced strategies based on criminological and public health research and detail methodologies and approaches for engaging the target population, including identification methods, intervention strategies, and case-management coordination and follow-up.
B. **Implementation and Compliance Monitoring:** Present a detailed plan for operationalizing the proposed strategies, including staffing, resource allocation, and program expansion. Describe how compliance will be ensured and how culturally sensitive practices will be integrated.
C. **Operational Timeline & Location:** Outline a realistic timeline for the program's operational rollout and provide details on spatial needs, addressing how fieldwork and potential city space utilization will be managed.
D. **Organizational Capacity and Expertise:** Demonstrate experience and expertise in the relevant field. Include case studies, application of insights, training specifics, and methods for evaluating training effectiveness.

IV. SELECTION CRITERIA

The following criteria will be considered, although not exclusively, in determining which firm(s) is hired. A selection panel comprising staff members with expertise in Gun Violence Intervention and Prevention (GVI/P), community engagement, racial equity, financial management, and relevant local knowledge will evaluate and score submissions. The panel will use a standardized scoring rubric to ensure a fair and comprehensive assessment of each proposal.

Category	Criteria	Points
Project Approach	*Approach to Custom Notifications:* Strategy for a custom notifications program that includes: • **Identification:** Collaborating with law enforcement partners to identify a specific subset of individuals deemed at-risk. • **Coordination:** Designing a framework for coordinating with relevant stakeholders, including local authorities, community organizations, and social service providers, to create a unified approach for the development and delivery of custom notifications. • **Delivery:** Outlining the process for the personalized delivery of these notifications to the identified individuals, ensuring the approach is respectful, privacy-conscious, and tailored to address the specific needs and risks associated with each individual.	**30**
	Approach to Street Outreach: Strategy for a street outreach program that includes: • **Team Management:** Describing the management of a team of street outreach workers, focusing on their day-to-day functions, roles, and responsibilities to ensure a proactive and effective outreach effort. • **Special Activities:** Planning and implementing special activities aimed at engaging target populations, enhancing the outreach program's reach and impact. • **Coordination:** Ensuring the street outreach efforts are well-coordinated with community groups, law enforcement, and other stakeholders to provide seamless support to the target populations. • **Training and Support:** Detailing the training, supervision, and ongoing support mechanisms for outreach workers, preparing them to address the complexities of their roles and adapt to the dynamic needs of the communities they serve.	
Expertise & References	*Comprehensive Experience*: Overview of the organization's background in GVP initiatives, with a special focus on custom notifications and street outreach. Submissions should highlight key staff qualifications, local collaborations, and the ability to manage federal funds effectively.	**30**
Experience Serving Diverse Populations	*Inclusive Engagement Strategies*: Presentation of approaches for engaging diverse communities through custom notifications and street outreach, including evidence of past successes and accessibility measures.	**15**

Presentation of Materials	*Alignment with Project Goals and Tailored Approach to Berkeley:* Evaluation of how the proposal aligns with the defined services and outcomes for the GVI/P project. Proposals must reference specific recommendations or findings in the attached documents and demonstrate a tailored approach to meet Berkeley's unique needs.	**15**
Costs	*Budget and Financial Oversight*: Detailed budget breakdown for custom notifications and street outreach, including justifications for cost efficiency and procedures for financial accountability.	**10**

* Effective 1/1/2022. *Local Vendor Preference. For the purposes of comparing pricing as part of this competitive RFP for goods up to $100,000 or non-professional services up to $250,000, 5% shall be deducted from the bid price proposal from any local Berkeley vendor.*

A selection panel will be convened of staff to evaluate and score submittals.

V. PAYMENT

Invoices: Invoices must be fully itemized and provide sufficient information for approving payment and audit. Invoices must be accompanied by receipt for services in order for payment to be processed. **Email invoices to Accounts Payable and cc' carredondo@berkeleyca.gov;** (List on invoice, Attn: Carianna Arredondo, City Manager's Office) and reference the contract number.

City of Berkeley
Accounts Payable
P.O. Box 700
Berkeley, CA 94710-700
Email: **AccountsPayable@berkeleyca.gov**
Phone: 510-981-7310

Payments: The City will make payment to the vendor within 30 days of receipt of a correct, approved and complete invoice.

VI. CITY REQUIREMENTS

*(Do not modify any part of this section except: Living Wage would not apply if commodities are being purchased and Equal Benefits would not apply if the contract amount will be less than $25,000. If this is the case, do not delete the section just note next to it **"Does Not Apply to this Request for Proposal**")*

A. Non-Discrimination Requirements:

Ordinance No. 5876-N.S. codified in B.M.C. Chapter 13.26 states that, for contracts worth more than $3,000 bids for supplies or bids or proposals for services shall include a completed Workforce Composition Form. Businesses with fewer than five employees are exempt from submitting this form. (See B.M.C. 13.26.030)

Under B.M.C. section 13.26.060, the City may require any bidder or vendor it believes may have discriminated to submit a Non-Discrimination Program. The Contract Compliance Officer will make this determination. This applies to all contracts and all consultants (contractors). Berkeley Municipal Code section 13.26.070 requires that all contracts with the City contain a non-discrimination clause, in which the contractor agrees not to discriminate and allows the City access to records necessary to monitor compliance. This section also applies to all contracts and all consultants.
Bidders must submit the attached Non-Discrimination Disclosure Form with their proposal.

B. Nuclear Free Berkeley Disclosure Form:

Berkeley Municipal Code section 12.90.070 prohibits the City from granting contracts to companies that knowingly engage in work for nuclear weapons. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that engages in nuclear weapons work. If your company engages in work for nuclear weapons, explain on the Disclosure Form the nature of such work. **Bidders must submit the attached Nuclear Free Disclosure Form with their proposal**.

C. Oppressive States:

The City of Berkeley prohibits granting of contracts to firms that knowingly provide personal services to specified Countries. This contracting prohibition may be waived if the City Council determines that no reasonable alternative exists to doing business with a company that is covered by City Council Resolution Nos. 59,853-N.S., 60,382-N.S., and 70,606-N.S. If your company or any subsidiary is covered, explain on the Disclosure Form the nature of such work.
Bidders must submit the attached Oppressive States Disclosure Form with their proposal.

D. Sanctuary City Contracting Ordinance:

Chapter 13.105 of the Berkeley Municipal Code prohibits the City from granting and or retaining contracts with any person or entity that provides Data Broker or Extreme Vetting services to the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security ("ICE").
Bidders must submit the attached Sanctuary City Compliance Statement with their proposal.

E. Conflict of Interest:

In the sole judgment of the City, any and all proposals are subject to disqualification on the basis of a conflict of interest. The City may not contract with a vendor if the vendor or an employee, officer or director of the proposer's firm, or any immediate family member of the preceding, has served as an elected official, employee, board or commission member of the City who influences the making of the contract or has a direct or indirect interest in the contract.

Furthermore, the City may not contract with any vendor whose income, investment, or real property interest may be affected by the contract. The City, at its sole option, may disqualify any proposal on the basis of such a conflict of interest. **Please identify any person associated with the firm that has a potential conflict of interest.**

F. Berkeley Living Wage Ordinance:

Chapter 13.27 of the Berkeley Municipal Code requires that contractors offer all eligible employees with City mandated minimum compensation during the term of any contract that may be awarded by the City. If the Contractor is not currently subject to the Living Wage Ordinance, cumulative contracts with the City within a one-year period may subject Contractor to the requirements under B.M.C. Chapter 13.27. A certification of compliance with this ordinance will be required upon execution of a contract. The current Living Wage rate can be found here: Information for Vendors | City of Berkeley (berkeleyca.gov). The Living Wage rate is adjusted automatically effective June 30th of each year commensurate with the corresponding increase in the Consumer Price Index published in April of each year. If the Living Wage rate is adjusted during the term of your agreement, you must pay the new adjusted rate to all eligible employees, regardless of what the rate was when the contract was executed.

G. Berkeley Equal Benefits Ordinance:

Chapter 13.29 of the Berkeley Municipal Code requires that contractors offer domestic partners the same access to benefits that are available to spouses. A certification of compliance with this ordinance will be required upon execution of a contract.

H. Statement of Economic Interest:

The City's Conflict of Interest Code designates "consultants" as a category of persons who must complete Form 700, Statement of Economic Interest, at the beginning of the contract period and again at the termination of the contract. The selected contractor will be required to complete the Form 700 before work may begin.

VII. OTHER REQUIREMENTS

A. Insurance

The selected contractor will be required to maintain general liability insurance in the minimum amount of $2,000,000, automobile liability insurance in the minimum amount of $1,000,000 and a professional liability insurance policy in the amount of $2,000,000 to cover any claims arising out of the performance of the contract. The general liability and automobile insurance must name the City, its officers, agents, volunteers and employees as additional insured.

Insurance not Necessary: ***If the services are such that the risk of exposure to liability is very low, insurance may not be required. An example of such a service is an individual using his/her computer at home to lay out a newsletter for the City.***

******* *This determination must be made by the Risk Manager in writing before the RFP is issued.* ********

Insurance Waiver: *A situation in which insurance is not necessary is different from a case in which insurance may be waived. An insurance waiver is appropriate where insurance would usually be necessary but when, as a policy matter, the City is willing to take the risk of allowing an uninsured or under-insured individual or business to perform the work (usually when the risk of liability is low). An insurance waiver may be granted only by the Risk Manager in writing with the approval of the City Manager. If a potential bidder expresses an inability to meet the insurance requirement, he or she should be encouraged to contact the Project Manager & Risk Manager for assistance in obtaining insurance.)*

B. Worker's Compensation Insurance:

A selected contractor who employs any person shall maintain workers' compensation insurance in accordance with state requirements. Sole proprietors with no employees are not required to carry Worker's Compensation Insurance.

C. Business License

Virtually every contractor that does business with the City must obtain a City business license as mandated by B.M.C. Ch. 9.04. The business license requirement applies whether or not the contractor has an office within the City limits. However, a "casual" or "isolated" business transaction (B.M.C. section 9.04.010) does not subject the contractor to the license tax. Warehousing businesses and charitable organizations are the only entities specifically exempted in the code from the license requirement (see B.M.C. sections, 9.04.295 and 9.04.300). Non-profit organizations are granted partial exemptions (see B.M.C. section 9.04.305). Persons who, by reason of physical infirmity, unavoidable misfortune, or unavoidable poverty, may be granted an exemption of one annual free license at the discretion of the Director of Finance. (See B.M.C. sections 9.04.290).

Vendor must apply for a City business license and show proof of application to Purchasing Manager within seven days of being selected as intended contractor.

The Customer Service Division of the Finance Department located at 1947 Center Street, Berkeley, CA 94704, issues business licenses. Contractors should contact this division for questions and/or information on obtaining a City business license, in person, or by calling 510-981-7200**.**

D. Recycled Paper

Any printed reports for the City required during the performance of the work shall be on 100% recycled paper, and shall be ***printed on both sides of the page*** whenever practical.

E. State Prevailing Wage:

Certain labor categories under this project may be subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et seq. These labor categories, when employed for any "work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work," constitute a "Public Work" within the definition of Section 1720(a)(1) of the California Labor Code requiring payment of prevailing wages.

Wage information is available through the California Division of Industrial Relations web site at:
http://www.dir.ca.gov/OPRL/statistics_and_databases.html

F. Local Vendor Preference

City of Berkeley applies a local vendor preference for comparing pricing submittals in RFP responses (City Council Resolution No. 69,890-N.S.)

A **local business** is defined as "a business firm with fixed offices or distribution points located within the City of Berkeley boundaries and listed in the Permits and License Tax paid file, with a Berkeley business street address."

Competing for non-professional services
For the purposes of comparing pricing as part of this competitive RFP for non-professional services up to $250,000, 5% shall be deducted from the bid price proposal from any local Berkeley vendor in order to assign evaluation points to the pricing section.

VIII. SCHEDULE (Dates are subject to change)

❑ Issue RFP to Potential Bidders	Friday, March 20, 2024
❑ Bidders Conference	Friday, April 5, 2024
❑ Questions Due	Monday, April 8, 2024
❑ Answers Posted	Wednesday, April 10, 2024
❑ Proposals Due from Potential Bidders	Tuesday, April 16, 2024
❑ Reference Checks	*Week of* April 22-26, 2024
❑ Panel Interviews	Friday April 26, 2024
❑ Completion of Section Process	Tuesday, April 30, 2024
❑ Notification and Contract Negotiations	*Week of* April 30, 2024
❑ Council Approval of Contract (over $50k)	Tuesday, June 4, 2024
❑ Award of Contract	Wednesday, June 5, 2024
❑ Sign and Process Contract	Tuesday, June 25, 2024
❑ Notice to Proceed	Wednesday, June 26, 2024

Thank you for your interest in working with the City of Berkeley for this service. We look forward to receiving your proposal.

Attachments:

• Gun Violence Prevention Report	Attachment 1
• D2 Advisory Recommendations	Attachment 2
• January 23, 2024 City Council Meeting	Attachment 3
• Program Budget Template	Attachment 4
• Check List of Required items for Submittal	Attachment A
• Non-Discrimination/Workforce Composition Form	Attachment B
• Nuclear Free Disclosure Form	Attachment C
• Oppressive States Form	Attachment D
• Sanctuary City Compliance Statement	Attachment E
• Living Wage Form	Attachment F
• Equal Benefits Certification of Compliance	Attachment G
• Right to Audit Form	Attachment H
• Insurance Endorsement	Attachment I

ATTACHMENT A

CHECKLIST

- ❑ Proposal describing service (one (1) PDF of proposal)
- ❑ Contractor Identification and Company Information
- ❑ Client References
- ❑ Costs proposal by task, type of service & personnel (as a separate document from the proposal)
- ❑ Completed Program Narrative and Budget Template
- ❑ The following forms, completed and **signed in blue ink** (attached):
    - o Non-Discrimination/Workforce Composition Form — Attachment B
    - o Nuclear Free Disclosure Form — Attachment C
    - o Oppressive States Form — Attachment D
    - o Sanctuary City Compliance Statement — Attachment E
    - o Living Wage Form ***(may be optional)*** — Attachment F
    - o Equal Benefits Certification (EBO-1) ***(may be optional)*** — Attachment G

ADDITIONAL SUBMITTALS REQUIRED FROM SELECTED VENDOR AFTER COUNCIL APPROVAL TO AWARD CONTRACT.

- ❑ Provide **original-signed in blue ink** Evidence of Insurance
    - o Auto
    - o Liability
    - o Worker's Compensation
- ❑ Right to Audit Form — Attachment H
- ❑ Commercial General & Automobile Liability Endorsement Form — Attachment I
- ❑ Berkeley Business License (Current Year Certificate)

For informational purposes only: Sample of Personal Services Contract can be found on the City's website on the current bid and proposal page at the top of the page.

NON-DISCRIMINATION/WORKFORCE COMPOSITION FORM FOR NON-CONSTRUCTION CONTRACTS

To assist the City of Berkeley in implementing its Non-Discrimination policy, it is requested that you furnish information regarding your personnel as requested below and return it to the City Department handling your contract:

Organization: _____

Address: _____

Business Lic. #: _____

Occupational Category: _____ (See reverse side for explanation of terms)	Total Employees		White Employees		Black Employees		Asian Employees		Hispanic Employees		Other Employees	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Official/Administrators												
Professionals												
Technicians												
Protective Service Workers												
Para-Professionals												
Office/Clerical												
Skilled Craft Workers												
Service/Maintenance												
Other (specify)												
Totals:												

Is your business MBE/WBE/DBE certified? Yes: _____ No: _____ If yes, by what agency? _____

If yes, please specify: Male: _____ Female: _____ Indicate ethnic identifications: _____

Do you have a Non-Discrimination policy? Yes: _____ No: _____

Signed: _____ Date: _____

Verified by: _____ Date: _____

City of Berkeley Contract Compliance Officer

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

Attachment B (page 1)

Occupational Categories

Officials and Administrators - Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division chiefs, directors, deputy superintendents, unit supervisors and kindred workers.

Professionals - Occupations that require specialized and theoretical knowledge that is usually acquired through college training or through work experience and other training that provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, and kindred workers.

Technicians - Occupations that require a combination of basic scientific or technical knowledge and manual skill that can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers and operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences) and kindred workers.

Protective Service Workers - Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police officers, fire fighters, guards, sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, and kindred workers.

Para-Professionals - Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of a staff development and promotion under a "New Transporters" concept. Includes: library assistants, research assistants, medical aides, child support workers, police auxiliary, welfare service aides, recreation assistants, homemaker aides, home health aides, and kindred workers.

Office and Clerical - Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, office machine operators, clerk-typists, stenographers, court transcribers, hearings reporters, statistical clerks, dispatchers, license distributors, payroll clerks, and kindred workers.

Skilled Craft Workers - Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairpersons, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, and kindred workers.

Service/Maintenance - Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry-cleaning operatives, truck drivers, bus drivers, garage laborers, custodial personnel, gardeners and groundskeepers, refuse collectors, and construction laborers.

CITY OF BERKELEY
Nuclear Free Zone Disclosure Form

I (we) certify that:

1. I am (we are) fully cognizant of any and all contracts held, products made or otherwise handled by this business entity, and of any such that are anticipated to be entered into, produced or handled for the duration of its contract(s) with the City of Berkeley. (To this end, more than one individual may sign this disclosure form, if a description of which type of contracts each individual is cognizant is attached.)

2. I (we) understand that Section 12.90.070 of the Nuclear Free Berkeley Act (Berkeley Municipal Code Ch. 12.90; Ordinance No. 5784-N.S.) prohibits the City of Berkeley from contracting with any person or business that knowingly engages in work for nuclear weapons.

3. I (we) understand the meaning of the following terms as set forth in Berkeley Municipal Code Section 12.90.130:

   "Work for nuclear weapons" is any work the purpose of which is the development, testing, production, maintenance or storage of nuclear weapons or the components of nuclear weapons; or any secret or classified research or evaluation of nuclear weapons; or any operation, management or administration of such work.

   "Nuclear weapon" is any device, the intended explosion of which results from the energy released by reactions involving atomic nuclei, either fission or fusion or both. This definition of nuclear weapons includes the means of transporting, guiding, propelling or triggering the weapon if and only if such means is destroyed or rendered useless in the normal propelling, triggering, or detonation of the weapon.

   "Component of a nuclear weapon" is any device, radioactive or non-radioactive, the primary intended function of which is to contribute to the operation of a nuclear weapon (or be a part of a nuclear weapon).

4. Neither this business entity nor its parent nor any of its subsidiaries engages in work for nuclear weapons or anticipates entering into such work for the duration of its contract(s) with the City of Berkeley.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: _____ Title: _____

Signature: _____Date: _____

Business Entity: _____

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

Attachment C

CITY OF BERKELEY
Oppressive States Compliance Statement

The undersigned, an authorized agent of_____ (hereafter "Vendor"), has had an opportunity to review the requirements of Berkeley City Council Resolution Nos. 59,853-N.S., 60,382-N.S., and 70,606-N.S., (hereafter "Resolutions"). Vendor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with those Business Entities which maintain business relationships with morally repugnant regimes. Vendor understands the meaning of the following terms used in the Resolution:

"Business Entity" means "any individual, firm, partnership, corporation, association or any other commercial organization, including parent-entities and wholly owned subsidiaries" (to the extent that their operations are related to the purpose of the contract with the City).

"Oppressive State" means: **Tibet Autonomous Region and the Provinces of Ado, Kham and U-Tsang; and Burma (Myanmar)**

“Personal Services” means “the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual relationship.”

Contractor understands that it is not eligible to receive or retain a City contract if at the time the contract is executed, or at any time during the term of the contract it provides Personal Services to:

a. The governing regime in any Oppressive State.
b. Any business or corporation organized under the authority of the governing regime of any Oppressive State.
c. Any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

Vendor further understands and agrees that Vendor's failure to comply with the Resolution shall constitute a default of the contract and the City Manager may terminate the contract and bar Vendor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

The undersigned is familiar with or has made a reasonable effort to become familiar with, Vendor's business structure and the geographic extent of its operations. By executing the Statement, Vendor certifies that it complies with the requirements of the Resolution and that if any time during the term of the contract it ceases to comply, Vendor will promptly notify the City Manager in writing.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Business Entity: _____

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

I am unable to execute this Statement; however, Vendor is exempt under Section VII of the Resolution. I have attached a separate statement explaining the reason(s) Vendor cannot comply and the basis for any requested exemption.

Signature: _____ Date: _____

Attachment D

CITY OF BERKELEY
Sanctuary City Compliance Statement

The undersigned, an authorized agent of _____ (hereafter "Contractor"), has had an opportunity to review the requirements of Berkeley Code Chapter 13.105 (hereafter "Sanctuary City Contracting Ordinance" or "SCCO"). Contractor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with any person or entity that provides Data Broker or Extreme Vetting services to the U.S. Immigration and Customs Enforcement Division of the United States Department of Homeland Security ("ICE"). Contractor understands the meaning of the following terms used in the SCCO:

a. "Data Broker" means either of the following:

i. The collection of information, including personal information about consumers, from a wide variety of sources for the purposes of reselling such information to their customers, which include both private-sector business and government agencies.

ii. The aggregation of data that was collected for another purpose from that for which it is ultimately used.

b. "Extreme Vetting" means data mining, threat modeling, predictive risk analysis, or other similar services." Extreme Vetting does not include:

i. The City's computer-network health and performance tools.
ii. Cybersecurity capabilities, technologies and systems used by the City of Berkeley Department of Information Technology to predict, monitor for, prevent, and protect technology infrastructure and systems owned and operated by the City of Berkeley from potential cybersecurity events and cyber-forensic based investigations and prosecutions of illegal computer-based activity.

Contractor understands that it is not eligible to receive or retain a City contract if at the time the Contract is executed, or at any time during the term of the Contract, it provides Data Broker or Extreme Vetting services to ICE.

Contractor further understands and agrees that Contractor's failure to comply with the SCCO shall constitute a material default of the Contract and the City Manager may terminate the Contract and bar Contractor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

By executing this Statement, Contractor certifies that it complies with the requirements of the SCCO and that if any time during the term of the Contract it ceases to comply, Contractor will promptly notify the City Manager in writing. Any person or entity who knowingly or willingly supplies false information in violation of the SCCO shall be guilty of a misdemeanor and up to a $1,000 fine.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this _____ day of _____, 20__, at _____, California.

Printed Name: _____ Title: _____

Signed: _____ Date: _____

Business Entity: _____

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**
SCCO CompStmt (10/2019)

Attachment E

CITY OF BERKELEY
Living Wage Certification for Providers of Services

TO BE COMPLETED BY ALL PERSONS OR ENTITIES ENGAGING IN A CONTRACT FOR PERSONAL SERVICES WITH THE CITY OF BERKELEY.

The Berkeley Municipal Code Chapter 13.27, Berkeley's Living Wage Ordinance (LWO), provides that contractors who engage in a specified amount of business with the City (except where specifically exempted) under contracts which furnish services to or for the City in any twelve (12) month period of time shall comply with all provisions of this Ordinance. The LWO requires a City contractor to provide City mandated minimum compensation to all eligible employees, as defined in the Ordinance. In order to determine whether this contract is subject to the terms of the LWO, please respond to the questions below. Please note that the LWO applies to those contracts where the contractor has achieved a cumulative dollar contracting amount with the City. Therefore, even if the LWO is inapplicable to this contract, subsequent contracts may be subject to compliance with the LWO. Furthermore, the contract may become subject to the LWO if the status of the Contractor's employees' changes (i.e. additional employees are hired) so that Contractor falls within the scope of the Ordinance.

Section I.

1. IF YOU ARE A FOR-PROFIT BUSINESS, PLEASE ANSWER THE FOLLOWING QUESTIONS

a. During the previous twelve (12) months, have you entered into contracts, **including the present contract**, bid, or proposal, with the City of Berkeley for a **cumulative amount of $25,000.00 or more**?
YES ____ **NO ____**

If **no**, this contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If **yes**, please continue to question **1(b)**.

b. Do you have six (6) or more employees, including part-time and stipend workers?
YES ____ **NO ____**

If you have answered, "YES" to questions 1(a) and 1(b) this contract IS subject to the LWO. If you responded "NO" to 1(b) this contract IS NOT subject to the LWO. **Please continue to Section II.**

2. IF YOU ARE A NON-PROFIT BUSINESS, AS DEFINED BY SECTION 501(C) OF THE INTERNAL REVENUE CODE OF 1954, PLEASE ANSWER THE FOLLOWING QUESTIONS.

a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid or proposal, with the City of Berkeley for a cumulative amount of $100,000.00 or more?
YES ____ **NO ____**

If no, this Contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If yes, please continue to question 2(b).

b. Do you have six (6) or more employees, including part-time and stipend workers?
YES ____ **NO ____**

If you have answered, "YES" to questions 2(a) and 2(b) this contract IS subject to the LWO. If you responded "NO" to 2(b) this contract IS NOT subject to the LWO. **Please continue to Section II.**

Section II

Please read, complete, and sign the following:

THIS CONTRACT **IS** SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

THIS CONTRACT **IS NOT** SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

Attachment F (page 1)

The undersigned, on behalf of himself or herself individually and on behalf of his or her business or organization, hereby certifies that he or she is fully aware of Berkeley's Living Wage Ordinance, and the applicability of the Living Wage Ordinance, and the applicability of the subject contract, as determined herein. The undersigned further agrees to be bound by all of the terms of the Living Wage Ordinance, as mandated in the Berkeley Municipal Code, Chapter 13.27. If, at any time during the term of the contract, the answers to the questions posed herein change so that Contractor would be subject to the LWO, Contractor will promptly notify the City Manager in writing. Contractor further understands and agrees that the failure to comply with the LWO, this certification, or the terms of the Contract as it applies to the LWO, shall constitute a default of the Contract and the City Manager may terminate the contract and bar Contractor from future contracts with the City for five (5) years from the effective date of the Contract termination. If the contractor is a for-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 25% or more or their compensated time engaged in work directly related to the contract with the City. If the contractor is a non-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 50% or more or their compensated time engaged in work directly related to the contract with the City.

These statements are made under penalty of perjury under the laws of the state of California.

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Business Entity: _____

Section III

- **** * FOR ADMINISTRATIVE USE ONLY -- PLEASE PRINT CLEARLY * * ****

I have reviewed this Living Wage Certification form, in addition to verifying Contractor's total dollar amount contract commitments with the City in the past twelve (12) months, and determined that this Contract IS / IS NOT (circle one) subject to Berkeley's Living Wage Ordinance.

_____ _____

Department Name Department Representative



Form EBO-1
CITY OF BERKELEY
CERTIFICATION OF COMPLIANCE WITH EQUAL BENEFITS ORDINANCE

If you are a ***contractor***, return this form to the originating department/project manager. If you are a ***vendor*** (supplier of goods), return this form to the Purchasing Division of the Finance Dept.

SECTION 1. CONTRACTOR/VENDOR INFORMATION

Name:			Vendor No.:
Address:	City:	State:	ZIP:
Contact Person:		Telephone:	
E-mail Address:		Fax No.:	

SECTION 2. COMPLIANCE QUESTIONS

A. The EBO is inapplicable to this contract because the contractor/vendor has no employees.
☐ Yes ☐ No *(If "Yes," proceed to Section 5; if "No", continue to the next question.)*

B. Does your company provide (or make available at the employees' expense) any employee benefits?
☐ Yes ☐ No
If "Yes," continue to Question C.
If "No," proceed to Section 5. (The EBO is not applicable to you.)

C. Does your company provide (or make available at the employees' expense) any benefits to the spouse of an employee? ..... ☐ Yes ☐ No

D. Does your company provide (or make available at the employees' expense) any benefits to the domestic partner of an employee? ..... ☐ Yes ☐ No

If you answered "No" to both **Questions C and D, proceed to Section 5. (The EBO is not applicable to this contract.)** If you answered "Yes" to both **Questions C and D, please continue to Question E.**
If you answered "Yes" **to Question C and** "No" **to Question D, please continue to Section 3.**

E. Are the benefits that are available to the spouse of an employee identical to the benefits that are available to the domestic partner of the employee? ..... ☐ Yes ☐ No

If you answered "Yes," proceed to Section 4. (You are in compliance with the EBO.)
If you answered "No," continue to Section 3.

SECTION 3. PROVISIONAL COMPLIANCE

A. Contractor/vendor is not in compliance with the EBO now but will comply by the following date:

☐ By the first effective date after the first open enrollment process following the contract start date, not to exceed two years, if the Contractor submits evidence of taking reasonable measures to comply with the EBO; or

☐ At such time that administrative steps can be taken to incorporate nondiscrimination in benefits in the Contractor's infrastructure, not to exceed three months; or

☐ Upon expiration of the contractor's current collective bargaining agreement(s).

B. If you have taken all reasonable measures to comply with the EBO but are unable to do so, do you agree to provide employees with a cash equivalent? * ..... ☐ Yes ☐ No

* The cash equivalent is the amount of money your company pays for spousal benefits that are unavailable for domestic partners.

SECTION 4. REQUIRED DOCUMENTATION

At time of issuance of purchase order or contract award, you may be required by the City to provide documentation (copy of employee handbook, eligibility statement from your plans, insurance provider statements, etc.) to verify that you do not discriminate in the provision of benefits.

SECTION 5. CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am authorized to bind this entity contractually. By signing this certification, I further agree to comply with all additional obligations of the Equal Benefits Ordinance that are set forth in the Berkeley Municipal Code and in the terms of the contract or purchase order with the City.

Executed this _____day of _____, in the year _____, at _____, _____
(City) (State)

_____ _____
Name (please print) Signature

_____ _____
Title Federal ID or Social Security Number

FOR CITY OF BERKELEY USE ONLY

☐ Non-Compliant (The City may not do business with this contractor/vendor)

☐ One-Person Contractor/Vendor ☐ Full Compliance ☐ Reasonable Measures

☐ Provisional Compliance Category, Full Compliance by Date: _____

Staff Name (*Sign and Print*): _____Date: _____ _____

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

Attachment G (page 2)

CITY OF BERKELEY
Right to Audit Form

The contractor agrees that pursuant to Section 61 of the Berkeley City Charter, the City Auditor's office may conduct an audit of Contractor's financial, performance and compliance records maintained in connection with the operations and services performed under this contract.

In the event of such audit, Contractor agrees to provide the Auditor with reasonable access to Contractor's employees and make all such financial, performance and compliance records available to the Auditor's office. City agrees to provide Contractor an opportunity to discuss and respond to/any findings before a final audit report is filed.

Signed: _____ Date: _____

Print Name & Title: _____

Company: _____

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

Please direct questions regarding this form to the Auditor's Office, at (510) 981-6750.

Attachment H

CITY OF BERKELEY

Commercial General and Automobile Liability Endorsement

The attached Certificates of Insurance are hereby certified to be a part of the following policies having the following expiration dates:

Policy No.	**Company Providing Policy**	**Expir. Date**
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The scope of the insurance afforded by the policies designated in the attached certificates is not less than that which is afforded by the Insurance Service Organization's or other "Standard Provisions" forms in use by the insurance company in the territory in which coverage is afforded.

Such Policies provide for or are hereby amended to provide for the following:

1. The named insured is _____.

2. CITY OF BERKELEY ("City") is hereby included as an additional insured with respect to liability arising out of the hazards or operations under or in connection with the following agreement: _____.

   The insurance provided applies as though separate policies are in effect for both the named insured and City but does not increase the limits of liability set forth in said policies.

3. The limits of liability under the policies are not less than those shown on the certificate to which this endorsement is attached.

4. Cancellation or material reduction of this coverage will not be effective until thirty (30) days following written notice to _____, Department of _____, Berkeley, CA.

5. This insurance is primary and insurer is not entitled to any contribution from insurance in effect for City.

   The term "City" includes successors and assigns of City and the officers, employees, agents and volunteers.

_____
Insurance Company

Date: _____ By: _____
Signature of Underwriter's
Authorized Representative

Contract Description/Specification No: **Gun Violence Intervention and Prevention Program/24-11659-C**

Attachment I

APPENDIX F

APPENDIX F

Commission on the Status of Women Public Safety/Crime Prevention for Women Referral

Commission on the Status of Women

CONSENT CALENDAR
February 13, 2024

To: Mayor and Members of the Berkeley City Council

From: Commission on the Status of Women

Submitted by: Carole Marasovic, Chair, Commission on the Status of Women

Subject: Recommendation on Public Safety/Crime Prevention for Women

RECOMMENDATION:
That Council refer to the Council Public Safety Policy Committee to develop plans to implement public safety crime prevention programs to address the current rising crime against women, particularly older women. These plans should include a budget referral to the Council Budget and Finance Committee for consideration in the June budget process.

These plans should include:

1. Developing a plan of safety escorts modeled on the Respect-BART Escorts Program passed by Council in 2003 to address the rash of muggings on Berkeley BART paths (North Berkeley and Ashby). As in that plan, where $40,500 was approved by Council, the Council Public Safety Policy Committee should identify the current amount of monies needed for funding for this newly developed 2024 plan and Council refer to the June budget process. These safety escorts should be available throughout the entire community of Berkeley upon request. The Council Public Safety Committee should also identify if a RFP need be issued for this purpose;

2. Develop a plan to engage Berkeley community ambassadors working under the Downtown Berkeley Association, Telegraph Business Improvement District and any similar ambassador programs to provide safety escort services upon request through the business districts they serve and nearby residences that can be reached by foot;

3. Explore if the City ride-share funded program, Go-Go Grandparent, should be expanded and in what form to provide ride shares for women concerned about their safety. Consider cost share, if necessary, for some women and working with the ride-share companies to ensure that they watch for the woman to safely reach her door before leaving; Consider the feasibility of lifting age or disability requirements. Identify a budgetary recommendation to be directed to the Council Budget and Finance Committee.

4. Develop a City-wide community forum targeted towards women with a special emphasis on safety and crime prevention for older, vulnerable women. This meeting should be led by the Berkeley Police Department with participation by other safety-related community resources and moderated by an official proposed by the Council Public Safety Committee. The Committee shall recommend that the forum be hybrid, both Zoom and in person. The Committee shall also discuss how City-wide promotion of this public safety crime prevention forum shall be conducted.

5. Consult with the Berkeley Police Department to provide data and other information identifying geographic locations which are high priority for safety escorts. Consult with Berkeley Police Department to secure other information as to where women are most at safety risk and what hours safety escorts, and other recommendations as stated above, be best utilized. The Berkeley Police Department shall provide this information at a Council Public Safety Committee meeting.

CURRENT SITUATION AND ITS EFFECTS:

In recent years, crime has risen including crime during broad daylight. Women have been frequently targeted, many of which have been older women. Women need to feel safe in our community. Safety escorts will reduce crime. The Commission Chair has consulted with former Councilmember Linda Maio, who sponsored the 2003 item, who confirmed that muggings greatly diminished under the 2003 BART Escorts Program following implementation.

A City-wide community forum will make Berkeley residents more aware of the crime and precautions that need to be taken.

FISCAL IMPACTS OF RECOMMENDATION

Fiscal impacts shall be identified by the Council Public Safety Committee. The figure of $40,500 earlier budgeted is obviously outdated as it is a figure from 20 years ago. In addition, that $40,500 exclusively covered safety escorts down BART paths and during limited hours. This recommendation broadens safety escorts coverage to a City-wide basis. Substantial funding is needed to fully implement these plans. However, the safety of our Berkeley residents is critical.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

BACKGROUND

On November 15, 2023, the Commission on the Status of Women voted as follows:

That Council refer to the Council Public Safety Policy Committee to develop plans to implement public safety crime prevention programs to address rising crime against women, particularly older women as stated in this recommendation in the

aforementioned 5 points. That Council refer plans developed based on the proposed recommendations for the safety of women, particularly older women, to the June budget process.

M/S/C: Marasovic, Arora

Ayes: Marasovic, Simon, Posey, Ortiz-Cedeno, Arora, Oliver

Noes: None.

Abstain:

Absent: Boyd

LOA: Seshagiri, Goodwin

RATIONALE FOR RECOMMENDATION
Safety is critical to our community. The crime landscape has changed where crime victims are targeted in broad daylight more commonly than in the past. Women have been frequently targeted with many victims older and more vulnerable. These safety issues require awareness, education and implementation of crime prevention models beyond police response after the fact.

ALTERNATIVE ACTIONS CONSIDERED
To leave the situation as is and not provide needed crime prevention protections for women.

CITY MANAGER
The City Manager takes no position on this recommendation.

CONTACT PERSON
Okeya Vance-Dozier, Community Services Specialist II, Office of the City Manager (510) 981-7239
Carole Marasovic, Chair, Commission on the Status of Women, (510) 225-5060

Attachments:
1. BART RESPECT Escorts program contract (2003)
2. BART RESPECT Escorts program contract (2006)
3. Resolution No. 57,737-N.S.
4. City Council Meeting Minutes, November 1, 1994
5. Resolution No. 57,832-N.S.
6. Resolution No. 58,160-N.S.

APPENDIX F

7. Resolution No. 58,636-N.S.
8. Resolution No. 59,012-N.S.
9. Resolution No. 62,124-N.S.
10. Resolution No. 63,166-N.S.

APPENDIX F

CONTRACT STATUS FORM

CONTRACT NUMBER:	6085
CMS ID CODE:	CZTTS
CONTRACT TYPE:	Community Agency
CONTRACT AMOUNT:	$40,500
VENDOR:	Berkeley Boosters Association
ADDRESS:	1642 University Avenue Berkeley, CA 94703
PROJECT MANAGER:	Douglas Hambleton
DEPT:	POLICE
KEYWORDS:	BART Safety Escort, winter months, commute hours, Ashby station, North Berkeley station, RESPECT Team, 10/27/2003, 03/05/2004, FY03-04

COUNCIL AUTHORIZATION:	Resolution No:	Ordinance No:	Check One:
	62,124		☐ A.R. 3.14 ☐ BMC 7.12.030

DATES:	
06/24/03	Council Authorization
07/01/03	Contract Start
06/30/04	Contract Expiration
08/19/03	Received from Auditor
08/20/03	Vendor's Copy sealed and Mailed

COMMENTS:	

RETENTION		**CHECKLIST**			
✔	CON 1	8/20	Clerk's Index		700 Form
	CON 2	8/20	CMS Log In		Promissory Note
DATE	6/30/09	8/20	CMS Log Out		
	Indefinite				

REVIEWED BY:	Danielle K. Muller	**DATE:**	08/20/03

G:\RECORDS\Contracts\Forms & Templates\Contract Status Form.doc

APPENDIX F

CMS No.: CZTTS
(To be filled in by department)

EXPENDITURE CONTRACT REVIEW FORM
"NEW CONTRACTS"

Contract No.: 6095
(To be filled in by auditor)

CONTRACTOR NAME: BERKELEY BOOSTER ASSOCIATION – BERKELEY ESCORT

This contract package contains: **Three Original (Department, Vital Record and Vendor) contracts in Folders** ***The Vital Record contract MUST be in a folder.** ***Optional: In lieu of folders, the Department and Vendor copies may be assembled with an Acco-fastener.**		**Attached**	**Waiver Attached**	**Not Required**
1	Scope of Services	X		
2	Payment Provisions	X		
3	Evidence of Competitive Solicitation or CM Waiver	☐	☐	X
4	Workforce Composition (businesses with 5 or more employees)	X	☐	☐
5	Nuclear Free Berkeley Disclosure	X		☐
6	Oppressive States Disclosure *(Exception: Community-based, non-profit organizations)*	X	☐	☐
7	Living Wage Certification *(Exception: Construction contracts)* ***LWO form revised 8/02*	X	☐	☐
8	Certification of Compliance with Equal Benefits Ordinance ***EBO form revised 7/02*	X	☐	☐
9	Certificate(s) of Insurance or Waiver *(originals, not copies)*	X	☐	☐
10	Insurance Endorsement	X	☐	☐
11	Council Resolution No.: 62,124 N.S.	X		☐
12	Form 700, Statement of Economic Interests *(consultant contracts only)*	☐		☐

Requisition No.: 84856 (Hard copy attached) **Contract amount:** $ 40,500

Was there an advance payment made? Yes X No ☐ **If so, Purchase Order No.:** 6095

Routing and signatures:

I certify that the contract package is complete and accurate.

1. **Project Manager**	**Department**	**Phone No.**	**Date**
2. **Mgr. of Engineering** *(PW construction contracts only)*			**Date**
		981-5976	8/11/03
3. **Dept. Admin. Officer/Accounting**			**Date**
		981-5700	8/11/03
4. **Department Head**			**Date**
			8/12/03
5. **Employee Relations Officer**			**Date**
6. **Contract Compliance Officer** *(for construction contracts only)*			**Date**

Routing continues to the following persons, who sign directly on the contract:

7. **City Manager** (Will not sign the contract unless all signatures and dates appear above.)
8. **City Auditor** (*Initials* _____)
9. **City Clerk** (*Initials* _____)

RECEIVED
AUG 15 2003
City Auditor

APPENDIX F

COMMUNITY AGENCY CONTRACT

This contract is executed on July 1, 2003 and effective on July 1, 2003, between the CITY OF BERKELEY, a Charter City organized and existing under the laws of the State of California, ("CITY"), and Berkeley Boosters Association, a non-profit corporation under the laws of the State of California, doing business at 1642 University Ave, Berkeley, CA. ("CONTRACTOR").

WHEREAS, the City has entered into a grant contract with the United States Department of Housing and Urban Development (HUD), for a Community Development Block Grant under the Housing and Community Development Act of 1974, as amended (CDBG) and/or United States Department of Housing and Urban Development (HUD) for an Emergency Shelter Grant (ESG) under the Stewart B. McKinney Homeless Assistance Act of 1988, as amended and/or Government Code Section 12725 et. seq., as amended, and 42 United States Code (USC) 9901 et.seq., as amended, the Community Services Block Grant Act as amended (CSBG), and/or a Shelter Plus Care Grant (S+C) under the Stewart B. McKinney Homeless Assistance Act of 1988, as amended, and under said grant contract(s) and/or through the use of its General Funds including Measure O Homeless Funds, the City is undertaking certain activities; and

WHEREAS, the City desires to engage Contractor to render certain assistance for such undertaking.

NOW, THEREFORE, the City and Contractor mutually agree as follows:

ARTICLE 1, SCOPE OF SERVICES

A. Contractor agrees to perform all those services described in Exhibit A attached hereto and made a part hereof, in accordance with the terms and conditions stated therein.

B. Contractor shall provide all necessary supplies, equipment, materials, clerical and all other services required for satisfactory performance of this contract as described in Exhibit(s) A attached hereto and made a part hereof, in accordance with the terms and conditions stated therein.

ARTICLE 2, TIME PERIOD OF CONTRACT

Contractor shall begin performance under this contract on July 1, 2003, and shall continue until June 30, 2004, unless earlier terminated as provided in Article 37 below.

ARTICLE 3, PAYMENT

A. This contract is utilized in connection with programs which receive funding from any one or combination of federal and local sources, including but not limited to, CDBG, ESG, CSBG, Shelter Plus Care, and/or the City of Berkeley General Fund.

B. City agrees to pay Contractor its expenses incurred in the performance of this agreement, not to exceed $40,500 in accordance with the Budget and Method of Payment attached hereto as Exhibit B, and made a part hereof, in accordance with the terms and conditions stated therein. Payment by City shall be subject to receipt of Contractor's invoice(s) and supporting documentation of expenditures. At the beginning of the contract period, City will inform Contractor of necessary procedures for billing and required documentation.

C. Fiscal Year 2004: Contractor acknowledges and agrees that the obligation of the City to pay the contract sum above is contingent upon the provision of funds from the State of California to the City's General Fund for the Fiscal Year 2004 which begins in July 2003 and extends through June 2004. Contractor acknowledges and agrees that if the

State of California provides less monies to the City then was provided in Fiscal Year 2002, the City's General Funds will be adversely impacted and thus the City's ability to continue paying the above sums will be adversely impacted. In this event, the total not to exceed amount of this contract may be reduced unilaterally in the sole discretion of the City at any time during Fiscal Year 2004. The City may, but is not required to, allow the Human Welfare and Community Action Commission, the Homeless Commission, or other appropriate review body to consider the size of this reduction and make recommendations to the City Council for final approval.

D. Fiscal Year 2005: Continued payment to the eligible contractors for Fiscal Year 2005 which begins in July 2004 and extends through June 2005, the second year of the contract term, is subject to the contingencies set forth below:

1) Berkeley General Fund Category: City agrees to pay contractor the same sum specified in subsection B of Article 3 for services provided in Fiscal Year 2004, unless such sum is reduced pursuant to the terms provided for in subsection C. Payment of the same or reduced sum in the second year of this contract is contingent upon the following conditions precedent: a) City receives the same or greater level of funding from the State of California as it received in Fiscal Year 2004; b) satisfactory performance of the Contractor's duties under this contract during the prior year; and c) in the Fiscal Year 2005 budget, the City Council appropriates the same or greater amount of money from the General Fund as it did in Fiscal Year 2004 for the purpose of funding this contract. Contractor acknowledges and agrees that if the State of California provides less funds to the City in Fiscal Year 2005 then was provided in Fiscal Year 2004, the contract amount the City will pay Contractor may be reduced pursuant to the terms described in subsection C of this Article.

2) CDBG Public Services Category Funding: City agrees to pay contractor the same sum specified in subsection B of Article 3 for services provided in Fiscal Year 2004. Payment of the same sum under the second year of this contract is contingent upon the following conditions precedent: a) City receives the same or greater level of funding from HUD as it received in Fiscal Year 2004, and b) satisfactory performance of the Contractor's duties under this contract during the prior year. Contractor acknowledges and agrees that if City receives less funding from HUD in Fiscal Year 2005, the amount City will pay Contractor will be reduced accordingly in the sole discretion of the City, with the reduction being prorated across all agencies receiving contracts under this same funding category.

3) All Other CDBG Categories, S+C and ESG: Contract terms greater than one year are not authorized; therefore, the Contractor must reapply for funding.

4) CSBG and City of Berkeley General Funds: City agrees to pay contractor the same sum specified in subsection B of Article 3 for services provided in Fiscal Year 2004, unless such sum is reduced pursuant to the terms provided for in subsection C. In addition, payment of the same or reduced sum the second year of this contract is contingent upon the following conditions precedent: a) City receives the same or greater level of funding from HUD as it received in Fiscal Year 2004; b) City receives the same or greater level of funding from the State of California as it received in Fiscal Year 2004; c) in the Fiscal Year 2005 budget, the City Council appropriates the same amount of money from the General Fund as it did in Fiscal Year 2004 for the purpose of funding this contract; and D) Contractor satisfactorily performs duties under this contract during the prior year. Contractor acknowledges and agrees that if City receives less funding from the State of California and/or from HUD in Fiscal Year 2005, the amount the City will pay Contractor may be reduced. Contractor further acknowledges and agrees that if funding from the State of California or HUD to the City is reduced, the reduced contract sum for this contract will be reconsidered by the Human Welfare and Community Action Commission, the Homeless Commission, or other appropriate review body which will make recommendations to the City Council for final approval.

ARTICLE 4, BUDGET MODIFICATION

A. A 10% variation among budget line item categories will be allowed, provided the total expenditure under all line items does not exceed the total contract amount.

B. A variation among budget line items exceeding 10% will be allowed at Contractor's discretion, provided written approval is granted by the Manager of Program Planning, Management and Budget (PPMB) Division or his/her designee prior to submission of Contractor's invoice, and provided that the contract total is not exceeded.

C. Expenditures covered by unauthorized budget modifications will be subject to disallowance by City and repayment by Contractor.

ARTICLE 5, METHOD OF PAYMENT MODIFICATION

A. Modifications in the Method of Payment requested by Contractor will be allowed provided the total contract amount is not exceeded and provided prior written approval is granted by the Manager of PPMB or his/her designee.

B. Modifications in the Method of Payment that exceed the total contract amount will require City Council approval.

ARTICLE 6, RECORDS

A. Contractor agrees to keep all necessary books and records, including property, personnel, and financial records, in connection with the operations and services performed under this agreement, in accordance with 24 CFR Part 570 and OMB Circular A-110.

1) Records of nonexpendable property shall be maintained in accordance with the procedures set forth in Attachment N of Office of Management and Budget Circular A-102, and shall contain any additional information which may be required by City.

2) Financial records of contract funds shall be kept separately and not co-mingled with records of other funds.

3) Solely for the purpose of verifying compliance with the terms of this Contract, Contractor shall maintain the following types of records:

   a) job description, minimum qualifications, and compensation for all positions funded under this contract;

   b) time sheets or comparable documentation for all personnel compensated with contract funds (such records shall clearly shows the time spent on contract activities).

4) Contractor assures that for contracts exceeding one hundred thousand dollars ($100,000), to the best of its knowledge, it is fully complying with the earning assignment orders of all employees, and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department as set forth in the Child Support Compliance Act of 1998, subdivision (1) Public Contract Code 7110.

B. Contractor agrees to maintain racial, gender, head of household, age, income, family size, and neighborhood residence data, as may be required under the law, showing the extent to which these categories of persons have participated in, or benefited from the contract activities.

C. Contractor agrees to maintain employee and applicant records in a confidential manner to assure compliance with the Information Practices Act of 1977, as amended, and the Federal Privacy Act of 1974, as amended.

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D. Contractor agrees to maintain and preserve such records during the period from start of contract performance until three (3) years from the submission of the final performance report or until the audit, referred to in Article 39, is conducted and Contractor receives City notification that said audit has been accepted, whichever is later, except as follows:

1) Records that are subject of audit findings shall be retained for five years after such findings have been resolved.

2) Records for non-expendable property which was acquired with contract funds shall be retained for three years after its final disposition.

3) Records for any person displaced as a result of contract activities shall be retained for three years after the contract activities have been completed or the person has received his/her final relocation payment, whichever is later.

4) Records pertaining to each real property acquisition shall be retained for five years after settlement of the acquisition, or until disposition of the applicable relocation records in accordance with paragraph (3) of this section, whichever is later.

E. The Secretary of HUD, the Comptroller General of the United States, the State Department of Economic Development, the City, or any of their duly authorized representatives shall have access to and right to examine such records related to this contract during this period.

ARTICLE 7, REPORTS AND ON-SITE REVIEWING

A. Reports: Contractor agrees to submit periodic program status and financial reports to City in a timely manner, and other reports and information as City determines are necessary to carry out its responsibilities in accordance with 24 CFR 570 and OMB Circular A-110.

B. On-Site Performance Review: Authorized representatives of HUD, the State of California, and the City shall have the opportunity to review Contractor's performance under this contract at the sites where such performance is being conducted. This review shall be in accordance with 24 CFR Part 570 and OMB Circular A-110. Such review is solely for the purpose of verifying that the Contractor is providing the quality and quantity of services specified in this contract and includes:

1) Observation of service delivery and training, as agreed upon by Contractor, and administrative activities in support of this contract.

2) Interview with Contractor personnel and staff currently involved in project operations.

3) Inspection of construction work in progress and upon completion.

4) Validation of source data used in the preparation of reports to the City, provided this does not result in any breach of client confidentiality and is mutually agreed upon.

5) Interviews with clients, when such interviews will not result in a breach of client confidentiality and are mutually agreed upon.

6) Inventory of personal property acquired with contract funds.

Refusal or failure by Contractor to provide reviewing opportunities as described herein within ten (10) working days after notice from the City constitutes a violation of this contract and is cause for contract termination.

ARTICLE 8, FINANCIAL MANAGEMENT

The Contractor shall maintain a financial management system in accordance with OMB Circulars A-87, A-110 and A-122, which provide for:

A. Records that identify adequately the source and application of funds for contract activities.

B. Effective control over and accountability for all funds, property, and other assets. Contractor shall adequately safeguard all such assets and shall assure that they are used solely for authorized purposes.

C. Comparison of actual outlays with budgeted amounts for contract funds.

D. Procedures to minimize the time elapsing between the transfer of funds from the City and disbursement by the Contractor, whenever funds are advanced by the City. CDBG funds shall be placed in an interest bearing account, where appropriate.

E. Procedures for determining the reasonableness, allowability, and allocability of costs.

F. Accounting records that are supported by source documentation.

G. A systematic method to assure timely and appropriate resolution of audit findings and recommendations.

ARTICLE 9, REAL PROPERTY

A. Definition: Real property refers to land including improvements, structures and appurtenances thereto, excluding movable machinery and equipment.

B. Use and Disposition: Use and disposition of real property acquired or improved, partly or wholly with contract funds in excess of $25,000, shall be governed by requirements prescribed by HUD or its successor, and City, including the following:

1) Title to real property shall vest in Contractor subject to the condition that Contractor shall use the real property for the authorized purpose of this contract until (5) five years after the expiration of this contract or such period of time as determined by the City and stated in Exhibit A.

2) Contractor shall obtain approval from the City for use of the real property for activities other than those authorized by this contract when Contractor determines that the property is no longer needed for such purpose. Use for other activities shall be limited to those carried out under other federal grant programs, or under programs that have purposes consistent with those authorized for support by City.

3) If disposed of in a manner resulting in the Contractor being reimbursed in the amount of the current fair market value of the property, the Contractor shall reimburse the City in the amount of the current fair market value less any portion acquired or improved with non-CDBG funds. Such reimbursement is not required after the period of time specified in B (1) above.

ARTICLE 10, TANGIBLE PERSONAL PROPERTY

All procurement transactions funded under this contract for tangible personal property shall be conducted in a

manner consistent with HUD regulations in OMB Circular A-110, Attachment N.

A. Definitions

1) Personal Property: Personal property refers to all property, except real property, which is acquired with contract funds. Tangible property has physical existence. Intangible property has no physical existence.

2) Non-expendable Personal Property: Non-expendable personal property means tangible personal property, acquired with contract funds, having a useful life of more than one year and an acquisition cost of $300 or more per unit.

3) Expendable Personal Property: Expendable personal property refers to all tangible personal property acquired with contract funds other than non-expendable property.

B. Acquisition

1) Purchase of personal property exceeding $300 per item and not delineated in Exhibit B shall require prior approval from the City.

2) Contractor shall submit documentation to City for each item of non-expendable property at the time such property is acquired. Documentation shall demonstrate proof of purchase and indicate date of acquisition, cost, and description of the item, and any other information which may be required by the City.

C. Identification, Inventory, and Maintenance

1) Contractor shall conduct annual inventories to verify the existence, condition, current utilization, and future need for non-expendable property. Contractor shall submit a written report on each inventory conducted by Contractor to the City. Such report shall account for any differences between Contractor's property records and the inventory findings.

2) Contractor shall ensure adequate safeguards to prevent loss, damage, and theft of property. In case such property is stolen or lost, Contractor shall immediately notify the Police Department, obtain a written police report, and notify the City within three (3) working days of discovering stolen or lost property.

D. Use and Disposition

1) Non-Expendable Property

a. Title to non-expendable personal property having a unit acquisition cost of less than $1,000 shall vest in the Contractor. For non-expendable personal property having a unit acquisition price of $1,000 or more, HUD/State/ City reserves the right to transfer the title to HUD/ State/City or to a third party when such third party is otherwise eligible under existing statutes.

b. Contractor shall use the property for the project or program for which it is acquired as long as needed, whether or not the project or program continues to be supported by Government funds. When no longer needed for the original project/program, Contractor shall use the property in connection with other Government sponsored activities in the following order of priority:

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(1) Activities sponsored by HUD/State/City.

(2) Activities sponsored by other Government agencies

c. During the time the property is held for use on the project or program for which it was acquired, Contractor may make the property available for use on other projects or program if such other use does not interfere with the work on the project or programs for which it was originally acquired.

d. When Contractor no longer needs the property as provided in (b) above, the property may be used for other activities as follows:

(1) Non-expendable property with a unit acquisition price of less than $1,000 may be used by Contractor for other activities without reimbursement to the Government, or may be sold and the proceeds retained by the Contractor.

(2) Non-expendable property with a unit acquisition price of $1,000 or more may be retained by Contractor for other uses provided compensation is made to HUD/State/City or its successor(s). If Contractor has no further need for the property and the property has further use value, Contractor shall request and follow disposition instructions from the City.

2) Expendable Property

a. Title to expendable personal property shall vest in the Contractor upon acquisition. Upon termination of the contract, Contractor shall conduct an inventory to determine the amount of unused expendable personal property on hand which was acquired with contract funds. If there is a residual inventory of such property exceeding $1,000 in total aggregate fair market value, upon termination or completion of the contract activities and if the property is not needed for any other Government sponsored project or program, the Contractor shall retain the property for use on non Government sponsored activities or sell it, but in either case, compensate the Government for its share.

ARTICLE 11, INTANGIBLE PROPERTY

A. Invention and Patents: Any discovery or invention arising out of or developed in the course of work aided by this contract shall be promptly and fully reported to the City. Contractor shall request City to determine whether patent protection on such invention or discovery should be sought, and to determine how the rights in the invention or discovery, including rights under the patent thereon, shall be allocated and administered to protect the public interest.

B. Copyrights: Except as otherwise provided in this contract, Contractor is free to copyright any books, publications, or other copyrightable materials arising out of or developed during the course of work aided by contract funds, but the City, State and HUD reserve a royalty-free, non- exclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, the work for government purposes.

C. Publications: Books, publications, and other printed materials resulting from and developed in the course of work aided by this contract, whether copyrighted or not, shall acknowledge the support of HUD/State/City funds by he City. Five (5) copies of each such publication are to be furnished to the City as the City may reasonably require.

D. Publicity: Any publicity generated by Contractor for the project funded pursuant to this contract, during the term of this contract or for one year thereafter, will make reference to the contribution of the City in making the project possible. The words "City of Berkeley " and the specific funding source will be explicitly stated in any and all pieces of publicity, including but not limited to fliers, press releases, posters, brochures, pubic service announcements, interviews, and newspaper articles.

The City's staff will be available whenever possible at the request of Contractor to assist Contractor in generating publicity for the project funded pursuant to this contract. Contractor further agrees to cooperate with authorized City officials and staff in any City-generated publicity or promotional activities undertaken with respect to this project.

ARTICLE 12, PROCUREMENT STANDARDS

A. All procurement transactions funded under this contract shall be conducted in a manner that provides, to the maximum extent practical, open and free competition consistent with HUD Regulations at 24 CFR Part 570, OMB Circular A-110 Attachment O, and Executive Orders 11625, 12138, 12432.

B. Contractor shall make positive efforts to use small business and minority and women-owned business sources of supplies and services (see also Article 19) and business concerns located in Berkeley or owned in substantial part by Berkeley residents (see also Article 17).

C. For procurement of services, supplies, or other property, Contractor shall use one of the following procurement methods:

1) $1 to $999. Prices may be solicited by phone and selection determined by Contractor.
2) $1,000 to $5,000. Three or more prices may be solicited by phone and selection determined by Contractor.
3) $5,000 to $14,000.Three quotations must be received by phone, FAX or letter and documented. Selection is determined by Contractor.
4) $15,000 to $25,000.Three or more written bids must be requested with a specific due date. Award is made to the lowest responsible bidder.
5) $25,000 and Over.

a). Competitive Sealed Bids - In competitive bids (formal advertising), sealed bids are publicly solicited and a firm fixed-price contract (lump sum on unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest in price.

b). Competitive Negotiation - In competitive negotiation, proposals are requested from a number of sources and the Request for Proposal is publicized, negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed price or cost-reimbursable type contract is awarded, as appropriate. Competitive negotiations may be used if conditions are not appropriate for the use of formal advertising.

D. Contractor shall maintain records sufficient to detail the significant history of a procurement costing $15,000 or more ($10,000 or more for CDBG). These records shall include, but are not necessarily limited to, information pertinent to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection and the basis for the cost or price.

ARTICLE 13, RELEASE, INDEMNIFICATION AND INSURANCE

A. Release: Contractor, upon final payment of amount due under this contract, less any credits, refunds, or rebates due to City, releases and discharges City from all liabilities, obligations and claims arising from this contract.

B. Indemnification: Contractor, for itself, and its heirs, successors, and assigns, agrees to release, indemnify, hold harmless, and defend City, its officers, agents, volunteers, and employees, from and against any and all claims, demands, liability, economic loss of any type, damages, lawsuits, or other actions for damage or injury to persons or property arising out of or in any way connected with the Contractor's operations under this contract, or the performance

of this contract by Contractor or its officers, employees, partners, directors, subcontractors, or agents.

C. Insurance:

1) The Contractor shall maintain at all times during the performance of this contract, a commercial general liability insurance policy with a minimum occurrence coverage in the amount of $1,000,000; an automobile liability insurance policy (if applicable) in the minimum amount of $1,000,000; and, if any licensed professional performs services under this contract, a professional liability insurance policy in the minimum amount of $1,000,000 to cover any claims arising out of Contractor's performance of services under this contract. Said insurance, except professional liability, shall name the City, its officers, agents, volunteers, and employees as additional insureds and shall provide primary coverage with respect to the City. All said insurance policies shall provide that the insurance carrier shall not cancel, terminate, or otherwise modify the terms and conditions of said policies except upon thirty (30) days prior written notice to the City; shall be evidenced by the original Certificate of Insurance. If Contractor is to perform construction work under this contract, Contractor shall also provide an endorsement in the form of the City's form Endorsement, or the insurance carrier's standard form Endorsements evidencing the required coverage; and shall be approved as to form and sufficiency by the Employee Relations Officer.

2) If the commercial general liability insurance referred to above is written on a Claims Made Form, then, following termination of this Agreement, coverage shall survive for a period of not less than five years. Coverage shall also provide for a retroactive date of placement coinciding with the effective date of this contract.

3) If Contractor employs any person, it shall carry workers compensation and employers liability insurance and shall provide a certificate of insurance to the City. The workers compensation insurance shall provide that the insurance carrier shall not cancel, terminate, or otherwise modify the terms and conditions of said insurance except upon thirty (30) days prior written notice to the City; shall provide for a waiver of any right of subrogation against City to the extent permitted by law; and shall be approved as to form and sufficiency by the City's Employee Relations Officer.

4) Contractor shall forward all insurance documents to City of Berkeley contract monitor.

5) Construction Contracts Only: If the budgeted costs of construction activities funded by this contract, as delineated in Exhibit B, exceed $100,000, Contractor shall comply with HUD's bonding policies and requirements as set forth in OMB Circular A 110 Attachment B.

6) Contractor shall not store hazardous materials or hazardous waste within the City of Berkeley without the proper permit from the City. If a release of hazardous materials or hazardous waste that cannot be controlled occurs in connection with the performance of this contract, contractor shall immediately notify the Berkeley Police Department and the City's Health Protection Office.

ARTICLE 14, CONFORMITY WITH LAW AND SAFETY

A. Contractor shall observe and comply with all applicable laws, ordinances, codes and regulations of governmental agencies, including federal, state, municipal, and local governing bodies, having jurisdiction over the scope of services or any part thereof, including all provisions of the Occupational Safety and Health Act of 1979 and all amendments thereto, and all applicable federal, state, municipal, and local safety regulations. All services performed by Contractor must be in accordance with these laws, ordinances, codes, and regulations. Contractor shall release, defend, indemnify, and hold City, its officers, agents, volunteers, and employees harmless from any and all damages, liability, fines, penalties, and consequences from any noncompliance or violation of such laws, ordinances, codes and regulations.

B. If a death, serious personal injury, or substantial property damage occurs in connection with the performance

of this Agreement, Contractor shall immediately notify the City's Employee Relations Officer by telephone. Contractor shall promptly submit to City a written report, in such form as may be required by City, of all accidents which occur in connection with this contract. This report shall include the following information: (1) name and address of the injured or deceased person(s), (2) name and address of Contractor's subcontractor, if any, (3) name and address of Contractor's liability insurance carrier, and (4) a detailed description of the accident and whether any of City's equipment, tools, or materials were involved.

ARTICLE 15, CONFLICT OF INTEREST PROHIBITED

A. In accordance with Government Code section 1090, BMC 3.64, and Berkeley City Charter section 36, neither Contractor nor any person who is an employee, officer, director, partner, or member of contractor, or immediate family member of any of the preceding shall have served as either an elected officer, an employee, or a Board, Committee, or Commission Member of the City of Berkeley, who has formally or informally influenced the making of this contract.

B. In accordance with Government Code section 1090 and the Political Reform Act, Government Code sections 87100 et seq., no person who is a director, officer, partner, trustee, employee, or consultant of the Contractor or immediate family member of any of the preceding shall make or participate in a decision made by the City of Berkeley or a board or commission thereof, if it is reasonably foreseeable that the decision will have a material effect on any source of income, investment, or interest in real property of that person or Contractor.

C. Interpretation of this section shall be governed by the definitions and provisions used in the Political Reform Act, Government Code sections 87100 et seq., and the regulations manuals, and codes adopted thereunder, Government Code section 1090, BMC 3.64, and section 36 of the City of Berkeley Charter.

ARTICLE 16, CONSULTANTS TO SUBMIT STATEMENTS OF ECONOMIC INTEREST

The City's Conflict of Interest Code, Resolution No. 59,372-N.S., as amended, requires every consultant to disclose conflicts of interest by filing a Statement of Economic Interest (Form 730). Consultants agree to file such statements with the City Clerk at the beginning of the contract period and upon termination of the Contractor's service.

ARTICLE 17, ECONOMIC OPPORTUNITIES FOR LOCAL BUSINESSES AND LOW INCOME RESIDENTS

To the greatest extent feasible, Contractor shall offer opportunities for training and employment to lower income Berkeley residents, and patronize and award contracts for work in connection with this contract to business concerns which are located in Berkeley or owned in substantial part by Berkeley residents. Such economic opportunities shall be provided for in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and implementing regulations issued at 24 CFR Part 135.

ARTICLE 18, PROGRAM INCOME

A. Service Fees: Income earned from fees charged for services provided under this contract shall be considered additional revenue to be expended by Contractor during this contract period for additional services rendered as a result of such revenue. Should Contractor be unable to expend all fee-related revenue during the contract period, such revenue shall be considered carryover funds available for the successive CDBG year.

B. Facility Use Fees: Receipts derived from the operation of a public work or facility, the construction of which was assisted with contract funds, do not constitute program income.

C. Interest on Advances: Interest earned in excess of $100 per fiscal year on advance of contract funds shall be remitted to the City.

D. Proceeds from Sale of Personal Property: Proceeds from the sale of personal property acquired with contract funds shall be subject to the requirements set forth in Attachment N of the Office of Management and Budget Circular A-110, "Property Management Standards." See also Article 10.D.

E. Real Property: Proceeds from the lease of real property acquired or improved, in whole or in part, with CDBG funds in excess of $25,000 shall be determined by the City. See Article 9.B.

ARTICLE 19, DISCRIMINATION PROHIBITED

Contractor hereby agrees to comply with the provisions of City Ordinance No. 5876-N.S., as amended from time to time, attached hereto as Exhibit C, and made a part hereof. In the performance of this agreement, Contractor agrees as follows:

A. Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, age (over 40) sex, pregnancy, marital status, disability, sexual orientation, or AIDS. This requirement shall apply to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

B. No person shall, on the grounds of race, color, religion, ancestry, national origin, age (over 40), sex, pregnancy, marital status, disability, sexual orientation, or AIDS, be excluded from participation in the performance of this contract.

C. In the sale, lease or other transfer of land acquired, leased or improved with assistance provided under this contract, the deed or lease for such transfer shall contain a covenant prohibiting discrimination upon the basis of race, color, religion, sex, national origin, sexual preference, age or disability, in the sale, lease or rental, or in the use of occupancy of such land or any improvements erected or to be erected thereon.

D. In the performance of this contract, Contractor agrees to comply with all applicable provisions of Title II of the Americans with Disabilities Act of 1990 and any amendments thereto. Contractor shall further observe and comply with all applicable federal, state, municipal and local laws, ordinances, codes and regulations that prohibit discrimination against individuals with disabilities or require that individuals with disabilities are not excluded from participating in or receiving benefits, services or activities of the City.

If Contractor is or becomes a "public accommodation" as defined in Title III of the Americans with Disabilities Act of 1990, Contractor shall observe and comply with all applicable provisions of the Act and any amendments thereto, and all applicable federal, state, municipal and local laws, ordinances, codes and regulations prohibiting discrimination on the basis of disability in the full and equal enjoyment of goods, services, facilities, privileges, advantages, or accommodations offered by the Contractor. All Contractor's activities must be in accordance with these laws, ordinances, codes, and regulations, and Contractor shall be solely responsible for complying therewith.

E. Contractor shall permit City access to records of employment, employment advertisement, application forms, EEO-1 forms, and any other documents which, in the opinion of City are necessary to monitor compliance with the non-discrimination provisions, and will, in addition, fill-out in a timely fashion, forms supplied by City to monitor these non-discrimination provisions, to the extent required by HUD Regulations at 24 CFR Part 570.

F. For Construction Contracts Only

If the budgeted cost of construction activities funded by this contract exceeds $10,000, as detailed in Exhibit B, Contractor shall comply with all requirements of Executive Order 11246, Equal Employment Opportunity, as amended

by Executive Orders 11375 and 12086 attached hereto as Exhibit D, and made a part hereof.

ARTICLE 20, LOBBYING PROHIBITION

Contractor shall comply with Section 1352, Title 31, U.S. Code stipulating that no Government funds shall be spent for lobbying and agrees to disclose names of persons and amounts paid with non-Government funds to influence decisions by Congress or Executive Branch agencies.

ARTICLE 21, DRUG-FREE WORKPLACE

Contractor shall provide a drug-free workplace and establish a drug-free awareness program in compliance with the Drug-Free Workplace Act of 1988 and the required certification.

ARTICLE 22, NUCLEAR FREE BERKELEY

Contractor agrees to comply with BMC 12.90, the Nuclear Free Berkeley Act, as amended from time to time.

ARTICLE 23, BERKELEY LIVING WAGE ORDINANCE

A. Contractor hereby agrees to comply with the provisions of the Berkeley Living Wage Ordinance, B.M.C. Chapter 13.27. If Contractor is currently subject to the Berkeley Living Wage Ordinance, as indicated by the Living Wage Certification form, attached hereto, Contractor will be required to provide all eligible employees with City mandated minimum compensation during the term of this Contract, as defined in Chapter 13.27, as well as comply with the terms enumerated herein. Contractor expressly acknowledges that, even if Contractor is not currently subject to the Living Wage Ordinance, cumulative contracts, grants or other monies received by the City may subject Contractor to the requirements under B.M.C. Chapter 13.27 in subsequent contracts.

B. If Contractor is currently subject to the Berkeley Living Wage Ordinance, Contractor shall be required to maintain monthly records of those employees providing service under the Contract. These records shall include the total number of hours worked, the number of hours spent providing service under this Contract, the hourly rate paid, and the amount paid by Contractor for health benefits, if any, for each of its employees providing services under the Contract. These records are expressly subject to the auditing terms described in Article 39.

C. If Contractor is currently subject to the Berkeley Living Wage Ordinance, Contractor shall include the requirements thereof, as defined in B.M.C. Chapter 13.27, in any and all subcontracts in which Contractor engages to execute its responsibilities under this Contract. All contractor employees who spend 50% or more of their compensated time engaged in work directly related to this Contract shall be entitled to a living wage, as described in B.M.C. Chapter 13.27 and herein. All subcontractor employees who spend 25% or more of their compensated time engaged in work directly related to this Contract shall be entitled to a living wage, as described in B.M.C. Chapter 13.27 and herein.

D. Contractor's failure to comply with this Section shall subject Contractor to termination of this Contract pursuant to Article 36.

ARTICLE 24, BERKELEY EQUAL BENEFITS ORDINANCE

A. Contractor hereby agrees to comply with the provisions of the Berkeley Equal Benefits Ordinance, B.M.C. Chapter 13.29.

B. If Contractor is currently or becomes subject to the Berkeley Equal Benefits Ordinance, Contractor agrees to provide the City with any records the City deems necessary to determine compliance with this provision.

These records are expressly subject to the auditing terms described in Article 39 of this contract.

C. Contractor's failure to comply with this Section shall subject Contractor to termination of this Contract pursuant to Article 37.

ARTICLE 25, RELIGIOUS ACTIVITY PROHIBITED

There shall be no religious worship, instruction or proselytization as part of or in connection with the performance of this contract.

ARTICLE 26, POLITICAL ACTIVITY PROHIBITED

None of the funds, materials, property or services contributed by the City under this contract shall be used in the performance of this contract to further the election or defeat of any candidate for public office, to support or defeat any ballot measure, for any partisan political activity, or for the conduct of political activities in contravention of Chapter 15 of Title 5, United States Code.

ARTICLE 27, COVENANT AGAINST CONTINGENT FEES

Contractor warrants that no person or selling agency or other organization has been employed or retained to solicit or secure this contract upon an agreement of understanding for a commission, percentage, brokerage, or contingent fee. For breach or violation of this warrant, the City shall have the right to annul this contract without liability or, in its discretion, to deduct from the compensation, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fees.

ARTICLE 28, LABOR STANDARDS (Construction Contracts Only)

A. Except as herein provided, all laborers and mechanics employed by Contractor or by Contractor's subcontractors in the construction, alteration or repair, including painting and decorating of projects, building, and work which is assisted with contract funds, shall be paid at rates not less than those currently determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), and shall receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), and the Contractor and subcontractors shall comply with all regulations issued pursuant to these Acts and with other applicable federal laws and regulations pertaining to labor standards to the extent required by HUD Regulations at 24 CFR Part 570. Any additional contract provisions required by federal statutes to be inserted herein, are attached hereto as Exhibit E and made a part hereof.

B. This provision does not apply to:

1) The rehabilitation of residential property with less than eight dwelling units.

2) Projects where the total budgeted cost of construction activities is less than $2,000.

3) Emergency Shelter Grant Funds

ARTICLE 29, FLOOD DISASTER PROTECTION

Use of contract funds for acquisition or construction in an area identified as having special flood hazards shall be subject to the requirements of the Flood Disaster Protection Act of 1973 (P.L. 93-234), including the mandatory purchase of flood insurance in accordance with the requirements of Section 102(a) of said Act.

APPENDIX F

ARTICLE 30, CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

Contractor shall comply with the provisions of the Clean Air Act as amended (42 U.S.C. 1957 et seq.), and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), and the regulations thereunder (40 CFR Part 15 and 40 CFR Part 61).

ARTICLE 31, LEAD-BASED PAINT

Contractor shall comply with the lead-based paint requirement of 24 CFR Part 5 Subpart B issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.). Such requirements prohibit the use of lead-based paint for construction, rehabilitation, or modernization of residential structures; mandate the elimination of immediate lead-based paint hazards in residential structures assisted with CDBG funds; and require the notification of the hazards of lead-based paint poisoning to purchasers and tenants of residential structures constructed prior to 1950 and assisted with CDBG funds.

ARTICLE 32, ARCHITECTURAL BARRIERS ACT OF 1968

Any building or facility, excluding privately owned residential structures, designed, constructed, or altered with contract funds shall comply with the requirements of the "American Standards Specifications for Making Building and Facilities Accessible to, and Usable by the Physically Handicapped," Number A-117, I-R 1971, subject to the exceptions contained in 41 CFR Subpart 101-19.604, issued pursuant to the Architectural Barriers Act of 1968, 42 CFR U.S.C. 4151, as amended.

ARTICLE 33, ENVIRONMENTAL REVIEW RECORD (ERR)

The City will work with the Contractor to prepare the ERR. The ERR will cover areas such as historic preservation, floodplain management, endangered species, air quality, toxic chemicals, noise control, among others, in compliance with HUD Regulations at 24 CFR Part 58. These regulations cover all CDBG-funded projects. No funds will be disbursed under this contract until the ERR has been accepted and approved by HUD.

ARTICLE 34, RELOCATION

A. Contractors engaging in acquisition/rehabilitation activities must comply with the Uniform Relocation Act (URA), as amended, and applicable guidelines at 49 CFR Part 24 and 24 CFR Part 511, as well as the State of California Government Code 7265.3, as amended, and City policies.

B. Any person displaced by rehabilitation, financed partially or wholly with contract funds, shall be offered the option of relocation after completion of the rehabilitation in the dwelling from which the person was displaced, and shall be provided the benefits due in accordance with State of California Government Code 7265.2, as amended.

ARTICLE 35, NON-PROFIT STATUS

A. Except as herein provided, Contractor must be a non-profit corporation. Contractor shall furnish the City with a copy of its articles of incorporation, a copy of its by-laws, and a current list of its Board of Directors. If there are any changes in Contractor's non-profit status with the California Secretary of State, Contractor shall notify City within five (5) working days of the notice of said change. Loss of non-profit status or failure to maintain a status of good standing with the Secretary of State is cause for termination of the contract.

B. Contractor must be a neighborhood-based, non-profit organization, a small business investment company, or a local development corporation, according to the definitions set forth in 24 CFR 570.204(s), to be eligible to undertake economic development or neighborhood revitalization activities pursuant to 24 CFR 570.204(c). Contractor shall

furnish the City with document(s), evidencing proof of such status. If there are any changes in such status, Contractor shall notify City within five (5) working days of said change. Failure to maintain eligible organizational status as required by Government regulations is cause for termination of the contract.

C. This provision may not necessarily apply to Contractor if Contractor is undertaking only rehabilitation activities pursuant to 24 CFR 570.202 or economic development activities pursuant to 24 CFR 570.203.

ARTICLE 36, CHANGES

A. The terms and conditions of this contract shall not be altered or otherwise modified except upon a duly executed written amendment to this contract.

B. Contractor may request changes in the Scope of Services described in Exhibit A. Such changes, including any increase or decrease in the amount of the Contractor's compensation (Exhibit B), require City Council approval and must be incorporated by written amendment to this contract.

ARTICLE 37, CONTRACT TERMINATION

This contract may be terminated for cause by Contractor upon thirty (30) days prior written notice. The City may terminate this contract in whole or in part with or without cause, which includes but is not limited to:

A. Failure, for any reason, of Contractor to fulfill in a timely and proper manner its obligations under this contract, including compliance with City, State and Federal laws and regulations and applicable directives.

B. Failure to meet the performance standards contained in Exhibit(s) A of this contract. When the City notifies the Contractor that its contract performance is below performance specifications as outlined in the contract Exhibits, a corrective action plan must be submitted in writing by the Contractor to the City within thirty (30) days. Failure to achieve the performance specifications within a maximum of sixty (60) days is cause for immediate contract termination.

C. Improper use or reporting of funds provided under this contract.

D. Reduction, suspension or termination of funding or grant(s) to the City from any Federal or State sources under which this contract is made, or the portion thereof earmarked for this contract or appropriated by the City Council for this contract.

E. A written notice shall be deemed served upon sending said notice in a postage-paid envelope addressed to the other party to this contract and depositing the same with the United States Post Office with postage prepaid. For purposes of this contract, all notices to the City shall be addressed as follows:

City Manager
City of Berkeley
2180 Milvia Street
Berkeley, California 94704

For purposes of this contract, all notices to Contractor shall be addressed to Contractor's authorized signee as indicated on the last page of this contract to the address indicated on page 1 of this contract.

F. If either party terminates this contract before the Contractor completes the services in Exhibit(s) A, in addition to any other rights and remedies provided by law or under this contract, Contractor shall be entitled to compensation for services performed hereunder, through and including the date of termination, but not to exceed the

payment according to the rate specified in Exhibit B. Contractor shall be entitled to all reasonable costs incurred in connection with such services. In no event will the amount paid exceed the full amount in Article 3 of this contract.

ARTICLE 38, CLOSE OUT PROCEDURES

Contractor shall prepare and submit a final invoice for final claims no later than sixty (60) days after the termination of this contract. The final invoice shall cover all claims for costs incurred by the Contractor during the period of the contract. All unexpended funds shall be returned to the City. Where funds are due the City, payment should be made to CITY OF BERKELEY and must accompany the final invoice.

ARTICLE 39, AUDIT

All contractors receiving $300,000 or more in Government funds shall have their financial and compliance records, maintained in connection with the operations and services performed under this contract, audited annually by an independent auditing agent selected by the City. This audit will be conducted in accordance with the Single Audit Act of 1984, Office of Management and Budget Circulars A-133 (June 30, 1997), and any other prescribed guidelines. Contractors receiving $300,000 or more in Government funds and choosing to select their own independent auditor shall provide the City with a copy of the audited Financial Statement which is to be prepared in compliance with OMB Circulars A-110 and A-133 (June 30, 1997). Contractors receiving less than $300,000 in Government funds are exempt from audit pursuant to the Single Audit Act of 1984, but records must be available for review by appropriate officials. All contractors regardless of the amount of Government funds received, are subject to State and Local regulations.

Pursuant to Section 61 of the Berkeley City Charter, the City Auditor's Office may conduct an audit of Contractor's financial, performance and compliance records maintained in connection with the operations and services performed under this Contract. In the event of such audit, Contractor agrees to provide the City Auditor with reasonable access to Contractor's employees and make all such financial, performance and compliance records available to the Auditor's Office. City agrees to provide Contractor an opportunity to discuss and respond to any findings before a final audit report is filed.

The City will provide Contractor with the preliminary draft of the audit report and hold a conference with Contractor to discuss the report if any findings are noted. Contractor shall respond to all findings within ten (10) working days after the conference. The auditing agent will then prepare its final audit report and submit it to the City Manager. City will notify contractor of any disallowed expenses. Contractor shall make payment of disallowed expenses to City within thirty (30) days of such notification, unless otherwise specified by the City. Failure to reimburse the City may result in the discontinuance of any or all City contracts with Contractor and may make Contractor ineligible for additional or further funds from the City.

ARTICLE 40, GOVERNING LAW

This contract shall be governed by the laws of the State of California.

ARTICLE 41, INDEPENDENT CONTRACTOR

A. Contractor shall be deemed at all times to be an independent contractor and shall be wholly responsible for the manner in which Contractor performs its obligations under this Agreement. Contractor shall be liable for its acts and omissions, and those of its employees and its agents. Nothing contained herein shall be construed as creating an employment, agency or partnership relationships between City and Contractor.

B. Terms in this Agreement referring to direction from City shall be construed as providing for direction as to policy and the result of Contractor's work only and not as to the means or methods by which such a result is obtained.

C. Nothing in this Contract shall operate to confer rights or benefits on persons or entities not party to this Contract.

ARTICLE 42, CITY BUSINESS LICENSE, PAYMENT OF TAXES, TAX I.D. NUMBER

Contractor has obtained a City business license as required by B.M.C. Ch. 9.04, and its license number is written below; or, Contractor is exempt from the provisions of B.M.C. Ch. 9.04 and has written below the specific B.M.C. section under which it is exempt. Contractor shall pay all state and federal income taxes and any other taxes due. Contractor certifies under penalty of perjury that the taxpayer identification number written below is correct.

ARTICLE 43, ENTIRE AGREEMENT

A. The terms and conditions of this contract and all exhibits attached hereto or documents expressly incorporated by reference therein represent the entire contract between the parties hereto with respect to the subject matter hereof, and this contract shall supersede any and all other prior contracts, either oral or written, regarding the subject matter between the City and Contractor. No other contract, statement, or promise relating to the subject matter of this contract shall be valid or binding except upon a duly executed written amendment to this contract.

B. Should any conflicts arise between the terms and conditions of this contract and the terms and conditions of any exhibits attached hereto or documents expressly incorporated by reference therein, the terms and conditions of Federal Regulations shall control.

ARTICLE 44, OWNERSHIP OF DOCUMENTS

A. When this contract is terminated Contractor agrees to return to City all documents, drawings, photographs and other written or graphic material, however produced, that it received from City, its contractors or agents, in connection with the performance of its services under this contract. All materials shall be returned in the same condition as received.

B. All internal work, papers, internal drawings, internal memoranda of any kind, photographs, and any written or graphic material, however produced, prepared by Contractor in connection with its performance of services under this contract, shall be, and shall remain after termination of this contract, the property of Contractor. Contractor may use that material for any purpose whatsoever. However, if either party terminates this contract before Contractor completes all services required under Article 1, the latest set of draft documents shall be and shall remain the property of the City.

C. The final written product of this contract shall be the property of the City. City may use all or any part of the product for projects other than those contemplated by this contract. Contractor shall not be liable for any improper reuse of the product. City may also retain the original of any design documents upon request.

ARTICLE 45, SETOFF AGAINST DEBTS

Contractor agrees that City may deduct from any payments due to Contractor any monies that Contractor owes the City under any Ordinance, contract, or Resolution for any unpaid taxes, fees, licenses, unpaid checks, or other amounts.

ARTICLE 46, RECYCLED PAPER FOR WRITTEN REPORTS

If Contractor is required by this contract to prepare a written report or study, Contractor shall use recycled paper for said report or study when such paper is available at a cost of not more than ten percent more than the cost of virgin paper, and when such paper is available at the time it is needed. For the purposes of this contract, recycled paper is

paper that contains at least 50% recycled product. If recycled paper is not available, Contractor shall use white paper. Written reports or studies prepared under this contract shall be printed on both sides of the page whenever practical.

ARTICLE 47, MATERIAL SAFETY DATA SHEETS

A. To comply with the City's Hazard Communication Program, Contractor agrees to submit Material Safety Data Sheets (MSDS) for all products Contractor intends to use in the performance of work under this contract in any City facility. The MSDS for all products must be submitted to the City before commencing work. The MSDS for a particular product must be reviewed and approved by the City's Employee Relations Officer before Contractor may use that product.

B. City will inform Contractor about hazardous substances to which it may be exposed while on the job site and protective measures that can be taken to reduce the possibility of exposure

ARTICLE 48, SEVERABILITY OF PROVISIONS

Should a provision of this contract be held invalid by a court of competent jurisdiction, the remaining provisions hereof shall continue to be valid and enforceable.

/
/
/

APPENDIX F

ARTICLE 49, ASSIGNMENT

This contract may not be assigned without the prior written consent of the City.

IN WITNESS WHEREOF, the City and Contractor have executed this contract through their duly authorized representatives as of the date first above written.

CITY OF BERKELEY

By _____
City Manager

THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CITY ATTORNEY FOR THE CITY OF BERKELEY
July 2003

Registered by:

_____
City Auditor

Attest:

_____
Deputy City Clerk

CONTRACTOR

By _____

EXECUTIVE DIRECTOR
Title

IRS Tax I.D. No.: [redacted]

B.M.C. § _____

City of Berkeley Business License No.: 2003-10724

Incorporated: Yes X No _____

Subject of Contract: PUBLIC SAFETY

EXHIBIT A

SCOPE OF SERVICES

APPENDIX F

EXHIBIT A
SCOPE OF SERVICES

Berkeley Boosters Association
P.O. Box 17
Berkeley, CA 94701
Telephone: (510) 704-0467
Fax: (510) 649-0886

E-mail: dmanson@berkeleyboosters.org
Web Site: www.berkeleyboosters.org

RESPECT GRANT 2003/2004: BART ESCORT SERVICE

1. PROGRAM DESCRIPTION:

During the winter months, the Berkeley Boosters Association will provide BART SAFETY ESCORT Service to BART patrons during the two (2) busiest commute hours each evening. The service will be provided at both the Ashby and North Berkeley BART stations. The patrons will be escorted from the BART station to their cars or homes within a radius of approximately five (5) city blocks.

II. SCOPE OF SERVICE:

The ***Berkeley Boosters RESPECT Team*** will provide, from Monday, October 27, 2003 (end of daylight savings time) to Friday, March 5, 2004, BART SAFETY ESCORT SERVICE at both the Ashby BART station and the North Berkeley BART station. The ESCORT SERVICE will be provided Monday to Friday for two (2) hours during the evening commute time (except on City Holidays). The training will occur during the week of October 20, 2003.

The staffing model calls for four (4) team members plus one supervisor at each station. The team members will wear uniforms (light blue baseball jacket with BART ESCORT and RESPECT insignia, navy pants, light blue shirt) and will be equipped with flashlights and police radios. Team members will be upper class Berkeley High School students (over the age of 15) and/or local community college, UC students, or community members. The Supervisors will be adults, typically veteran supervisors from within the Berkeley Police Department Traffic Enforcement Division.

III. TRAINING:

The team members will be trained through an intensive training that includes police radio training and protocol, conflict resolution, diversity training, public relations, positive communication skills, personal safety and other topics. This training will be provided by experienced personnel from within the Boosters, as well as various outside experts from within Berkeley Police Department and BUSD School Safety personnel. The BART Escorts work in teams of two (except supervisors, who may work alone). Each team is equipped with a police radio for emergencies. Each team member will be assigned a call number (e.g. G-31).

IV. NETWORKING WITH OTHER AGENCIES:

It is the responsibility of the Executive Director to establish contact with BART Police and the Berkeley Police Department Patrol Division. The Berkeley Police Department will assist in the radio training for the ESCORTS.

EXHIBIT B

PAYMENT

CONTRACT AMOUNT $ 40,500

SIX (6) TWO MONTHS CASH ADVANCE PAYMENTS

LINE ITEM BUDGET ATTACHED.

APPENDIX F

RESPECT – BART ESCORTS PROGRAM
Operating Statement
July 1, 2003 – June 30, 2004
Date: As of 12/18/02

INCOME

GRANTS	
CITY OF BERKELEY	$40,500
TOTAL PROGRAM INCOME:	**$40,500**

EXPENSE

PERSONNEL	
Executive Director	$ 2,900
Administrative Director	$ 2,900
Supervisors	$ 8,820
Part Time Escorts	$11,500
Accounting	$ 1,200
Subtotal Personnel	**$27,320**
Employer Payroll Taxes @11%	$ 3,005
Worker's Comp @9%	$ 2,458
Health Insurance	$ 780
Subtotal Fringe Benefits	**$ 6,243**
TOTAL PERSONNEL & FRINGE BENEFITS	**$ 33,563**
EQUIPMENT	
Uniforms, Equipment & Supplies	$ 2,000
TOTAL EQUIPMENT	**$ 2,000**
OPERATING EXPENSE	
Grant Operating Expense	$ 4,937
TOTAL OPERATING	**$ 4,937**
TOTAL EXPENSES	**$ 40,500**

APPENDIX F

REQUEST FOR WAIVER OF COMPETITIVE SOLICITATION

BY CITY MANAGER

DATE: **August 11, 2003**

TO: Weldon Rucker, City Manager

FROM: Roy L. Meisner, Chief of Police

DEPT. Police Department

RE: REQUEST FOR WAIVER

BERKELEY BOOSTERS ASSOCIATION
CONTRACT NAME

INSTRUCTIONS:

A written request must be submitted for a waiver consideration. Please complete and forward to City Manager.

We are requesting a waiver on the above contract for one the following reason(s). Explanation must clearly state why this exception meets the required criteria. For details see section on Evidence of Competitive Solicitation online.

1. Service is very **SPECIALIZED** because the Berkeley Booster Association is selected through the annual General Funded Community Agency allocations.

2. This product or service can only be provided by this contractor (**SOLE SOURCE**)

This service and/or product must be provided **IMMEDIATELY** because

4. **OTHER CATEGORY**. NOTE: **The lack of advanced planning does not constitute an immediate need**. The reason for this request is

WAIVER IS RECOMMENDED _____

DENIED _____

_____ 8/15/03

Weldon Rucker, City Manager Date

NON-DISCRIMINATION WORK FORCE

FOR ALL NON-CONSTRUCTION CONTRACTS

To assist the City of Berkeley in implementing its Non-Discrimination policy, it is requested that you furnish information regarding your personnel as requested below and return it to the City Department handling your contract.

ORGANIZATION: Berkeley Boosters Assn./Police Activities League

ADDRESS: P.O. Box 17 Berkeley, CA. 94701

BUSINESS LICENSE NO: 2003-10724

Occupational Category (see reverse side for explanation of terms)	Total Employees		WHITE		BLACK		ASIAN		HISPANIC		OTHER (SPECIFY)	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Officials/Administrators	1	0									Bi racial	
Professionals	0	2		1								Pacific Islander
Technicians	0	0										
Protective Service Workers	3	0	1		2							
Para-professionals	8	9	2	2	6	7						
Office/Clerical	0	1										Pacific Islander
Skilled Craft Workers	0	0										
Service/Maintenance	0	0										
Other (Specify	0	0										
Totals	12	12	3	3	8	7					1	2

Is your business MBE/WBE/DBE certified? Yes ____ No X

If yes, by what agency? ____

If yes, please specify: Male ____ Female ____ or indicate ethnic identification ____

Do you have a policy of non-discrimination? Yes X No ____

Signed: [signature] Date: 6/12/03

Verified by: [signature] Date: 6/23/03

City of Berkeley Contract Compliance Officer

APPENDIX F

APPENDIX F

CITY OF BERKELEY
Nuclear Free Zone Disclosure Form

I (we) certify that:

1. I am (we are) fully cognizant of any and all contracts held, products made or otherwise handled by this business entity, and of any such that are anticipated to be entered into, produced or handled for the duration of its contract(s) with the City of Berkeley. (To this end, more than one individual may sign this disclosure form, if a description of which type of contracts each individual is cognizant is attached.)

2. I (we) understand that Section 12.90.070 of the Nuclear Free Berkeley Act (Berkeley Municipal Code Ch. 12.90; Ordinance No. 5784-N.S.) prohibits the City of Berkeley from contracting with any person or business that knowingly engages in work for nuclear weapons.

3. I (we) understand the meaning of the following terms as set forth in Berkeley Municipal Code Section 12.90.130:

   "Work for nuclear weapons" is any work the purpose of which is the development, testing, production, maintenance or storage of nuclear weapons or the components of nuclear weapons; or any secret or classified research or evaluation of nuclear weapons; or any operation, management or administration of such work.

   "Nuclear weapon" is any device, the intended explosion of which results from the energy released by reactions involving atomic nuclei, either fission or fusion or both. This definition of nuclear weapons includes the means of transporting, guiding, propelling or triggering the weapon if and only if such means is destroyed or rendered useless in the normal propelling, triggering, or detonation of the weapon.

   "Component of a nuclear weapon" is any device, radioactive or non-radioactive, the primary intended function of which is to contribute to the operation of a nuclear weapon (or be a part of a nuclear weapon).

4. Neither this business entity nor its parent nor any of its subsidiaries engages in work for nuclear weapons or anticipates entering into such work for the duration of its contract(s) with the City of Berkeley.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: David Mangson Title: Executive Director

Signature: [signature] Date: 6-12-03

Business Entity: Berkeley Boosters Association / P.A.L.

Contract Description/Specification No. _____

Attachment C

APPENDIX F

CITY OF BERKELEY

Oppressive States Compliance Statement for Personal Services

The undersigned, an authorized agent of Berkeley Boosters Assn. (hereafter "Vendor"), has had an opportunity to review the requirements of Berkeley City Council Resolution No. 59,853-N.S. (hereafter "Resolution"). Vendor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with those Business Entities which maintain business relationships with morally repugnant regimes. Vendor understands the meaning of the following terms used in the Resolution:

"Business Entity" means "any individual, firm, partnership, corporation, association or any other commercial organization, including parent-entities and wholly-owned subsidiaries" (to the extent that their operations are related to the purpose of the contract with the City).

"Oppressive State" means: **Tibet Autonomous Region and the Provinces of Ado, Kham, and U-Tsang,**

"Personal Services" means "the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual relationship."

Contractor understands that it is not eligible to receive or retain a City contract if at the time the contract is executed, or at any time during the term of the contract it provides Personal Services to:

a. The governing regime in any Oppressive State.
b. Any business or corporation organized under the authority of the governing regime of any Oppressive State.
c. Any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

Vendor further understands and agrees that Vendor's failure to comply with the Resolution shall constitute a default of the contract and the City Manager may terminate the contract and bar Vendor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

The undersigned is familiar with, or has made a reasonable effort to become familiar with, Vendor's business structure and the geographic extent of its operations. By executing the Statement, Vendor certifies that it complies with the requirements of the Resolution and that if any time during the term of the contract it ceases to comply, Vendor will promptly notify the City Manager in writing.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: David W. Manson, Jr. Title: Executive Director

Signature: David W. M Date: 6-12-03

Business Entity: Berkeley Boosters Assn. P.A.L.

I am unable to execute this Statement; however, Vendor is exempt under Section VII of the Resolution. I have attached a separate statement explaining the reason(s) Vendor cannot comply and the basis for any requested exemption.

Signature: _____ Date: _____

Contract Description/Specification No.: _____

Attachment D

APPENDIX F

CITY OF BERKELEY
Living Wage Certification for Providers of Personal Services

TO BE COMPLETED BY ALL PERSONS OR ENTITIES ENGAGING IN A CONTRACT FOR PERSONAL SERVICES WITH THE CITY OF BERKELEY.

The Berkeley Municipal Code Chapter 13.27, Berkeley's Living Wage Ordinance (LWO), provides that contractors who engage in a specified amount of business with the City (except where specifically exempted) under contracts which furnish services to or for the City in any twelve (12) month period of time shall comply with all provisions of this Ordinance. The LWO requires a City contractor to provide City mandated minimum compensation to all eligible employees, as defined in the Ordinance. In order to determine whether this contract is subject to the terms of the LWO, please respond to the questions below. Please note that the LWO applies to those contracts where the contractor has achieved a cumulative dollar contracting amount with the City. Therefore, even if the LWO is inapplicable to this contract, subsequent contracts may be subject to compliance with the LWO. Furthermore, the contract may become subject to the LWO if the status of the Contractor's employees change (i.e. additional employees are hired) so that Contractor falls within the scope of the Ordinance.

Section I.

1. IF YOU ARE A FOR-PROFIT BUSINESS, PLEASE ANSWER THE FOLLOWING QUESTIONS

a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid, or proposal, with the City of Berkeley for a cumulative amount of $25,000.00 or more?
YES ____ **NO** ____

If **no**, this contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If **yes**, please continue to question **1(b)**.

b. Do you have six (6) or more employees, including part-time and stipend workers?
YES ____ **NO** ____

If you have answered, "YES" to questions 1(a) and 1(b) this contract IS subject to the LWO. If you responded "NO" to 1(b) this contract IS NOT subject to the LWO. **Please continue to Section II.**

2. IF YOU ARE A NON-PROFIT BUSINESS, AS DEFINED BY SECTION 501(C) OF THE INTERNAL REVENUE CODE OF 1954, PLEASE ANSWER THE FOLLOWING QUESTIONS.

a. During the previous twelve (12) months, have you entered into contracts, including the present contract, bid or proposal, with the City of Berkeley for a cumulative amount of $100,000.00 or more?
YES X **NO** ____

If no, this Contract is NOT subject to the requirements of the LWO, and you may continue to Section II. If yes, please continue to question 2(b).

b. Do you have six (6) or more employees, including part-time and stipend workers?
YES X **NO** ____

If you have answered, "YES" to questions 2(a) and 2(b) this contract IS subject to the LWO. If you responded "NO" to 2(b) this contract IS NOT subject to the LWO. **Please continue to Section II.**

Section II

Please read, complete, and sign the following:

THIS CONTRACT **IS** SUBJECT TO THE LIVING WAGE ORDINANCE. ☒

THIS CONTRACT **IS NOT** SUBJECT TO THE LIVING WAGE ORDINANCE. ☐

APPENDIX F

The undersigned, on behalf of himself or herself individually and on behalf of his or her business or organization, hereby certifies that he or she is fully aware of Berkeley's Living Wage Ordinance, and the applicability of the Living Wage Ordinance, and the applicability of the subject contract, as determined herein. The undersigned further agrees to be bound by all of the terms of the Living Wage Ordinance, as mandated in the Berkeley Municipal Code, Chapter 13.27. If, at any time during the term of the contract, the answers to the questions posed herein change so that Contractor would be subject to the LWO, Contractor will promptly notify the City Manager in writing. Contractor further understands and agrees that the failure to comply with the LWO, this certification, or the terms of the Contract as it applies to the LWO, shall constitute a default of the Contract and the City Manager may terminate the contract and bar Contractor from future contracts with the City for five (5) years from the effective date of the Contract termination. If the contractor is a for-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 25% or more or their compensated time engaged in work directly related to the contract with the City. If the contractor is a non-profit business and the LWO is applicable to this contract, the contractor must pay a living wage to all employees who spend 50% or more or their compensated time engaged in work directly related to the contract with the City.

These statements are made under penalty of perjury under the laws of the state of California.

Printed Name: David W. Manson, Jr Title: Executive Director

Signature: David W. M Date: 6/12/03

Business Entity: Berkeley Boosters Assn. / P.A.L.

Contract Description/Specification No: _____

Section III

- ***** FOR ADMINISTRATIVE USE ONLY -- PLEASE PRINT CLEARLY ******

I have reviewed this Living Wage Certification form, in addition to verifying Contractor's total dollar amount contract commitments with the City in the past twelve (12) months, and determined that this Contract (IS) / IS NOT (circle one) subject to Berkeley's Living Wage Ordinance.

Police Department
Department Name

Annie Thomas
Department Representative

To be completed by Contractor/Vendor

APPENDIX F

Form EBO-1
CITY OF BERKELEY
CERTIFICATION OF COMPLIANCE WITH EQUAL BENEFITS ORDINANCE

If you are a ***contractor***, return this form to the originating department/project manager. If you are a ***vendor*** (supplier of goods), return this form to the Purchasing Division of the Finance Dept.

SECTION 1. CONTRACTOR/VENDOR INFORMATION

Name: Berkeley Boosters Assn. / Police Activities League			Vendor No.:
Address: PO Box 17	City: Berkeley	State: CA	ZIP: 94701
Contact Person: David W. Manson, Jr			Telephone: 510-704-0467
E-mail Address: dmanson@berkeleyboosters.org			Fax No.: 510-649-0886

SECTION 2. COMPLIANCE QUESTIONS

A. The EBO is inapplicable to this contract because the contractor/vendor has no employees.
☐ Yes ☐ No *(If "Yes," proceed to Section 5; if "No", continue to the next question.)*

B. Does your company provide (or make available at the employees' expense) any employee benefits?
☒ Yes ☐ No
If "Yes," continue to Question C.
If "No," proceed to Section 5. (The EBO is not applicable to you.)

C. Does your company provide (or make available at the employees' expense) any benefits to the spouse of an employee? ☐ Yes ☒ No

D. Does your company provide (or make available at the employees' expense) any benefits to the domestic partner of an employee? ☐ Yes ☒ No
If you answered "No" to both Questions C and D, proceed to Section 5. (The EBO is not applicable to this contract.)
If you answered "Yes" to both Questions C and D, please continue to Question E.
If you answered "Yes" to Question C and **"No"** to Question D, please continue to Section 3.

E. Are the benefits that are available to the spouse of an employee identical to the benefits that are available to the domestic partner of the employee? ☐ Yes ☐ No
If you answered "Yes," proceed to Section 4. (You are in compliance with the EBO.)
If you answered "No," continue to Section 3.

SECTION 3. PROVISIONAL COMPLIANCE

A. Contractor/vendor is not in compliance with the EBO now but will comply by the following date:

☐ By the first effective date after the first open enrollment process following the contract start date, not to exceed two years, if the Contractor submits evidence of taking reasonable measures to comply with the EBO; or

☐ At such time that administrative steps can be taken to incorporate nondiscrimination in benefits in the Contractor's infrastructure, not to exceed three months; or

☐ Upon expiration of the contractor's current collective bargaining agreement(s).

B. If you have taken all reasonable measures to comply with the EBO but are unable to do so, do you agree to provide employees with a cash equivalent?* ☐ Yes ☐ No

* The cash equivalent is the amount of money your company pays for spousal benefits that are unavailable for domestic partners.

SECTION 4. REQUIRED DOCUMENTATION

At time of issuance of purchase order or contract award, you may be required by the City to provide documentation (copy of employee handbook, eligibility statement from your plans, insurance provider statements, etc.) to verify that you do not discriminate in the provision of benefits.

APPENDIX F

SECTION 5. CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am authorized to bind this entity contractually. By signing this certification, I further agree to comply with all additional obligations of the Equal Benefits Ordinance that are set forth in the Berkeley Municipal Code and in the terms of the contract or purchase order with the City.

Executed this 12 day of JUNE, in the year 2003, at Berkeley (City) CA (State)

David W. MANSON, JR.
Name (please print)

Signature

Executive Director
Title

[redacted]
Federal ID or Social Security Number

FOR CITY OF BERKELEY USE ONLY

☐ Non-Compliant (The City may not do business with this contractor/vendor)

☐ One-Person Contractor/Vendor ☑ Full Compliance ☐ Reasonable Measures

☐ Provisional Compliance Category, Full Compliance by Date: _____

Staff Name(*Sign and Print*): Annie Thomas ANNIE THOMAS Date: 6/25/03

ACORD CERTIFICATE OF LIABILITY INSURANCE

APPENDIX F

DATE (MM/DD/YYYY) 04/28/2003

PRODUCER (260)482-5455 FAX (260)483-6297
Diller-Smith & Associates
2526 Scotswolde Dr.
P.O. Box 8517
Ft. Wayne, IN 46808

INSURED California Police Activities League #2
2000 East 14th Street
San Leandro, CA 94577

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: CLARENDON AMERICA INSURANCE CO.	
INSURER B: AMERICAN NATIONAL LIFE INSURANCE CO. OF TX.	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE [X] OCCUR X INCLUDES ATHLETIC PARTICIPANTS GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	ECP000305-00	01/01/2003	01/01/2004	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurance) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 50,000 $ NONE $ 1,000,000 $ 2,000,000 $ 1,000,000
A		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS	EPC000305-00	01/01/2003	01/01/2004	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
A		EXCESS/UMBRELLA LIABILITY X OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $	EEX000026-00	01/01/2003	01/01/2004	EACH OCCURRENCE AGGREGATE	$ 4,000,000 $ 5,000,000
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
B		OTHER ACCIDENT/MEDICAL	FLD02-34200-BC	01/01/2003	01/01/2004	AD & D $50,000 ACCIDENT MEDICAL EXCESS-MAX. BENEFIT $50,000 DED.: NONE	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

A SEXUAL ABUSE/MOLESTATION POL#: ECP 000305-00 EFF: 1/1/03 TO 1/1/04
$25,000 PER OCCURRENCE AGGREGATE $100,000
CERTIFICATE HOLDER IS AN ADDITIONAL INSURED FOR CAL PAL. EVENT: PAL EVENTS
EVENT DATE: COVERAGE PERIOD
INSURED MEMBER CHAPTER: BERKELEY BOOSTERS/PAL, ATT CHERYL LA ROSA LONGO, PO BOX 17 BERKELEY, CA 94701

CERTIFICATE HOLDER

04/28/03 CITY OF BERKELEY
BERKELEY POLICE DEPARTMENT
ATT TRACY VESELY
2180 MILVIA STREET
BERKELEY, CA 94704

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
John Lefever/AKB

ACORD 25 (2001/08)

©ACORD CORPORATION 1988

APPENDIX F

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

APPENDIX F

POLICYHOLDER COPY NB

STATE COMPENSATION INSURANCE FUND

P.O. BOX 807 SAN FRANCISCO CA 94142 0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 01-01-2002

GROUP: 000380
POLICY NUMBER: 0000609-2003
CERTIFICATE ID: 10
CERTIFICATE EXPIRES: 01-01-2004
01-01-2003/01-01-2004

CITY OF BERKELEY NB
PARKS & RECREATION ATTN: TRACY A. VESELY
2180 MILVIA ST. 3RD. FL.
BERKELEY, CA 94704

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 days' advance written notice to the employer.

We will also give you 30 days' advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

AUTHORIZED REPRESENTATIVE

PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000.00 PER OCCURRENCE

ENDORSEMENT #2065 ENTITLED CERTIFICATE HOLDERS' NOTICE EFFECTIVE 01-01-2003 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

EMPLOYER

BERKELEY BOOSTERS ASSOCIATION
(A NON-PROFIT CORP.)
PO BOX 17
BERKELEY, CA 94701

PRINTED: 12-13-2002

THIS DOCUMENT HAS A BLUE PATTERNED BACKGROUND

APPENDIX F

Additional Coverages and Factors 12/23/2002

Line of Business Coverages for General Liability

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
General Aggregate	2,000,000				
Products/Completed Ops Aggregate	1,000,000				
Personal & Advertising Injury	1,000,000				
Each Occurrence	1,000,000				
Fire Damage	50,000				
Medical Expense	NONE				

CITY OF BERKELEY - COMMUNITY SERVICES PROGRAMS

APPENDIX F

CONTRACTORS INVOICE

PLEASE TYPE Respect "BART" ESCORTS

1.CONTRACTOR'S NAME (Agency)	2. ADDRESS:	CITY/STATE/ZIP
Berkeley BOOSTERS	PAL POBOX 17	Berkeley 94701

3. FUNDS REQUESTED FOR:

a. ☒ Initial Advance b. ☐ Periodic Advance c. ☐ Reimbursement d. ☐ Final Invoice e. ☐ Other Specify f. Report for Month/s of: _____ Month/s Day Year

g. PROGRAM TYPE: CSBG_____ GENERAL FUND X OTHER_____

4.COST INCURRED: a.From Start Of Agreement	b.To End of Report Mo:	5. PERIOD COST PROJECTED: a. From End of Report Mo:	b. To End of Two Mo. Projection:
7 1 03 (Mo Day Yr)	9 1 03 (Mo Day Yr)	_____ (Mo Day Yr)	_____ (Mo Day Yr)

COMMUNITY SERVICES CONTRACTORS INVOICE

6. COST CATEGORY	7.CONTRACT COMPONENT BUDGET (Nearest Dollar)	8.COSTS FOR REPORT MONTH ONLY (Nearest Dollar)	9.CUM. COSTS (Nearest Dollar)	10.COSTS PROJECTED (Nearest Dollar)	11. TOTALS (Column 9 + Column 10)
PERSONNEL SERVICES	a. 27320	a.	a.	a. ADVANCE	a.
FRINGE BENEFITS	b. 6243	b.	b.	b.	b.
TRANS. COST	c.	c.	c.	c.	c.
OPERATING COSTS	d. 4937	d.	d.	d.	d.
EQUIPMENT PURCHASES	e. 2000	e.	e.	e.	e.
INSURANCE	f.	f. ADVANCE	f.	f.	f.
OTHER: Specify	g.	g.	g.	g.	g.
OTHER: Specify	h.	h.	h.	h.	h.
TOTALS:	i. 40,500	i.	i.	i. 6,750	i. 6,750

P.O.#_____ FOR CITY USE ONLY INVOICE #_____

12. LESS CASH RECEIVED: $ 0

BUDGET CODE: _____ -- _____ -- _____ -- _____ -- _____

13. NET AMOUNT OF THIS REQUEST $ 6,750

AMOUNT TO BE PAID $_____

14. CONTRACTOR CERTIFICATION: I certify that the costs incurred are taken from the books of account and that such costs are valid and consistent with the terms of this agreement:

Cheryl La Rosa Longo Dir. of Admin. 6-23-03

Authorized Contractor's Signature Title Date Signed

CITY STAFF ONLY

PERFORMANCE SATISFACTORY FOR PAYMENT:

APPROVED BY: _____ Signature Date

EXAMINED BY: _____ Signature Date

COPY 1 - FINANCE
COPY 2 - HHS ACCOUNTING
COPY 3 - CONTRACT MONITOR
COPY 4 - CONTRACTOR

Rec #62.12C

APPENDIX F

City of Berkeley, California **BUSINESS LICENSE**

BUSINESS TYPE: POLICE ACTIVITIES LEAGUE

LOCATION IN BERKELEY: VARIOUS

OWNER: DAVID MANSON EXEC DIR

D.B.A: BERKELEY BOOSTERS ASSN/P.A.L.

MAIL ADD.: P O BOX 17

CITY: BERKELEY CA 94701

CITY OF BERKELEY

LICENSE NUMBER: 2003-10724

DATE: 2003

EXPIRES: 12/31/03

0002 This license is renewable on or before 2/28/04

THIS LICENSE IS ISSUED WITHOUT VERIFICATION THAT THE LICENSE IS SUBJECT TO AN EXEMPTION FROM LICENSING BY THE STATE.

THIS LICENSE MUST BE CONSPICUOUSLY POSTED AND BE RENEWED WITHIN 30 DAYS AFTER EXPIRATION. IT SHALL NOT BE CONSTRUED AS AUTHORIZING THE CONDUCT OR CONTINUANCE OF ANY ILLEGAL OR UNLAWFUL BUSINESS.

325-766 (REV. 12/90)

LICENSE COLLECTOR 277239

Expenditure Contract Amendment Review Form

APPENDIX F

Original CMS #: Y3DFY *(To be filled in by department)*	Amendment CMS #: RRKBC *(To be filled in by department)*	Contract No.: 6724A *(To be filled in by auditor)*

CONTRACTOR NAME: Berkeley Boosters Association

This contract package contains: **Three Original Contracts (Department, Vital Record and Vendor) contracts in Folders** ***The Vital Record contract MUST be in a folder.** ***Optional: In lieu of folders, the Department and Vendor copies may be assembled with an Acco-fastener.**	**Attached**	**Waiver Attached**	**Not Required**
1. Authorizing Council Resolution No.: 63,166 N.S.	☒		☐
2. Living Wage Certification *(if not submitted with original contract)* **LWO form revised 8/02 ***Submitted With Original Contract***	☐	☐	☐
3. Certification of Compliance with Equal Benefits Ordinance *(if not submitted with original contract)**EBO form revised 7/02* ***With Original Contract***	☐	☐	☐
4. Insurance Certificate Original on File: Contract Number 6701 ***copy attached***	☒	☐	☐

Requisition No.: 105122 **(Hard copy attached)** **Purchase Order No:** 56137

Original contract amount	$ 174,368
Amount(s) added by previous amendment(s)	$ 0 (if applicable)
Amount added by this amendment	$ 29,643
Total contract amount after amendment	$ 204,011

Routing and signatures: All elements of the contract package including information provided above and on the Amendment Data Transmittal form have been reviewed for completeness and accuracy and evidenced by the following signatures:

1.	**Project Manager** Kristen Lee	**Dept./Division** Housing PPMB	**Tel. No.** x 5427	**Date** 1/18/2006
2.	**Dept. Admin. Officer or Accounting**			**Date** 1/25/06
3.	**Manager of Engineering** (PW *construction only*)			**Date**
4.	**Department Head**			**Date** 1/25/06
5.	**Employee Relations Officer**			**Date** 1/27/06
6.	**Contract Compliance Officer** (*Construction only*)			**Date**

Routing continues to the following persons, who sign directly on the contract:

7. **City Manager (Will not sign unless all signatures and dates appear above)**
8. **City Auditor (Initials_____)**
9. **City Clerk (Initials_____)**

RECEIVED
JAN 30 2006
City Auditor

APPENDIX F

CMS# RRKBC

AMENDMENT TO CONTRACT

THIS CONTRACT is entered into January 15, 2006, between the CITY OF BERKELEY ("CITY"), a Charter City organized and existing under the laws of the State of California, and The Berkeley Boosters Association ("CONTRACTOR"), a non-profit corporation under the laws of the State of California, doing business at P.O. Box 17, Berkeley CA 94701.

WHEREAS, CITY and CONTRACTOR previously entered into Contract Number 6724, dated July 1, 2005, which Contract was authorized by the Berkeley City Council by Resolution No. 62,976 - N.S.; and

WHEREAS, on December 13, 2005 by Resolution No. 63,166-N.S., the Berkeley City Council authorized an amendment of said contract, adding a total of $29,643; $10,000 for the Berkeley Guides program and $19,643 for the BART Escorts program.

THEREFORE, City and Contractor mutually agree to amend said contract as follows:

1. Section 1 is amended to include the services detailed in Exhibit A, which is attached to and made part of this Contract.
2. Section 3 is amended to read as follows:

PAYMENT

For services referred to in Section 1, City will pay Contractor a total amount not to exceed $ 204,011. City shall make payments to Contractor in accordance with provisions described in Exhibit B, which is attached to and made part of this Contract.

APPENDIX F

3. In all other respects, the contract dated July 1, 2003, shall remain in full force and effect.

IN WITNESS WHEREOF, City and Contractor have executed this Contract as of the date written on the first paragraph of this Contract.

CITY OF BERKELEY

By _____
Deputy City Manager

THIS CONTRACT HAS BEEN APPROVED AS TO FORM BY THE CITY ATTORNEY FOR THE CITY OF BERKELEY
6/01

Registered by:

_____
City Auditor

Attest:

_____
ASST. ~~Deputy~~ City Clerk

CONTRACTOR: Berkeley Boosters Association

_____
By: David W. Manson, Jr., Executive Director

(Please TYPE: Use additional sheets if necessary)
(Services For Berkeley Residents Only)

Agency: Berkeley Boosters Police Activities League
Contract Period: July 1, 2005 – June 30, 2006
Program Title: BART ESCORTS

A. Brief Program Description [*Primary Goal(s)*]

Youth Employment and Public Safety Program
Primary goals:

1) Job Training
2) Employment Support
3) Job Placement
4) Public Safety

B. Scope of Services - Briefly describe each service activity or project to be undertaken.
(See attached)

C. Networking and Merging of Efforts with Other Agencies. *(Quantify planned contacts, referrals, etc., with and/or to specific agencies)*

Berkeley Police Department – Training
Inter City Services – Training and Assessment
BART - Training

APPENDIX F

BART Escorts Program Description (Public Safety / Employment Training)

A violent incident in 1995 led to the establishment of this Berkeley Boosters PAL program. A woman was attacked and severely hurt at the North Berkeley BART station. The City of Berkeley approached us for help. We organized the BART Safety Escort program. BART gave us a grant for the purchase of uniforms, radios, and a van, and the City of Berkeley paid for the salaries of the employees. For the last 9 years, we have provided escort services at both the North Berkeley BART station and the Ashby BART station.

This program serves a dual purpose: providing a public safety benefit for Berkeley residents and also a youth employment program for Berkeley residents. We will operate during nine weeks in the winter during daylight savings time (January through March) . At each station, we will have 6 people – one adult supervisor and five young people, high school or community college students or other at-risk youth. They will work in pairs, carry flashlights and escort BART patrons from the station to their parked cars or their homes. In this role, they will be equipped with, and trained to use police radios-which put them in direct contact with Police and Fire dispatch. They are able to immediately radio directly to the Public Safety Communications Center in cases of crimes, fires, medical emergencies or other critical needs.

These services will be provided Monday through Friday from 5:30pm to 7:30pm, during the heavy commute hours.

As a result of the dual nature of this program, the BART Escorts actually address several of the priorities outlined in the City Manager's letter to prospective applicants as important unmet needs:

- Provides healthy youth alternatives
- Reduces Poverty
- Ensures public safety

The BART Escorts will be responsible for the establishment and ongoing maintenance of a friendly, approachable presence to improve the feeling of safety and welcomeness at the Ashby and North Berkeley BART stations during the non-daylight savings commute hours. The BART Escorts will participate in training, evaluating and coaching sessions with the Berkeley Guides coordinator, the Berkeley Police Department, and their Supervisor/Job Coach, as well as the Executive Director of the Berkeley Boosters PAL. Their training shall include both employment / employability training as well as job-specific trainings such as conflict resolution, personal safety, verbal de-escalation, and customer service skills. They shall maintain accurate and complete records of their daily activities. They will be responsible to maintain the daily log book of incidents, events, contacts, and escorts. When appropriate, they shall refer individuals in need of services to the appropriate city or public service agency, and will initiate police intervention backup when necessary. ***Berkeley Guides*** will provide special attention to vulnerable groups such as children, older adults and disabled persons.

As an employment and job readiness program for Berkeley residents between 14 and 24, the BART Escorts program will also provide its participants with a meaningful job training experience. Not only will this serve as a means of providing gainful employment, but also serve as an entryway into other meaningful employment and career opportunities.

Since the State of California's Employment Development Department's Labor Market Information Division has identified that most new job growth will be in Health Care and Social Assistance, Retail Trade and Accommodation and Food Services, we will tailor our training towards skills that are valuable in those fields. We will spend one week prior and one week after the official start of BART Escort services providing vocational assessment tests, pre-employment training, and post-employment job search, resume building, networking training, and job placement assistance. Following U.S. Department of Labor recommendations that "proven techniques for developing improved employment outcomes for young people....includes four core areas: Preparatory Experiences, Connecting Activities, Work-Based Experiences and Leadership Development," our program plan includes activities designed to address each of these.

APPENDIX F

Our pre-session Training Week addresses the need to provide a meaningful Preparatory Experience. Drawing upon our years of experience providing team-building experiences that deepen the nature of interpersonal relationships among Police Officers and young people, we will provide participants with a full-day ropes course during our Training Week that will include trust-building and team-building activities with their supervisors and Police Department trainers. In addition, participants will be given a learning skills inventory and vocational assessment test. Results will be shared with the participants to help them begin to develop an understanding of their own unique skill sets. Connecting Activities will take place during the five-month course of our program. In addition to their regular contacts with positive adult role models serving as their supervisors (our BART Escorts supervisors are both long-time City of Berkeley employees within the Berkeley Police Department's Parking Enforcement Division and have been with us for the past four years), we will also provide once monthly social activities to reinforce their sense of teamwork and community.

The outcomes for the project fall under the City of Berkeley category of Employment:

- TRAINING:
  - By June 30, 2006, 10 (10) clients will have achieved marketable employment skills as evidenced by pre- and post-tests, and/or job placement.
- JOB PLACEMENT:
  - By June 30, 2006, ten (10) clients will have secured employment as evidenced by pay stubs.
- SUPPORT:
  - By June 30, 2006, ten (10) clients obtained continued employment training and/or placement assistance through ongoing Berkeley Boosters PAL staff support, as well as use of One Stop Career Center services, as evidenced by attendance sign-in sheets.

D. **Service Activities** ***(Berkeley Residents Only Who Meet Income Guidelines – 200 percent of Poverty Level Only for CSBG/GF, or Those Who Receive TANF or SSI or Who Have a Disability.)*** - The following indicates planned number of times a client will receive a service, and the planned number of clients to be served. A client is to be recorded only once during the program year; however, that same client may receive other types of services during the year. The Service Measure (s) should indicate, in a few words, the measurable unit of contact (*e.g., bed nights, hours, sessions, classes, etc.*)

		Planned Quarterly		Planned Annually	
Services Activity	**Service Measure**	*** # of Client Contacts**	**# of New Clients**	*** # of Client Contacts**	**# of New Clients**
Job Training	Hours	5	10	5	10
Vocational Skills / Aptitude Assessment	Hours	2	10	2	10
Employability Skills Training	Hours	2	10	2	10
Resume Building Skills Workshop	Hours	2	10	2	10

INCOME LIMITS FOR POVERTY, VERY LOW INCOME AND LOW INCOME FAMILIES -- 2005								
Household Size →	**1 Person**	**2 Person**	**3 Person**	**4 Person**	**5 Person**	**6 Person**	**7 Person**	**8 Person**
Poverty Level	9,570	12,830	16,090	19,350	22,610	25,870	29,130	32,390
200% of Poverty	19,140	25,660	32,180	38,700	45,220	51,740	58,260	64,780
Very Low (50% of AMI)	29,000	33,100	37,250	41,400	44,700	48,000	51,350	54,650
Low (80% of AMI)	46,350	53,000	59,600	66,250	71,550	76,850	82,150	87,450

* N/A if meeting with monitor indicates.

F. Characteristics of Participants to be Served: Projections (***Berkeley Residents Only***)

APPENDIX F

1. Total number of clients with disabilities to be served: 0
2. Total number of homeless clients to be served: 0
3. Total number of Female Heads of Household to be served: 0
4. Total number of clients residing in the Target Area to be served: 10
5. Total number of clients not residing in the Target Area to be served: 0

G. Agency Fee Schedule - *(if applicable, attach copy)* *N/A*

H. Briefly Describe Method for Verification of Client Income Eligibility:

Self-Reported through intake forms and verified via collection of tax returns or paystubs

I. Specify the outcomes to be achieved by this contract. (Refer to *City-Wide Outcomes.)*

- TRAINING:
  - By June 30, 2006, 10 (10) clients will have achieved marketable employment skills as evidenced by pre- and post-tests, and/or job placement.
- JOB PLACEMENT:
  - By June 30, 2006, ten (10) clients will have secured employment as evidenced by pay stubs.
- SUPPORT:
  - By June 30, 2006, ten (10) clients obtained continued employment training and/or placement assistance through ongoing Berkeley Boosters PAL staff support, as well as use of One Stop Career Center services, as evidenced by attendance sign-in sheets.

WORK PLAN – BART ESCORTS

List key activities for the period January 1, 2006 – June 30, 2006 for each major component or service. Complete and submit one Workplan sheet per program/project. Include number of new participants expected to be served each month, number of participant contacts, project phases, significant events, milestones, or construction deadlines as appropriate.

PROGRAM BART Escorts

(NOTE: Total number of participants to be served is ALWAYS 12, with one exception: Escorts Provided. the figures that are provided below indicate the **number of participant contacts**)

APPENDIX F

Component/Service	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
Vocational Skills Assessment							1						2
Learning Styles Inventory							1						1
Employment / Employability Training							5			5			10
Work-Based Experiences							2	20	23				94
Public Safety Training							2						8
Support Programs Interface (One Stop Career Center, Inner-City Services, etc.)							1			1			3

Prague 2024 001 1362

Page 6 of 47
Exhibit A Page 488

APPENDIX F

PROPOSED BENEFICIARIES – BART Escorts

Please report the total number of participants residing in Berkeley to be served with this funding request during the period July 1, 2005 – June 30, 2006.

10 Total number of **Berkeley** residents the project will serve from July 1, 2005 – June 30, 2006. (estimate)
3 200% of Poverty or below (see chart below)
5 50% of Area Median Income (AMI) or below
2 80% of Area Median Income (AMI) or below

ANNUAL INCOME LIMITS FOR POVERTY, VERY LOW INCOME AND LOW INCOME FAMILIES – 2004								
Income Level	**1 Person**	**2 Person**	**3 Person**	**4 Person**	**5 Person**	**6 Person**	**7 Person**	**8 Person**
200% of Poverty	18,620	24,980	31,340	37,700	44,060	50,420	56,780	63,140
50% of AMI	29,000	33,100	37,250	41,400	44,700	48,000	51,350	54,650
80 % of AMI	46,350	53,000	59,600	66,250	71,550	76,850	82,150	87,450

Target Population and Outreach: Describe the population(s) targeted (e.g., youth, seniors, disabled, homeless) and your planned outreach to them.

The list of proposed beneficiaries of the BART Escorts service is to indicate the number of youth employees ages 14-24 ONLY that this program will serve. THIS FIGURE DOES ***NOT*** INCLUDE THE NUMBER OF BERKELEY RESIDENTS THAT WILL BE SERVED THROUGH THE PUBLIC SAFETY BENEFIT OF THIS PROGRAM WITH ESCORTS TO THEIR CARS OR HOMES. We have not included that estimate, because there is no way for us to accurately determine the level of income for those Berkeley residents. However, in the past, over a five-month period, we have averaged 630 total escorts for the past three years.

We will be targeting teens and young adults that are primarily residents of the South and West Berkeley areas. Our outreach efforts to recruit the appropriate youth to our program will include collaborating with other youth serving agencies such as Berkeley Youth Alternatives, the Young Adult Project, EBAYC R.I.S.E., Berkeley Alternative High School, and others to alert their participants about the program. In addition, we will also outreach through the faith community in South and West Berkeley and ask various spiritual leaders to inform their congregations about this opportunity.

J. Contract Stipulations & Agency Compliance Plan:

APPENDIX F

1. Contractor shall provide the City with job descriptions of all of the employees' positions funded under this Contract, as listed in Exhibit B, Composite Program Budget.

2. Contractor shall provide the City with a list of authorized signatories for the Contractor's Advance Payment Request or Invoice and Quarterly Statement of Expense (or other cost documentation, as required by contracting department).

WORK PLAN – BERKELEY GUIDES

List key activities for the period July 1, 2005 – June 30, 2006 for each major component or service. Complete and submit one Workplan sheet per program/project. Include number of new participants expected to be served each month, number of participant contacts, project phases, significant events, milestones, or construction deadlines as appropriate.

PROGRAM Berkeley Guides

Component/Service	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	Total
Escorts	7	7	7	7	7	7	5						42
Assistance / Directions	80	80	80	80	80	80	60						480
Intervention in Problematic Street Behaviors (Aggressive Panhandling / Mental Health Issues / Altercations)	40	40	40	40	40	40	25						240
Respond to Merchant Calls	40	40	40	40	40	40	25						240
Meet with Downtown Partners (DBA, BPD, Mental Health, Visitor & Convention Bureau)	21	21	21	21	18	16	10						118
Provide public safety presence at Berkeley events (Front Row Festival, Farmer's Market, Arts District Events)	4	5	4	8	8	8	5						37

APPENDIX F

APPENDIX F

COMMUNITY AGENCY
EXHIBIT B
COMPOSITE PROGRAM BUDGET
REVENUE & EXPENSE SUMMARY

BERKELEY GUIDES			Period 1/1/06-6/30/06	
Contractor: Berkeley Boosters Assoc./PAL		APPROPRIATE REQUIREMENTS		
SOURCES OF FUNDS	TOTAL	Expenditure Categories		
Revenue Categories		Salaries & Benefits	Services & Supplies	Fixed Assets
I. CITY OF BERKELEY ALLOCATED FUNDS				
A. CDBG	$ -			
B. ESG	$ -			
C. CSBG	$ -			
D. General Funds	$ 29,643	25,328	4,315	
E. Measure "E"	$ -			
F. Others, Specify: S+C	$ -			
Sub-Totals	$ 29,643	$ 25,328	$ 4,315	$ -
II. OTHER SOURCES OF FUNDS				
A. Federal	$ -			
B. State				
1. Education	$ -			
2. Family Planning	$ -			
3. Prop 99	$ -			
4. Other: Specify	$ -			
5. Other: Specify	$ -			
Federal & State Sub-Totals	$ -	$ -	$ -	$ -
C. Other Local (Redevelopment/Rent Board)	$ -			
D. County	$ -			
E. Patient/Client Fees/	$ -			
F. Private/Foundations/Corporations	$ -			
G. Fundraising Activity/Inkind	$ -			
H. Miscellaneous/Other Local Gov.	$ -			
Other Sub-Totals	$ -	$ -	$ -	$ -
GRANT TOTAL	$ 29,643	$ 25,328	$ 4,315	$ -

Community Agency
Composite Program Budget
Revenue Sources & Expenditure Categories Detail
(Services Provided to Berkeley Residents Only)

Contractor: Berkeley Boosters Association			Contract Service Category		Period 1/1/06-6/30/06		Contract Number		
Expenditure Categories									
PROJECTS			**#1 BART Escorts**		**#2 Berkeley Guides**		**#3**		
Salary & Wages Position/Title	(*) FTE	Annual Salary	(*) FTE	Amount	(*) FTE	Amount	(*) FTE	Amount	Total
									$ -
Executive Director	1.00	56,000	3%	1,450	1%	600			$ **2,050**
Administrative Director	1.00	42,500	3%	1,450	1%	400			$ **1,850**
Coordinator	1.00	36,565	0%		8%	3,000			$ **3,000**
Supervisors (2)		2,800	100%	2,800	0%				$ **2,800**
Senior GUIDE	1.00	33,042	0%		6%	2,000			$ **2,000**
Part Time GUIDE	0.40	20,000	0%		4%	800			$ **800**
Part Time Escorts	0.20	6,750	100%	6,750	0%				$ **6,750**
Accounting	0.10	4,000	9%	350	1%	32			$ **382**
									$ -
									$ -
									$ -
									$ -
									$ -
Page Sub-Totals			2.15	$ **12,800**	0.21	$ **6,832**	0.00	$ -	$ **19,632**

Page 2 of 13
APPENDIX F

Community Agency
Composite Program Budget
Expenditure Categories & Benefits Detail
(Services Provided to Berkeley Residents Only)

Expenditure Categories									
PROJECTS (CONT.)			**#1 BART Escorts**		**#2 Berkeley Guides**		**#3**		
Salary & Wages Position/Title	(*) FTE	Annual Salary	(*) FTE	Amount	(*) FTE	Amount	(*) FTE	Amount	Total
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
Salary Sub-Total			2.15	$ 12,800	0.21	$ 6,832	0.00	$ -	**$ 19,632**
Benefits									
FICA 6.2% up to $84,900									$ -
Medi-care 1.45% unlimited									$ -
PAYROLL TAX			12%	1,536	12%	816			**$ 2,352**
Workers Comp			14%	1,792	14%	952			**$ 2,744**
Health Insurance				300		300			**$ 600**
Dental Insurance									$ -
Other:									$ -
Benefits Sub-Total				$ 3,628		$ 2,068		$ -	**$ 5,696**
Salaries & Benefits Total				**$ 16,428**		**$ 8,900**		**$ -**	**$ 25,328**

Exhibit B

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APPENDIX F

Community Agency
Composite Program Budget
Revenue Sources & Expenditure Categories Detail
(Services Provided to Berkeley Residents Only)

Expenditure Categories (CDBG, ESG, General Fund, CSBG)				
PROJECTS / PROGRAMS	**#1 BART Escort**	**#2 Berkeley Guides**	**#3**	**Total**
Services & Supplies				
Rent	350	50		**$ 400**
Utilities	200	50		**$ 250**
Insurance	750	200		**$ 950**
Telephone	150	350		**$ 500**
Postage	150	50		**$ 200**
Printing	500	250		**$ 750**
Travel				**$ -**
Supplies		50		**$ 50**
Other: Equipment	1,115	100		**$ 1,215**
Other:				**$ -**
Services & Supplies Sub-Total	**$ 3,215**	**$ 1,100**	**$ -**	**$ 4,315**
Fixed Assets				**$ -**
Fixed Assets Sub-Total	**$ -**	**$ -**	**$ -**	**$ -**
Salaries & Benefits Sub-Total	**$ 16,428**	**$ 8,900**	**$ -**	**$ 25,328**
Total Budget	**$ 19,643**	**$ 10,000**	**$ -**	**$ 29,643**

APPENDIX F

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 12/28/2005

PRODUCER (661) 327-3111 FAX (661) 327-1262
Thomas E Mestmaker Ins & Assoc
c/o Wilson, Paves & Assoc
2300 Bahamas Drive
Bakersfield CA 93309

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Berkeley Boosters Association PAL
PO Box 17

Berkeley CA 94701

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Lexington Ins Company	
INSURER B: National Union Fire Ins	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE OCCUR X Sexual Abuse X Limit $100,000 GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	4194471	1/1/2006	1/1/2007	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 50,000 $ excluded $ 1,000,000 $ 2,000,000 $ 1,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE AGGREGATE	$ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
B		OTHER Accident Medical	SRG9101690	1/1/2006	1/1/2007	Limit Deductible Per Occurrence	$50,000 $50.00

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

City of Berkeley Its Officers, Agents, Volunteers and Employees are named as Additional Insured with respects to the General Liability and only with regards to the operations of the Named Insured.* non payment of premium will result in a 10 day notice of cancellation

CERTIFICATE HOLDER

City of Berkeley
Its Officers, Agents, Volunteers and Employees
2180 Milvia Street
Berkeley, CA 94704

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Mike Wilson/RP

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 POLICYHOLDER COPY **APPENDIX F** NB

STATE COMPENSATION INSURANCE FUND

P.O. BOX 420807, SAN FRANCISCO,CA 94142-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

ISSUE DATE: 01-01-2006

GROUP: 000380
POLICY NUMBER: 0000609-2006
CERTIFICATE ID: 13
CERTIFICATE EXPIRES: 01-01-2007
01-01-2006/01-01-2007

CITY OF BERKELEY NB
PARKS & RECREATION C\O MARK SELEZNOW
2180 MILVIA ST
BERKELEY CA 94704

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 30 days advance written notice to the employer.

We will also give you 30 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

AUTHORIZED REPRESENTATIVE

Dianne C. Oki
PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: $1,000,000 PER OCCURRENCE.

ENDORSEMENT #2065 ENTITLED CERTIFICATE HOLDERS' NOTICE EFFECTIVE 01-01-1999 IS ATTACHED TO AND FORMS A PART OF THIS POLICY.

EMPLOYER

BERKELEY BOOSTERS ASSOCIATION (A NON PROFIT CORP.)
PO BOX 17
BERKELEY CA 94701

M0409

(REV.2-05)

PRINTED : 12-17-2005

APPENDIX F

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/4/2006

PRODUCER (661)327-3111 FAX (661)327-1262
Thomas E Mestmaker Ins & Assoc
c/o Wilson, Paves & Assoc
2300 Bahamas Drive
Bakersfield CA 93309

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Berkeley Boosters Association PAL
PO Box 17
Berkeley CA 94701

6724A

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Lexington Ins Company	
INSURER B: National Union Fire Ins	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE OCCUR X Sexual Abuse X Limit $100,000 GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	4194471	1/1/2006	1/1/2007	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
						MED EXP (Any one person)	$ excluded
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS - COMP/OP AGG	$ 1,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
B		OTHER Accident Medical	SRG9101690	1/1/2006	1/1/2007	Limit	$50,000
						Deductible	$50.00
						Per Occurrence	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

City of Berkeley Its Officers, Agents, Volunteers and Employees are included as Additional Insureds with respects to the General Liability and only with regards to the operations of the Named Insured. *CANCELLATION FOR NON PAYMENT WILL RESULT IN A TEN DAY NOTICE.

CERTIFICATE HOLDER

City of Berkeley,Its Officers, Agents
Volunteers and Employees
2180 Milvia Street
Berkeley, CA 94704

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Mike Wilson/RP

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

APPENDIX F

RESOLUTION NO. 57,737 -N.S.

AUTHORIZING FUNDING FOR THE RESPECT PROGRAM ESCORT SERVICE AT THE NORTH AND SOUTH BERKELEY BART STATIONS DURING EVENING COMMUTE HOURS FOR THE PERIOD NOVEMBER 1 THROUGH DECEMBER 31, 1994, AND EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH BERKELEY BOOSTERS AND BREAK THE CYCLE TO INCLUDE THESE SERVICES

BE IT RESOLVED by the Council of the City of Berkeley as follows:

That the City Manager is hereby authorized to provide funding for the RESPECT Program Escort Service at the North and South Berkeley BART Stations during evening commute hours for the period November 1 through December 31, 1994 in an amount not to exceed $15,000, to escort commuting residents to their cars and homes and to assist in forming groups of residents to walk with one another to their destinations; and that during this time the City Manager shall (1) contact BART regarding sharing of financial support and (2) present to the Council the results of a program evaluation and a recommendation regarding the continuance of the service.

FURTHER RESOLVED that the City Manager is authorized to execute an amendment to the agreement with Berkeley Boosters and Break the Cycle to cover these services; a record signature copy of the amendment to be filed in the Office of the City Clerk.

APPENDIX F

Copies sent 11/4/94

To: Health & Human Services
City Manager
Independent Task Force
on Homelessness

RESOLUTION

No. 57,737 N.S.

Dated November 1, 1994

Adopted by the Council of the City of Berkeley by the following vote:

Ayes: Councilmembers Collignon, Dean, Maio, Olds, Shirek, Spring, Wainwright, Woodworth and President Leiter.

Noes: None.

Abstaining: None.

Absent: None.

JEFFREY S. LEITER
Mayor and President of the Council

Attest: SHERRY M. KELLY
City Clerk and Clerk of the Council

APPENDIX F

MINUTES
BERKELEY CITY COUNCIL
REGULAR MEETING

November 1, 1994

Section A. Preliminary Matters

1. Roll Call: 7:08 p.m.

   Present: Councilmembers Collignon, Dean, Maio, Olds, Shirek, Spring, Wainwright, Woodworth, President Leiter and Acting City Manager Rucker.
   Absent: None.

2. Ceremonial Matters:

   a. Presentation of the Meritorious Service Award from the California Emergency Services Association to the Hills Emergency Forum.

   b. Proclamation proclaiming the week of November 13 through November 20,1994 as Ecology Center Week in honor of the Ecology Center's 25th Anniversary.

   c. Proclamation in observation of Diwali, the Indian New Year.

3. Comments From The Public: 11 speakers heard.
   Comments from: Bert J. Mondino, 3010 Shattuck; Carolyn Erbele, 1711 Channing; John Roberts, 2927 Newbury Street; Clifford Fred, 1334 Peralta Avenue; William Rentz, 2262 Summer Street; John Yellen, P. O.Box 13531; Mark Liolios, 1846 Parker Street; John Raina, Jr., 1455 Stannage Avenue; Nancy Bickel, 1522 Summit; Dan Craig, 2230 Shattuck Avenue; Arash Davallon, 2601 Channing Way #309.

4. Consent Calendar: Various actions to remove, withdraw, and/or continue items as noted in specified sections.

5. Report-Closed Session: No report

APPENDIX F

Section B. Action On Minutes

Meeting of October 4 (spec. closed) and October 4 (reg.), 1994
Action: Approved Minutes of October 4, 1994 regular meeting. Continued Closed Session minutes to next meeting.
Motion:
Moved, seconded, carried (Wainwright/Spring) to take the action shown above.

Section D. Consent Calendar

The Second Reading of Ordinances was moved to the Consent Calendar by Councilmember Collignon, moved for adoption by Councilmember Wainwright and seconded by Councilmember Woodworth, and adopted by unanimous vote of the Council unless otherwise stated:

1. **Amending Section 5 of Ordinance No. 5061-N.S. Transfer Tax (Section 7.52.060 of the Berkeley Municipal Code), to extend the time limit on the completion of seismic work for purposes of the seismic retrofit exemption.**
   Action: Adopted **Ordinance No. 6262-N.S.** Effective: December 1, 1994

2. **Authorizing the City of Berkeley to vacate a 5-foot wide sewer easement located at 1197 Cragmont and authorizing the execution of related quitclaim deed to Douglas and Patricia Hill.**
   Action: Adopted **Ordinance No. 6263-N.S.** Effective: December 1, 1994

Section D. Consent Calendar

The Consent Calendar was moved by Councilmember Wainwright, seconded by Councilmember Woodworth, and adopted by unanimous vote of the Council unless otherwise stated:

(a) From City Manager:

1. **Needle Exchange Emergency Distribution**
   Recommendation: Adopt a Resolution reviewing and confirming the continued existence of a local emergency with regard to HIV transmission from use of HIV-infected needles among injection drug users, and authorizing the Director of Public Health to take steps to enable the operation of needle exchange emergency distribution. Expense: None
   Action: Adopted **Resolution No. 57,733 -N.S.**

APPENDIX F

2. **Contract: X-Rays And Laboratory Services**
Recommendation: Adopt a Resolution authorizing a contract with Alta Bates Medical Center for X-rays and laboratory services for calendar years 1993 and 1994; and authorizing execution of any amendments.
Expense: Not to exceed $17,500 per each contract year
Action: Adopted **Resolution No. 57,734-N.S.**

3. **Contract: Sanitary Sewer Replacement Project**
Recommendation: Adopt a Resolution approving the Plans and Specifications for Sanitary Sewer Replacement Project Sub-Basin 11-107A at Santa Barbara Road, Indian Rock Avenue, Shattuck Avenue and Visalia Avenue; accepting the bid and awarding a contract to Woods Construction Company. Expense: $529,511
Action: Adopted **Resolution No. 57,735-N.S.**

4. **Application: PG&E Energy Advantage Program**
Recommendation: Adopt a Resolution authorizing the City Manager to submit an application to the PG&E Energy Advantage Program for participation in its energy efficiency project support and low-cost financing program and accept funds, if awarded, and execute the resultant agreement and any amendments.
Revenue: Annual Net Savings: $53,000 after Loan Repayment in year 6 of the Agreement.
Action: Adopted **Resolution No. 57,736-N.S.**

(b) From Mayor and Council:

1. **Trash Pick Up Time On Bowditch And Channing**
From: Councilmember Carla Woodworth
Recommendation: That Council direct the City Manager to modify pick-up times on Bowditch and Channing at the request of the residents. Expense: None
Action: Approved recommendation.

2. **Funding For RESPECT Escort Service For Two Months**
From: Councilmembers Linda Maio, Maudelle Shirek and Mayor Jeffrey Leiter
Recommendation: That Council provide two months of funding for the RESPECT Program Escort Service at North Berkeley and South Berkeley BART stations during the evening commute hours to escort commuting residents to their cars and homes, and to assist in forming groups of residents to walk with one another to their destinations, during which time the City Manager will 1) contact BART regarding sharing of financial support ; and 2) present to the Council the results of a program evaluation and a recommendation regarding the continuance of the service
Action: Approved recommendation. Adopted **Resolution No. 57,737-N.S.**

APPENDIX F

(c) From Others:

1. **Review Of Sanitary Sewer Fund Billing**
From: City Auditor Anna Rabkin
Recommendation: That Council request report back by January 31, 1995 on implementation of audit recommendations to collect over $3 Million estimated owing to the Sanitary Sewer Fund. Revenue: Estimated owing $3,050,000 to $3,335,000
Contact: Anna Rabkin, City Auditor, 644-6440
a. City Manager Report For Information
Action: Removed from Consent Calendar for discussion by Councilmember Dean. Approved recommendation. Requested the City Manager report back regarding possible exemptions for businesses impacted negatively by work on sewer reconstruction.
Motion:
Moved, seconded, carried (Dean/Collignon) to take the action shown above.

2. **Review Of Engineering Permittee's Compliance With Business License Requirements**
From: City Auditor Anna Rabkin
Recommendation: That Council request the City Manager to report by February 1995 on implementation of procedures at permit issuing offices to ensure equitable compliance with the Business License Tax Ordinance.
Action: Approved recommendation.

Section F. Continued or Uncompleted Items

(a) From City Manager:

1. **Allocation of $60,000 Repaid By Redevelopment Agency Under Repayment Agreement For 3000 Block Of Sacramento Street To Housing Trust Fund (Continued from 10/4/94, Item G(a)1)**
Recommendation: Adopt a Resolution which 1) approves allocation of funds repaid by the Agency under the Repayment Agreement for the 3000 Block of Sacramento Street Project to the Housing Trust Fund and 2) directs the City Manager to include allocation to the Housing Trust Fund in the next amendment to the Appropriation Ordinance for Fiscal Year 94-95. Expense: $60,000
Action: Moved to Consent Calendar by Councilmember Dean. Adopted **Resolution No. 57,738-N.S.**

APPENDIX F

2. **Reduction Of Interest Rate On Loan From The City To The Redevelopment Agency For Development Of The 3000 Block Of Sacramento Street (CR#93-086) (Continued from 10/4/94)**
Recommendation: Adopt a Resolution authorizing City Manager to amend the Repayment Agreement between the City and the Redevelopment Agency for development of the 3000 Block of Sacramento Street to reduce the interest rate charged by the City. Repayment to the General Fund: $555,629
Contact: Neil Mayer, Community Development, 644-6073
Action: Moved to Consent Calendar by Councilmember Dean. Adopted **Resolution No. 57,739-N.S.**

(b) From Mayor and Council:

1. **Allocation Of Funds For The Ohlone Mural (Continued from 10/25/94, Item D(b2)**
From: Councilmember Dona Spring
Recommendation: That Council allocate the $3,000 approved in the 1994-95 budget (from Measure AA Funds) for the Ohlone Mural (work in progress) to commemorate the Ohlone Indians in Ohlone Park. Expense: $3,000 has already been allocated and does not involve additional funds.
a. City Manager Oral Report
Action: Moved to Consent Calendar by Councilmember Spring. Approved recommendation. Adopted **Resolution 57,740-N.S.**

Section G. Reports For Action

(a) From City Manager:

1. **Contract: Lenny Goldberg & Associates**
Recommendation: That Council decide whether it wishes to continue its contract with Lenny Goldberg & Associates for legislative representation on rent control issues and if so, adopt a Resolution authorizing execution of a contract amendment extending the term to September 15, 1995. Expense: $13,200 from salary savings
Action: All motions failed. No Action taken.
Motion:

Prior to discussion of this item, Mayor Leiter recused himself due to conflict of interest, and turned over the chair to Vice Mayor Collignon.

Councilmember Maio inquired of the City Attorney regarding her potential conflict of interest. The City Attorney indicated a formal advice letter would have to be obtained from the Fair Political Practices Commission (FPPC) in Sacramento; that Councilmembers Maio and Wainwright had the option to participate pending receipt of an opinion from the FPPC. Councilmember Maio stated she would like to wait for the FPPC opinion.

Moved, seconded, failed (Maio/Woodworth) to continue the item until a formal opinion from the FPPC has been obtained. (Ayes - Maio, Shirek, Spring, Woodworth; Noes - Collignon, Dean, Olds, Wainwright; Abstaining - Leiter)

Moved, seconded (Olds/Dean) not to continue the contract and wait until there

APPENDIX F

is some issue on rent control proposed in Sacramento and then select a consultant on a monthly basis.

Upon further discussion, Councilmember Dean added an amendment, to refer this issue back to the Rent Stabilization Office.

Upon call of the roll, the motion failed. (Ayes - Collignon, Dean, Olds; Noes - Shirek, Spring, Woodworth; Abstaining - Maio, Wainwright, Leiter)

2. **Contract: Provision Of Licensed Drug/Alcohol Social Model Residential Recovery Home Bed Days To Individuals Referred By Berkeley Mental Health**
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Bi-Bett Corporation, for the provision of 1,095 licensed drug/alcohol social model residential recovery home bed days to individuals referred by Berkeley Mental Health from December 1, 1994 through November 30, 1995, and authorizing a two-month advance payment. Expense: $50,000
Action: Adopted **Resolution No. 57,741-N.S.**
Motion:

Moved, seconded (Olds/Wainwright) to renegotiate this contract so that clarity can be obtained in the bidding process and Berkeley businesses will have a chance to be considered; that the item be brought back for reconsideration.

Moved, seconded, carried (Collignon/Maio) a substitute motion, to approve the City Manager's recommendation. (Noes - Olds)

3. **Presentation And Adoption Of The Proposed Downtown Berkeley Public Improvements Plan and Mitigated Negative Declaration**
Recommendation: Adopt a Resolution adopting both the 1994 Downtown Berkeley Public Improvements Plan for public infrastructure improvements and the Mitigated Negative Declaration per the California Environmental Quality Act (CEQA)
Expense: Estimated to be between $7 and $8 Million
a. Board of Library Trustees Information Report
b. Planning Commission Report
c. Communications
Action: Adopted **Resolution No. 57,742-N.S.** and referred issues related to Negative Declaration to the City Manager.
Motion:

Mayor Leiter recused himself from participation due to conflict of interest and turned the chair over to Vice Mayor Collignon.

Moved, seconded, carried (Olds/Shirek) to take the action shown above. (Abstaining - Leiter)

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(c) From Others:

1. **Sather Gate Retrofit Project -- Recommendation To Study Alternative Design Work**
From: Citizens Budget Review Commission
Recommendation: That the City Manager authorize that the alternative study in parallel with the additional design work that is about to begin on the existing steel option.
a. City Manager Report
Recommendation: That Council not reject current bids for the project as designed by Degenkolb Engineers. Expense: Rejection of bid could result in loss of $1,300,000 in FEMA monies and possible legal action by contractors/subcontractors.
Action: Approved the City Manager's recommendation not to reject current bids and continue with the project.
Motion:
Moved, seconded (Collignon/Shirek) to approve the City Manager's recommendation.
Moved, seconded, failed (Woodworth/Dean) to approve the Citizens Budget Review Commission's recommendation. (Ayes -Dean, Olds, Woodworth; Noes - Collignon, Maio, Shirek, Spring, Leiter; Abstaining - Wainwright)
The main motion carried. (Ayes - Collignon, Maio, Shirek, Spring, Woodworth, Leiter; Noes - Dean, Olds, Wainwright)

Section H. Reports For Information

(c) From Others:

1. **Measure O**
From: Peace & Justice Commission
Action: Received and filed.

APPENDIX F

Section I. Priority Items (Set For Certain)

1. **PUBLIC HEARING REGARDING ZONING APPEAL, 2109 CEDAR STREET (Continued from 10/18/94, Item I.3)**
a. Appeal filed by Charles Forline against the decision of the Zoning Adjustments Board which denied without prejudice (1) Use Permit under Section 9E.2(e) to establish a food service in an existing retail commercial space and (2) Variance under Section 9E.8(b)(2) to establish a food service without providing the required one additional off-street parking space (Submitted 9/20/94)
b. Zoning Adjustment Board Report (Submitted 9/20/94)
c. Communication from Charles Forline (submitted 9/20/94)
Action: Closed public hearing. Adopted **Resolution No. 57,743-N.S.** overruling the Zoning Adjustments Board's decision and granting the Use Permit and Variance based on findings and subject to conditions contained in the City Manager's report which was submitted for this meeting.
Motion:
Moved, seconded, carried (Wainwright/Maio) to close the public hearing.
Moved, seconded, carried (Olds/Dean) to overrule the Zoning Adjustments Board's decision and grant the Use Permit and Variance based on findings and subject to conditions contained in the City Manager's report.

Section J. Communications

The following communications were read, noted and filed, unless otherwise shown:

1. Mila Tolbert, Co-Chair, Oakland & March McGaugh, Co-Chair, Berkeley, The Association Of Concerned Neighbors Of Bateman-Fairview Park, regarding the AHA/BOSS proposal for a halfway house at 2350 Woolsey Street.
2. Communications in support of proposed Rose Street residence for AIDS patients:
   a. Joyce Kraus, 1510 Summit Road
   b. Bryan Uhlewbrock, 287 Hanover Avenue, Oakland, CA.
   c. Sue Friday, 5361 Manila Avenue, Oakland, CA.
   d. Leon Moffett, 287 Hanover Avenue, Oakland, CA.
   e. Carol Mosher, Berkeley Friends Meeting
   f. David C. Barrows, 240 Grand Avenue #24, Oakland, CA.
   g. Lucy Jane Bledsoe, 1226 Cedar Street
   h. Patricia E. Mullan, 1226 Cedar Street
3. Richard Katz, 39th Assembly District, State Capitol, Sacramento, CA., regarding Domestic Partners Registry bill.
4. Rick Crispino, Executive Director, P. O. Box 3780, copy of letter to Department of Health and Human Services Mental Health Division, announcing Bonita House has been chosen as one of six projects nationwide to receive a second round of funding through the Cooperative Agreements for Federal CMHA/CSAT Collaborative Demonstration Program for Homeless Individuals.

APPENDIX F

5. **Petition filed with the Berkeley City Clerk, with recommendations from John Yellen at the request of Councilperson Linda Maio at the Council meeting of Oct. 18, 1994 regarding proposed removal of residential Street Sweeping Program Westbrae/Gilman Commercial District. Referred to the City Manager by Councilmember Maio.**
6. Connie Silvey, 1411 Gilman Street, regarding a proposed casino at the foot of Gilman Street.
7. **Tra-My Culp, regarding the need for a left turn light at the intersection at University and San Pablo Avenue. Referred to the City Manager by Councilmember Maio.**
8. Charles Smith, 61 San Mateo Road, submitting article entitled " Bicycles and Buses".

Section K. Adjournment

Adjourned at 10:03 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of November 1, 1994, as approved by the Berkeley City Council.

ATTEST: Shirley McKelly
City Clerk and Clerk of the Council

APPENDIX F

RESOLUTION NO.57,832-N.S.

AUTHORIZING FUNDING FOR THE RESPECT PROGRAM ESCORT SERVICE AT THE ASHBY AND NORTH BERKELEY BART STATIONS DURING EVENING COMMUTE HOURS FOR THE PERIOD FEBRUARY 1 THROUGH MARCH 25, 1995, AND EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH BERKELEY BOOSTERS ASSOCIATION TO EXTEND THESE SERVICES.

BE IT RESOLVED by Council of the City of Berkeley as follows:

That the City Manager is hereby authorized to provide funding for the RESPECT Program Escort Service at the Ashby and North Berkeley BART Stations during evening commute hours for the period February 1, 1995 through March 25, 1995 in an amount not to exceed $13,561, to provide escort services and coordination of safe travel to local destinations.

FURTHER RESOLVED that the City Manager is authorized to execute an amendment to the agreement with Berkeley Boosters Association to include these services; a record signature copy of the amendment to be filed in the Office of the City Clerk.

APPENDIX F

Copies sent 1//20/95

To: Health and Human Services

RESOLUTION

No. 57,832 N.S.

Dated January 17, 1995

Adopted by the Council of the City of Berkeley by the following vote:

Ayes: Councilmembers Armstrong, Maio, Olds, Shirek, Spring, Wainwright, Woodworth, Woolley-Bauer and President Dean.

Noes: None.

Abstaining: None.

Absent: None.

SHIRLEY DEAN
Mayor and President of the Council

Attest: SHERRY M. KELLY
City Clerk and Clerk of the Council

APPENDIX F

RESOLUTION NO. 58,160-N.S.

AUTHORIZING THE EXECUTION OF A CONTRACT AND ANY AMENDMENTS WITH BERKELEY BOOSTERS INC. FOR THE RESPECT PROGRAM BART ESCORT SERVICE FOR FY 1995-96.

WHEREAS, the RESPECT Program has completed three successful years of service to "at risk" youth and has also established a successful escort program for BART patrons from the Ashby and North Berkeley BART stations during the Standard Time months of November through March; and

WHEREAS, the City of Berkeley has received approximately $50,000 from BART for one-time equipment costs to support this program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute a contract with the Berkeley Boosters Inc. RESPECT Program to provide an escort service for BART patrons during the months of November 1995 through March 1996 in an amount not to exceed $45,000 to be paid from budget code 010-4693-440.34-11.

BE IT FURTHER RESOLVED that the Contractor may receive a two-month advance payment.

FURTHER RESOLVED that record signature copies of said contracts and any amendments to be on file in the Office of the City Clerk.

The foregoing Resolution was adopted by the Berkeley City Council on September 12, 1995, by the following vote:

Ayes: Councilmembers Maio, Shirek, Spring, Wainwright and President Dean.

Noes: Councilmember Olds.

Abstain: Councilmembers Armstrong and Woodworth.

Absent: Councilmember Woolley-Bauer.

SHIRLEY DEAN
Mayor and President of the Council

Attest: SHERRY M. KELLY
City Clerk and Clerk of the Council

APPENDIX F

RESOLUTION NO. 58,636-N.S.

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND ANY AMENDMENTS WITH BERKELEY BOOSTERS ASSOCIATION FOR THE RESPECT PROGRAM AND THE BART ESCORT SERVICE PROGRAM IN AN AMOUNT NOT TO EXCEED $87,500 FOR THE PERIOD JULY 1, 1996 TO JUNE 30, 1997

WHEREAS, the RESPECT Program has been successfully providing service to "at risk" youth since 1993; and

WHEREAS, the Program provides classroom education in ethnic diversity in Berkeley, and

WHEREAS, the Program provides escort services from the Ashby and North Berkeley BART Stations during the months of November through March.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute a contract and any amendments with Berkeley Boosters Association to provide services to "at risk" youth under the RESPECT Program and Escort Service from Ashby and North Berkeley BART Stations during the months of November through March in an amount not to exceed $87,500 from budget code 010-4676-440.34-11 for the period July 1, 1996 to June 30, 1997.

BE IT FURTHER RESOLVED, that Berkeley Boosters Association shall receive a two-month advance payment. A record signature copy of said contract and any amendments are on file in the Office of the City Clerk.

The foregoing Resolution was adopted by the Berkeley City Council on September 17, 1996, by the following vote:

Ayes: Councilmembers Armstrong, Maio, Olds, Shirek, Spring, Wainwright, Woodworth, Woolley-Bauer and President Dean.

Noes: None

Absent: None.

Shirley Dean
Mayor and President of the Council

Attest: _____
Sherry M. Kelly
City Clerk and Clerk of the Council

APPENDIX F

RESOLUTION NO. 59,012-N.S.

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND ANY AMENDMENTS WITH BERKELEY BOOSTERS ASSOCIATION FOR THE RESPECT PROGRAM AND THE BART ESCORT SERVICE PROGRAM, IN AN AMOUNT NOT TO EXCEED $87,500 FOR THE PERIOD JULY 1, 1997 THROUGH JUNE 30, 1998

WHEREAS, the RESPECT Program has been successfully providing services to "at risk" youth since 1993; and

WHEREAS, the Program provides classroom education in ethnic diversity in Berkeley; and

WHEREAS, the Program provides escort services from the Ashby and North Berkeley BART Stations during the months of November, 1997 through March, 1998.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute a contract and any amendments with Berkeley Boosters Association to provide services to "at risk" youth under the RESPECT Program, and Escort Service from Ashby and North Berkeley BART Stations during the months of November, 1997 through March, 1998 in an amount not to exceed $87,500 from budget code 010-4676-440.34-11 for the period July 1, 1997 to June 30, 1998.

BE IT FURTHER RESOLVED, that Berkeley Boosters Association shall receive a two-month advance payment. A record signature copy of said contract and any amendments to be on file in the Office of the City Clerk.

The foregoing Resolution was adopted by the Berkeley City Council on June 10, 1997, by the following vote:

Ayes: Councilmembers Armstrong, Breland, Maio, Olds, Shirek, Spring, Woolley, Worthington and Mayor Dean.

Noes: None.

Absent: None.

Shirley Dean, Mayor

Attest: Sherry M. Kelly, City Clerk

APPENDIX F

RESOLUTION NO. 62,124–N.S.

RESOLUTION ADOPTING THE CITY OF BERKELEY BUDGET FOR FISCAL YEAR 2004

WHEREAS, on May 13, 2003 the City Manager presented to the Council a Proposed Biennial Budget for fiscal years 2004 and 2005, and

WHEREAS the City Manager's Proposed Budget included a specific balancing plan to address the projected budget deficits for FY2004, a contingency plan for additional reductions in the event of mid-year impacts from the State Budget, and preliminary reduction proposals to address the looming FY2005 deficit; and

WHEREAS, the City Council held a series of meetings to consider the Proposed Budget, including public hearings held on May 20th, 2003 and June17th 2003, and;

WHEREAS, members of the City Council presented recommended revisions to the Proposed Budget at the Council meeting of June 10th and the Special Meeting of June 17th, and;

WHEREAS, in addition to formal budget adoption, Council action is required to authorize two-month advances for selected community agencies receiving City funds in FY2004;

NOW THEREFORE, BE IT RESOLVED that City Council approves the FY2004 Budget as contained in the City Manager's Proposed FY2004 & FY2005 Budget, presented on May 13th, 2003 (Attachment A and Attachment A - Exhibit 1), and amended by the City Council on June 24th, 2003 (Attachment B), including the reallocation of up to $140,000 in Bicycle Plan Implementation funds for construction on new, permanent and landscaped traffic circles.

BE IT FURTHER RESOLVED, that the appropriations constituting the FY2004 Adopted Budget will be reflected in a separate FY2004 Annual Appropriation Ordinance, as required by City Charter.

BE IT FURTHER RESOLVED, that the City Council adopts the contingency plan (Attachment A – Exhibit 2) consisting of additional budget reductions that may be needed in order to address potential adverse impacts from the FY2004 State Budget, provided that the City Manager will present a report to the City Council assessing the impacts of the State Budget and, if needed, recommending mid-year balancing measures prior to implementing any of the contingency plan reductions.

BE IT FURTHER RESOLVED, that the City Manager is directed to ensure that salary savings from vacant positions be held in reserve to help further buffer any adverse impacts from the State Budget; and be it

BE IT FURTHER RESOLVED, that the City Council commits to a series of city-wide priority-setting discussions to inform development of recommendations to address the looming $8 million General Fund deficit projected for FY2005.

APPENDIX F

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute contracts and/or amendments, as necessary, to provide two-month advances to selected community agencies receiving City funds in FY2004, as reflected in Attachment C.

BE IT FURTHER RESOLVED, that the City Manager is authorized to finalize and submit the Community Action Plan for the Community Services Block Grant for 2004.

The foregoing Resolution was adopted by the Berkeley City Council on June 24, 2003 by the following vote:

Ayes: Councilmembers Breland, Hawley, Maio, Spring, Worthington, Wozniak and Mayor Bates.

Noes: Councilmember Olds.

Abstain: Councilmember Shirek.

Absent: None.

Tom Bates

Tom Bates, Mayor

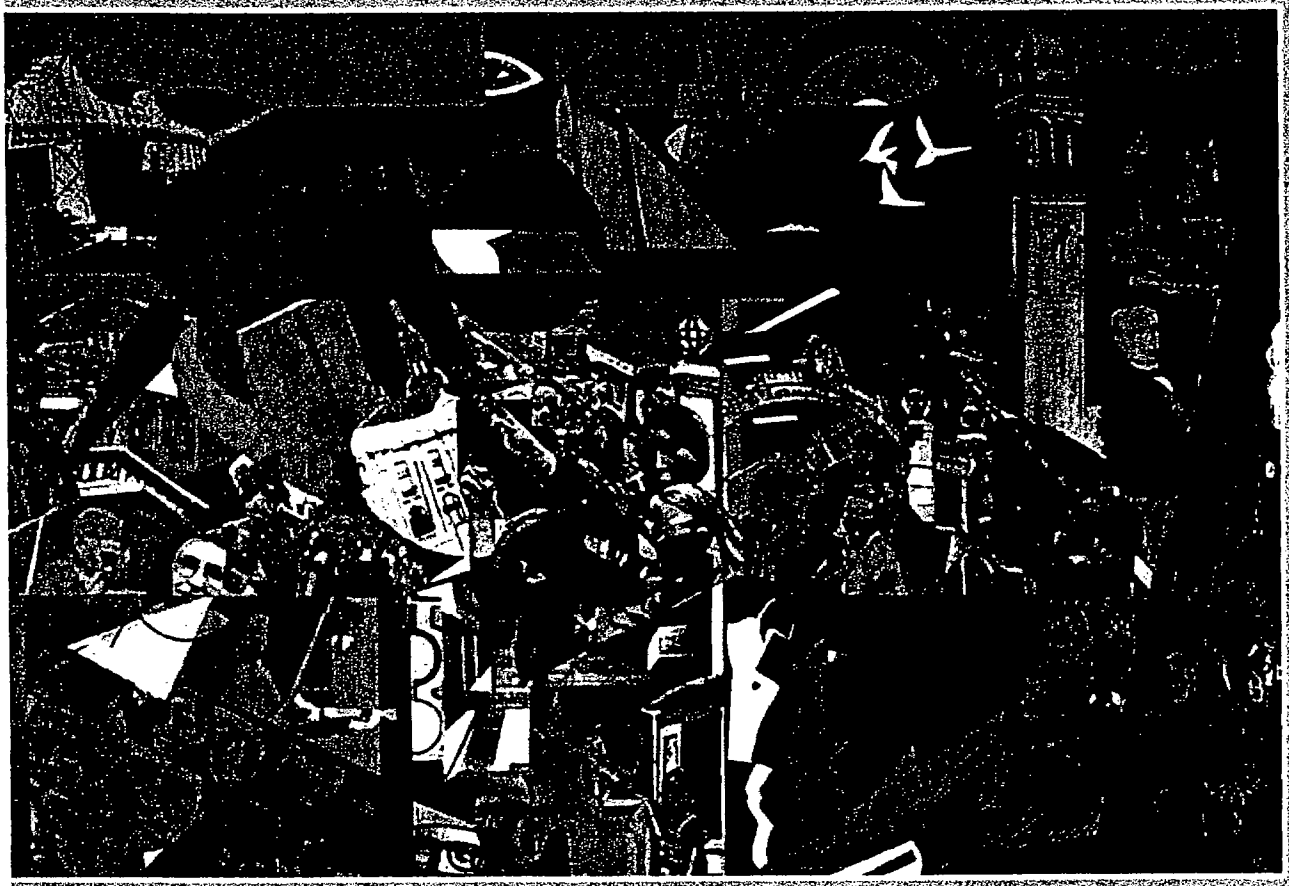
Attest: _____
Sherry M. Kelly, City Clerk

APPENDIX F

ATTACHMENT A

CITY OF BERKELEY

Please refer to Department File copy or online at:
http://www.ci.berkeley.ca.us/citycouncil/2003citycouncil/packet/budget/



PROPOSED
FY 2004 & FY 2005
BIENNIAL BUDGET

APPENDIX F

City Manager's
Budget Reductions Proposals
FY 2004

Fund	Department	Program	Description	STAFFING FTE	STAFFING FM	FY2004 $ Reductions	Dept Total/S
GENERAL FUND - Recurring Reductions							
Fund Transfer (from General Fund to Other Funds)							
Fire		Emergency Services	Transfer staff costs to Measure Q - Emergency Fire Equipment			$ 50,000	
HHS		Envimonmental Health	Office Specialist II-Shift 18% costs to Sewer Fund			26,746	
HHS		Mental Health	Transfer General Fund costs to MH Realignment funds			331,823	
HHS		Public Health	Transfer General Fund costs to other funds			154,213	
Housing			Housing Trust Fund / Shift to CDBG (RHIP Fees)			130,000	
Housing			Transfer funding for .15 Sr. Planner to Permit Fund			10,000	
Human Resources		Administration	Transfer 10% of Director salary and IS Support Technician to Training Funds			29,088	
PRW			Transfer .20 of OSII to Playground Camp Fund			11,649	
Planning		Toxics	Reallocate labor costs to other funds			15,254	
Transportation		Administration	Shift staffing costs to Off-Street Parking Fund			30,000	
			Sub-Total Transfers			*$ 788,773*	

Attachment A
EXHIBIT - 1

APPENDIX F

City Manager's
Budget Reductions Proposals
FY 2004

Fund	Department	Program	Description	STAFFING FTE		FY2004 CAT Reductions	Dept. Totals
Expenditure Reductions							
Citywide		Facilities Maintenance	Reduce Citywide Facilities Maint. Costs			$ 50,000	
Citywide		Fleet Maintenance	Reduce Fleet Costs / No. of Vehicles and Maint. Costs			75,000	
Citywide		Administrative Overhead	Telephones / Pagers/ Cell Phones			80,000	
Citywide		Administrative Overhead	Reduce Citywide Travel Costs (20% Reduction)			40,000	
Citywide			Living Wage Set-Aside			133,000	
							378,000
City Clerk		Administration	Eliminate Asst. Management Analyst	1.00	V	74,192	
City Clerk		Elections	Reduce Runoff Election costs			15,779	
							89,971
City Manager		Administration	Delete E-Civis Grant Locator contract			11,000	
City Manager		Neighborhood Services	Delete Asst. to CM	1.00	V	110,689	
City Manager		Neighborhood Services	Delete CIP funding in Neigh. Services			25,000	
City Manager		Animal Services	Delete Animal Services Operations Supervisor	1.00	V	74,780	
City Manager		Program Evaluation	Delete Membership in ICMA Perf. Meas. Project			5,000	
							226,469
Finance			Eliminate one vehicle			3,226	
Finance			Reduce overtime			25,000	
Finance			Reduce existing contracts			100,000	
Finance			Misc program reductions			65,000	
Finance			Delete 1.0 Sr Field Representative	1.00	V	72,000	
Finance			**Delete 2.0 OSIIs / Replace with 1.0 AOSIII (Accounting)**	**1.00**	**F**	**57,401**	
							322,627
Fire		Fire Suppression	Reduce Overtime			50,000	
							50,000
HHS			**Public Health - Delete Comm. Health Worker**	**1.00**	**F**	**47,964**	
HHS			Senior Programs - Eliminate 1 vehicle			14,300	
HHS			Eliminate funding for Hourly Administrative Support			11,000	
HHS			Pre-Apprenticeship Program Support			11,430	
							84,694
Housing			Combine HIV/AIDS Housing & Homelessness Prevention Prog			30,000	
Housing			Reduce funding for Utility Bill Payment Assistance			45,000	
Housing			Eliminate Contract with Ecology Center			40,000	
Housing			Reduce Funding for Community Agencies (5%)			139,000	
Housing			Reduce Sr. Mgmt. Analyst	1.00	V	107,718	
Housing			Reduce Funding to Municipal Renewable Energy Program			76,000	
Housing			Reclass Sr. Mgmt. Analyst to Community Serv. Specialist II		F	27,000	
							464,718

APPENDIX F

City Manager's
Budget Reductions Proposals
FY 2004

Budget Publication	Department	Description	STAFFING FTE	F/V	FY2004 Reduction	Dept. Totals
Human Resources	Administration	Eliminate Dept Vehicle			3,765	*3,765*
I/T	Network Support	Re-organization - Network Admin./Help Desk	5.00	F	250,000	*250,000*
OED	Economic Development	Eliminate staff position I- Comm Dev. Proj. Coordinator			101,349	
OED	Arts	Reduce Arts Grants (2.5%)			6,250	
OED	Arts	Civic Arts - Berkeley Art Center Contract (2%)			1,250	
OED	Arts	Civic Arts - Community Arts Organizations (10%)			3,100	
OED	Arts	Civic Arts - N. Shattuck Concerts			5,000	
OED	Business Assistance	South Berkeley - Misc. Prof. Services			8,700	
OED	Business Assistance	West Berkeley Market			25,000	
OED	Business Assistance	North Shattuck Association			15,000	
OED	Business Assistance	South Berkeley Neighborhood Development Corp.			4,967	
OED	Marketing	Adjust ConVis Contract (1% of Hotel Tax Revenues)			10,000	*180,616*
PRW	Aquatics	Close One of Five Pools during Witner Months (Rotating anually)			*Unfunded in baseline*	
PRW	Administration	Reduce Unallocated Contract Funds			56,544	
PRW	Recreation	Eliminate .50 Recreation Acivity Leader	0.50	V	23,400	
PRW	Recreation	Eliminate Citywide Special Programs			19,010	*98,954*
Planning	Advanced Plannng	Reclass Planning positions			13,000	
Planning	Building & Safety	Delete Senior Mgmt. Analyst	1.00	V	112,530	
Planning	Current Planning	Reclass positions / Reduce Non-Personnel Costs			29,510	*155,040*
Police	Community Services	Berkeley Boosters / Guides			19,300	
Police	Community Services	Berkeley Boosters / Escorts			4,500	
Police	Customer Service	Second Floor Counter - Reduce 1.0 FTE	1.00	V	73,270	
Police	Patrol	Reduce Overtime			50,000	*147,070*
PRC	Police Review Commissior	Reduce Non-Personnel Expenditures			2,000	
					$ 2,453,924	
TOTAL RECURRING GENERAL FUND PRPOSED REDUCTIONS					*$ 3,242,697*	
			Annual	FTE	15.5	
			Sworn FTE		0	
			Cumulative		*0*	

APPENDIX F

City Manager's
Budget Reductions Proposals
FY 2004

Fund/Department	Position	Description	FTE	FY2004 Reductions	Ongoing Totals
GENERAL FUND - One-Time Expenditure Reductions					
		Reduce Transfer to Public Liability Fund		$ 373,000	
		Deferral of Capital Program Allocations			
		Streets Capital		375,000	375,000
		Sidewalk Capital		75,000	75,000
		Transportation / New Traffic Signals		120,000	120,000
		Parks ADA Capital		137,500	137,500
		Curb Ramp ADA Capital		37,500	37,500
		City Buildings ADA Capital		37,500	37,500
		TOTAL One-Time General Fund Proposed Reductions		*$ 1,155,500*	*$ 782,500*
OTHER RESERVES / FUND BALANCES					
		Cost Savings Strategy			
		Continue Selective Hiring Freeze		$ 1,000,000	
		Draw-down of Reserves			
		General Fund Reserve			1,000,000
		PERS Super-Fund Savings / Offset Retirement Cost Increase			1,000,000
		Reserves / Other Fund Balances			1,000,000
		Total Available Reserve Balances (to Buffer FY2005 Reductions)		*$ 1,000,000*	*$ 3,000,000*

APPENDIX F

City Manager's
Budget Reductions Proposals
FY 2004

Fund Department Program	Description	Impact	Staffing FTE	F/V	FY 2004 Reduction	Out Years
NON GENERAL FUND - Recurring Savings						
WIA						
HHS	Employment	Funding Reduction In WIA/Employment Programs	2.00	F/V	$ 150,000	
Mental Health (065)						
HHS	*Mental Health*	*Reduction in Mental Health Programs (FY2005)*	*3.00*			*331,823*
HHS	Mental Health	Reduce 2.0 Mental Health Clinicians	2.00			152,239
HHS	Mental Health (AB2034)	Reduction in State-funded Grant Program / Homeless	TBD			718,645
Berkeley Housing Authority (205)						
BHA	Public Housing	*Reduce Administrative Support for Public Housing*	2.00	F/V	150,000	
Measure B Sales Tax (390)						
Public Works		Reduce Capital Funding Allocation			1,000,000	
Parks Tax (450)						
Parks		Transfer Payroll to other funds			80,850	Transfer
Parks		Transfer Landscape Architect costs to Projects			110,250	Transfer
Parks		Reduce Water Costs (10%)			32,000	
Parks		Reduce Cell Phones/Pagers			5,000	
Parks		Reduce Event Fee Waivers (Portables)			15,000	
Parks		Eliminate 1.0 Landscape Gardener	1.00	V	68,250	
Parks		Eliminate 1.0 Bldg Mtc Mechanic	1.00	V	73,500	
Parks		Eliminate Seasonal Employment Program			54,000	
Parks		Reduce Berkeley Youth Alternatives Contract			20,000	
Parks		Reduce East Bay Conservation Corp Contract			30,000	
Parks		Reduce budgeted overtime by 42%			25,000	
Parks		Reduce budgeted landscape supplies			50,000	
Parks		Eliminate 3 vehicles			30,000	
Parks		Reduce annual CIP funding			20,000	
		Additional Program Reductions				150,000
Streetlsght Assessment (470)						
Public Works		Reduce Overtime			10,000	
Public Works		Elimiate Survey Technician	0.40	F	28,243	
Sewer Fund (830)						
Public Works		Eliminate .5 Survey Technican	0.50	F	35,304	
Clean Storm Water (831)						
Public Works		Eliminate .1 Survey Technican	0.10	F	7,061	
		Reduce Contract Services			150,000	

APPENDIX F

City Manager's
Budget Reductions Proposals
FY 2004

Fund/ Department / Program	Description	FY 2004 AFFING FTE	FY 2004 AFFING FTE	FY2004 BA* Reductions	Dept. Totals
Fleet Maintenance (865)					
Public Works	TBD			300,000	
Facilities Maintenance (863)					
Public Works	Eliminate janitorial overtime			20,000	
Public Works	Other			80,000	
			7.00	$ 2,544,458	$ 1,352,707

APPENDIX F

Attachment B

Office of the Mayor

Revised Budget Proposal
Mayor Tom Bates

June 20, 2003

APPENDIX F

Mayor Tom Bates
Revised Budget Proposal
June 20, 2003

SUMMARY OF REQUESTED ACTIONS
JUNE 24th CITY COUNCIL MEETING

Special Session (5 p.m.)

1. Adopt a parking fee structure that will raise $2.8 million in new revenue.

Regular Session (7 p.m.)

2. Adopt the Manager's Proposed FY 2004 Budget with amendments as indicated in Attachment A.
3. Provide Commission and the City Manager a 60 day review period for all funding allocation increases in excess of $2500.
4. Create a State Budget Emergency Reserve.

Overview

First, I want to thank city staff, commissioners, and my colleagues for all of the time, energy, and hard work that went into our budget process. I believe we are accomplishing this difficult task in a way that all of Berkeley can be proud.

As we near the end of this year's process, I respectfully put forward this revised budget proposal (included as Attachment A) in an effort to reconcile the various budget requests and suggestions made by Members of the Council and the public. If the Council is amenable, I would like to use this revision as the starting point for our discussion on June 24th.

I believe the budget presented in this revised proposal restores funding to a number of important community services, provides a buffer to protect us from state funding cuts, and keeps our books in balance.

Revenue Available

The Council will make its final decision on new parking fine revenue at the June 24th meeting. In this budget, I am recommending that the Council adopt a fee structure that raises $2.8 million through increase parking fines. A $2.8 million increase would raise an additional $800,000 above the City Manager's recommendation of $2 million.

Table 1 indicates this additional available revenue.

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TABLE 1: Total Additional Revenue Available	
Additional Parking Fine Increase	$800,000
Unallocated Community Agency Funds	$115,000
TOTAL FUNDING AVAILABLE	**$915,000**

Protect Important Community Services

In this proposal, I have reconciled the various requests made by Council Members and the community. (See attached spreadsheet for the specifics.) With large county and state funding cuts expected this year, it is crucial that Berkeley protects front line programs and services.

I add one note of caution to those organizations receiving additional funding under this proposal. If the state adopts a budget that cuts city funding, we may need to revisit these allocations. All organizations should develop contingency plans in case the Council makes emergency funding reductions later this fiscal year.

TABLE 2: Funding Additions by Program	
Arts Programs	$105,600
Health/ Family/ Community Services	$226,404
Homeless/ Housing Programs	$111,435
Youth and Education Programs	$237,500
Other Funding Increases	$5,000
TOTAL RESTORATION	$685,939

- **Arts Programs -- $105,600**
  The City has a vibrant cultural arts community and economy. In this budget, I recommend restoring approximately $45,600 in arts program funding. I am also recommending $10,000 for the Office of Economic Development to produce an arts newsletter to help publicize our many wonderful cultural events.

  I am recommending that we restore $50,000 of the cut made in funding for community events. For years, the city has been budgeting costs for community events far below their actual costs. Last year, we spent double the amount that had been budgeted for community events. The City Manager has recommended reducing our expenditures on community events from last year's total of $269,542 to $195,000 in fiscal year 2004. The City Manager will return in July with a recommendation on how to determine specific event funding allocations given the adopted budget.

  In addition, I am asking the Council to place the funding earmarked for the Black Repertory Theater into a South Berkeley Arts Reserve until a comprehensive report on their organization can be completed.

- **Health/ Family/ Community Services -- $226,404**
  In this budget, I am requesting we add $226,404 to our budget for health, family, and community services. This funding will improve detox services, help protect families

APPENDIX F

from domestic violence, help feed seniors, and keep the Ed Roberts Campus facility moving towards permit approval.

- **Homeless/ Housing Programs -- $111,435**
  With County and State cuts to front line homeless and housing programs, I am requesting that the City Council restore $111,435 to protect these essential services. This funding will help provide food, clothing, and employment services to our homeless population. While I am recommending that we restore funding to the Coalition for Alternatives in Mental Health, I request that the Council direct the City Manager to withhold the second six months of funding pending programmatic and structural reforms.

- **Youth and Education Programs -- $237,500**
  In this budget, I am requesting we restore $95,500 in funding to youth and education programs, including the Berkeley Youth Alternatives, Jubilee, Berkeley Cougars, and the Flaming Five Drill Team. In addition, I have set aside $72,000 for the Athletes United for Peace (or other organization) to fund a midnight basketball program. If the Council approves this earmark, I would ask Athletes United and other organizations to submit proposals through the relevant Commission and staff review.

  I am also requesting that $70,000 be set aside for a Youth Services Volunteer Initiative. In response to a recommendation from the Youth and Education Summit, we are developing a centralized conduit for recruiting and matching community volunteers with youth in the community. This position would work hand-in-hand with the Berkeley Schools Volunteers (BSV), coordinating and matching tutors and mentors with students in need of one on one academic, social and emotional support. BSV would continue to coordinate and train volunteers placed via the schools (classrooms and after school). The BERKELEY CHAMPIONS FOR KIDS would focus effort on volunteers who want to work in community-based programs, such as libraries, recreation centers, community-based after school programs, faith-based organizations, neighborhood associations, etc.

Commission and Manager Review

For all allocation adjustments in excess of $2,500, I request that the Council direct the City Manager and the relevant Commissions to review these allocation changes and report back to the Council with any concerns or recommendations. This review should be completed within 60 days from the budget adoption on June 24th.

If the Manager or Commissions recommend changes, they should be brought to the Council at its first meeting in September. In the interim, programs may request partial funding (up to a two month advance) from the City Manager. That interim funding will be provided at his discretion until the review is complete.

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State Budget Emergency Reserve

TABLE 3: Reserves	
State Budget Emergency Reserve	$229,061

I also recommend setting aside $229,061 in a "State Budget Emergency Reserve" as a buffer against possible state budget cuts. If any of this funding remains after the state adopts its budget, I request that it be transferred to the Housing Trust Fund and allocated as part of the normal process.

APPENDIX F

ATTACHMENT A: SUMMARY OF PROPOSED COUNCIL BUDGET ADDITIONS

AMOUNT

	Bates	Breland	Hawley	Maio	Olds	Shirek	Spring	Worthington	Wozniak	June 24 PROPOSAL	Notes
Arts Programs											
Arts -- Community Organizations	$ 3,100									$ 3,100	
Arts -- Grants	6,250									$ 6,250	
Berkeley Arts Center	1,250									$ 1,250	
BBA Arts - Front Row							2,500			$ 2,500	
Shotgun Players	1,000									$ 1,000	
Integrated Arts for Disabled	1,500						1,500			$ 1,500	
North Shattuck Music Series							5,000			$ 5,000	
YAW - Totland	25,000			25,000			25,000			$ 25,000	*
Office of Economic Development -- Arts Newsletter	10,000			10,000						$ 10,000	
Restore Community Event Funding										$ 50,000	City Manager will return with expenditure plan.
Black Rep Theater	$ (22,500)									$ (22,500)	Place funds in South Berkeley Arts Reserve pending report on the Theater Group.
Arts Subtotal										$ 105,600	
Health/ Family/ Community Services											
Family Violence Law Center - DV Advocacy Project	$ 3,900						7,000			$ 3,900	*
Family Violence Law Center - DV & Homelessness Prevention	3,680						incl.			$ 3,680	*
Habitat	10,250			10,300			10,250		28,000	$ 28,000	*
Community Gardening Collaborative	10,000			10,300			10,000			$ 10,000	*
Center for Independent Living - Employment	3,374									$ 3,374	*
Fresh Choice Ecology Center	10,000						10,000			$ 10,000	*
Japanese American Services	2,450									$ 2,450	*
ERC -- Facility Planning	40,000						25,000			$ 40,000	*
Pacific Center -- Facility Planning	25,000									$ 25,000	*
Restore 2 weeks of Summer Recreation Programs	60,000		60,000							$ 60,000	
Lifelong Medical Center - Detox Facility			5,000							$ 5,000	*
San Pablo Park - Climbing Wall			60,000							$ -	Refer to the City Manager for review.
Restore funding for Mini-Bus Driver and Van		66,900								$ -	Funding restored in Manager's recommendation
West Berkeley Neighborhood Development Corp.		25,000								$ 25,000	Provide the second half of their annual funding only if the organization makes structural and programmatic reforms.
Rec Program Fee Reduction						10,000				$ 10,000	Set aside funding to offset City Recreation fees increases for low income youth in South Berkeley.

APPENDIX F

Health/ Family/ Community Services Subtotal										$ 226,404	
Homeless/ Housing Programs											
Berkeley Ecum. Ministries - Anne Carter Free Clothing	10,400									$ 10,400	*
Berkeley Emergency Food Project - Quarter Meal	27,504			27,504						$ 18,004	Amount reduced to reflect Save Safety Net Request.
Berkeley Emergency Food Project - Women's Shelter	1,234										Current allocation matches organization's request.
BOSS -- Harrison House	14,550									$ 4,367	Funding increase restores initial BOSS funding request.
BOSS -- Housing Advocacy	21,433									$ 21,433	Funding contingent on coordination with other housing advocacy organizations in Berkeley.
Finch -- HYC, Housing Resources Counselor	5,671									$ 5,671	*
Housing Rights, Inc -- AHAP	15,000			15,000			15,000			$ 15,000	*
Jobs for Homeless Consortium --	19,000						19,000			$ 19,000	*
Suitcase Clinic	4,000			4,000			4,000			$ 4,000	*
Coalition for Alternatives in Mental Health	13,560	13,500		13,560		13,500	11,000			$ 13,560	Provide the second half of their annual funding only if the organization makes structural and programmatic reforms.
Housing Trust Fund - provide addt'l. funding				TBD			222,051				Move Unallocated Funds to HTF if not needed to buffer state budget cuts this year.
Homeless/ Housing Programs Subtotal										$ 111,435	
Youth and Education											
BYA - Preschool Program/ After school program	27,500			27,500			35,000			$ 27,500	*
BYA - Performing Arts	15,000			15,000						$ -	Funding not recommended by advisory Commission.
BYA - Twilite Basketball	23,800			23,800						$ 23,800	*
BYA - Parks - Youth employment	20,000			20,000						$ 20,000	*
Jubilee -- Interfaith Youth Initiative	6,000	6,000		6,000			6,000			$ 6,000	*
Athletes United for Peace	72,000			72,000						$ 72,000	Earmark funding pending appropriate review of program applicaton.
Berkeley Cougars	15,000	15,000					15,000			$ 15,000	*
Youth Services Volunteer Initiative	70,000									$ 70,000	Earmark funding but leave unallocated pending program development.
Flaming Five Drill Team		3,200								$ 3,200	Pending program development.
Youth and Education Subtotal										$ 237,500	
Infrastructure											
Sidewalk repair - restore proposed reduction				75,000						$ -	City Manager reports that current budget is sufficient.
Traffic Circles			Measure B ($225K)	TBD							Refer use of Measure B funds to Transportation Commission and Manager for review.
Street Smarts Pedestrian Safety Lights							2,500			$ -	This funding exists in the budget already. Refer to Manager as to whether this program is best alternative.

APPENDIX F

OTHER										
Public Financing of Campaigns							50,000		$ -	Refer this request to City Clerk's on-going research into campaign reform options.
Neighborhood Ombudsman							80,000		$ -	Program currently under review by Mayor's Permit Task Force. Await those recommendations before funding program.
Increase in Council Members Budget							10,000		$ 5,000	Supplement for Council Member Spring to accommodate increased staff costs due to disability.
PROGRAM FUNDING TOTAL	$ 575,906	$ 129,600	$ 125,000	$ 354,364	$ -	$ 23,500	$ 565,801	$ -	$ 28,000	$ 685,939	
REVENUE SOURCES										
Parking Fine Increase									$ 800,000	
Unallocated Community Funding									$ 115,000	
TOTAL									$ 915,000	
STATE BUDGET EMERGENCY RESERVE									$ 229,061	Maintain reserve to buffer state budget impacts. After state budget adoption, transfer to the HTF.

*City Manager and the relevant Commissions review allocation changes over $2500 and report back to the Council with any concerns or recommendations.

APPENDIX F

City Manager's
Budget Reduction Proposals
FY 2004
Contingency "B" List

Fund	Department	Program	Description	FTE	F/V	"B" Reductions	Dept. Totals
General Fund - Recurring Reductions							
Expenditure Reductions							
	Citywide		Reduce Citywide Facilities Maint. Costs			50,000	
	Citywide		Reduce Fleet Costs / No. of Vehicles and Maint. Costs			120,000	*170,000*
	Attorney		Reduce Legal Secretary	1.00	F	75,000	*75,000*
	City Clerk		Eliminate Assistant City Clerk	1.00	F	57,362	*57,362*
	City Manager		Delete NewsScan Service			24,900	
	City Manager		Delete Senior Staff Position	1.00	V	153,538	
	City Manager		Delete CIP funding in Neigh. Services			50,000	
	City Manager		Reduce Unallocated funding - Animal Services			35,000	
	City Manager		Delete Sr. Management Analyst	1.00	F	75,000	
	City Manager		Berkeley Alliance			80,000	*418,438*
	Finance		Delete 1.0 Assistant Magment Analyst (Customer Service)	1.00	F	93,296	
	Finance		**Delete 1.0 Sr Accountant**	**1.00**	**V**	**52,500**	
	Finance		Delete 1.0 Programmer Analyst	1.00	F	94,000	*239,796*
	Fire		Delete Asst. Fire Chief	1.00	V	180,000	
	Fire		Delete Fire Inspector	1.00	V	96,000	
	Fire		Reduce Overtime / Fire Suppression			100,000	*376,000*
	HHS		Director and Administration - Reduce admin support	0.75	V	44,245	
	HHS		Associate Management Analyst position elimination	1.00	F	86,178	
	HHS		Public Health - Delete P/T Home Service Aides	1.50	F	81,212	
	HHS		**Senior Programs - Delete Mini Bus Driver**	**1.00**	**F**	**52,622**	
	HHS		Reduce 50% Senior Service Assistant	0.50	V	29,286	
	HHS		Senior Programs - Restructure Operations	2.20		164,342	
	HHS		Employment and Youth - Reduce Youth Services Advisor	0.50		22,034	
	HHS		Employment Specialist	0.50	F	30,319	*510,238*
	Housing		Reduce Funding for Community Agencies (addt'l. 5%)			139,000	
	Housing		Eliminate Housing Inspector and Permit Specialist	2.00	F/V	66,005	*205,005*
	Human Resources		Eliminate Professional Position (TBD)	1.00	V	83,822	*83,822*

Attachment A
EXHIBIT - 2

APPENDIX F

City Manager's
Budget Reduction Proposals
FY 2004
Contingency "B" List

Fund	Department	Program	Description	FTE	F/V	"B" Reductions	Dept Totals
	I/T		Delete Sr. Management Analyst / Telecommunications	1.00	F	100,095	*100,095*
	OED		*Admin. - Reduce Admin Support Line Items*			*58,301*	
	OED		Reduce Arts Grants			56,250	
	OED		Civic Arts - Reduce Berkeley Art Center Contract (10%)			4,373	
	OED		South Berkeley - Misc. Prof. Services			10,875	
	OED		Econ./Sustainable Development - WBAIC			4,000	
	OED		Econ./Sustainable Development - SBA			10,000	
	OED		Telegraph Avenue Association			4,050	
	OED		Alameda County Economic Development Advisory Board			2,774	*150,623*
	PRW		Reduce YAP Non-Personnel Costs			15,000	
	PRW		Reduce Fee Waivers for Facility Rentals			10,000	
	PRW		Eliminate 1.0 OSII for YAP Program	1.00	F	65,100	
	PRW		*Reduce Summer Programs*			56,000	
	PRW		Eliminate 1.0 Asst. Recreation Coordinator	1.00	F	55,000	
	PRW		Delete One Admin.	1.00	F	100,000	*301,100*
	Police		Eliminate Berkeley Boosters / Guides			173,700	
	Police		Eliminate Berkeley Boosters / Escorts			40,500	
	Police		Reduce Overtime			150,000	
	Police		Special Enforcement Unit	2.00	V	278,998	
	Police		Property Crimes Unit	1.00	V	139,499	
	Police		School Resource Officers	1.00	V	139,499	*922,196*
	PRC		Reduce Clerical support	0.87		50,440	*50,440*
	CITY-WIDE GENERAL FUND PROPOSALS					$ 3,660,115	
					"A" List Reductions	$ 3,242,697	
					Cummulative Reductions	$ 6,902,812	

Annual	FTE	28.82
Cumulative	FTE	44.32
Sworn FTE		6
Cumulative	FTE	6

APPENDIX F

COMMUNITY AGENCY ADVANCES

Attachment C

	AGENCY NAME	DEPT.	FY 2004 Contract	FY 2004 Advance
1	Affordable Housing Assoc.	Housing	102,211	25,553
2	Ala Costa Center	Housing	32,839	16,420
3	AC Homeless Action Ctr.	Housing	42,700	21,350
4	Asian for Jobs Oppor.	Housing	156,000	39,000
5	Bay Area Comm. Resrcs.	Housing	17,000	8,500
6	Bay Area Hispano Inst.	Housing	116,803	29,201
7	B A O R P	Housing	28,047	14,023
8	Berkeley Adult School	Housing	27,560	13,780
9	Berk-Albany Licensed Day Care	Housing	287,500	71,875
10	Berkeley Arts Center Assoc	OED	54,977	9,163
11	Berkeley Booster Escort	Police	40,500	6,750
12	Berkeley Booster Guides	Police	173,585	28,931
13	Berkeley Community Media	IT	279,000	65,375
14	Berkeley Convention & Visitors Bureau	OED	228,375	38,063
15	Berkeley Dispute Resolution Serv.	Housing	77,700	19,425
16	Berk. Ecum. Min. Found.	Housing	52,000	13,000
17	Berk. Food & Housing Proj.	Housing	489,308	122,327
18	Berkeley Place	Housing	24,826	12,413
19	Berk. Youth Alternatives	Housing	80,720	20,180
20	Bonita House	Housing	25,020	12,510
21	Black Repertory Group	Housing	22,500	11,250
22	Building Opp. For Self-Sufficiency	Housing	437,129	94,282
23	Center for Access & Tech.	Housing	6,000	6,000
24	Center for Ind. Living	Housing	200,040	50,010
25	Christmas in April	Housing	110,360	19,742
26	Coal.for Alter.in Mental Health	Housing	75,000	18,750
27	Comm. Energy Services Corp.	Housing	338,097	84,524
28	Dorothy Day House	Housing	30,888	15,444
29	East Bay Asian Youth	Housing	293,494	73,374
30	East Bay Comm.Law Center	Housing	20,800	10,400
31	Easy Does It	Housing	688,948	172,237
32	Eden Council for Hope and Opp.	Housing	184,339	46,085
33	Ephesian Child Care Center	Housing	116,096	29,024
34	Family Violence Law Center	Housing	33,120	16,560
35	Family Violence Law Center	Police	39,000	6,500
36	Fred Finch Youth Center	Housing	43,250	21,625
37	Housing Rights, Inc.	Housing	35,147	17,574
38	Inter City Services	Housing	141,229	35,307
39	Japanese America Servs.	Housing	22,050	11,025
40	Jubilee Restoration	Housing	82,400	20,600
41	Lifelong Medical Care	Housing	280,401	66,350
42	Luther Church of the Cross	Housing	15,000	7,500

APPENDIX F

COMMUNITY AGENCY ADVANCES

Attachment C

	AGENCY NAME	DEPT	FY 2004 Contract	FY 2004 Advance
43	McGee Ave. Baptist Church	Housing	21,611	10,806
44	Multi Cult. Institute	Housing	115,782	28,946
45	New Bridge Foundation	Housing	135,000	33,750
46	New Light Sr. Citizens, Inc.	Housing	83,150	20,788
47	Nia House Learning Center	Housing	36,471	18,236
48	Northern Cal. Land Trust	Housing	25,000	12,500
49	Options Recovery Services	Housing	54,304	13,576
50	Pac. Ctr. for Human Growth	Housing	27,000	13,500
51	Resources for Comm. Dev.	Housing	141,750	35,438
52	Saint John's Child Care	Housing	26,834	13,417
53	Sick Child Care Program	Housing	32,000	16,000
54	South Berk. Comm. Church	Housing	55,000	13,750
55	Stiles Hall	Housing	27,680	13,840
56	Telergraph Avenue Association	OED	54,000	9,000
57	Through the Looking Glass	Housing	35,000	17,500
58	Tinkers Workshop	Housing	20,000	10,000
59	United for Health	Housing	13,374	6,687
60	Women's Daytime Drop In Ctr.	Housing	87,710	21,928
61	Women's Employ. Res. Corp.	Housing	43,367	21,684
62	Women's Refuge, Inc.	Housing	21,060	10,530
	Subtotal		6,608,052	1,763,878
Agencies Added via Budget Amendments				
	a) Young Artists Workspace	Parks	25,000	4,166
	b) Habitot	Parks	28,000	4,666
	c) Community Garden Collaborative	Parks	10,000	1,666
	d) Fresh Choice Ecology Center	Housing	10,000	1,666
	e) Ed Roberts Campus	Housing	40,000	6,666
	f) Pacific Center for Human Growth	Housing	25,000	4,166
	g) West Berkeley Neighborhood Dev. Ctr.	OED	25,000	4,166
	h) Jobs for Homeless Consortium	Housing	19,000	3,166
	I) Athletes United for Peace	Parks	72,000	12,000
	j) Berkeley Cougars	Parks	15,000	2,500
	Subtotal		269,000	44,828
Totals			6,877,052	1,808,706

APPENDIX F

RESOLUTION NO. 63,166–N.S.

ALLOCATING ANTICIPATED, ONE-TIME GENERAL FUND REVENUE IN THE AMOUNT OF $898,564 AND APPROVING ADDITIONAL STAFFING FOR PERMIT CENTER ACTIVITY

WHEREAS, the City Council adopted the FY 2006 & FY 2007 Biennial Budget on June 28, 2005; and

WHEREAS, Council referred a number of programs to the FY 2006 budget process (Exhibit A) for continued funding; and

WHEREAS, several non-discretionary costs have arisen (Exhibit A) since July 1, 2005 that require allocation of funds not currently included in the FY 2006 Adopted Budget; and

WHEREAS, General Fund revenues for FY 2006 are projected to be $1.08 million more than the FY 2006 Adopted Budget; and

WHEREAS, activity at the Permit Service Center has increased and four additional positions are needed to maintain adequate service levels; and

WHEREAS, the Permit Service Center Fund has a sizeable fund balance that can accommodate the addition of four new positions at a cost of approximately $500,000.

NOW THEREFORE, BE IT RESOLVED the Council of the City of Berkeley allocates anticipated, one-time General Fund revenue in the amount of $898,564 to provide continued funding for specific programs and to fund non-discretionary costs that have arisen since July 1, 2005 identified in Exhibit A as amended, and approve additional staffing for Permit Center activity.

The foregoing Resolution was adopted by the Berkeley City Council on December 13, 2005 by the following vote:

Ayes: Councilmembers Capitelli, Maio, Olds, Worthington, Wozniak and Mayor Bates.

Noes: Councilmember Spring.

Abstain: Councilmembers Anderson and Moore.

Absent: None.

Tom Bates, Mayor

Attest: Sara T. Cox
Sara T. Cox, City Clerk

APPENDIX F

FY 2006 and FY 2007 Exhibit A

Recommended Budget Augmentations

	1-Time	Recurring	Total
REVENUES			
Available New Revenue			
Use of Reserve	$ 247,000		
Revised FY 2006 Revenue Projections	$ 1,083,261		
Total Available Revenues:	**$ 1,330,261**		**$ 1,330,261**
EXPENDITURES			
Homeless & Social Programs			
Paratransit Services		$ (9,000)	
Civic Arts Coordinator		$ (24,165)	
Pedal Express		$ (12,500)	
Berkeley Boosters - BART Escorts		$ (19,643)	
Japanese American Services of the East Bay		$ (7,500)	
Berkeley Day Time Drop In Center		$ (8,856)	
BOSS		$ (31,000)	
Veterans Building Unbudgeted Costs for Agencies		$ (112,000)	
Berkeley Boosters, Berkeley Guides Program		$ (10,000)	
Subtotal	**$ -**	**$ (234,664)**	
Other Program Costs			
Police Crime Analyst		$ (40,000)	
NewsScan		$ (9,400)	
Lead Abatement Survey & Analysis		$ (10,000)	
Subtotal	$ -	**$ (59,400)**	
Non-discretionary Costs Since 7/1/05			
Telephone Emergency Response System		$ (7,500)	
PG&E Street Lights - outstanding bills	$ (247,000)		
Hurricane Katrina - estimated non-reimbursable costs	$ (100,000)		
Increased Fuel Costs (estimated)		$ (250,000)	
Subtotal	**$ (347,000)**	**$ (257,500)**	
Total Recommended Expenditures:	**$ (347,000)**	**$ (551,564)**	**$ (898,564)**
Total Remaining Available Revenue:			**$ 431,697**

APPENDIX G

Commission on the Status of Women April 16, 2024 Presentations

APPENDIX G

Recommendations for the City of Berkeley's Domestic, Intimate Partner and Gender-Based Violence Response

Sasha Gayle-Schneider (they/them)
Katie Hawn (she/her)

Office of the Director - Department of Health, Housing & Community Services



DRAFT RECOMMENDATIONS FOR FEEDBACK

Commission on the Status of Women: DV Response Update

Agenda

High-Level Background

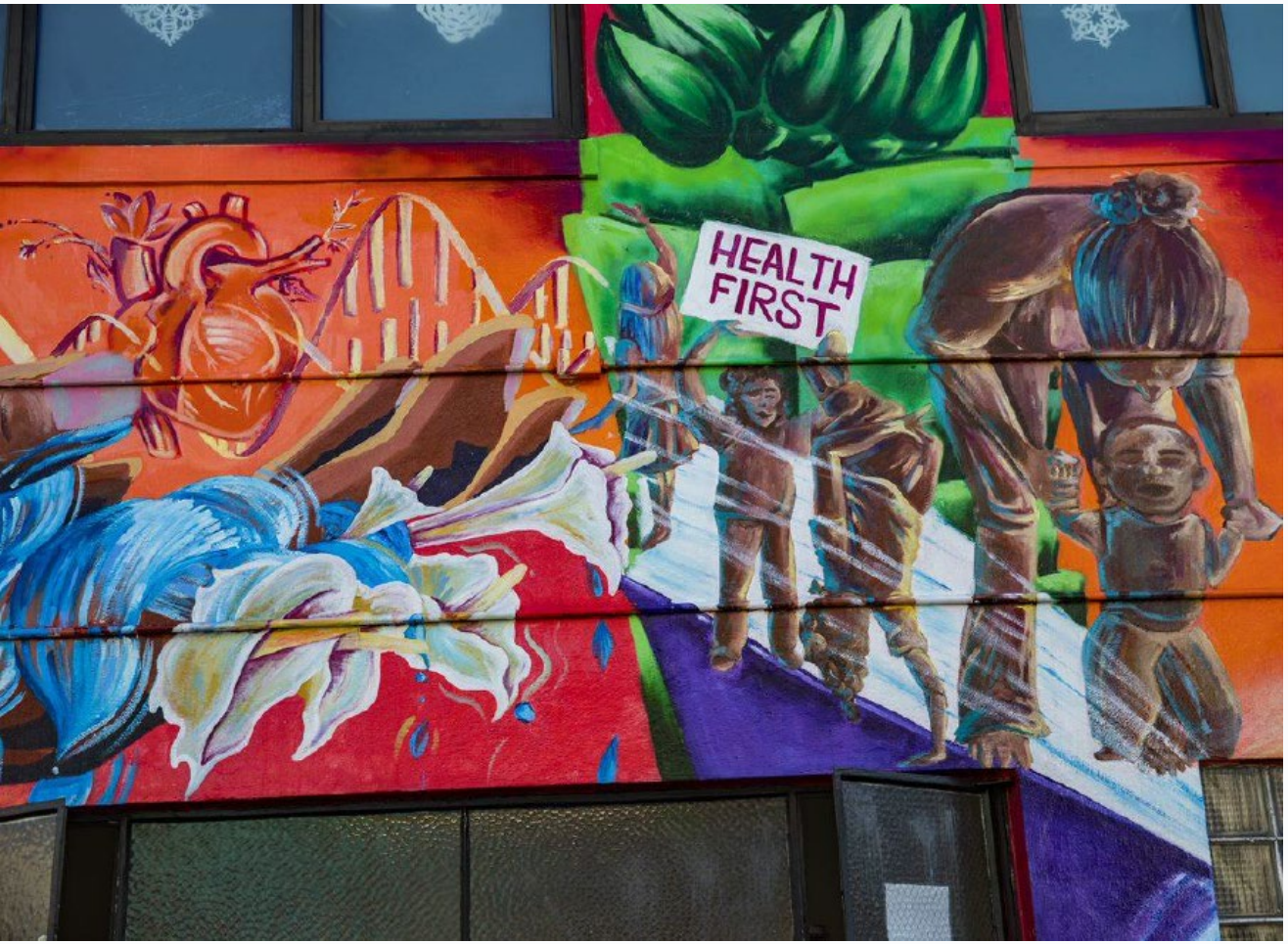
Recommendations & Progress Updates

Next Steps

Conversation & Feedback



Background



Background

- Budget referral from May 2022, as a component of the City of Berkeley's Reimagining Public Safety process.
- Domestic Violence recommendations dovetail with the Care First Jails Last recommendations on Crisis Stabilization and broad-based best practices.
- Identifying gaps in service and policy integration, in order to address needs long-term and stay sustainable.

Process

- Stakeholder engagement: of community leaders, service utilizers, public officials and people who have survived incidence of violence.
- The Alternatives to Incarceration workgroup compiled recommendations.

Evaluative Criteria

Harm Reduction: Does this recommendation reduce the number of people who cycle through crisis & carceral systems? Does this recommendation reduce the harm and trauma caused by those systems, to the individual?

Transformation: Does this recommendation reinforce the status quo, or would its implementation meaningfully create new pathways/investments in public safety (crisis diversion & stabilization)? Does this recommendation support healing and long-term positive change for everyone involved in the incidents of violence?

Political feasibility: Is this recommendation responsive to the needs and priorities of service utilizers?

Financial feasibility: Is the implementation of this recommendation financially possible given budgetary constraints?





Recommendation 1

Trauma Informed, Non-Carceral Crisis Response

Expand the Specialized Care Unit scope of work to include domestic violence calls for service.
Expand, diversify and strengthen non-crisis mobile response teams to address gaps, including assisting people who identify as TGI, LGBQ+, and/or cisgender women who are in an emerging crisis and/or need community-based conflict resolution.

Internal Planning

- Liaising with the SCU on triage possibilities & best practices learned from other crisis programs
- Liaising with Berkeley Police Department for data analysis & policy evaluation



Recommendation 2

Restorative Justice & Circle Work Interventions

Establish effective restorative justice programs, crisis mediation and violence prevention programs to mediate incidence of Intimate Partner/Gender-Based/Domestic Violence.

Internal Planning

- Pursuing grant opportunities to explore possible funding streams
- Annual cost estimate: $200k per year plus fringe benefits for 2 restorative justice circle staffers (social workers or peer counselors) + $20K for program administration



Commission on the Status of Women: DV Response Update

Recommendation 3

Crisis Response & Stabilization Shelter Beds

Establish a 24/7 shelter bed facility, with short/medium term housing stabilization options, for survivors of domestic violence. This service would be operated by a contracted community-based organization, overseeing implementation (day-to-day operations, hiring & staffing, referrals, case management).

Internal Planning

- Pursuing grant opportunities to explore possible funding streams
- Annual cost estimate: $700K for staffing, $100K program supplies



Recommendation 4

Financial Stabilization and Independence for Survivors of Violence

Incubate new innovative employment programs for people who identify as survivors of domestic, intimate partner or gender-based violence. **Utilize tax credits, stipends, vouchers** (housing, transit or otherwise), **motel conversions and/or cash benefit programs to address the costs incurred** when cisgender women, LGBQ+ people and TGI people seek safety away from abusive or violent relationships.

Internal Planning

- Liaising with Mental Health Division to identify pre-existing cash benefit programs
- Publish multi-lingual resources for survivors to access a wide range of financial support services

Commission on the Status of Women: DV Response Update

What's Next?



COSOW Commission Feedback

Discussion and feedback from the Commission on the Status of Women



Data & Criteria Analysis

Data inquiry for Alameda County Department of Public Health, internal BPD data on calls for service, literature review, and budgetary analysis



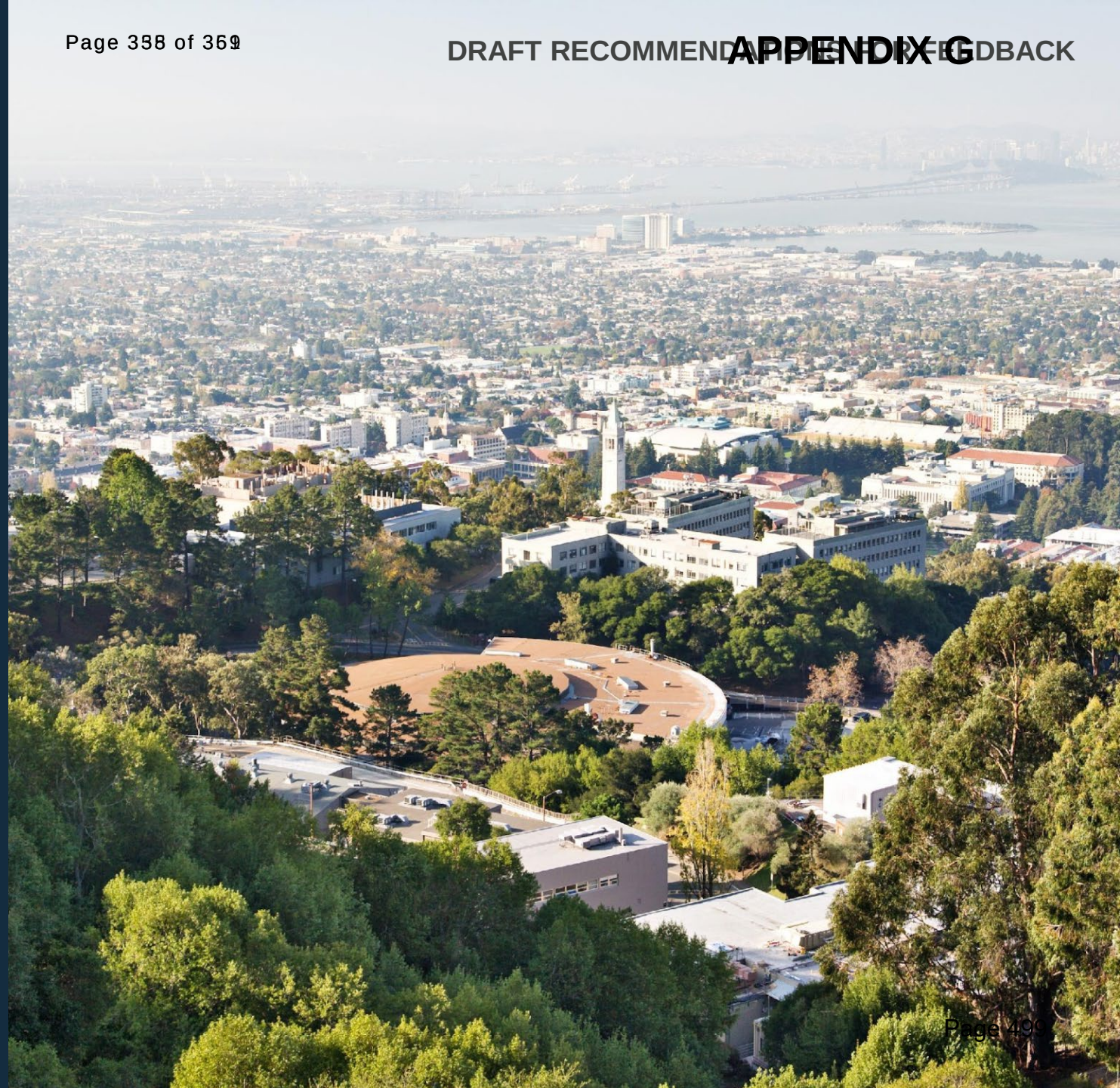
Implementation

Present referral response recommendations to Mayor and City Council

Thank you!

Conversation & Feedback

Department of Health, Housing & Community Services



APPENDIX G

CITY OF BERKELEY

Reimagining Public Safety



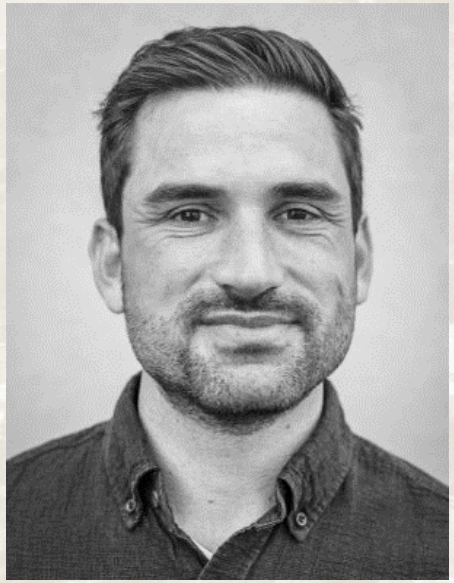
Recommendation on Public Safety/Crime Prevention for Women

April 17th, 2024

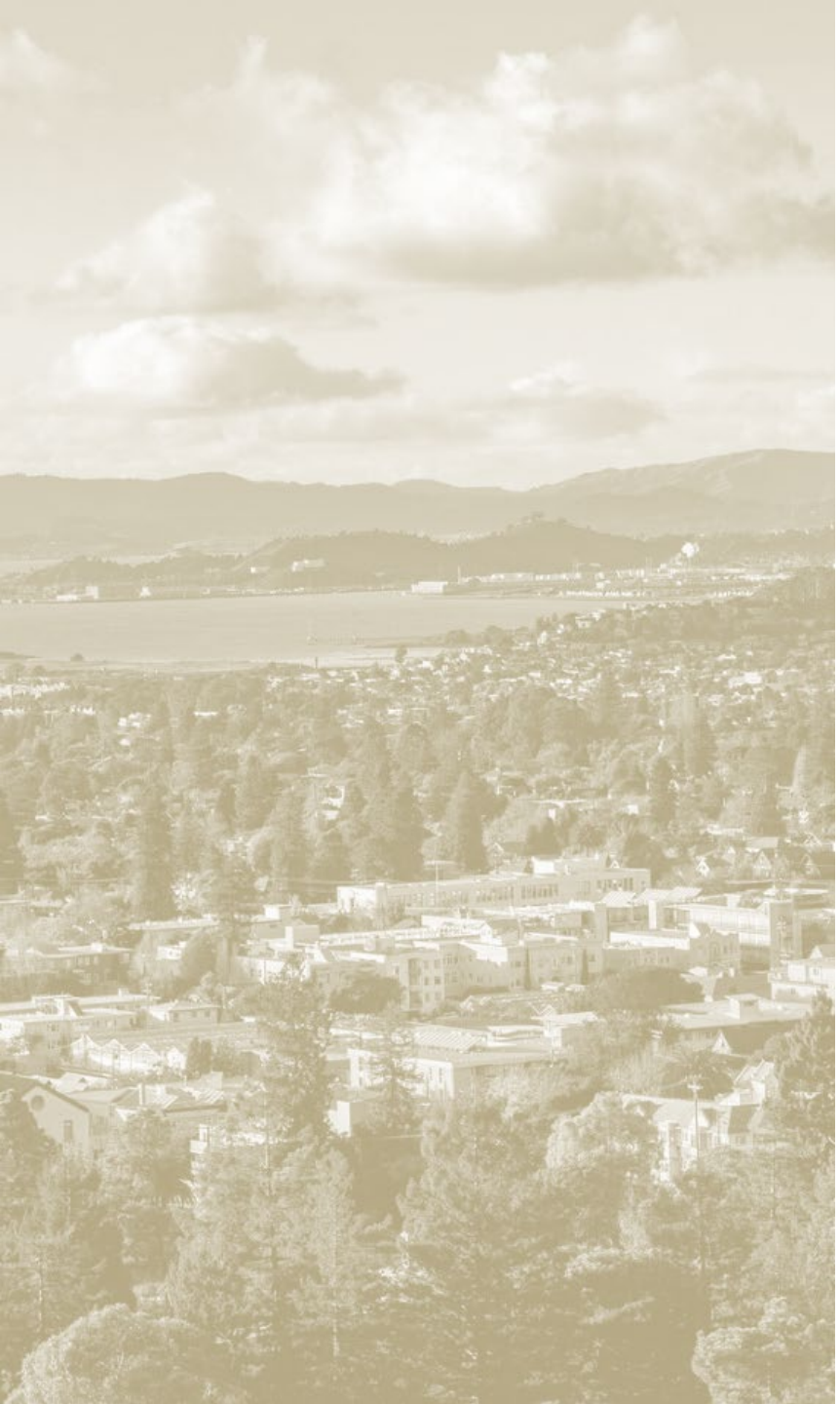
Presenters



Dr. Carianna "Cari" Arredondo *(she/ella/they)*
Assistant to the City Manager
Reimagining Public Safety
carredondo@berkeleyca.gov



Arlo Malmberg *(he/him)*
Data & Policy Analyst at BPD
Strategic Analysis Team
amalmberg@berkeleyca.gov



Overview

Objective: *Present an overview of crime trends to inform next steps for the referral on Public Safety/Crime Prevention for Women.*

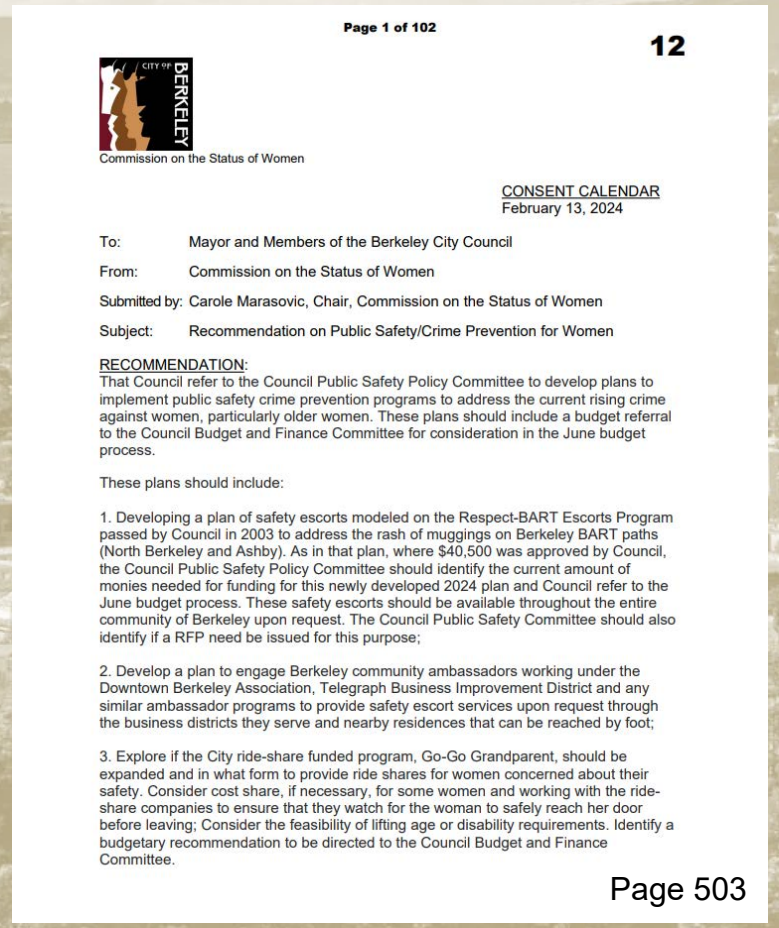
- **Background:**
  - *Context and Recommendations*
- **Violence Against Women and Older Persons in Berkeley:**
  - *Trends and Analysis*
- **Considerations and Next Steps:**

APPENDIX G

Recommended Actions

Develop plans to implement public safety crime prevention programs to address the current rising crime against women, particularly older women. These plans should include a budget referral to the Council Budget and Finance Committee for consideration in the June budget process.

These plans should include...



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Commission on the Status of Women

CONSENT CALENDAR
February 13, 2024

To: Mayor and Members of the Berkeley City Council

From: Commission on the Status of Women

Submitted by: Carole Marasovic, Chair, Commission on the Status of Women

Subject: Recommendation on Public Safety/Crime Prevention for Women

RECOMMENDATION:
That Council refer to the Council Public Safety Policy Committee to develop plans to implement public safety crime prevention programs to address the current rising crime against women, particularly older women. These plans should include a budget referral to the Council Budget and Finance Committee for consideration in the June budget process.

These plans should include:

1. Developing a plan of safety escorts modeled on the Respect-BART Escorts Program passed by Council in 2003 to address the rash of muggings on Berkeley BART paths (North Berkeley and Ashby). As in that plan, where $40,500 was approved by Council, the Council Public Safety Policy Committee should identify the current amount of monies needed for funding for this newly developed 2024 plan and Council refer to the June budget process. These safety escorts should be available throughout the entire community of Berkeley upon request. The Council Public Safety Committee should also identify if a RFP need be issued for this purpose;

2. Develop a plan to engage Berkeley community ambassadors working under the Downtown Berkeley Association, Telegraph Business Improvement District and any similar ambassador programs to provide safety escort services upon request through the business districts they serve and nearby residences that can be reached by foot;

3. Explore if the City ride-share funded program, Go-Go Grandparent, should be expanded and in what form to provide ride shares for women concerned about their safety. Consider cost share, if necessary, for some women and working with the ride-share companies to ensure that they watch for the woman to safely reach her door before leaving; Consider the feasibility of lifting age or disability requirements. Identify a budgetary recommendation to be directed to the Council Budget and Finance Committee.

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APPENDIX G

RECOMMENDATIONS

Data-Driven Approach

- Collaborate with Berkeley Police to identify key areas and times for safety escorts based on safety risks to women.

Community Forum

- Host a hybrid safety forum for women, led by Berkeley Police, focusing on older women with city-wide promotion planning.

Community Ambassadors

- Implement ambassador-led safety escorts in business areas and adjacent neighborhoods.

Safety Escorts

- Create a safety escort program inspired by the 2003 Respect-BART initiative to counter muggings on Berkeley BART paths.

Ride-share Program

- Explore expanding Go-Go Grandparent for safer rides for women, considering cost-sharing, safe arrivals, and lifting restrictions for Council budget review.

APPENDIX G

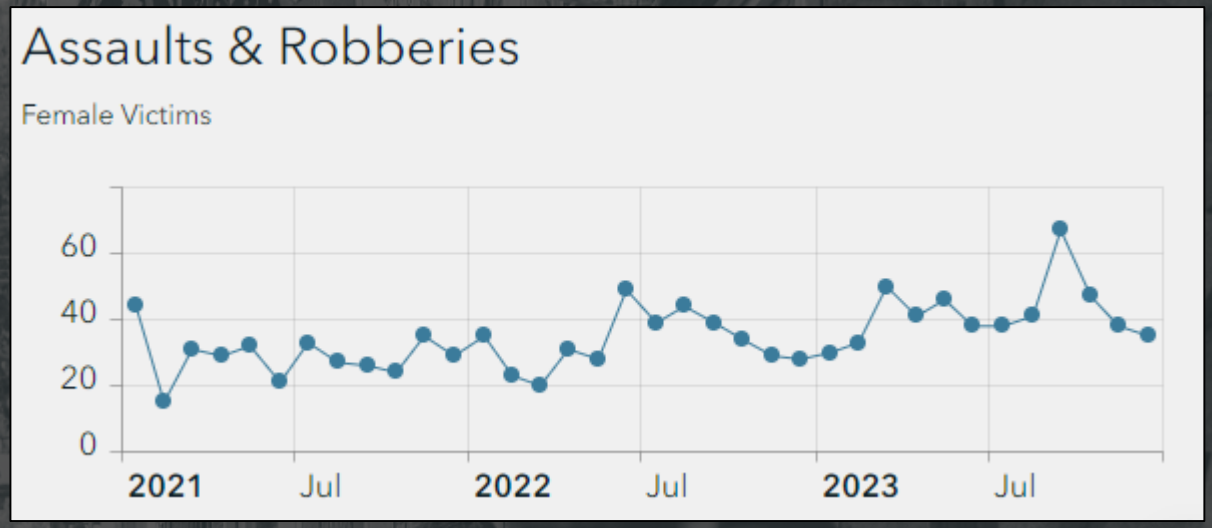
VIOLENCE AGAINST WOMEN AND OLDER PERSONS IN BERKELEY

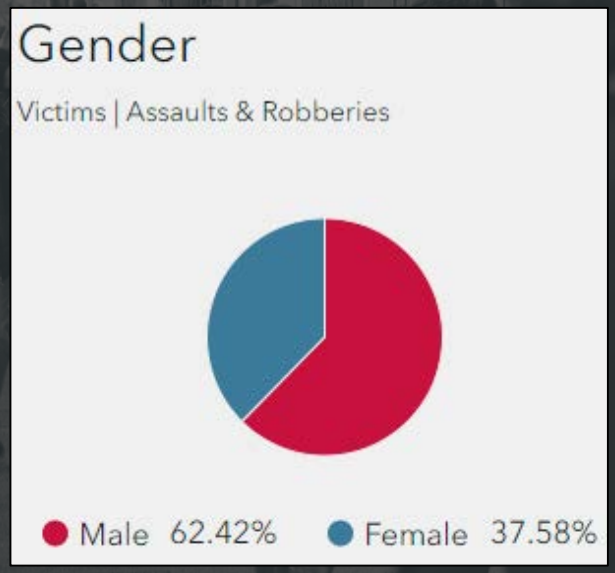
APPENDIX G

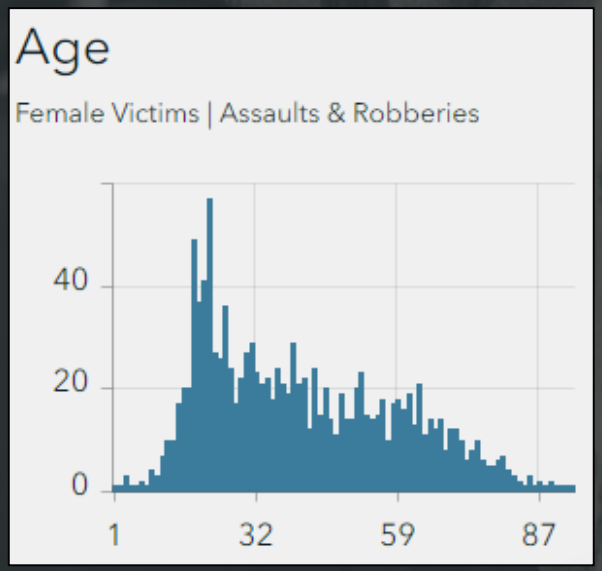
ASSAULTS AND ROBBERIES OF WOMEN

Assaults and robberies against women have increased in the last 3 years.

- This increase mirrors broader crime trends.
- Women represent 38% of all assault and robbery victims in that timespan.





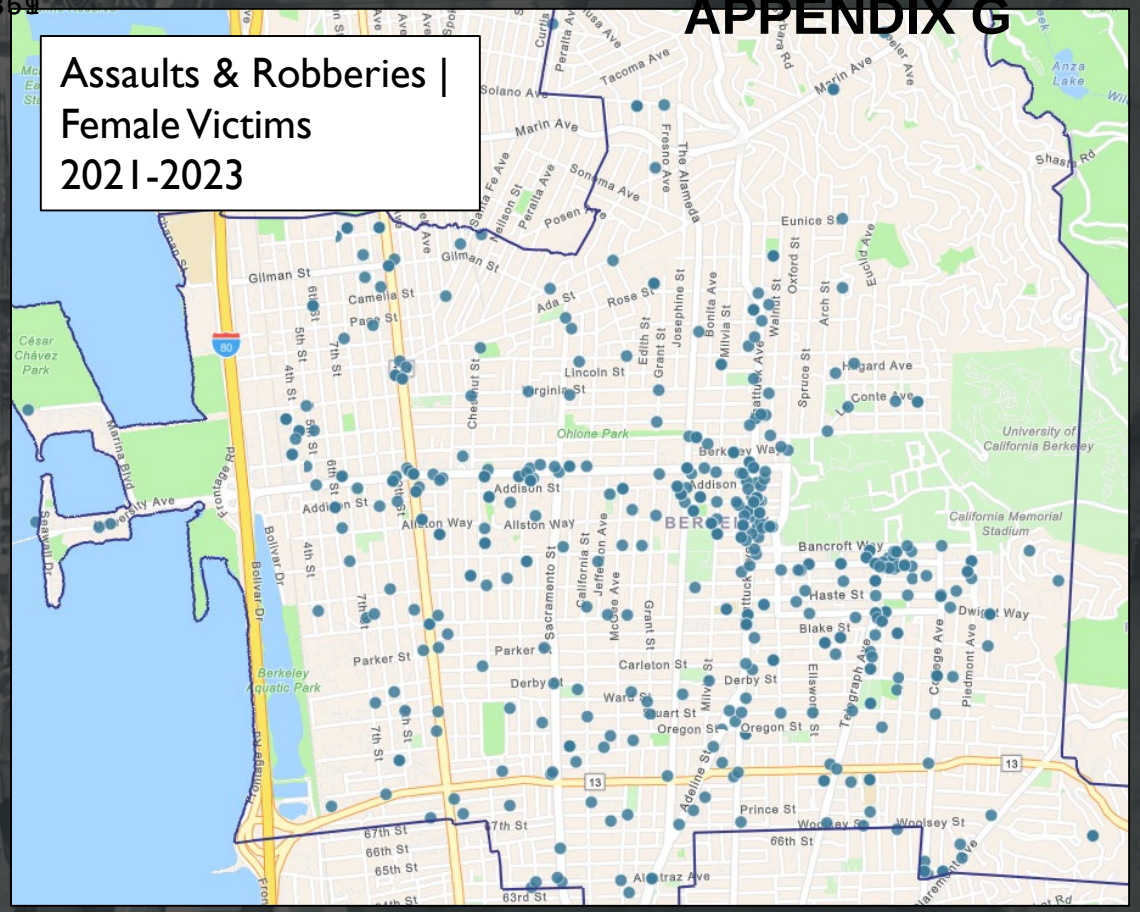


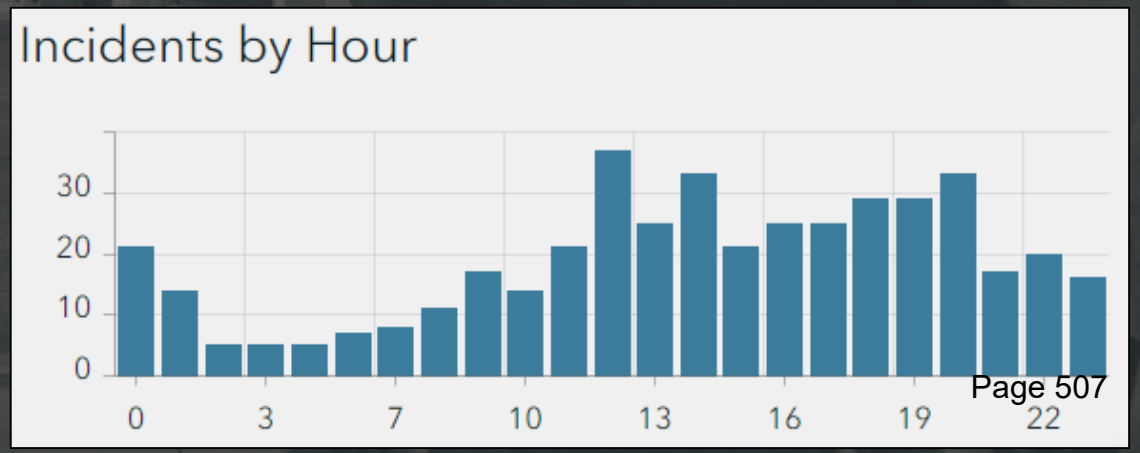
APPENDIX G

ASSAULTS AND ROBBERIES OF WOMEN

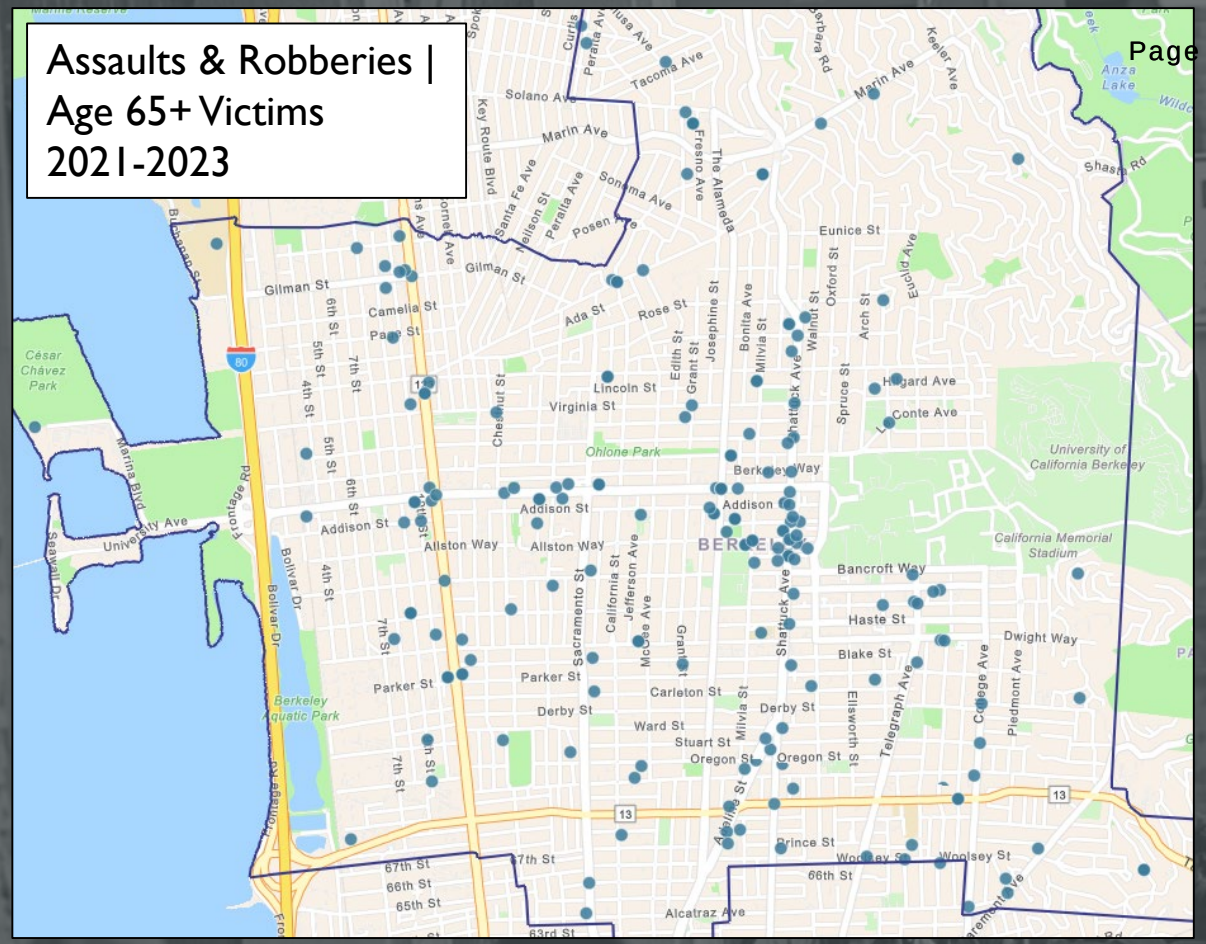
The Downtown area stands out as the primary location for assaults, batteries, and robberies targeting women.

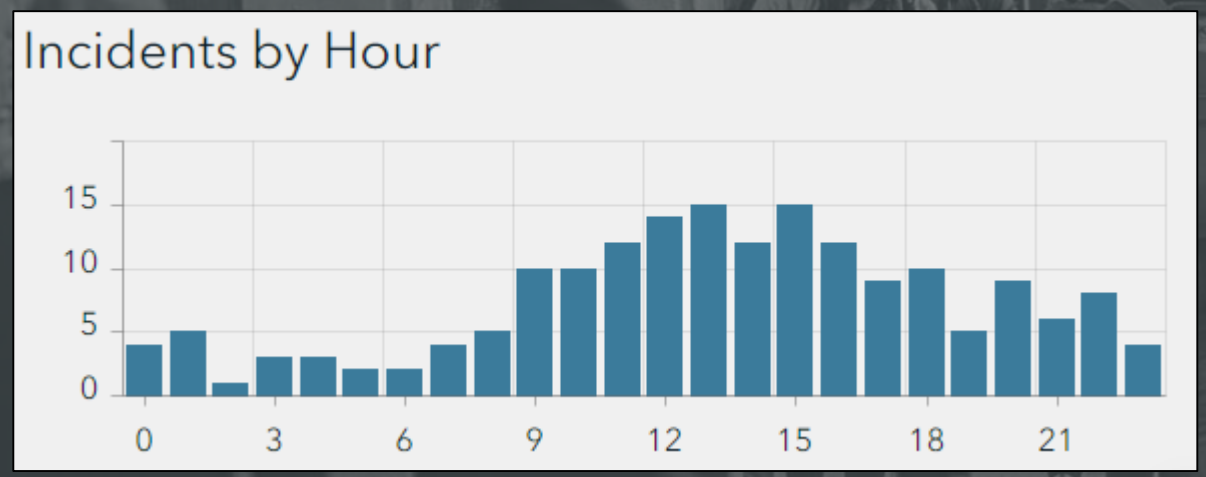
- Crime peaks at lunchtime (11 am-2 pm) with high foot traffic.
- Night (9 pm-2 am) sees high crime with fewer people out.





ASSAULTS AND ROBBERIES OF OLDER PERSONS





Assaults and robberies against older persons reflect general crime patterns.

- Downtown is the focal point for crimes targeting older people.
- Crime surges between 11 am and 2 pm, aligning with peak pedestrian presence.

APPENDIX G

RECOMMENDATIONS

Data-Driven Approach

- Collaborate with Berkeley Police to identify key areas and times for safety escorts based on safety risks to women.

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Ride-share Program

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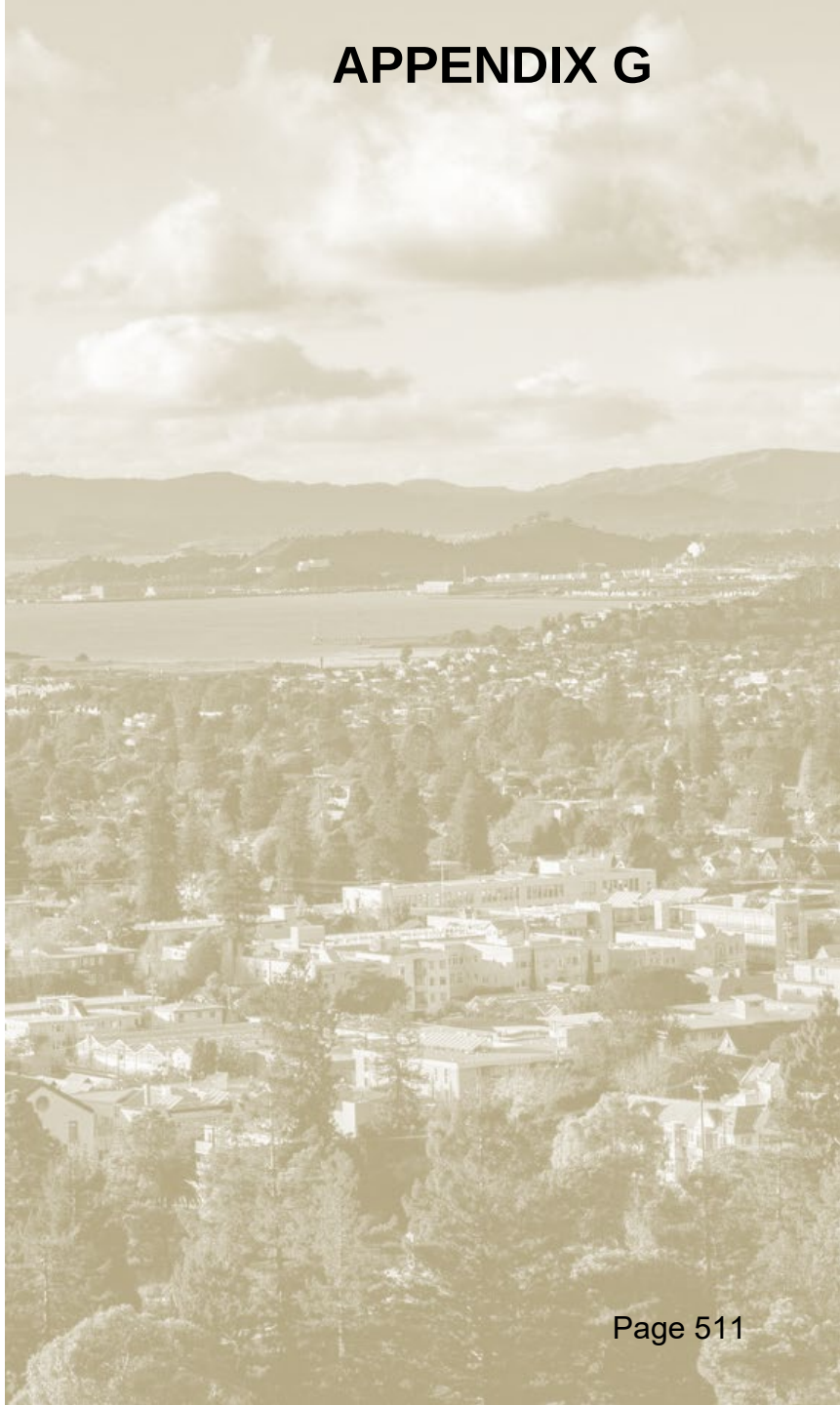
APPENDIX G

CONSIDERATIONS AND NEXT STEPS

Considerations and Next Steps

- **Considerations:**
  - *Scope of Work*
  - *Implementation Timeline*
  - *Budget Constraints*

- **Next Steps:**
  - *Stakeholder Engagement*
  - *Prioritization of Recommendations*





APPENDIX G

Dr. Carianna "Cari" Arredondo
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Arlo Malmberg
Strategic Analysis Team
(510) 981-5799
amalmberg@berkeleyca.gov

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department
David Sprague, Fire Chief, Fire Department

Subject: FY 2025 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)

RECOMMENDATION

Adopt first reading of an Ordinance setting the FY 2025 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of $0.0629 (6.29 cents) per square foot of improvements for dwelling units and setting the rate for all other property at $0.09519 (9.519 cents) per square foot of improvements.

FISCAL IMPACTS OF RECOMMENDATION

The tax levy of the recommended $0.0629 per square foot of improvements for dwelling units and $0.09519 per square foot of improvements. This will result in estimated collections of $5,821,950 for the fund. The tax rate will result in an increase in the citywide average for 1900 square foot dwelling and all other property from FY 2024 of $4.33 and $6.57, respectively.

CURRENT SITUATION AND ITS EFFECTS

The FY 2024 tax rates of $0.06062 for dwelling units and $0.09173 for all other property were adjusted by the per capita the Consumer Price Index (CPI) or the Personal Growth Index in California. The voters approved increasing the Measure GG tax rate annually by up to the greater of the Consumer Price Index increase in the immediate San Francisco Bay Area or the per capita Personal Income Growth in California. The Personal Growth Index per capita rate for FY 2025 has been set at 3.62%. The CPI rate is 3.767% in FY 2025.

At their regular meeting on May 23, 2024, the Disaster and Fire Safety Commission voted to recommend an increase to the Measure GG tax rate assessment using the Consumer Price Index rate of 3.767%.

Action: M/S (Katz): Vote: 8 Ayes: Bradstreet, Raine, Wilson, Kinosian, Murphy, Gordon, Darling; Katz; 0 Nays; 1 Abstain: Dean

It is recommended that the City Council authorize the levy of a special tax of $0.0629 per square foot for dwelling units and $0.09519 for all other property in the City of Berkeley. The tax will result in an increased cost to taxpayers in the following average amounts during Fiscal Year 2025, as compared with amounts for FY 2024:

FY 2025

Square Feet	Dwelling Units	All Other Properties
1,200	$75.48	$114.23
1,500	94.35	142.79
1,900	119.51	180.86
3,000	188.70	285.57
3,900	245.31	371.24
10,000	629.00	951.90

FY 2024

Square Feet	Dwelling Units	All Other Properties
1,200	$72.74	$110.08
1,500	90.93	137.60
1,900	115.18	174.29
3,000	181.86	275.19
3,900	236.42	357.75
10,000	606.20	917.30

BACKGROUND

In the November 2008 election, Berkeley voters approved Measure GG, which authorized the levying of a special tax. The tax proceeds will be used first to eliminate rotating closures of operating fire stations, and to provide advanced life support personnel (paramedics) and equipment on all first responder vehicles (ambulances, fire engines and ladder trucks). The funds would also be used to (1) hire a training officer to provide Emergency Medical Service training for first responders; (2) hire staff to conduct Community Emergency Response Training and other similar public disaster training and preparedness efforts and for neighborhood emergency preparedness caches; and (3) to acquire and maintain equipment to enhance emergency preparedness, including equipment to allow compatible radio communications throughout the City and with outside public safety agencies. On November 3, 2020, over 81% of Berkeley voters approved Measure LL to re-authorize the City, for a period of four (4) years through FY 2024, to spend the Fire Protection and Emergency Response and Preparedness tax.

ALTERNATE CONSIDERATIONS

The City Council may consider adjusting the current recommended tax rate of $0.06062 per square foot of improvements for dwelling units and $0.09173 per square foot of improvements for all other property by the Personal Income Growth in California of 3.62% with projected revenue of $5,813,703.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

CONTACT PERSON

Henry Oyekanmi, Director, Finance Department, 981-7301
David Sprague, Fire Chief, 981-5500

Attachments:
1: Ordinance

ORDINANCE NO. -N.S.

SETTING THE FISCAL YEAR 2025 SPECIAL TAX RATE TO FUND FIRE PROTECTION AND EMERGENCY RESPONSE AND PREPAREDNESS (MEASURE GG) IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 Tax Rate for the Fire Protection and Emergency Response and Preparedness (Measure GG) is set at:

$0.06290 per square foot of improvements for dwellings
$0.09519 per square foot of improvements for all other properties

Section 2. The cost to taxpayers during FY 2025 will be $75.48 for a 1,200 square foot dwelling and $188.70 for a 3,000 square foot dwelling.

Section 3. This tax rate will result in estimated total collections of $5,821,950

Section 4. The tax imposed by this ordinance does not apply to any property owner whose total personal income, from all sources for the previous calendar year, does not exceed that level which shall constitute a very low income, as established by resolution of City Council.

Section 5. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance

Subject: Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 25, 2024

RECOMMENDATION

Approve the request for proposals or invitation for bids (attached to staff report) 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.

FISCAL IMPACTS OF RECOMMENDATION

Total estimated cost of items included in this report is **$2,730,000**

PROJECT	Fund	Source	Amount
On-Call Landscape Architectural Services	138 511	PARKS TAX T1-CAPITAL	$2,250,000
FY 2023 Streetlight Maintenance Project	142	ST LGHTNG	$480,000
Total:			$2,730,000

CURRENT SITUATION AND ITS EFFECTS

On May, 6, 2008, Council adopted Ordinance No. 7,035-N.S. effective June 6, 2008, which increased the City Manager's purchasing authority for services to $50,000. As a result, this required report submitted by the City Manager to Council is now for those purchases in excess of $100,000 for goods; and $200,000 for playgrounds and construction; and $50,000 for services. If Council does not object to these items being sent out for bid or proposal within one week of them appearing on the agenda, and upon final notice to proceed from the requesting department, the IFB (Invitation for Bid) or RFP (Request for Proposal) may be released to the public and notices sent to the potential bidder/respondent list.

BACKGROUND
On May 6, 2008, Council adopted Ordinance No. 7,035-N.S., amending the City Manager's purchasing authority for services

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
The Finance Department reviews all formal bid and proposal solicitations to ensure that they include provisions for compliance with the City's environmental policies. For each contract that is subject to City Council authorization, staff will address environmental sustainability considerations in the associated staff report to City Council.

RATIONALE FOR RECOMMENDATION
Need for the goods and/or services.

ALTERNATIVE ACTIONS CONSIDERED
None.

CONTACT PERSON
Roopreet Soorma, Senior Buyer, Finance. (510) 981-7311

Attachments:
1) On-Call Landscape Architectural Services
2) FY 2023 Streetlight Maintenance Project

Note: Original of this attachment with live signature of authorizing personnel is on file in General Services.

SPECIFICATION NO.	DESCRIPTION OF GOODS / SERVICES BEING PURCHASED	APPROX. RELEASE DATE	APPROX. BID OPENING DATE	INTENDED USE	ESTIMATED COST	BUDGET CODE TO BE CHARGED	DEPT. / DIVISION	CONTACT NAME & PHONE
24-11667-C	On-Call Landscape Architectural Services	06/26/24	07/30/24	On-Call Landscape Architectural Services for upcoming City projects (Possibly three separate contracts for $750,000 each; 3-year term for each contract).	$750,000 per year FY25-FY27 3 year term Total NTE: $2,250,000	Various: (On-Call contract-Funding is project based and subject to available funding) 138-52-545-000-0000-000-461-612320 511-52-545-000-0000-000-461-612320	PRW/Admin	
DEPT. TOTAL					**$ 2,250,000**			
24-11668-C	FY 2023 Streetlight Maintenance Projec	06/12/24	07/05/24	Purchase and installation of streetlight poles throughout Berkeley	$ 480,000.00	142-54-623-672-0000-000-426-663110-PWENEL2301	PW Eng	Guillermo Jaramillo x6336 Srinivas Muktevi x6402
DEPT. TOTAL					**$ 480,000**			
TOTAL					**$ 2,730,000**			

Internal

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department

Subject: Appropriations Limit for FY 2025

RECOMMENDATION

Adopt a Resolution establishing the appropriations limit at $353,538,057 for FY 2025 pursuant to Article XIIIB of the Constitution of the State of California based on the calculations for the appropriations limit.

FISCAL IMPACTS OF RECOMMENDATION

The amount of appropriations subject to the limit are budgeted proceeds of taxes (e.g., all taxes levied; transfers from an enterprise fund to the extent those transfers exceed the cost of providing the services; discretionary state subventions; interest earned from the investment of proceeds of taxes, etc.), and the total of these budgeted revenues cannot exceed the total appropriations limit. The City's actual appropriations in each fiscal year have been significantly below the limit, as they will be for FY 2025. Thus, there are no present financial implications of establishing the limit.

CURRENT SITUATION AND ITS EFFECTS

Each year in June, concurrent with the adoption of the budget, Council must approve an appropriations limit for the following fiscal year pursuant to the State constitution. This resolution adopts the appropriations limit for FY 2025 at $353,538,057. The excess of the appropriations limit over appropriations is $58,571,811 for FY 2025 based on the proposed budget appropriations for FY 2025.

The Finance Department has compiled the data and made calculations to determine the FY 2025 appropriations limit. The documentation of determination, upon adoption and promulgation of the attached draft resolution, has been available for review by the public in the Office of the City Clerk. Exhibits A and B attached hereto, provide the required documentation. Exhibit A is a summary of the appropriations limit determination, the amount of appropriations subject to the limit, and the excess of the appropriations limit over appropriations. Exhibit B provides details of the appropriations limit calculations.

The Council action will set the FY 2025 appropriations subject to the limitations of Article XIIIB of the Constitution of the State of California, which may not exceed the

amounts calculated by the City's Finance Department. These calculations were filed with the City Clerk at least 15 days prior to June 25, 2024.

BACKGROUND

In November 1989, the voters of the State of California approved Proposition 4, commonly known as the (Paul) Gann Initiative, and added Article XIIIB of the State's Constitution. In June 1990, this Article was modified by the passing of Proposition 111. These propositions placed various limitations on the fiscal powers of state and local government.

Senate Bill 1352 requires that: 1) the governing body of each local jurisdiction shall establish by a legislative action its appropriations limit at a regularly scheduled meeting or noticed special meeting; and 2) 15 days prior to such meeting, give notice that documentation used to determine the appropriations limit shall be made available to the public.

The Council action will set the FY 2025 appropriations subject to the limitations of Article XIIIB of the Constitution of the State of California, which may not exceed the amounts calculated by the City's Finance Department. These calculations were filed with the City Clerk 15 days prior to June 25, 2024.

RATIONALE FOR RECOMMENDATION

This is a state law.

ALTERNATIVE ACTIONS CONSIDERED

None

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

CONTACT PERSON

Henry Oyekanmi, Director, Finance Department, 981-7301

Attachments:

1: Resolution

- Exhibit A: GANN Appropriation Limit FY 2025
- Exhibit B: Schedule to Calculate Appropriation Limitation FY 2025

RESOLUTION NO. ##,###-N.S.

ESTABLISHING AN APPROPRIATIONS LIMIT FOR FY 2025

WHEREAS, on November 6, 1979, the citizens of the State of California approved Proposition 4, which added Article XIII B to the Constitution of the State of California to place various limitations on the fiscal powers of State and local government; and

WHEREAS, on June 5, 1990, the citizens of the State of California approved Proposition 111 which provided new Proposition 111 adjustment formulas; and

WHEREAS, Senate Bill 1352, enacted by the Legislature of the State of California, provides for the implementation of Article XIII by defining various terms in this article; and

WHEREAS, pursuant to the requirements of Senate Bill 1352, the City Council, on May 21, 2024 adopted a Resolution which gave notice, as required by law, that the City Council would establish the City of Berkeley appropriations limit for FY 2025 by a Resolution of the City Council on June 25, 2024.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley, that the Council, pursuant to the requirements and criteria set forth in Senate Bill 1352, does hereby establish the appropriations limit at $353,538,057 for FY 2025 for the City of Berkeley as documented in Exhibits A and B attached hereto and incorporated herein by reference as though fully set forth.

Exhibits:

A: GANN Appropriation Limit FY 2025

B: Schedule to Calculate Appropriation Limitation FY 2025

Internal

EXHIBIT A

CITY OF BERKELEY
GANN APPROPRIATION LIMITATION FOR FY 2025
(Based on the FY 2025 Proposed Budget)

FY 2024 Gann Appropriation Limit of $279,256,263 (before Special Taxes Added), Adjusted for Growth Factor of 1.0306 (See Exhibit B)	**$**	**287,801,505**
ADD BACK:		
Library Relief Tax		25,905,893
Emergency Medical Services Special Tax		3,874,480
Park Maintenance, City Trees and Landscaping Special Tax		18,297,945
Emergency Services for Severely Disabled Tax		1,733,706
Firefighting, Emergency Medical Response and Wildfire		10,102,578
Fire Protection and Emergency Response and Preparedness		5,821,950
TOTAL Gann Appropriation Limitation	**$**	**353,538,057** (1)
Appropriations Subject to Gann Limitation	**$**	**294,966,246** (2)
EXCESS of Limitation Over Appropriation	**$**	**58,571,811**

Notes:
(1) The appropriation limit is the calculated dollar amount, which restricts the ability to receive and appropriate proceeds of taxes.

(2) The amounts of appropriations subject to the limitation are budgeted proceeds of taxes (e.g., all taxes levied; transfers from an enterprise fund to the extent those funds exceed the cost of providing the services; discretionary state subventions; interest earned from the investment of proceeds of taxes, etc.) and the total of these budgeted revenue cannot exceed the total appropriation limitations.

The GANN Limit override to raise the spending limit for the special taxes are required to be renewed by voters every four years. The date the next GANN Limit override is to be submitted to voters is November, 2024

EXHIBIT B

CITY OF BERKELEY
SCHEDULE TO CALCULATE APPROPRIATION LIMITATION FOR FY 2024
(Based on the FY 2025 Proposed Budget)

Total City Appropriations (Per Final Amended Budget for FY 1978/79)		**$ 72,457,778**
Less: 1. Debt Service Appropriation	$ 457,186	
2. Inter-service Funds:		
Equipment Maintenance	1,436,890	
Warehouse	554,883	
3. Enterprise Funds:		
Off-Street Parking	414,609	
Marina Operations & Sanitary Sewer	1,623,144	
Maintenance & Refuse Collection	1,260,012	
	3,635,197	
4. Non-Proceeds of Taxes	33,147,004	
Appropriation Subject to Limitation		**42,528,925**
Base Year 1978/79		**$ 29,928,853**

Fiscal Year	Beginning Balances: Growth Factor	Beginning Balances: Appropriation Limit Before Transferred Cost and Add Back of Special Taxes	Less: Transferred Cost: Landscaping	Less: Transferred Cost: Street Lighting	Add Back: Special Taxes: Library Relief Tax	Emergency Medical Services Special Tax	Park Maintenance City Trees and Landscaping Special Tax	Emergency Paratransit Tax	Disaster Fire Protection Tax	Fire Protection & Emergency Response & Preparedness	Firefighting, Emergency Medical Response and Wildfire	Subtotal Transferred Cost and Special Taxes	Appropriation Limit After Transferred Cost and Add Back of Special Taxes
Base Year		**$ 29,928,853**										-	$ 29,928,853
1980	1.097700	32,852,902										-	32,852,902
1981	1.121400	36,841,244										-	36,841,244
1982	1.083100	39,902,752	$ (949,298)	$ (522,600)								$ (1,471,898)	38,430,854
1983	1.070200	41,128,700										-	41,128,700
1984	1.029600	42,346,109										-	42,346,109
1985	1.047000	44,336,377										-	44,336,377
1986	1.045400	46,349,249										-	46,349,249
1987	1.025800	47,545,060										-	47,545,060
1988	1.047500	49,803,451										-	49,803,451
1989	1.054700	52,527,700										-	52,527,700
1990	1.050200	55,164,591			$ 6,010,000							6,010,000	61,174,591
1991	1.056300	58,270,356			6,600,000							6,600,000	64,870,356
1992	1.056800	61,580,113			6,752,000							6,752,000	68,332,113
1993	1.057900	65,145,601			6,850,000							6,850,000	71,995,601
1994	1.043100	67,953,377			7,202,000							7,202,000	75,155,377
1995	1.016900	69,101,789			7,202,000							7,202,000	76,303,789
1996	1.030200	71,188,663			7,570,000							7,570,000	78,758,663
1997	1.063200	75,687,786			7,570,000							7,570,000	83,257,786
1998	1.060800	80,289,604			7,570,000	$ 1,639,599	$ 5,500,000					14,709,599	94,999,203
1999	1.060400	85,139,096			7,927,500	1,651,547	5,790,163					15,369,210	100,508,306
2000	1.059900	90,238,928			8,373,875	1,701,093	5,850,400					15,925,368	106,164,296
2001	1.057500	95,427,666			8,936,938	1,812,014	6,025,912					16,774,864	112,202,530
2002	1.097300	104,712,778			9,478,469	1,927,257	7,211,984	$ 661,000				19,278,710	123,991,488
2003	0.999740	104,685,553			9,997,653	1,974,876	7,435,281	689,369	$ 1,000,000			21,097,179	125,782,732
2004	1.031489	107,981,996			11,654,000	2,034,352	7,609,028	690,475	970,000			22,957,855	130,939,851
2005	1.040236	112,326,760			11,603,755	2,000,000	7,594,920	702,727	950,639			22,852,041	135,178,801
2006	1.060000	119,066,366			12,214,113	2,040,000	7,755,780	754,105	969,652			23,733,650	142,800,016
2007	1.052907	125,365,810			12,580,535	2,120,827	7,975,189	771,244	969,652			24,417,447	149,783,257
2008	1.055370	132,307,315			13,209,469	2,184,452	8,214,445	805,333	998,742			25,412,441	157,719,756
2009	1.056666	139,804,642			13,520,414	2,274,380	8,502,545	839,882	969,652			26,106,873	165,911,515
2010	1.018780	142,430,173			13,655,619	2,297,124	8,587,570	889,152	969,652	5,400,000		31,799,117	174,229,290
2011	1.072060	152,693,690			13,904,789	2,332,903	8,754,869	894,401	969,652	3,600,000		30,456,614	183,150,304
2012	1.0381	158,511,319			14,425,555	2,461,803	9,237,474	944,155	969,652	3,788,761		31,827,400	190,338,719
2013	1.04787	166,099,254			15,028,438	2,484,633	9,309,080	967,511	985,734	3,879,323		32,654,719	198,753,973
2014	1.063912	176,714,993			15,870,770	2,561,235	9,586,190	1,022,302	985,734	4,095,987		34,122,218	210,837,211
2015	1.011200	178,694,201			16,345,912	2,640,032	9,865,971	1,052,122	985,734	4,186,198		35,075,969	213,770,170
2016	1.051700	187,932,691			16,617,288	2,687,121	10,043,981	1,070,929	985,734	4,256,304		35,661,357	223,594,048
2017	1.064900	200,129,523			17,893,335	2,778,750	12,150,387	1,152,175	985,734	4,583,053		39,543,434	239,672,957
2018	1.047200	209,575,636			18,786,687	2,916,558	12,763,390	1,209,625	985,734	4,812,892		41,474,886	251,050,522
2019	1.045400	219,090,370			19,746,463	3,047,265	13,411,968	1,270,257	985,734	5,058,273		43,519,960	262,610,330
2020	1.046200	229,212,345			20,806,525	3,215,011	14,143,821	1,339,668	985,734	5,328,686		45,819,445	275,031,790
2021	1.041100	238,632,972			20,342,539	3,183,676	14,369,024	1,361,402	985,734	5,405,100		45,647,475	284,280,447
2022	1.053400	251,375,973			21,704,603	3,330,634	15,320,468	1,451,853	0	5,559,637	12,750,000	60,117,195	311,493,168
2023	1.068800	268,670,640			23,837,768	3,562,620	16,791,663	1,590,735		5,777,036	8,604,000	60,163,822	328,834,462
2024	1.039400	279,256,263			25,050,748	3,742,618	17,664,146	1,673,845	0	5,645,200	9,770,233	63,546,790	342,803,053
2025	1.030600	287,801,505			25,905,893	3,874,480	18,297,945	1,733,706	0	5,821,950	10,102,578	65,736,552	353,538,057

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department

Subject: FY 2025 Reaffirming the Investment Policy and Designation of Investment Authority

RECOMMENDATION

Adopt a Resolution reaffirming the Investment Policy (no revisions are recommended) and to confirm the delegation of investment authority to the Director of Finance to make investments for FY 2025.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts from accepting the revisions to the Investment Policy and renewing the delegation of authority to the Director of Finance to make investments.

CURRENT SITUATION AND ITS EFFECTS

A. FY 2025 Reaffirming the City's Investment Policy

The City's Statement of Investment Policies requires the City Council to annually reaffirm the Statement of Investment Policy.

B. Delegating Authority to Make Investments

The Investment Policy requires the City Council to annually confirm the delegation of investment authority to the Director of Finance.

BACKGROUND

The State statutes that govern investment activity requires the City Council to annually affirm the Investment Policy and to annually confirm the delegation of investment authority.

INVESTMENT OVERSIGHT

All investments included in the portfolio comply with the City's adopted investment policies and State law.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
The Investment Policy provides opportunities to make environmentally responsible investments that support the City's environmental sustainability goals.

RATIONALE FOR RECOMMENDATION
The State requires City Council to annually affirm the Investment Policy, and to annually confirm the delegation of investment authority to the Director of Finance.

ALTERNATIVE ACTIONS CONSIDERED
None.

CONTACT PERSON
Henry Oyekanmi, Director, Finance, 981-7326

Attachments:
1: Resolution
2. Investment Policies for Idle Pooled Cash (Effective July 1, 2024)
3. Investment Policies for Retiree Medical Plan Trust Funds (Effective July 1, 2024)

Public

RESOLUTION NO. ##,###-N.S.

AFFIRMING THE INVESTMENT POLICY AND RENEWING THE DELEGATION OF AUTHORITY TO MAKE INVESTMENTS TO THE DIRECTOR OF FINANCE

WHEREAS, by Resolution No. 70,899 -N.S. dated June 27, 2023, the City Council adopted the Investment Policy for the City of Berkeley; and

WHEREAS, the Statement of Investment Policies requires the Director of Finance to submit and make recommendations for amendments to the investment policy; and

WHEREAS, the Director of Finance has no recommendation or amendments to the investment policy to the City Council.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley that the Council affirms the Statement of Investment Policies, and confirms the delegation of investment authority to make investments to the Director of Finance for FY 2025.

City of Berkeley

Investment Policy

Effective July 1, 2024

Public

City of Berkeley
Investment Policy
July 1, 2024

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I. Introduction

Pursuant to Sections 2.44.040 and 2.44.060 of the Berkeley Municipal Code, Resolution No. 45,087-N.S., and Sections 53601, 53607, 53636 and 53648 of the State Government Code, the Director of Finance, the Treasurer of the City, is authorized to make investments of the City's idle funds. The Code also directs the City to present an annual investment policy to the City Council for approval. This Investment Policy, after approval of the amendments by the City Council, will serve as the Investment Policy for the City of Berkeley for fiscal year 2019.

A. Scope of Policies

These investment policies apply to the investments of the City of Berkeley and the Rent Stabilization Board. All financial assets of any non-trust funds, including the general fund and other funds that may be created from time to time, shall be administered in accordance with the provisions of these policies.

B. Investment Objectives

The City's primary investment objective is to achieve a reasonable rate of return on public funds while minimizing the potential for capital losses arising from market changes or issuer default. Although the generation of revenues through interest earnings on investments is an appropriate City goal, the primary consideration in the investment of City funds is capital preservation in the overall portfolio. As such, the City's yield objective is to achieve a reasonable rate of return on City investments rather than the maximum generation of income, which could expose the City to unacceptable levels of risk.

The following investment objectives, in order of priority, shall be applied in the management of City funds: safety, liquidity and yield.

1. **Safety of principal is the foremost objective of the investment program**
   Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk, summarized as follows:

   a. Credit risk. This is the risk of loss due to the failure of the security issuer or backer. Credit risk may be mitigated by:
      - Limiting investments to the safest types of securities.
      - Determining the credit worthiness of the financial institutions, broker/dealers, and intermediaries with which the City does business.
      - Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

   b. Interest rate risk. This is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities prior to maturity; and
- Investing operating funds primarily in shorter-term securities.

2. **Liquidity**
No investment shall be made that could not appropriately be held to maturity without compromising liquidity requirements. The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary markets (dynamic liquidity).

3. **Yield**
The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a reasonable return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

   i. Liquidity needs of the portfolio require that the security be sold.
   ii. A security swap would improve the quality, yield, or target duration in the portfolio.

4. **Responsible Investing**
Investment policies of the City of Berkeley shall comply with the letter of the following ordinances, resolutions and directives:
   - Nuclear-Free Berkeley Act
   - Resolution No. 59,853-N.S.-Oppressive States Contract prohibition
   - Divestment from Gun Manufacturers and Tobacco Companies
   - Divestment from Publicly Traded Fossil Fuel Companies and Banks that Finance Pipelines and Fossil Fuel Infrastructure
   - Divestment from Prisons Resolution No. 67,640-N.S. and Immigration Detention Companies
   - Divest from Any Companies Designing, Building or Financing the U.S. – Mexico Border Wall Resolution No. 67,865-N.S.
   - No Investment in Any Entity Involve in the Production and Manufacturing of Weapons-Resolution No. 68,766-N.S.
   - Integrate Environmental, Social, and Governance Principles (ESG) for All Investment Decision Making Process (See Appendix B for details.)

a. **Nuclear-Free Berkeley Act**
To the extent possible, without compromising the City's safety, liquidity and yield objectives, it is the City's policy to prefer investments in U.S. Agency securities. They are preferred because of their generally higher yields and generally socially preferable uses, such as housing loans or student loans, versus investments in Treasury securities with their association with nuclear weapons.

All financial institutions, which hold deposits or investments of the City, shall file a statement with the Director of Finance indicating the percentage of the bank's assets which are loaned to or invested in nuclear weapons agents as defined in Section 12.90 of the Nuclear-Free Berkeley Act. The Director of Finance shall use this information as a factor in selecting banks which have minimum involvement in the nuclear weapons industry. A summary of these reports shall be attached to the annual Statement of Investment Policies.

- Investments in United States Treasury securities may be made by the City of Berkeley.
- The City of Berkeley shall ensure that any City funds, or any funds controlled by the City, invested or other third parties, are invested according to the provisions of this section and, to this end, shall obtain written assurances to this effect from any such trustees or third parties.

b. Divestment From Publicly-Traded Fossil Fuel Companies and Companies that Provide Direct Financing or On-going Lines of Credit for the Funding of Fossil Fuel Infrastructure
The City of Berkeley has a responsibility to protect the lives and livelihoods of its inhabitants from the threat of climate change. While fossil fuel companies provide an attractive return on investment, the City of Berkeley will suffer greater economic and financial losses from the impact of unchecked climate change. The City's infrastructure, businesses and communities would face greater risk of damages and losses due to that climate change. The City believes that its investments should support a future where all citizens can live healthy lives without the negative impacts of a warming environment. For the purposes of the Investment Policy, a "fossil fuel company "shall be defined as any of the two hundred publicly-traded companies with the largest coal, oil and gas reserves as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned, as listed in the Carbon Tracker Initiative's "Unburnable Carbon" report.

Staff responsible for managing the City's investment portfolio are directed to divest all City funds held in fossil fuel companies or companies that provide direct financing or on-going lines of credit for the funding of fossil fuel infrastructure such as the Dakota Access Pipeline and are prohibited from making any new investments in such companies.

c. Divestment from Gun Manufacturers and Tobacco Companies

The City of Berkeley has a responsibility to protect the lives and livelihoods of its inhabitants from the threat of dangerous weapons and products. There is no better role for city government than to protect people. If the City invests in companies that are putting dangerous weapons and dangerous products on our streets, then the City is part of the problem.

Staff responsible for managing the City's investment portfolio are directed to divest all City funds held in gun manufacturers and tobacco companies and are prohibited from making any new investments in such companies.

d. Divestment from Prisons and Immigration Detention Companies

The prison and immigration detention industry reaps large monetary benefits from the imprisonment of these communities. Prison companies admit that their companies benefit from high incarceration rates. With the increasing economic benefits that come with commodifying human lives, the City of Berkeley should divest from prison and immigration detention companies to make a statement that the industry harms human lives and degrades them as monetary investment.

Staff responsible for managing the City's investment portfolio are directed to divest all City funds held in Prisons and Immigration Detention Companies and are prohibited from making any new investments in such companies.

e. **Divestment from any Companies Designing, Building or Financing the U.S.-Mexico Border Wall - Resolution No. 67,865-N.S.**

The City of Berkeley is strongly opposed to the construction of a border wall between the United States and Mexico as called for in Presidential Executive Order 13767. Immigration has been part of this country's history since its inception. Construction of a border wall with tightened security will harm refugees who are feeling violence and conflict in Central American countries including Honduras and El Salvador. A border wall would increase international tensions and cause environmental damage by increasing emissions, cutting off natural water flows, and disturbing wildlife migration routes. The wall would cut through ancestral native lands and would significantly disrupt tribal communities. In addition, construction of a wall would be huge financial burden to taxpayers. Therefore, to ensure that local tax dollars in no way support the construction of the proposed border wall, the City of Berkeley will divest from all companies involved with designing, building, and financing the border wall.

Staff responsible for managing the City's investment portfolio are directed to divest all city funds from companies that design, build or finance the U.S.-Mexico border wall as called for in Presidential Executive Order 13767, and are prohibited from making any new investments in such companies.

f. No Investment in Any Entity Involve in the Production and Manufacturing of Weapons-Resolution No. 68,766-N.S.
The City of Berkeley joins the cities nationwide that oppose militarism and violence, and encourages other cities to follow Berkeley's lead. U.S. weapons manufacturers continue to supply repressive regimes around the world and U.S. produced weapons are being used in attacks that the international community deems unlawful for their disproportionate and excessive harm to civilians.

Staff responsible for managing the City's investment portfolio are directed to divest all City funds from companies that are involved in the production or manufacturing of weapons and weapons system, whether conventional or nuclear and including the manufacture of civilian arms.

These guidelines apply to all cash-equivalent assets included within the scope of the City's audited financial statements and held either directly by the City or held and invested by fiscal agents.

g. Integrate Environmental, Social, and Governance Principles (ESG) for All Investment Decision Making Process (See Appendix B for details.)
This combines environmental, social, and governance issues with traditional financial factors in the investment decision-making process. ESG investing helps cities like Berkeley to benefit from both impact driven and financially prudent investments. ESG principles would put Berkeley's values into our investment dollars.

C. Use of State Investment Guidelines

Government Code Sections 16481.2, 53601, 53607, 53635, and 53646 of the State of California regulate the investment practices. It is the policy of the City of Berkeley to use the State's provisions for local government investments as the base for developing and implementing the City's investment policies and practices.

As required under Government Code Sections 16481.2 and 53646, the Statement of Investment Policies will be reviewed by the Council annually.

II. Investment Authority and Responsibilities

A. Authorized Investment Officers

1. Idle Funds

Pursuant to Sections 2.44.040, 2.44.060 of the Berkeley Municipal Code, Resolution No. 45,087-N.S., and Sections 53601, 53636 and 53648 of the State Government Code, the Director of Finance, the Treasurer of the City, is authorized to make investments of the City's idle funds. Responsibility for the operation of the investment program is hereby delegated to the Director of Finance, who shall carry out established written procedures and internal controls for the operation of the investment program consistent with this plan. Procedures should include references to: safekeeping, delivery versus payment basis of settling transactions, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts. In the exercise of this responsibility, the authority to perform specific investment tasks and duties is delegated as follows:

- Treasury Manager/Revenue Collection Manager. In the absence, and under the direction, of the Finance Director, to invest idle funds on a daily basis as required for cash flow purposes pursuant to the requirements of the Statement of Investment Policies.

- Senior Accountant or Accounting Manager. To execute necessary investment documents, and obtain the approval of the Director of Finance to authorize wire transfers and execute bank authorizations.

- Deputy City Manager. To execute necessary investment documents, authorize wire transfers; execute bank authorization in absence of the Director of Finance, Treasury Manager/ Revenue Collection Manager, Senior Accountant, and the Accounting Manager.

B. Internal Controls

The Director of Finance shall establish a system of internal controls designed to prevent losses of public funds arising from fraud, employee error, misrepresentation of third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City of Berkeley. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management. These controls shall include:

- Separation of transaction authority from accounting and physical custody.

- By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.

- Also, securities purchased from any bank or dealer including appropriate collateral (as defined by State Law), shall be placed with an independent third party for custodial safekeeping.

- Avoidance of physical delivery of securities by using a delivery versus payment “Basis of Settlement Only.”

- All trades will be executed on a delivery versus payment (DVP) basis. This ensures that securities are delivered to the City’s safekeeping bank at the same time the funds are released by the City’s safekeeping bank.

- Third-Party custodial safekeeping of securities held in the name of the City. Delivered securities must be properly safeguarded against loss or destruction. Book entry securities are recorded in electronic records and the potential for fraud and loss increases with physically delivered securities. All investment securities, except collateralized certificates of deposit and money market funds, purchased by the City will be delivered by either book entry or physical delivery and will be held in third-party safekeeping by a City-approved custodian bank, its correspondent New York Bank or the Depository Trust Corporation (DTC). Whenever possible, securities purchased are to be recorded in “book entry” form.

- All securities and applicable collateral will be held by the City’s third party custodian and evidenced by safekeeping receipts. All book entry securities owned by the City shall be evidenced by a safekeeping receipt issued to the City by the custodian bank to acknowledge that the securities are held in the Federal Reserve system in a “customer account” for the custodian bank which names the City as “customer”;

The Director of Finance will require each approved safekeeping financial institution to submit a copy of its Consolidated Report of Condition and Income (Call Report) to the City within 60 days after the end of each calendar quarter.

- Competitive bidding on investment transactions. Before the City invests in any secondary market funds, competitive bids shall be requested. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, bids will be requested from at least three financial institutions for instruments which meet the maturity requirement. If no specific maturity is required, a yield curve analysis will be conducted to determine which maturities would be most advantageous.

- Written confirmation and documentation of all financial transactions.

- Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.

- Rapid deposit of funds received by the City (i.e., large checks.)

- Bonding of all investment officials.

C. Evaluation of Investment Officer Actions

Section 53600.3 of the Government Code identifies trustees as those persons authorized to make investment decisions on behalf of a local agency. As a trustee, the standard of prudence to be used by investment officials shall be the "prudent investor" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures, and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this plan.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity.

III. Capital Preservation and Risk

A. Overview

Some level of risk is inherent in any investment transaction. Losses may be incurred due to issuer default, market price changes, or technical cash flow complications such as investments in non-marketable certificates of deposit. Diversification of the City's portfolio by institution, investment vehicle, and maturity term is the primary tool available to the City in minimizing investment risk and capital losses by safeguarding the overall portfolio from any individual loss.

B. Portfolio Diversification Practices

The following sections summarize the City's major portfolio diversification practices and guidelines in determining:

- Authorized Dealers
- Investment Vehicles
- Investment Maturity

Portfolio limitations included in these guidelines are to be based on the portfolio composition and investment management plan policies in effect at the time of placement; the actual composition of the City's investments may vary over time from plan limitations due to overall portfolio changes from when the individual placement was made as well as changes in the City's investment management plan

IV. Eligible Financial Institutions

A. Authorized Dealers

- Investments shall be purchased only through well-established, financially sound institutions. The Finance Director shall maintain a list of financial institutions and broker/dealers approved for investment. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions will be given a copy of the City’s Statement of Investment Policies, and a return cover letter which must be signed indicating that the Statement of Investment Policies has been read and understood.

  Qualified financial institutions and broker/dealers must supply the Director of Finance with the following:

  - Financial Institutions
    - Current audited financial statements Depository contracts, as appropriate
    - A copy of the latest FDIC call report or the latest FHLBB report, as appropriate.

  - Broker/Dealers
    - Current audited financial statements
    - Proof that brokerage firm is a member in good standing with a national securities exchange.

- Except for repurchase agreements, investments shall be awarded based on competitive bids. Documentation relating to investment quotes shall be maintained by the Finance Department for a period of one year.

B. Individual Placement of Deposits

Individual placement of negotiable, collateralized, and other time certificates of deposit with eligible financial institutions shall be based on the following practices and procedures:

- Deposits shall only be placed with financial institutions maintaining offices within the City of Berkeley.

- Unless collateralized by eligible securities as provided in Sections 53651 and 53652 of the Government Code, the maximum amount of Certificates of Deposit to be placed with any single institution is $250,000.

V. Investment Vehicles

A. State of California Limitations

As provided in Sections 53601, 53635, and 16429.1 of the Government Code, the State of California limits the investment vehicles available to local agencies to the following:

1. **U.S. Treasury Instruments**
   As authorized in Government Code Section 53601(b), this category includes bills, notes, bonds or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest. There are no portfolio limitations on the amount.

2. **Government Sponsored Enterprises**
   As authorized in Government Code Section 53601(f), this category includes a wide variety of government securities. These securities include U. S. government-sponsored enterprise obligations, such as issues by the Federal National Mortgage Association (FNMA's), Federal Home Loan Bank (FHLB), Federal Farm Credit (FFCB), Student Loan Marketing Association (SLMA), etc. There are no portfolio limitations on the amount.

3. **Municipal Securities**
   As authorized in Government Code Section 53601(a)(c)(d)(e), this category includes obligations of the City, the State of California, any of the other 49 states, and any local agency within the State of California, provided that:
   - The securities are rated “A” or higher by at least one nationally recognized statistical rating organization.
   - No more than 5% of the portfolio may be invested in any issuer.
   - The maximum maturity does not exceed five years.

4. **Banker's Acceptances**

   As provided in Government Code Section 53601(f)g, 40% of the City's portfolio may be invested in Banker's Acceptances, otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank, although no more than 30% of the portfolio may be invested in Bankers' Acceptances with any one commercial bank. Additionally, the maturity period cannot exceed 180 days.

5. **Commercial Paper**

   Commercial paper is a short-term, unsecured promissory note issued by financial and non- financial companies to raise short-term cash. As provided in Government Code Section 53601(h) up to 25% of the City's portfolio may be invested in "prime" commercial paper of the highest ranking or of the highest letter and number rating as provided by a nationally recognized statistical-rating organization (i.e., Moody's or Standard and Poor's or Fitch), with maturities not to exceed 270 days. The issuer must have total assets in excess of $500 million, and have debt other than Commercial Paper rated “A” or higher by a nationally recognized statistical-rating organization.

6. **Negotiable Certificates of Deposit**

   Negotiable certificates of deposit are a fixed deposit certificate that may be negotiated (traded) to a third party. The institution issuing the certificate promises to pay the holder the initial investment plus the interest rate stated on the certificate at maturity. As authorized in Government Code Section 53601(i), the City may invest 30% of its portfolio in negotiable certificates of deposit issued by commercial banks, thrifts and foreign banks.

7. **Repurchase Agreements**

   Repurchase agreements are agreements between the local agency and seller for the local agency to purchase government securities to be resold back to the seller at a specific date and for a specific amount and are authorized by Government Code Section 53601(j). Although the legal maximum maturity on these investments is 360 days, repurchase agreements are generally short-term investments varying from one day to two weeks. Investments in repurchase agreements must be collateralized, and collateral required for repurchase agreements is limited to Treasury and Agency securities. In order to anticipate market changes and provide a level of security for all funds, the required collateralization level is 102% of market value of principal and accrued interest.

8. **Reverse Repurchase Agreements**

   Reverse repurchase agreements are a sale of securities by the local agency with a simultaneous agreement for the local agency to repurchase the securities on or before a specified date. As provided in Government Code section 53635(j), reverse repurchase agreements require the prior approval of the City Council. Reverse repurchase agreements can only be made with primary dealers of the Federal

Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with the local agency. There are no portfolio limitations on the amount for these investments.

9. Medium-Term Corporate Notes

As authorized in Government Code Section 53601(k), local agencies may invest in corporate bonds and notes of industrial companies, banks, bank holding companies, insurance companies, thrifts and finance companies that are rated “A” or better by a nationally recognized rating service; and issued by corporations organized and operating in the United States. The maximum remaining maturity is limited to five years, and the amount invested must not exceed 30% of the agency's portfolio.

10. Shares of Beneficial Interest Issued By Diversified Management Companies

As authorized in Government Code Section 53601(l), local agencies are also authorized to invest in shares of beneficial interest issued by diversified management companies (i.e., mutual funds) as defined in Section 23701(m) of the Revenue and Taxation Code in an amount not to exceed 20% of the agency's portfolio.

11. Financial Futures and Financial Option Contracts

As authorized in Government Code Section 53601.1, local agencies may invest in financial futures or option contracts in any of the above investment categories subject to the same overall portfolio limitations.

12. Time Certificates of Deposit

As authorized in Government Code Section 53635, time certificates of deposit are fixed term, non-negotiable investments which are required to be collateralized 110% by eligible pooled securities. The pool is administered by the State, and is composed of a wide variety of government securities, secured by first mortgages on improved residential property located in the State. There are no portfolio limits on the amount; however the maturity period for this investment vehicle may not exceed five years unless approved by the Council.

13. Local Agency Investment Fund

As authorized in Government Code Section 16429.1, local agencies may invest in the Local Agency Investment Fund (LAIF), a pooled investment fund managed by the State Treasurer’s Office. It operates like a money market fund, but is for the exclusive benefit of governmental entities within the State. The current maximum amount of money that may be invested is $40 million.

14. Moneys Held By A Trustee Or Fiscal Agent

As authorized in Government Code Section 53601(m), debt proceeds held by a trustee or fiscal agent, which are pledged to the payment or security of bonds or other indebtedness may be invested in accordance with the statutory provisions governing the issuance of those bonds or other agreement; or to the extent not

inconsistent with statutory provisions, or if there are no specific statutory provisions, investments may be made in accordance with the ordinance, resolution, indenture, or agreement of the local agency for the issuance.

This category includes investment agreements approved in writing by insurance companies, supported by appropriate opinions of counsel with notice to Standard and Poor's.

15. Other Secured Notes, Bonds Or Other Obligations

As authorized in Government Code Section 53601(n), notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities.

16. Mortgage Pass Through, Collateralized Mortgage Obligation, Mortgage-backed Bond, Equipment Lease-backed Certificate, Consumer Receivable Pass through Certificate, and Consumer Receivable-backed Bond

As authorized in Government Code Section 53601(o), securities in this category must be rated "AA" or its equivalent or better by a nationally recognized rating service. Purchases may not exceed 20% of the agency's portfolio.

17. Public Bank Obligations

As authorized in Government Code Section 53601(r),53635(c), and 57603 local agencies may invest on commercial paper, debt securities or other obligations of a public bank. The maximum remaining maturity is limited to five years.

B. City Policies

1. Allowable Investment Vehicles and Restrictions

The Director of Finance/City Treasurer is authorized to invest in any of the investment vehicles allowed by Sections 53601, 53635 and 16429.1 of the Government Code above, with the following limitations:

Financial futures; option contracts, floaters, inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest income if held to maturity may not be purchased. Exclusion of these vehicles is consistent with the City's overall objective of achieving reasonable yields on public funds while minimizing risk and capital losses. Although the potential exists for greater interest yields with these vehicles, it is believed that the potential level of risk exceeds their benefits except in very limited circumstances.

- Reverse repurchase agreements shall be entered into only to effect a "matched" transaction whereby the proceeds of the reverse are reinvested for the same

period as the term of the reverse repurchase agreement.

- Funds will only be invested in negotiable Certificates of Deposit that are fully insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC) in amounts up to $250,000 (including interest).

- The authority to invest in certain securities is restricted by the provisions of the section entitled “Responsible Investing”.

- No more than 45% of the portfolio may be invested in callable agency or government- sponsored enterprise securities.

- Commercial paper is limited to a maturity of 180 days, and the issuer must have the highest rating from two nationally recognized rating agencies, not one (as required by the State).

- The greater of $5 million or 2% of the short-term portfolio can be in the commercial paper of any single corporation or group under essentially common ownership or control.

- Purchases of such corporate notes as mortgage pass through, collateralized mortgage obligation, mortgage-backed bond, equipment lease-backed certificate, consumer receivable pass through certificate and consumer receivable-backed bond must be rated “Aa” or AA or its equivalent or better by a nationally recognized rating service. As authorized in Government Code Section 53601(j), staff may invest in corporate bonds and notes of industrial companies, banks, bank holding companies, insurance companies, thrifts and finance companies that are rated “A” or better by a nationally recognized rating service; and issued by corporations organized and operating in the United States. The amount invested must not exceed 30% of the agency's portfolio.

- No investment shall be made which involve a “hidden” reduction in the investment rate or yield in order to subsidize other investment programs. For example, the City invests $10,000,000 for a year at a rate of 1% less than “market” rates.

- Up to 100% of the portfolio may be placed in money market accounts.

See Appendix A for the Investment Portfolio/Diversification Requirements, which lists the maximum amounts that may be invested in the various investment types and the maximum authorized maturities.

2. **Term**

   Reserve funds from the proceeds of debt issues may be invested by the Director of Finance/City Treasurer in government agency securities with terms exceeding five (5) years, if the maturity of such investments are made to coincide as nearly as practicable with the life of the debt issue. A maximum of 30 percent of the par value of the portfolio may be invested in a stated maturity of up to 10 years.

3. **New Investments**

   No new types of investments will be purchased for the first time without at least two weeks notification to the City Council. For example, although Mortgage Pass through securities are authorized investments, none will be purchased for the first time without such prior City Council notification.

VI. Investment Maturity

In addition to the risks associated with the credit-worthiness of the financial institution and the security of the investment vehicle, the maturity period of investments is also a significant consideration in the management of the City's portfolio. In order to minimize the impact of market risk, it is intended that all investments will be held until maturity. Investments may be sold prior to maturity for cash flow or appreciation purposes; however, no investment shall be made based solely on yields resulting from anticipated capital gains.

Also, except for debt proceeds, a maximum of 30 percent of the par value of the portfolio may exceed five years.

VII. Cash Management

To achieve a reasonable return on public funds, the following cash management practices will be followed:

- Maintain maximum investment of all City funds not required to meet immediate cash flow needs while maintaining adequate compensating balances as required under the City's banking services agreement.

- Pool resources available for investment from all City-administered funds, with interest earnings allocated to each of the funds in accordance with generally accepted accounting principles.

- Maximize the City's cash flow through the immediate deposit of all cash receipts, use of direct deposits and wire transfers when available, and appropriate timing of payments to vendors.

- Maximize the cash flow information available through the use of only one operating bank account.

VIII. Evaluation of Investment Performance

As indicated in the Introduction section of this document, it is the City's primary investment objective to achieve a reasonable rate of return on public funds while minimizing risks and preserving capital. In evaluating the performance of the City's portfolio in achieving this objective, it is expected that yields on City investments will regularly meet or exceed the average return on the State Local Agency Investment Fund (LAIF).

IX. Investment Reporting

Consistent with Sections 16481.2 and 53646 of the Government Code, the Department of Finance shall submit an annual Statement of Investment Policies to the Council for consideration at a public meeting.

In addition to the submittal of an annual Statement of Investment Policies, the Department of Finance shall provide the Council with a quarterly and annual investment report providing the following information for each investment or security:

- Issuer or broker/dealer (financial institution)
- Type of investment
- Certificate or other reference number if applicable
- Percentage yield on an annualized basis
- Purchase date
- Maturity date for each investment and the weighted average maturity of all the investments within the portfolio
- Current book value
- Current market value
- Total cost and market value, including source of this valuation, of the City's portfolio
- A description of the compliance with the Statement of Investment Policies
- An evaluation of investment operations for the preceding year. This shall include an evaluation of how well the objectives have been achieved: the accuracy of forecasting expenditures and revenues, as well as a comparison of the average returns on the investment portfolio with that of the Local Agency Investment Fund (LAIF).
- Report of investments. The Director of Finance shall prepare a report that provides a clear status of the current investment portfolio and transactions. The report will be prepared in a manner which allows the City Manager and Council to ascertain whether investment activities during the reporting period have conformed to the investment policies.

- Summary of key or unusual events, including but not limited to:

    - Any exceptions to policies;
    - Adherence to or deviations from social investment goals;
    - Purchases of Treasury securities, other than in repurchase agreements with maturities of seven days or less;
    - Purchases of securities that exceed maturity limits;
    - Sales of securities more than three months before maturity;
    - Changes in investment procedures, dealers, staff, etc.

- Investment performance:

    - A glossary, defining all funds or accounts referred to elsewhere in the report; and a listing of banks, securities dealers and custodians that the City has had investment transactions during the period.
    - A summary of the certifications for deposits of City funds.
    - Other information regarding the City's portfolio as appropriate

The Quarterly Investment Report shall include all investments as of the end of the quarter from all funds held in the City's portfolio, and shall be issued within 60 days after the end of the quarterly reporting period to the City Manager, and the City Council; the annual report shall be issued within 90 days after the end of the fiscal year to the City Manager, and the City Council.

X. Appendices

A. Investment Portfolio – Diversification Requirements

Investment Portfolio
Diversification Requirements

Investment Instrument	Maximum Amount of Portfolio	Maximum Length to Maturity
Bank / Time Deposit Accounts	100%	5 Years
Money Market Deposit Accounts	100%	N/A
Repurchase Agreements	10%	1 Year
Reverse Repurchase Agreements	10%	7 Days
Bankers Acceptances	40%	7 Days
U.S. Government Securities (Treasury Bills, Notes, and Bonds)	100%	10 Years
U.S. Government Agency Securities by Agency	100%	10 Years
Certificates of Deposit (Negotiable)	30%	10 Years
Municipal Bonds	100%	5 Years
Commercial Paper	25%	180 Days
Medium Term Notes	30%	10 Years
Public Bank Obligations	10% of Unrestricted Investments	5 Years

B. Berkeley's ESG Investing Initiative

CITY OF BERKELEY

BERKELEY'S ESG INVESTING INITIATIVE

On November 27, 2018, City of Berkeley City Council approved the recommendation to incorporate the Environmental, Social, and Governance (ESG) principles in the City of Berkeley's investment policy. This is a new effort to integrate ESG considerations into Berkeley's investment decision-making process would lead the way for responsible investment in the United States and across the globe. ESG factors makes good business sense and leads to more sustainable markets and better outcomes for societies.

WHAT IS ESG INVESTING?

ESG investing describes the consideration of environmental, social, and governance (ESG) factors alongside traditional financial factors in the investment decision-making process, ensuring that investments are financially prudent and impact driven. ESG factors may include greenhouse gas emissions, energy usage, labor standards, business ethics, gender and racial diversity, executive compensation, and more.

WHY IS ESG INVESTING IMPORTANT?

First, ESG investing drives better risk-adjusted returns, since companies that score higher on ESG factors tend to have stronger fundamentals that mitigate financial risk, putting those companies in a better position for long-run stability and profitability.

And second, ESG investing helps guide investment dollars to make a positive impact on some of the most fundamental challenges facing Berkeleyans. Through promoting investments in companies that prioritize conservation and sustainable business practices, it helps protect our environment for future generations. Through promoting investments in companies that promote a better quality of life for all of us, it helps create a more equitable, just corporate eco-system and world. And through promoting investments in companies with strong corporate governance, it helps promote sound and representative management practices.

WHAT IS THE CITY OF BERKELEY'S APPROACH?

We plan to take clear, defined steps toward fully integrating ESG factors into the investment decisions within our operating portfolio, potentially including the following actions and commitments:

- **100% Integration:** Ensure that 100% of investment decisions on corporate securities are analyzed through ESG factors, making Berkeley one of the few cities in the country to take this step with its operating portfolio. Specific factors will include (but will not be limited to):
    - *Environmental:* Carbon Footprint; Energy Consumption; Water/Waste; External Conservation Initiatives; and Sector-Specific Adjustments.
    - *Social:* Labor Rights; Employee Diversity; Corporate Social Responsibility; and Human Rights/Ethics.
    - *Governance:* Leadership Structure; Executive Compensation; Human Capital Management; Transparency/Disclosure; and Shareholder Rights.

- **Comprehensive Approach:** Seek to maintain a minimum ESG portfolio rating of investment grade or higher.
- **Proactive, Responsible Investing:** Pursue opportunities for sustainable investments, including purchasing securities from market leaders in disclosure and corporate board diversity, securities that fund community development projects, and other securities with strongly positive effects on our communities.
- **Commitment to Carbon-Neutrality:** Achieve a carbon-neutral portfolio from an investment perspective, which may include seeking to offset existing investments in the top 200 publicly-owned coal, oil, and gas reserve owners (ranked by the carbon emissions embedded in their reserves) with socially responsible investments.

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ATTACHMENT 3

CITY OF BERKELEY

INVESTMENT POLICY

FOR RETIREE MEDICAL PLAN TRUST FUNDS

Effective July 1, 2024

Public

City of Berkeley
INVESTMENT POLICIES FOR RETIREE MEDICAL PLAN TRUST FUNDS
July 1, 2024

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I. INTRODUCTION

Pursuant to Sections 2.44.040 and 2.44.060 of the Berkeley Municipal Code, Resolution No. 45,087-N.S., and Sections 53601, 53607, 53636 and 53648 of the State Government Code, the Director of Finance, the Treasurer of the City, is authorized to make investments of the City's idle funds. The Code also directs the City to present an annual investment policy to the City Council for approval. This Investment Policy, after approval of the amendments by the City Council, will serve as the Investment Policy for the City of Berkeley for the subsequent fiscal year.

Notwithstanding Section 53601 or 53635, the governing body of a local agency may invest funds designated for the payment of employee retiree health benefits in any form or type of investment deemed prudent by the governing pursuant to Section 53622. The authority of the governing body to invest or to reinvest funds intended for the payment of employee retiree health benefits, or to sell or exchange securities purchased for that purpose, may be delegated by the governing body to designated officers. The City Council has designated the Director of Finance, the Treasurer of the City, or his/her designee, the authority to make investments of the City's retiree medical plan trust funds.

Funds intended for the payment of employee retirement health benefits shall only be held for the purpose of providing benefits to participants in the retiree health benefit plan and defraying reasonable expenses of administering that plan.

The governing board or designated officer, when making investments of the funds, shall discharge its duties with respect to the investment of the funds.

(1) Solely in the interest of, and for the exclusive purposes of providing benefits to, participants in the retiree health benefit plan, minimizing employer contributions thereto, and defraying reasonable expenses of administering the plan.
(2) With care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.
(3) Shall diversify the investments of the funds so as to minimize the risk of loss and to maximize the rate of return, unless under the circumstances it is clearly prudent not to do so.

A. SCOPE OF POLICIES

These investment policies apply to the investments of the Retiree Medical Plan Trust Funds.

B. INVESTMENT OBJECTIVES

The Treasurer adheres to the principle which maintains that over the long-term, prudent investment risk-taking may be rewarded with higher incremental returns. Consequently, while capital preservation (i.e., Safety) is regarded to be of paramount importance, the Treasurer regards prudent risk-taking as justifiable.

C. USE OF STATE INVESTMENT GUIDELINES

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As required under Government Code Sections 16481.2 and 53646, the Statement of Investment Policies will be reviewed by the Council annually.

II. INVESTMENT AUTHORITY AND RESPONSIBILITIES

A. AUTHORIZED INVESTMENT OFFICERS

1. Retiree Medical Trust Funds:

A Trust is to be established by the City for the purpose of holding and investing assets separate and apart from the other funds of the City to fund the benefits of the Program. The specific terms governing the Trust are to be set forth in a separate trust instrument.

- The trustee of the Trust (the "Trustee") may be the City Treasurer (i.e., Director of Finance) or an independent third party qualified to act as a trustee under California law and designated by the City.

- The Trustee shall be a fiduciary of the Program and shall act solely in the interest of the Participants, minimizing employer contributions to the Trust, and defraying reasonable expenses of administering the Program.

- The City Manager may, with the written concurrence of the City Council, appoint an "investment manager" (as that term is defined in section 3(38) of the Employee Retirement Income Security Act) to have responsibility for investment of the Trust assets. In this case, the Trustee shall act as directed by the investment manager. The investment manager shall act as a fiduciary of the Program and shall act with the same duties and responsibilities set out in "Investment Objectives" section above.

B. INTERNAL CONTROLS

The Director of Finance shall establish a system of internal controls designed to prevent losses of trust funds arising from fraud, employee error, misrepresentation of third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City of Berkeley. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management. These controls shall include:

- Separation of transaction authority from accounting and physical custody.
- By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
- Also, securities purchased from any bank or dealer including appropriate collateral (as defined by State Law), shall be placed with an independent third party for custodial safekeeping.
- Avoidance of physical delivery of securities by using a delivery versus payment "Basis of Settlement Only".
- All trades will be executed on a delivery versus payment (DVP) basis. This ensures that securities are delivered to the City's safekeeping bank at the same time the funds

Public

are released by the City's safekeeping bank.

- Third-Party custodial safekeeping of securities held in the name of the City. Delivered securities must be properly safeguarded against loss or destruction. Book entry securities are recorded in electronic records and the potential for fraud and loss increases with physically delivered securities. All investment securities, except collateralized certificates of deposit and money market funds, purchased by the City will be delivered by either book entry or physical delivery and will be held in third-party safekeeping by a City-approved custodian bank, its correspondent New York Bank or the Depository Trust Corporation (DTC). Whenever possible, securities purchased are to be recorded in "book entry" form.
- All securities and applicable collateral will be held by the City's third party custodian and evidenced by safekeeping receipts. All book entry securities owned by the City shall be evidenced by a safekeeping receipt issued to the City by the custodian bank to acknowledge that the securities are held in the Federal Reserve system in a "customer account" for the custodian bank which names the City as "customer";

The Director of Finance will require each approved safekeeping financial institution to submit a copy of its Consolidated Report of Condition and Income (Call Report) to the City within 60 days after the end of each calendar quarter.

- Competitive bidding on investment transactions. Before the City invests in any secondary market funds, competitive bids shall be requested. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, bids will be requested from at least three financial institutions for instruments which meet the maturity requirement. If no specific maturity is required, a yield curve analysis will be conducted to determine which maturities would be most advantageous.
- Written confirmation and documentation of all financial transactions.
- Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communications may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.
- Rapid deposit of funds received by the City (i.e., large checks.)
- Bonding of all investments officials.

C. EVALUATION OF INVESTMENT OFFICER ACTIONS

Section 53600.3 of the Government Code identifies trustees as those persons authorized to make investment decisions on behalf of a local agency. As a trustee, the standard of prudence to be used by investment officials shall be the "prudent investor" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures, and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this plan.

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Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity.

III. CAPITAL PRESERVATION AND RISK

A. OVERVIEW

The Treasurer adheres to the principle which maintains that over the long-term, prudent investment risk-taking may be rewarded with higher incremental returns. Consequently, while capital preservation (i.e., Safety) is regarded to be of paramount importance, the Treasurer regards prudent risk-taking as justifiable.

Some level of risk is inherent in any investment transaction. Losses may be incurred due to issuer default, market price changes, or technical cash flow complications such as investments in non-marketable certificates of deposit. Diversification of the City's portfolio by institution, investment vehicle, and maturity term is the primary tool available to the City in minimizing investment risk and capital losses by safeguarding the overall portfolio from any individual loss.

B. PORTFOLIO DIVERSIFICATION PRACTICES

The following sections summarize the City's major portfolio diversification practices and guidelines in determining:

- Authorized Dealers
- Investment Vehicles
- Investment Maturity

Portfolio limitations included in these guidelines are to be based on the portfolio composition and investment management plan policies in effect at the time of placement; the actual composition of the City's investments may vary over time from plan limitations due to overall portfolio changes from when the individual placement was made as well as changes in the City's investment management plan.

IV. ELIGIBLE FINANCIAL INSTITUTIONS

A. AUTHORIZED DEALERS

Public

- Investments shall be purchased only through well-established, financially sound institutions. The Finance Director shall maintain a list of financial institutions and broker/dealers approved for investment. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions will be given a copy of the City's Statement of Investment Policies, and a return cover letter which must be signed indicating that the Statement of Investment Policies has been read and understood.

  Qualified financial institutions and broker/dealers must supply the Director of Finance with the following:

  Financial Institutions
  Current audited financial statements
  Depository contracts, as appropriate
  A copy of the latest FDIC call report or the latest FHLBB report, as appropriate.

  Broker/Dealers
  Current audited financial statements
  Proof that brokerage firm is a member in good standing with a national securities exchange.

- Except for repurchase agreements, investments shall be awarded based on competitive bids. Documentation relating to investment quotes shall be maintained by the Finance Department for a period of one year.

B. INDIVIDUAL PLACEMENT OF DEPOSITS

Individual placement of negotiable, collateralized, and other time certificates of deposit with eligible financial institutions shall be based on the following practices and procedures:

- Deposits shall only be placed with financial institutions maintaining offices within the City of Berkeley.
- Unless collateralized by eligible securities as provided in Sections 53651 and 53652 of the Government Code, the maximum amount of Certificates of Deposit to be placed with any single institution is $250,000.

V. INVESTMENT VEHICLES

The governing body of a local agency may invest funds designated for the payment of employee retiree health benefits in any form or type of investment deemed prudent by the governing pursuant to Section 53622. Some of the investment vehicles the City Council has authorized are the following:

Public

1. **U.S. Treasury Instruments**
   As authorized in Government Code Section 53601(b), this category includes bills, notes, bonds or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest. There are no portfolio limitations on the amount.

2. **Government Sponsored Enterprises**
   As authorized in Government Code Section 53601(f), this category includes a wide variety of government securities. These securities include U. S. government-sponsored enterprise obligations, such as issues by the Federal National Mortgage Association (FNMA's), Federal Home Loan Bank (FHLB), Federal Farm Credit (FFCB), Student Loan Marketing Association (SLMA), etc. There are no portfolio limitations on the amount.

3. **Municipal Securities**
   As authorized in Government Code Section 53601(a)(c)(d)(e), this category includes obligations of the City, the State of California, any of the other 49 states, and any local agency within the State of California, provided that:
   - The securities are rated "A" or higher by at least one nationally recognized statistical rating organization.
   -
   - There are no limitations on the amount or period.

4. **Banker's Acceptances**
   As provided in Government Code Section 53601(f)g, 40% of the City's portfolio may be invested in Banker's Acceptances, otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank, although no more than 30% of the portfolio may be invested in Bankers' Acceptances with any one commercial bank. Additionally, the maturity period cannot exceed 180 days.

5. **Commercial Paper**
   Commercial paper is a short-term, unsecured promissory note issued by financial and non-financial companies to raise short-term cash. As provided in Government Code Section 53601(h) up to 25% of the City's portfolio may be invested in "prime" commercial paper of the highest ranking or of the highest letter and number rating as provided by a nationally recognized statistical-rating organization (i.e., Moody's or Standard and Poor's or Fitch), with maturities not to exceed 270 days. The issuer must have total assets in excess of $500 million, and have debt other than Commercial Paper rated "A" or higher by a nationally recognized statistical-rating organization.

6. **Negotiable Certificates of Deposit**
   Negotiable certificates of deposit are a fixed deposit certificate that may be negotiated (traded) to a third party. The institution issuing the certificate promises to pay the holder the initial investment plus the interest rate stated on the certificate at maturity. As authorized in Government Code Section 53601(i), the City may invest 30% of its portfolio in negotiable certificates of deposit issued by commercial banks, thrifts and foreign banks.

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7. **Repurchase Agreements**
Repurchase agreements are agreements between the local agency and seller for the local agency to purchase government securities to be resold back to the seller at a specific date and for a specific amount and are authorized by Government Code Section 53601(j). Although the legal maximum maturity on these investments is 360 days, repurchase agreements are generally short-term investments varying from one day to two weeks. Investments in repurchase agreements must be collateralized, and collateral required for repurchase agreements is limited to Treasury and Agency securities. In order to anticipate market changes and provide a level of security for all funds, the required collateralization level is 102% of market value of principal and accrued interest.

8. Reverse Repurchase Agreements
Reverse repurchase agreements are a sale of securities by the local agency with a simultaneous agreement for the local agency to repurchase the securities on or before a specified date. As provided in Government Code section 53635(j), reverse repurchase agreements require the prior approval of the City Council. Reverse repurchase agreements can only be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with the local agency. There are no portfolio limitations on the amount for these investments.

9. Medium-Term Corporate Notes
As authorized in Government Code Section 53601(k), local agencies may invest in corporate bonds and notes of industrial companies, banks, bank holding companies, insurance companies, thrifts and finance companies that are rated "A" or better by a nationally recognized rating service; and issued by corporations organized and operating in the United States. There are no portfolio limitations for these investments.

10. Shares of Beneficial Interest Issued By Diversified Management Companies
As authorized in Government Code Section 53601(l), local agencies are also authorized to invest in shares of beneficial interest issued by diversified management companies (i.e., mutual funds) as defined in Section 23701(m) of the Revenue and Taxation Code in an amount not to exceed 20% of the agency's portfolio.

11. **Financial Futures and Financial Option Contracts**
As authorized in Government Code Section 53601.1, local agencies may invest in financial futures or option contracts in any of the above investment categories subject to the same overall portfolio limitations.

12. **Time Certificates of Deposit**
As authorized in Government Code Section 53635, time certificates of deposit are fixed term, non-negotiable investments which are required to be collateralized 110% by eligible pooled securities. The pool is administered by the State, and is composed of a wide variety of government securities, secured by first mortgages on improved residential property located in the State. There are no portfolio limits on the amount; however the maturity period for this investment vehicle may not exceed five years unless approved by the Council.

Public

13. **Local Agency Investment Fund**
As authorized in Government Code Section 16429.1, local agencies may invest in the Local Agency Investment Fund (LAIF), a pooled investment fund managed by the State Treasurer's Office. It operates like a money market fund, but is for the exclusive benefit of governmental entities within the State. The current maximum amount of money that may be invested is $40 million.

14. Moneys Held By A Trustee Or Fiscal Agent
As authorized in Government Code Section 53601(m), debt proceeds held by a trustee or fiscal agent, which are pledged to the payment or security of bonds or other indebtedness may be invested in accordance with the statutory provisions governing the issuance of those bonds or other agreement; or to the extent not inconsistent with statutory provisions, or if there are no specific statutory provisions, investments may be made in accordance with the ordinance, resolution, indenture, or agreement of the local agency for the issuance.

This category includes investment agreements approved in writing by insurance companies, supported by appropriate opinions of counsel with notice to Standard and Poor's.

15. Other Secured Notes, Bonds Or Other Obligations
As authorized in Government Code Section 53601(n), notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities.

16. **Mortgage Pass Through, Collateralized Mortgage Obligation, Mortgage-backed Bond, Equipment Lease-backed Certificate, Consumer Receivable Pass through Certificate, and Consumer Receivable-backed Bond**
As authorized in Government Code Section 53601(o), securities in this category must be rated "AA" or its equivalent or better by a nationally recognized rating service. Purchases may not exceed 20% of the agency's portfolio.

In addition to the authorized investments above, the following investments may be made by Retiree Medical plan funds:

- Up to 100% of the retiree medical plans funds may be invested in equity mutual funds[1] or equity index funds[2], preferred stock[3] and bond funds [4].

[1]Equity Mutual Fund – A financial intermediary that allows a group of investors to pool their money together with a predetermined investment objective. The mutual fund will have a fund manager who is responsible for investing the pooled money into specific securities. When you invest in a mutual fund, you are buying shares of the mutual fund and become a shareholder of the fund. They are very cost effective, as the fund can purchase securities with much lower trading costs then an individual investor. But the biggest advantage to mutual funds is diversification.

[2]Equity Index Fund – A mutual fund that attempts to copy the performance of a stock market index. The most common index fund tries to track the S&P 500 by purchasing all 500 stocks

Public

using the same percentages as the index. Index funds have lower fees because computers do most of the work. There is no need to hire an expensive fund manager or research analysts. Index funds can have an expensive ratio as low as .18%, while actively managed funds can have an expense ratio over 3%. Over the long-term, the S&P 500 beats the returns of 80% of actively managed funds.

[3]Preferred Stock – A hybrid between common stock and a bond. Each share of preferred stock is normally paid a guaranteed dividend that receives first priority (i.e., the common stockholders cannot receive a dividend until the preferred dividend has been paid in full) and has priority over the common stockholders relative to the company's assets in the event of bankruptcy.

[4]Bond Fund- A bond fund is a more efficient way of investing in bonds than buying individual securities. Bond mutual funds are just like stock mutual funds in that you put your money into a pool with other investors, and a professional invests that pool of money according to what he or she thinks the best opportunities are. They are very cost effective, as the fund can purchase securities with much lower trading costs then an individual investor. But the biggest advantage to mutual funds is diversification.

Some of the investment vehicles that are Unallowable Investment Vehicles and Restrictions**:**

The Director of Finance/City Treasurer is not authorized to invest in any of the following investment vehicles:

Financial futures; option contracts, floaters, inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest income if held to maturity may not be purchased. Exclusion of these vehicles is consistent with the City's overall objective of achieving reasonable yields on public funds while minimizing risk and capital losses. Although the potential exists for greater interest yields with these vehicles, it is believed that the potential level of risk exceeds their benefits except in very limited circumstances.

See Appendix A for the Investment Portfolio/Diversification Requirements, which lists the maximum amounts that may be invested in the various investment types and the maximum authorized maturities.

In accordance with Government Code Sections 53620-53622, the assets of the City of Berkeley Retiree Medical Plan Trust may be invested in any form or type of investment deemed prudent by the City Council.The maximum maturity for Retiree Medical Plan Trust funds is 30 years.

VI. CASH MANAGEMENT

To achieve a reasonable return on public funds, the following cash management practices will be followed:

- Maintain maximum investment of all City funds not required to meet immediate cash flow needs.

Public

- Maximize the City's cash flow through the immediate deposit of all cash receipts, use of direct deposits and wire transfers when available, and appropriate timing of payments to vendors.
- Maximize the cash flow information available through the use of only one operating bank account.

VII. EVALUATION OF INVESTMENT PERFORMANCE

An actuarial study commissioned by the City many years ago determined that, in addition to City Contributions, an average rate of return of 7% on miscellaneous employees' retiree medical trust fund assets invested must be achieved to fund the retiree health benefit at the desired 70% level. Primarily as a result of the Federal Reserve Board's decision to keep short-term rates near zero for the last 10 years, the average rate currently earned is significantly below that 7% level.

VIII. INVESTMENT REPORTING

Consistent with Sections 16481.2 and 53646 of the Government Code, the Department of Finance shall submit an annual Statement of Investment Policies to the Council for consideration at a public meeting.

In addition to the submittal of an annual Statement of Investment Policies, the Department of Finance shall provide the Council with a quarterly and annual investment report providing the following information for each investment or security:

- Issuer or broker/dealer (financial institution)
- Type of investment
- Certificate or other reference number if applicable
- Percentage yield on an annualized basis
- Purchase date
- Maturity date for each investment and the weighted average maturity of all the investments within the portfolio
- Current book value
- Current market value
- Total cost and market value, including source of this valuation, of the City's portfolio
- A description of the compliance with the Statement of Investment Policies
- An evaluation of investment operations for the preceding year. This shall include an evaluation of how well the objectives have been achieved: the accuracy of forecasting expenditures and revenues, as well as a comparison of the average returns on the investment portfolio with that of the Local Agency Investment Fund (LAIF).
- Report of investments. The Director of Finance shall prepare a report that provides a clear status of the current investment portfolio and transactions. The report will be prepared in a manner which allows the City Manager and Council to ascertain whether investment activities during the reporting period have conformed to the investment policies.
- Summary of key or unusual events, including but not limited to:
  - Any exceptions to policies;
  - Adherence to or deviations from social investment goals;

Public

- Purchases of Treasury securities, other than in repurchase agreements with maturities of seven days or less;
- Purchases of securities that exceed maturity limits;
- Sales of securities more than three months before maturity;
- Changes in investment procedures, dealers, staff, etc.

- Investment performance;
  - A glossary, defining all funds or accounts referred to elsewhere in the report; and
  - A listing of banks, securities dealers and custodians that the City has had investment transactions during the period.
  - A summary of the certifications for deposits of City funds.
  - Other information regarding the City's portfolio as appropriate

The Quarterly Investment Report shall include all investments as of the end of the quarter from all funds held in the City's portfolio, including funds held and invested by trustees; and shall be issued within 30 days after the end of the quarterly reporting period to the City Manager, and the City Council; the annual report shall be issued within 90 days after the end of the fiscal year to the City Manager, and the City Council.

Public

APPENDIX A

INVESTMENT PORTFOLIO
Diversification Requirements

Investment Instrument	*Maximum Amount Of Portfolio*	*Maximum Length To Maturity*
Bank / Time Deposit Accounts	100%	5 Years
Money Market Deposit Accounts	100%	N/A
Repurchase Agreements	10%	1 Year
Reverse Repurchase Agreements	10%	7 Days
Bankers Acceptances	40%	7 Days
U.S. Government Securities (Treasury Bills, Notes, and Bonds)	100%	30 Years
U.S. Government Agency Securities by Agency	100%	30 Years
Certificates of Deposit (Negotiable)	30%	30 Years
Municipal Bonds	100%	30 Years
Commercial Paper	25%	180 Days
Medium Term Notes	30%	30 years

In addition to the investments above, the following investments may be made by Retiree Medical plan funds:

- Up to 25% of the retiree medical plans funds may be invested in equity mutual funds[1] or equity index funds[2], and preferred stock[3].

Public

[1]Equity Mutual Fund – A financial intermediary that allows a group of investors to pool their money together with a predetermined investment objective. The mutual fund will have a fund manager who is responsible for investing the pooled money into specific securities. When you invest in a mutual fund, you are buying shares of the mutual fund and become a shareholder of the fund. They are very cost effective, as the fund can purchase securities with much lower trading costs then an individual investor. But the biggest advantage to mutual funds is diversification.

[2]Equity Index Fund – A mutual fund that attempts to copy the performance of a stock market index. The most common index fund tries to track the S&P 500 by purchasing all 500 stocks using the same percentages as the index. Index funds have lower fees because computers do most of the work. There is no need to hire an expensive fund manager or research analysts. Index funds can have an expensive ratio as low as .18%, while actively managed funds can have an expense ratio over 3%. Over the long-term, the S&P 500 beats the returns of 80% of actively managed funds.

[3]Preferred Stock – A hybrid between common stock and a bond. Each share of preferred stock is normally paid a guaranteed dividend that receives first priority (i.e., the common stockholders cannot receive a dividend until the preferred dividend has been paid in full) and has priority over the common stockholders relative to the company's assets in the event of bankruptcy.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: David Sprague, Fire Chief

Subject: Agreement: City of El Cerrito Fire and Emergency Services

RECOMMENDATION
Adopt a Resolution authorizing the City Manager to execute a memorandum of understanding with the City of El Cerrito to provide year-round automatic aid in each jurisdiction for fire, technical rescue, emergency medical, and other emergency response, rescinding Resolutions No. 68,820-N.S and 66,821-N.S. and maintaining the existing mutual response area agreement until the year-round fire and emergency services agreement is ratified.

FISCAL IMPACTS OF RECOMMENDATION
None.

CURRENT SITUATION AND ITS EFFECTS
The Fire Chiefs of the City of Berkeley and El Cerrito desire to replace two memorandums of understanding dated from 2015 to provide automatic and mutual aid for fire, rescue and emergency medical service responses and station coverage during greater alarm fires.

The Kensington Fire Protection District contracts for service with the El Cerrito Fire Department. This updated agreement will provide year-round response and improve response times of fire companies in the City of Berkeley, El Cerrito and Kensington. This agreement provides residents in each community a safety net when a local jurisdiction's emergency resources are committed to other incidents or would otherwise be delayed in their response.

BACKGROUND
The City Council adopted Resolutions No. 68,820-N.S and 66,821-N.S. on October 21, 2014, that authorized the City Manager to negotiate and execute a mutual response agreement with the City of El Cerrito Fire Department and the Kensington Fire Protection District that provided for the exchange of fire services in the designated mutual response area.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION
When a local jurisdiction's emergency resources are committed to other incidents, residents who call 911 for help may experience an increased response time, which can have detrimental impacts to health, property and/or the environment. Establishing automatic and mutual aid contracts with adjacent jurisdictions to provide assistance in these situations is a core responsibility of a local fire chief.

ALTERNATIVE ACTIONS CONSIDERED
None.

CONTACT PERSON
David Sprague, Fire Chief, (510) 981-3473

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

MEMORANDUM OF UNDERSTANDING: THE CITY OF EL CERRITO FOR AUTOMATIC AID RESPONSE AND EXCHANGE OF FIRE AND EMERGENCY SERVICES; AND RESCINDING RESOLUTIONS NO. 68,820-N.S. and 66,821-N.S.

WHEREAS, resolutions No. 68,820-N.S. and 66,821-N.S. were adopted by the City Council on October 21, 2015 authorizing the City Manager to negotiate and execute a Memorandum of Understanding (MOU) for the exchange of fire and services with the City of El Cerrito Fire Department, and which permitted both Berkeley and City of El Cerrito Fire Department to automatically respond to incidents regardless of jurisdictional boundaries; and

WHEREAS, the Fire Chiefs of Berkeley and El Cerrito fire department's desire to update and modify the previous MOUs; and

WHEREAS, aid shall not be used by either jurisdiction as a substitute for day-to-day full and continuing fire and emergency services protection within its own borders. The rendering of aid by one jurisdiction to another will only occur during periods when a jurisdiction's resources are unable to handle the scope or volume of incidents; and

WHEREAS, aid is to be provided for the purpose of providing adequate fire and emergency service coverage to residents within each jurisdiction and/or halting the forward progress of larger, more complex incidents; and

WHEREAS, the Berkeley Fire Fighters Association Local 1227 concurs with the proposed agreement and declined to meet and confer to discuss the impacts of entering into a year-round automatic-aid response agreement with the City of El Cerrito to include fire and emergency services responses.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolutions No. 68,820-N.S. and 66,821-N.S. are hereby rescinded.

BE IT FURTHER RESOLVED that the City Manager negotiate and execute an updated Memorandum of Understanding with the City of El Cerrito for the exchange of fire, technical rescue, emergency medical, and other emergency response on a year-round basis and made a part hereof a record signature copy of said MOU to be on file in the Office of the City Clerk.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: David Sprague, Fire Chief

Subject: Contract: Vector Solutions for Fire Records Management Software

RECOMMENDATION
Adopt a Resolution authorizing the City Manager to execute a piggyback contract and any amendments with Vector Solutions using the National Purchasing Partners (NPP) contract No. PS21095 in an amount not to exceed $200,000 for Fire Department Records Management from July 1, 2024 through March 24, 2027 with one (1), three (3) year option to extend.

FISCAL IMPACTS OF RECOMMENDATION
Funding will be recommended for appropriation through the first amendment through the FY25 appropriations ordinance using funds from the Departments baseline budget including General Fund or Measure FF.

CURRENT SITUATION AND ITS EFFECTS
The Department has had a long-standing relationship with Vector Solutions and utilizes this software to maintain employee records related to fire service training and education.

BACKGROUND
On October 14, 2020 National Purchasing Partners (NPP) issued RFP No. 2050 for the procurement of “Municipal Safety Equipment and Supplies for Government”. The RFP was published in the Daily Journal of Commerce (OR) and USA Today. The RFP closed January 15, 2021 and contracts were awarded on March 5, 2021. NPP Contract No. PS21095 with Vector Solutions started on March 24, 2021 and ends on March 24, 2027. This is a publicly solicited contract established through an RFP process conducted by a Lead Public Agency and satisfies Berkeley’s formal competitive bid requirements.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no identifiable environmental effects associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City has a long-standing relationship and investment with Vector Solutions as the primary records management platform for fire and emergency medical services certification, training and education.

ALTERNATIVE ACTIONS CONSIDERED
None

CONTACT PERSON
David Sprague, Fire Chief, (510) 981-3473

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: VECTOR SOLUTIONS FOR FIRE RECORDS MANAGEMENT SOFTWARE

WHEREAS, the Fire Department is responsible for a wide-range of disciplines and thus conducts a broad spectrum of training and education to ensure employees are properly prepared to respond, and

WHEREAS, there are certifications, licenses, evaluations, and on-going continuing education that all have to be administered and tracked, and

WHEREAS, the Department has a long-standing relationship and investment in the Records Management System provided by Vector Solutions, and

WHEREAS, on October 14, 2020 National Purchasing Partners (NPP) issued RFP No. 2050 for the procurement of “Municipal Safety Equipment and Supplies for Government”. The RFP was published in the Daily Journal of Commerce (OR) and USA Today. The RFP closed January 15, 2021 and contracts were awarded on March 5, 2021, and

WHEREAS, NPP Contract No. PS21095 with Vector Solutions started on March 24, 2021 and ends on March 24, 2027. This is a publicly solicited contract established through an RFP process conducted by a Lead Public Agency and satisfies Berkeley’s formal competitive bid requirements.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Vector Solutions using the National Purchasing Partners (NPP) contract No. PS21095 in an amount not to exceed $200,000 for Fire Department Records Management from July 1, 2024 through March 24, 2027 with one (1), three (3) year option to extend.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: David Sprague, Fire Chief
Colin Arnold, Interim Assistant Fire Chief

Subject: Purchase Order: Wildfire Defense Mesh

RECOMMENDATION
Adopt a Resolution authorizing the City Manager to execute a Purchase Order with Wildfire Defense Mesh from June 1, 2024 until May 31, 2027 in an amount not to exceed $400,000 with an option to extend for an additional three (3) years.

FISCAL IMPACTS OF RECOMMENDATION
All funds required to pay for this contract are in the Department's baseline operating budget. The funding source is Measure FF.

CURRENT SITUATION AND ITS EFFECTS
The Department aims to procure and provide this material to residents, based on their location in the City and the associated risk as determined by the Department.

One of the most effective methods for reducing home ignition from embers driven by wind during a wildfire is to outfit threatened homes with mesh on all vents, gutters, and decks that is specifically designed to prevent ember intrusion. Research conducted by the Insurance Institute for Business and Home Safety (IBHS) and Underwriters Laboratories National Institute for Standards and Training (UL/NIST) has established that the presence of approved mesh reduces the likelihood of ignition from ember cast, or the front of airborne, ignited material that is driven by wind ahead of the flames during a wildfire. Most homes in the Wildland Urban Interface (WUI) were built prior to a modern understanding of fire spread in the WUI environment, much of which can be mitigated by measures such as these. While other measures are also important, mesh is readily available, cost-effective, and requires little to no modification of the existing structure, making it easy for residents to complete.

BACKGROUND
Following a pilot program last year, the Fire Department has established that the distribution of home hardening mesh can be consistently and equitably distributed in a timely manner to assist residents. This mesh was cut to specific sizes and distributed by

fire department personnel for residents to complete the installation themselves (or by their representatives). During this pilot program, the vendor also developed common pre-cut products that speed delivery of mesh and reduce staff time to distribute it.

Wildfire Defense Mesh began in Australia dedicated to developing a product that protected homes from wildfire. The family owned business is now based in the United States.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
This contract will support home hardening and resiliency to the effects of wildfire, or fire spread between structures. Structure-to-structure spread, or the ignition of common residential construction due to ember cast, increases fire spread and community destruction while releasing the carbon sequestration accomplished through the wood framing of residential construction.

RATIONALE FOR RECOMMENDATION
Wildfire Defense Mesh is the only simple “do-it-yourself” mesh that has full compliance with California Building Code, 2022 Chapter 7A, 706A Vents, 706A.2 requirements; that has been tested to ASTM E2886 and ASTM E84; and that is listed by QAI Laboratories, meeting the CBA, Chapter 7A, 706A.2 requirements for WUI vents tested to ASTM E2886. Because of this competing this product is not amenable.

ALTERNATIVE ACTIONS CONSIDERED
Future building codes may require the presence of this mesh, which would then be installed gradually as structures are permitted for additional work. This process would be slow, and would be ineffective for mitigating risk in a reasonable timeframe.

CONTACT PERSON
Colin Arnold, Interim Assistant Fire Chief, (510) 981-3473

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

PURCHASE ORDER: WILDFIRE DEFENSE MESH

WHEREAS, the Fire Department aims to procure and provide this material to residents, based on their location in the City and the associated risk as determined by the Department; and

WHEREAS, one of the most effective methods for reducing home ignition from embers driven by wind during a wildfire is to outfit threatened homes with mesh on all vents, gutters, and decks that is specifically designed to prevent ember intrusion; and

WHEREAS, Wildfire Defense Mesh is the only simple “do-it-yourself” mesh that has full compliance with California Building Code, 2022 Chapter 7A, 706A Vents, 706A.2 requirements; that has been tested to ASTM E2886 and ASTM E84; and that is listed by QAI Laboratories, meeting the CBA, Chapter 7A, 706A.2 requirements for WUI vents tested to ASTM E2886 ; and

WHEREAS, because of this competing this product is not amenable; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that a resolution be adopted authorizing the City Manager to execute a Purchase Order with Wildfire Defense Mesh from June 1, 2024 until May 31, 2027 in an amount not to exceed $400,000 with an option to extend for an additional three (3) years.

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Gilman, Interim Director, Health, Housing, and Community Services

Subject: Prioritizing City-Owned Land for Affordable Housing and Noticing of Potential Disposition of City-Owned Land

RECOMMENDATION

Adopt a Resolution affirming the City's commitment to prioritize City-owned land for affordable housing and publicly notice the potential disposition of City-owned land consistent with the Surplus Lands Act.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts directly associated with this resolution. Leveraging publicly-owned land may significantly reduce the costs for land acquisition and the amount of public subsidy needed for affordable housing construction.

CURRENT SITUATION AND ITS EFFECTS

On July 11, 2023, City Council adopted a resolution authorizing application to, and participation in, the State Department of Housing and Community Development's (HCD) Prohousing Designation Program. This program creates incentives for jurisdictions with compliant Housing Elements and local policies HCD designates as "Prohousing".

The Prohousing designation offers the City an advantage for competitive HCD funding necessary for the City's Housing Trust Fund pipeline. It also provides projects with access to grants only available to Prohousing certified jurisdictions.

On August 17, 2023, the City submitted a Prohousing Designation application to HCD. That application included a certification that "any proposed Prohousing Policy identified herein will be enacted within two (2) years of the date of this application submittal." The City of Berkeley was awarded the Prohousing Designation on February 29, 2024, with a total of 54 points.

The City's application included Category 4H: "A comprehensive program that complies with the Surplus Land Act (Gov. Code, § 54220 et seq.) and that makes publicly owned land available for affordable housing, or for multifamily housing projects with the highest feasible percentage of units affordable to lower income households. A qualifying program may utilize mechanisms such as land donations, land sales with significant

write-downs, or below-market land leases." The City Council must adopt a resolution affirming this commitment to qualify for the application point.

The City included this commitment in its application consistent with the direction in the adopted 2023-2031 Housing Element. Program H-15 states that the City will "encourage use of publicly-owned or controlled sites for affordable housing and/or mixed-use residential projects with a substantial portion of affordable units."

BACKGROUND

This commitment to prioritizing City-owned land for affordable housing is consistent with previous City Council action. The recent development of City-owned land into affordable housing includes the Hope Center and Berkeley Way project built on a City-owned parking lot at 2012 Berkeley Way. In December 2021, the City Council approved $24.5 million for a low-income and workforce housing project on Berkeley Unified School District (BUSD) property.

On April 27, 2021, the Berkeley City Council unanimously adopted Resolution 69,833-N.S. which, in part, reserves $53 million of City-controlled funds as the subsidy needed to achieve at least 35% affordable housing at the Ashby and North Berkeley BART sites. The City owns the air rights to Ashby BART and is committed to ensuring affordable development on public land within City limits.

The City is also exploring developing affordable housing at additional city-owned sites. The City released a Social Housing Models and Market Analysis Request for Proposals (RFP) in April 2023, and is currently working with a consultant team on market analysis, policy research, and modeling to support the development of mixed-income affordable social housing on City-owned sites.

Formalizing a commitment to prioritizing affordable housing on City-owned land is consistent with the Surplus Land Act. The Surplus Land Act (Gov. Code, § 54220 et seq.) (SLA) is a "right of first refusal" law that requires all local agencies to offer surplus land for sale or lease to affordable home developers and certain other entities before selling or leasing the land to any other individual or entity.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability and climate impacts associated directly with this resolution. Research demonstrates that developing "infill" housing – transit-oriented housing built in urban areas near jobs and services – is an effective strategy for reducing greenhouse gas pollution.

RATIONALE FOR RECOMMENDATION

The Prohousing Designation provides the City with a competitive advantage for HCD funding and access to grants only available to Prohousing jurisdictions. The Prohousing Designation will help the City better leverage its funding with HCD funds for producing

affordable housing and meeting its Regional Housing Needs Assessment (RHNA) goals.

City Council established a commitment in the Housing Element to prioritize City-owned land for affordable housing. There is an affordable housing shortage in the City of Berkeley, and leveraging City-owned land is a cost-effective strategy to facilitate RHNA targets for affordable housing. This resolution is consistent with the Surplus Lands Act.

ALTERNATIVE ACTIONS CONSIDERED

Staff did not consider alternative actions. Participating in the Prohousing Designation program will help the City and Berkeley projects be more competitive for funds for affordable housing and is consistent with the requirements of the Surplus Lands Act.

CONTACT PERSON

Anna Cash, Community Development Project Coordinator, HHCS, (510) 981-5403

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

PRIORITIZING AFFORDABLE HOUSING ON CITY-OWNED LAND

WHEREAS, public land is a public asset and should be used for the public good; and

WHEREAS, 70% of households below 80% of Area Median Income (AMI) in Berkeley occupy units that are unaffordable to them; and

WHEREAS, the City of Berkeley's 2023-2031 Regional Housing Needs Allocation (RHNA) goal for extremely low-income, very low-income, and low-income housing is a combined 3,854 units; and

WHEREAS, the City Council is committed to supporting affordable housing development on public land within City limits; and

WHEREAS, the Surplus Land Act (SLA) is a "right of first refusal" law that requires all local agencies to offer surplus land for sale or lease to affordable home developers and certain other entities before selling or leasing the land to any other individual or entity; and

WHEREAS, The City of Berkeley submitted a Prohousing Designation Application in August 2023 to the California Department of Housing and Community Development affirming its commitment to make City-owned land available for redevelopment into affordable housing; and

WHEREAS, Program H-15 in the 2023-2023 Housing Element states that the City will "encourage use of publicly-owned or controlled sites for affordable housing and/or mixed-use residential projects with a substantial portion of affordable units"; and

WHEREAS, The City of Berkeley will commit to making surplus publicly owned land available for affordable housing, or for multifamily housing projects with the highest feasible percentage of units affordable to lower income households; and

WHEREAS, The City of Berkeley will commit to using mechanisms including but not limited to land donations, land sales with significant write-downs, or below-market land leases to support affordable housing development on publicly owned land.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley commits to follow the Surplus Land Act and prioritize all City-owned land no longer needed for public use available for affordable housing.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Gilman, Director, Health, Housing, and Community Services

Subject: Approving the Revised Operating Budget for Golden Bear Homes

RECOMMENDATION

Adopt a Resolution approving the revised operating budget for Golden Bear Homes (1620 San Pablo Avenue), with the understanding that the increased cost of operating the Homekey project may necessitate a future reservation of approximately $550,000 in City funds, if other operating sources are not identified for the project.

FISCAL IMPACTS OF RECOMMENDATION

No new reservation of operating funds is recommended at this time. However, the project will need significant ongoing operating support after the existing capitalized reserves are expended, which is expected to happen in 2029. Staff will work with the owners to identify sources of funds to support the long-term operations of this project.

CURRENT SITUATION AND ITS EFFECTS

Golden Bear Homes, LP – a partnership of Bay Area Community Services (BACS) and Memar Properties, Inc (MPI) - operate the City's first Homekey project located at 1620 San Pablo Avenue. Golden Bear Homes provides housing and supportive services for 43 formerly homeless households. The cost of operating the project is higher than originally anticipated due to an increased need for onsite security and property oversight. As co-grantees under the Homekey program, the City, MPI, and BACS are collectively obligated to provide at least four years' worth of operating funding to leverage California Housing and Community Development's (HCD) Homekey operating support for the project. Because operating costs have increased, the City's initial operating subsidy is no longer sufficient to meet that obligation.

BACS and MPI requested City approval of a revised operating budget reflecting the following:

- An additional $24K for administration fees for increased staff involvement in property oversight.

- An additional $152K for nightly security (5pm to 8am) to address neighbor concerns. Most of the security concerns relate to non-resident activity near the property.

- An additional $18K for increased insurance costs, reflecting the current insurance environment.

While the project team was able to make some budget cuts to offset the increased operating costs, the net increase is approximately $120k per year. Instead of lasting four years, the City's operating funding is estimated to last 3.25 years. The initial years of operating are funded through the HCD loan; the City funds are expected to support operations starting in 2026.

The additional operating funding needed to meet the Homekey obligation is $550,000. The City will require BACS and MPI to actively seek non-City sources for operating funds for future years.

BACKGROUND

Golden Bear Homes, LP received $16.1M in HCD Homekey funds and nearly $8.5M in City funds (a combination of Measure P and Permanent Local Housing Allocation funds) to acquire, renovate, and operate Golden Bear Homes as permanent supportive housing for formerly homeless households. The partnership acquired the property in 2022 and completed the first phase of rehab to create accessible units. The project was fully occupied in January 2023. The second phase of rehab will involve the installation of a modular unit that will contain community and service spaces for the residents, and is anticipated to be completed later this calendar year.

HCD established its Homekey program to provide government entities funding to purchase and rehabilitate housing, including hotels, motels, vacant apartment buildings, and other buildings; and convert them into interim or permanent, long-term housing. Under the Homekey program, local entities partner with HCD, local developers, and service providers to create housing to serve people experiencing homelessness or at risk of homelessness.

Receiving the Homekey operating subsidy was conditioned on the City providing an operating subsidy match to pay for four years of operating costs

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City and Golden Bear Homes, LP are obligated to leverage HCD's Homekey funding with four years of operating support for the project. Golden Bear Homes provides permanent supportive housing for support chronically homeless individuals in

the City. Serving this population requires a high level of operating funds. Providing the funding helps meets the City's goals to support this population.

ALTERNATIVE ACTIONS CONSIDERED

The City could decline to provide the additional operating funds. Since the City and its co-grantees committed to providing these funds as a condition of the Homekey award, the City would be in violation of the HCD's Standard Agreement for the project and could be penalized in future applications for HCD funds. The lack of funding could also put the project and tenants at risk. Since the project meets the City's goals to support those experiencing homeless, staff recommends providing the funds.

CONTACT PERSON

Jenny Wyant, Senior Community Development Project Coordinator, HHCS, (510) 981-5228

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

APPROVAL THE REVISED OPERATING BUDGET FOR THE GOLDEN BEAR HOMES HOMEKEY PROJECT

WHEREAS, and the City of Berkeley (City) and Bay Area Community Services (BACS) and Memar Properties, Inc. (MPI) jointly applied for and received a State of California Housing and Community Development (HCD) Homekey award from HCD's September 9, 2021 NOFA for the Golden Bear project at 1620 San Pablo; and

WHEREAS, in June 2022, the City provided a development loan of $8,463,535 to leverage the HCD Homekey award and to support the project's capital and operating costs; and

WHEREAS, under the Homekey program and Standard Agreement, the City, BACS, and MPI are collectively obligated to fund four years of operating costs; and

WHEREAS, in March 2024, BACS and MPI submitted a revised operating budget for Golden Bear Homes to reflect the increased cost of operating the Homekey project as permanent supportive housing; and

WHEREAS, due to the increased cost of operating Golden Bear Homes, the original City funds no longer cover four years of operating support; and

WHEREAS, additional funds are needed to cover the operating funding gap estimated to start in 2029; and

WHEREAS, the City will work with BACS and MPI to identify other sources of operating funding to support the ongoing operation of the property.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council approves the revised operating budget for Golden Bear Homes.

BE IT FURTHER RESOLVED that the City, BACS, and MPI will work together to identify new operating funds to support the project to meet the collective obligations under the HCD Homekey program, and support the ongoing operation of the property as permanent supportive housing.

BE IT FURTHER RESOLVED the City Manager, or her designee, is hereby authorized to execute all original or amended documents or agreements to effectuate this action; a signed copy of said documents, agreements and any amendments will be kept on file in the Office of City Clerk.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Gilman, Interim Director, Health, Housing, and Community Services

Subject: Additional Development Funding Reservation for 1740 San Pablo Avenue

RECOMMENDATION

Adopt a Resolution:

1. Reserving an additional $4,496,669 in Housing Trust Fund (HTF) program funds for the development loan agreement for BRIDGE Housing Corporation's (BRIDGE) affordable housing project located at 1740 San Pablo Avenue.

2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate this action.

FISCAL IMPACTS OF RECOMMENDATION

On December 10, 2019, City Council reserved $7.5 million in Measure O Bond funds with Resolution 69,231. This action would add $4,496,669 to the existing reservation, for a total of nearly $12M. Staff will determine the exact mix of funds from the HTF program prior to the loan closing. Funds could include Affordable Housing Mitigation Fee (Fund 120), Measure O (Fund 512), or general funds from Measure U1 (Fund 016). Funding is subject to appropriation in the FY 2025 budget.

CURRENT SITUATION AND ITS EFFECTS

BRIDGE requested an additional $4,496,669 for its 1740 San Pablo project. Under Section V.D. of the Housing Trust Fund Guidelines, projects at imminent risk of losing a State or Federal funding award are able to request funding outside of a competitive process. 1740 San Pablo qualifies because BRIDGE secured an Infill Infrastructure Grant (IIG) award in 2023, and that award may be revoked if BRIDGE is not successful at securing the remainder of the project's financing by February 2025.

BRIDGE has been pursuing State financing for 1740 San Pablo since the City closed its acquisition and development loan for the project in 2021. Because of the highly competitive nature of state funding sources, it often takes affordable housing projects several years to secure all required financing. In addition to $3.1M in IIG funds, BRIDGE

secured over $11M in Multifamily Housing Program (MHP) funds earlier this year. Because State housing funds are oversubscribed, BRIDGE was not able to secure as much MHP funding for the project, which created a nearly $4.5M gap in the budget.

BRIDGE must close the financing gap before applying for tax credits, and so requested additional funding from the City. BRIDGE must apply for tax credits in July 2024 in hopes of securing an award in December 2024, ahead of the IIG deadline. There are no other funding sources that could provide a commitment of funds on this timeline. If successful in the 9% tax credit round, BRIDGE would start construction on 1740 San Pablo in the first half of 2025.

BRIDGE tried to negotiate the IIG deadline with the State to allow time for multiple tax credit application rounds, but the State prioritizes its funds for projects that are ready to move to construction and revokes awards for projects that are not. If BRIDGE loses its IIG funds, the project's financing gap would increase by an additional $3M to a total of $7.5M in needed funding. An additional funding gap would further delay the development of 1740 San Pablo, likely for several years.

Typically, Housing Trust Fund requests are vetted by the HTF Subcommittee of the Housing Advisory Commission (HAC) as well as the full HAC. Due to the time-sensitive nature of this request, Housing and Community Services staff plan to take this request directly to the HAC on June 6th. If the HAC's recommendation differs from staff, we will provide their recommendation in a supplemental item.

BACKGROUND

BRIDGE applied for funding through the 2019 Housing Trust Fund Request for Proposals process for 1740 San Pablo, a 54-unit project for households earning between 30% and 60% of the area median income (AMI). Initially, BRIDGE proposed a mixed-income project that would also include moderate income units for households earning up to 120% AMI. The initial City subsidy was approximately $142k/unit, which was significantly lower than other new construction projects funded through the same RFP process, which were awarded subsidies closer to $200k/unit.

In 2020, the state program for funding mixed-income projects was oversubscribed, and due to a change in regulations, BRIDGE's project was no longer competitive in that pool. BRIDGE pivoted to a typical affordable housing project that could compete for the most common types of state funding. Changing the financing plan and income mix required BRIDGE to get new entitlements. The re-entitlement process took additional time, and BRIDGE did not want to borrow private financing for acquisition and predevelopment costs because the higher interest rate and carrying costs increase the overall cost to develop the project.

On March 10, 2020, with Resolution 69,315 the City approved that $7.1M of the $7.5M loan be used for acquisition and predevelopment costs in order to reduce the project's

carrying costs. The funding was conditioned on the project receiving new entitlements and obtaining all of its remaining financing within five years of the reservation. In 2021, the project received its new entitlements from Planning. The project needs the remaining $4,496,669 and a tax credit award to meet that condition and commence construction.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
BRIDGE intends to construct 1740 San Pablo to third-party green building standards, and will seek GreenPoint Gold certification.

RATIONALE FOR RECOMMENDATION
1740 San Pablo meets local needs and priorities by adding 54 new units of affordable housing to the City's inventory. The additional City funds would close the project's financing gap, increase its competitiveness for 9% tax credits, and prevent further project delays.

ALTERNATIVE ACTIONS CONSIDERED
If the City does not reserve additional funds, BRIDGE would not be able to obtain all of the project's permanent financing by the IIG deadline and could lose its IIG award. This would cause a delay, likely for a year or more, and increase the financing gap BRIDGE would need to fill.

CONTACT PERSON
Jenny Wyant, Senior Community Development Project Coordinator, HHCS, 510-981-5228

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

AUTHORIZATION FOR AN ADDITIONAL $4,496,669 FUNDING RESERVATION FOR 1740 SAN PABLO

WHEREAS, the City Council established a Housing Trust Fund (HTF) program to assist in the development and expansion of housing affordable to low and moderate income persons who either work or reside within the City of Berkeley, and authorized the City Manager to implement the HTF program; and

WHEREAS, there is a great need for affordable and special needs housing in the City of Berkeley as stated in the General Plan Housing Element and the City of Berkeley's Consolidated Plan; and

WHEREAS, on December 10, 2019, with Resolution No. 69,231-N.S., the City Council reserved $7.5 million for the development of 1740 San Pablo; and

WHEREAS, in March 2020, with Resolution No. 69,315-N.S., the City approved advancing $7.1M of funds in order to support acquisition and predevelopment activities, conditioned on BRIDGE securing entitlements and receiving all of its funding within five years of the reservation; and

WHEREAS, BRIDGE secured the project entitlements in 2021, and has been pursuing funding from the State of California; and

WHERAS, BRIDGE secured a State of California Infrastructure and Infill Grant (IIG) award for 1740 San Pablo that the State may revoke if the project's permanent financing is not secured by February 2025; and

WHEREAS, the project has a financing gap and will not make the IIG deadline without an additional reservation of City funds by June 30, 2024; and

WHEREAS, the City's HTF Guidelines allow funding requests to be submitted at any time for projects at imminent risk, including projects at risk of losing existing state or federal funding awards; and

WHEREAS, BRIDGE requested an additional $4,496,669 from the City's HTF program to support 1740 San Pablo, which meets the definition of a project at imminent risk.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council approves an additional $4,496,669 development funding reservation of HTF funds for 1740 San Pablo.

BE IT FURTHER RESOLVED that funds shall be reserved for a period of no more than 24 months from the date of this Resolution, contingent on BRIDGE obtaining all required

City approvals and securing commitments for project funding that the City Manager or her designee deems sufficient within the reservation period.

BE IT FURTHER RESOLVED that the funding reservation is conditioned upon the completion of the environmental review process, except as authorized by 24 CFR, Part 58, and that should HOME and/or CDBG funds constitute a portion of the funding for the project, a final commitment of HOME and/or CDBG funds shall occur only upon the satisfactory completion of the appropriate level of environmental review and also upon the receipt of approval of the request for release of funds and related certification from the U.S. Department of Housing and Urban Development, when applicable. The funding reservation for a HOME and/or CDBG funded project is conditioned upon the City of Berkeley's determination to proceed with, modify, or cancel the project based on the results of subsequent environmental review under the National Environmental Policy Act.

BE IT FURTHER RESOLVED that the making of the loan shall be contingent on and subject to such other appropriate terms and conditions as the City Manager or her designee may establish.

BE IT FURTHER RESOLVED the City Manager, or her designee, is hereby authorized to execute all original or amended documents or agreements to effectuate this action; a signed copy of said documents, agreements and any amendments will be kept on file in the Office of City Clerk.

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Tanya Bustamante, Interim Deputy Director, Health, Housing, and Community Services

Subject: Revenue Grant Agreement: Funding Support from the State of California to Conduct Public Health Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or her designee to submit grant agreements to the State of California, to accept grant funding, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the Maternal, Child and Adolescent Health (MCAH) Program in the projected amount of $375,000 for FY 2025.

FISCAL IMPACTS OF RECOMMENDATION

The contract for the Maternal, Child and Adolescent Health (MCAH) Program will have its own identifying contract number and each source has a defined budget code. The State establishes an annual cap on local revenue for this program and requires a local match. The precise amount of revenue the City earns is determined by the City's level of match funding, program staff time-studies, and level of eligible services. The City provides $150,000 of general fund in match funding. Revenue for FY 2025 is expected to be $375,000.

Spending is subject to Council approval of the budget for each fiscal year and the Annual Appropriations Ordinances. Depending on the timing of when the grant is officially awarded and the amounts that are determined, the grant budgets will be adjusted as part of a future amendment to the FY 2025 Annual Appropriations Ordinance.

CURRENT SITUATION AND ITS EFFECTS

As a local health jurisdiction, the City of Berkeley provides a broad range of public health programs and services to the community, with the goals of addressing health inequities, promoting healthy environments and behaviors, protecting residents from disease, and preventing illness, disability, and premature death. In addition to the funding referenced in this report, the City also has continuing multi-year public health grants with the State of California.

BACKGROUND

The City of Berkeley receives funding from many sources annually to complete work related to improving the health of the community. As a local health jurisdiction, the City is entitled to specific state funding to meet core public health objectives. The Public Health Division within the Health, Housing, and Community Services Department (HHCS/PHD) is committed to providing essential services to the community to prevent the spread of disease and to promote healthy environments.

The State establishes funding caps for the MCAH program, with actual revenue determined by city matching funds and service delivery. Revenue projections are based on recent year actual revenues in these programs, service-delivery staffing, eligible client populations, and available matching funds. These projections will enable the department to keep expenditures within actual revenues, by budgeting expenditures to realistic revenue projections.

The Maternal, Child and Adolescent Health (MCAH) Program develops and implements systems that protect and improve the health of women of reproductive age, infants, children, adolescents and their families and works to reduce the morbidity and mortality of pregnant African American women and their infants. The MCAH program includes Berkeley's Black Infant Health program, which provides supports to pregnant and post-partum mothers and their infants.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

These funds support vital services related to the City's mandates as a public health jurisdiction, as well as local initiatives designed to address health inequities in Berkeley and improve the health of Berkeley residents. These non-competitive grants support HHCS/PHD's mission and provide the City with funding to continue working to protect and improve the health of the community.

ALTERNATIVE ACTIONS CONSIDERED

Staff did not identify an alternative action consistent with the City's goals of advancing public health and social and racial equity.

CONTACT PERSON

Janice Chin, Manager, Public Health Division, HHCS, (510) 981-5121

Attachments:
1. Resolution

RESOLUTION NO. ##,###–N.S.

GRANT AGREEMENT: STATE OF CALIFORNIA FOR THE MATERNAL, CHILD, AND ADOLESCENT HEALTH (MCAH)

WHEREAS, the City of Berkeley Department of Health, Housing, and Community Services, Public Health Division (HHCS/PHD), is committed to developing systems that protect and improve the health of women of reproductive age, infants, children, adolescents and their families; and

WHEREAS, the City of Berkeley Department of Health, Housing, and Community Services, Public Health Division, is committed to reducing the morbidity and mortality of pregnant African American women and their infants; and

WHEREAS, the City of Berkeley Department of Health, Housing, and Community Services provides a broad range of needed public health program services to the community; and

WHEREAS, the City of Berkeley Department of Health, Housing, and Community Services works to promote healthy environments and behaviors, protect residents from disease, and prevent illness, disability, and premature death; and

WHEREAS, the City of Berkeley Department of Health, Housing, and Community Services seeks to eliminate health inequities; and

WHEREAS, the City of Berkeley should seek outside funding wherever possible to fund vital health services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized to submit a grant agreement to the State of California for funding for Fiscal Year 2025 for the Maternal, Child, and Adolescent Health (MCAH) program: to develop systems that protect and improve the health of women of reproductive age, infants, children, adolescents and their families and to reduce the morbidity and mortality of pregnant African American women and their infants; to accept the grant funds; execute any resultant revenue agreements and amendments in line with the grant award, which may be larger or smaller than the projected award of $375,000; and implement the projects and appropriation of funding for related expenses, subject to securing the grant. Funds will be deposited and expensed from a defined budget code. A record signature copy of said agreements and any amendments shall be on file in the office of the City Clerk.

Office of the City Manager

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CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Tanya Bustamante, Interim Deputy Director, Health, Housing, and Community Services

Subject: Revenue Grant Agreements: Funding Support from Alameda County to Conduct Public Health Services

RECOMMENDATION

Adopt three Resolutions authorizing the City Manager or her 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 four revenue agreements:

1. **Berkeley High School and Berkeley Technology Academy Health Center Programs** in the projected amount of $183,918 for Fiscal Year 2025.

2. **School Linked Health Services Program (Measure A Funding)** in the projected amount of $200,011 for Fiscal Year 2025.

3. **Tobacco Prevention Program** in the projected amount of $81,329 for Fiscal Year 2025.

FISCAL IMPACTS OF RECOMMENDATION

The City of Berkeley will receive funds in the amount of $465,258 from Alameda County for Fiscal Year (FY) 2025 from the sources listed below. There is no local match required for any of these grants, however, the City does provide a significant amount of general fund to support these important programs. Each contract has been entered into the citywide contract management system database:

1. **Berkeley High School Health Center and Berkeley Technology Academy Programs**: This contract is anticipated to be for $183,918 in Fiscal Year 2025. There is no match required.

2. **School Linked Health Services Program (Measure A Funding):** This contract is anticipated to be for $200,011 in Fiscal Year 2025. There is no match required.

3. **Tobacco Prevention Program:** This contract is anticipated to be for $81,329 in Fiscal Year 2025. There is no match required.

Spending of all referenced grant funds is subject to Council approval of the budget for each fiscal year and the Annual Appropriations Ordinances. Depending on the timing of when grants are officially awarded and the amounts determined, the grant budgets will be adjusted as part of a future amendment to the Fiscal Year 2025 Annual Appropriations Ordinance

CURRENT SITUATION AND ITS EFFECTS

As a local health jurisdiction, the City of Berkeley provides a broad range of public health programs and services to the community; with the goals of addressing health inequities, promoting healthy environments and behaviors, protecting residents from disease, and preventing illness, disability, and premature death. Alameda County revenue is an important source of support for these City public health programs. In Fiscal Year 2025, there are no significant changes to this support.

1. **Berkeley High School and Berkeley Technology Academy Health Center Programs:** Provides clinical and health education services to adolescents attending Berkeley High School and Berkeley Technology Academy.

2. **School Linked Health Services Program (Measure A Funding):** Increases the capacity of Berkeley Unified School District to meet the health, medical, and dental needs of K-5 students, and to create the infrastructure to more effectively perform public health surveillance for communicable diseases, promote school connectedness, and reduce chronic absenteeism.

3. **Tobacco Prevention Program:** Provides tobacco cessation services, enforcement of tobacco retail licensing requirements and youth prevention education.

BACKGROUND

The City of Berkeley receives funding from many sources annually to complete work related to improving the health of the community. As a local health jurisdiction, the City receives specific funding through Alameda County to meet core public health objectives. The Public Health Division in Health, Housing, and Community Services is committed to providing services to the community to promote healthy environments and prevent the spread of disease.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

These funds provide necessary revenue to support vital services related to the City of Berkeley's mandates as a local health jurisdiction. They also support the Department's work to reduce health inequities in Berkeley and improve the health of our community.

ALTERNATIVE ACTIONS CONSIDERED

Staff did not identify an alternative action consistent with the City's goals of advancing public health and social and racial equity.

CONTACT PERSON

Janice Chin, Manager, Public Health Division, HHCS (510) 981-5121

Attachments:

1: Resolution: Berkeley High School and Berkeley Technology Academy Health Center Programs
2: Resolution: School Linked Health Services Program (Measure A Funding)
3: Resolution: Tobacco Prevention Program

RESOLUTION NO. ##,###–N.S.

GRANT AGREEMENT WITH ALAMEDA COUNTY FOR THE BERKELEY HIGH SCHOOL AND BERKELEY TECHNOLOGY ACADEMY HEALTH CENTER PROGRAMS

WHEREAS, the City of Berkeley Department of Health, Housing & Community Services, Public Health Division (HHCS/PHD), is committed to providing health services and health education to adolescents attending Berkeley High and Berkeley Technology Academy; and

WHEREAS, the HHCS/PHD provides a broad range of needed Public Health program services to the community; and

WHEREAS, the HHCS/PHD works to promote healthy environments and behaviors, protect residents from disease, and prevent illness, disability, and premature death; and

WHEREAS, the HHCS/PHD seeks to eliminate health and educational inequities; and

WHEREAS, the HHCS/PHD should seek outside funding wherever possible to fund vital health services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized to submit a grant agreement to Alameda County for Fiscal Year 2025 funding for the Berkeley High School and Berkeley Technology Academy Health Center Programs to provide health services and health education to adolescents attending Berkeley High and Berkeley Technology Academy to accept the grant funds; execute any resultant revenue agreements and amendments in line with the grant award, which may be larger or smaller than the projected award of $183,918; and implement the projects and appropriation of funding for related expenses, subject to securing the grant. Funds will be deposited and expensed from a defined budget code. A record signature copy of said agreements and any amendments shall be on file in the office of the City Clerk.

RESOLUTION NO. ##,###–N.S.

GRANT AGREEMENT WITH ALAMEDA COUNTY FOR THE SCHOOL LINKED HEALTH SERVICES (MEASURE A) PROGRAM

WHEREAS, the City of Berkeley Department of Health, Housing & Community Services, Public Health Division (HHCS/PHD), is committed to increasing the capacity of Berkeley Unified School District to meet the health, medical and dental needs of students, and to create the infrastructure to more effectively perform public health surveillance and enforcement functions for communicable diseases and disease outbreaks; and

WHEREAS, the HHCS/PHD provides a broad range of needed Public Health program services to the community; and

WHEREAS, the HHCS/PHD works to promote healthy environments and behaviors, protect residents from disease, and prevent illness, disability, and premature death; and

WHEREAS, the HHCS/PHD seeks to eliminate health and educational inequities; and

WHEREAS, the City of Berkeley should seek outside funding wherever possible to fund vital health services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized to submit a grant agreement to Alameda County for Fiscal Year 2025 funding for the School Linked Health Services Program (Measure A Funding) to increase the capacity of the Berkeley Unified School District to meet the health, medical and dental needs of students, and to create the infrastructure to more effectively perform public health surveillance and enforcement functions for communicable diseases and disease outbreaks, to accept the grant funds; execute any resultant revenue agreements and amendments in line with the grant award, which may be larger or smaller than the projected award of $200,011; and implement the projects and appropriation of funding for related expenses, subject to securing the grant. Funds will be deposited and expensed from a defined budget code. A record signature copy of said agreements and any amendments shall be on file in the office of the City Clerk.

RESOLUTION NO. ##,###–N.S.

GRANT AGREEMENT WITH ALAMEDA COUNTY FOR THE TOBACCO PREVENTION PROGRAM

WHEREAS, the City of Berkeley Department of Health, Housing & Community Services, Public Health Division (HHCS/PHD), is committed to providing tobacco cessation services, enforcement of tobacco retail licensing requirements and youth prevention education; and

WHEREAS, the HHCS/PHD provides a broad range of needed Public Health program services to the community; and

WHEREAS, the HHCS/PHD works to promote healthy environments and behaviors, protect residents from disease, and prevent illness, disability, and premature death; and

WHEREAS, the HHCS/PHD seeks to eliminate health inequities; and

WHEREAS, the HHCS/PHD should seek outside funding wherever possible to fund vital health services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized to submit a grant agreement to Alameda County for Fiscal Year 2025 funding for the Tobacco Prevention Program: to provide tobacco cessation services, enforcement of tobacco retail licensing requirements and youth prevention education, to accept the grant funds; execute any resultant revenue agreements and amendments in line with the grant award, which may be larger or smaller than the projected award of $81,329; and implement the projects and appropriation of funding for related expenses, subject to securing the grant. Funds will be deposited and expensed from a defined budget code. A record signature copy of said agreements and any amendments shall be on file in the office of the City Clerk.

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Aram Kouyoumdjian, Director of Human Resources

Subject: Memorandum of Understanding: SEIU Local 1021 Maintenance & Clerical Chapters

RECOMMENDATION

Adopt a Resolution 1) approving a successor Memorandum of Understanding (hereafter referred to as "MOU") with the Service Employees International Union Local 1021 Maintenance and Clerical Chapters (hereafter referred to as the "Union") for a three-year term from June 27, 2024 to July 26, 2027 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new MOU and to make non-substantive edits to the format and language of the MOU in alignment with the tentative agreement, and conforming to legal requirements; and 2) approving a new Classification and Salary table for SEIU Local 1021 Maintenance and Clerical Chapter classifications that implement the salary adjustments reflected in the new MOU and supersede prior salary resolutions.

The terms of the proposed 2024-2027 MOU are within the parameters of authority approved by Council in closed session.

FISCAL IMPACTS OF RECOMMENDATION

The anticipated costs of the agreement are $4,405,520 in the first year, $7,999,643 in the second year, and $10,753,076 in the third year.

CURRENT SITUATION AND ITS EFFECTS

Notable changes in the 2024-2027 MOU are along four dimensions:

(1) **COLA Increases:** The terms of the new MOU provide for a 6.0% wage increase effective the start of the first full pay period after Council adoption; a 4.0% wage increase effective the first full pay period in July 2025; and a 4.5% wage increase in the FY 2026-2027 fiscal year, of which 2.5% will be effective the first full pay period in July 2026 and 2.0% will be effective the first full pay period in January 2027.

(2) **Longevity Pay:** Effective the first full pay period in July 2026, the MOU modifies the current longevity pay structure to provide 3% longevity pay beginning with the 15th year of service. (Under the current contract, longevity is triggered at the beginning of the 20th year of service.)

(3) **Holiday:** The last Monday in March will be observed as Cesar Chavez Day.

(4) **Differentials and Allowances:** All remaining features of the agreement are changes of modest value to differentials (e.g., 5% differential for 311 assignment) and allowances (e.g., increases of $100 for safety shoe allowance and uniform allowance). Most of them take effect in July 2025. These changes are specified in the "tracked changes" version of the proposed MOU (attached as Exhibit B).

Other modifications include removal of outdated provisions, updated language to reflect changes in the law, and agreement to conduct reviews of specifically designated job classifications within the next 18 months.

BACKGROUND

The City's labor contract with the Union is set to expire on June 26, 2024. In an effort to reach agreement on a successor MOU, representatives of the City and representatives of the Union commenced negotiation sessions beginning on March 29, 2024. The parties reached a tentative agreement on May 31, 2024.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City's labor contract with SEIU Local 1021 Maintenance & Clerical Chapters is set to expire on June 26, 2024, triggering the need to negotiate a successor agreement.

The recommended COLA increases (and modification to longevity pay) address inflation and aim to keep the City of Berkeley competitive in its recruitment and retention efforts. The recommended changes to specific job classes and working conditions are necessitated by operational needs.

ALTERNATIVE ACTIONS CONSIDERED

Various alternative proposals were considered by the Union's and the City's negotiation teams before mutual agreement was reached on the proposed MOU.

CONTACT PERSON

Aram Kouyoumdjian, Director of Human Resources, (510) 981-6807.

Attachments:
1: Resolution: Memorandum of Understanding: Service Employees International Union Local 1021 Maintenance & Clerical Chapters

Exhibit A: Memorandum of Understanding Between the City of Berkeley and SEIU Local 1021 Maintenance & Clerical Chapters, 2024-2027 (Revised Version)

Exhibit B: Memorandum of Understanding Between the City of Berkeley and SEIU Local 1021 Maintenance & Clerical Chapters, 2024-2027 (Tracked Changes Version)

RESOLUTION NO. ##,###-N.S.

MEMORANDUM OF UNDERSTANDING: SEIU LOCAL 1021 MAINTENANCE & CLERICAL CHAPTERS (2024-2027)

WHEREAS, the City is obligated under the provisions of California Government Code Sections 3500-3511, commonly referred to as the Meyers-Milias-Brown Act, to meet and confer in good faith and attempt to reach agreement with representatives of recognized bargaining units on matters within the scope of representation including, but not limited to, wages, hours, and other terms and conditions of employment; and

WHEREAS, the City's labor contract with Service Employees International Union Local 1021 Maintenance & Clerical Chapters is set to expire and fully terminate on June 26, 2024; and

WHEREAS, representatives of the City and SEIU Local 1021 Maintenance & Clerical Chapters have met and conferred in good faith and have reached agreement on a new Memorandum of Understanding that incorporates all changes and modifications in wages, hours, and other terms and conditions of employment agreed to by the parties;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute the new Memorandum of Understanding for the period June 27, 2024 through June 26, 2027 with SEIU Local 1021 Maintenance & Clerical Chapters, including changes in certain benefits on dates specified in the Memorandum of Understanding which is attached hereto, made a part hereof and marked Exhibit A, and to make non-substantive edits to the format and language of the MOU in alignment with the tentative agreement, and conforming to legal requirements; and

BE IT FURTHER RESOLVED that the Council of the City of Berkeley approves, and the City Manager is hereby authorized to effectuate, a new Classification and Salary table for SEIU Local 1021 Maintenance & Clerical Chapters that implement the salary adjustments reflected in the new MOU and supersede prior salary resolutions; and

BE IT FURTHER RESOLVED that a fully executed original of said contract is filed in the Office of the City Clerk.

Exhibits

A: Memorandum of Understanding Between the City of Berkeley and SEIU Local 1021 Maintenance & Clerical Chapters, 2024-2027 (Revised Version)

B: Memorandum of Understanding Between the City of Berkeley and SEIU Local 1021 Maintenance & Clerical Chapters, 2024-2027 (Tracked Changes Version)



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City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

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http://berkeleyca.gov

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Aram Kouyoumdjian, Director of Human Resources

Subject: Unrepresented Employee Group Salaries, Longevity Differential, and Vision Insurance

RECOMMENDATION

Adopt a Resolution approving salary adjustments, modification of the longevity differential, and the addition of vision insurance coverage for specified units of employees in the Unrepresented Employee Group and authorizing the City Manager to make edits to the Unrepresented Employee Manual in alignment with the Resolution, and to execute and implement the terms and conditions of employment set forth in the new Unrepresented Employee Manual.

The terms of the proposed 2024-2027 changes are within the parameters of authority approved by Council in closed session.

FISCAL IMPACTS OF RECOMMENDATION

The costs of the recommendations are estimated at $2,709,532 in FY 2024-25; $4,626,872 in FY 2025-26; and $6,246,629 in FY 2026-27.

CURRENT SITUATION AND ITS EFFECTS

Traditionally, the Unrepresented Employee Group salaries and benefits mirror the City's economic agreement with the Service Employees International Group (SEIU) Local 1021 Maintenance & Clerical Chapters in order to maintain internal equity and external competitiveness. Notable changes to Unrepresented salaries and benefits are along three dimensions that reflect the City's pending agreement with SEIU-MC:

(1) **COLA Increases:** 6.0% wage increase effective the start of the first full pay period after Council adoption; a 4.0% wage increase effective the first full pay period in July 2025; and a 4.5% wage increase in the FY 2026-2027 fiscal year, of which 2.5% will be effective the first full pay period in July 2026 and 2.0% will be effective the first full pay period in January 2027.

(2) **Longevity Pay:** Effective the first full pay period in July 2026, the longevity pay structure will be modified to provide 3% longevity pay beginning with the 15th

year of service. (Per the current manual, longevity is triggered at the beginning of the 20th year of service.)

(3) **Holiday:** The last Monday in March will be observed as Cesar Chavez Day.

Since the City's tentative agreement with SEIU-MC envisions modest modifications to differentials and allowances that would not apply to unrepresented employees, it is recommended that the Unrepresented Employee Group receive a modest benefit enhancement of its own: the addition of vision insurance for career, benefited members of the group, effective January 2025.

BACKGROUND

In a separate item on this agenda, the City Council will be considering salary and benefit adjustments for SEIU Local 1021 Maintenance & Clerical Chapters. It has been longstanding policy of the City to approve cost of living adjustments and benefit changes for Unrepresented employees that are aligned with those of SEIU-MC in order to maintain internal equity and external competitiveness.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The recommended COLA increases and modifications to benefits address inflation and aim to keep the City of Berkeley competitive in its recruitment and retention efforts.

ALTERNATIVE ACTIONS CONSIDERED

Various alternative proposals were considered by SEIU-MC's and the City's negotiation teams before mutual agreement was reached on the proposed MOU, which then informed the pending recommendations for the Unrepresented Employee Group.

CONTACT PERSON

Aram Kouyoumdjian, Director of Human Resources, (510) 981-6807.

Attachments:
1: Resolution: Unrepresented Employee Group Salaries, Longevity Differential, and Vision Insurance (2024-2027)

Exhibit A: Unrepresented Employee Manual (Revised Version – June 2024)
Exhibit B: Unrepresented Employee Manual (Tracked Changes Version)

RESOLUTION NO. ##,###-N.S.

Unrepresented Employee Group Salaries, Longevity Differential, and Vision Insurance (2024-2027)

WHEREAS, the Unrepresented Employee Group salaries and benefits have traditionally mirrored the City's economic agreement with the Service Employees International Group (SEIU) Local 1021 Maintenance & Clerical Chapters in order to maintain internal equity and external competitiveness; and

WHEREAS, in a separate agenda item, the City Council will be considering salary and benefit adjustments for SEIU Local 1021 Maintenance & Clerical Chapters; and

WHEREAS, the City Manager is recommending similar changes in salary and benefit adjustments for the Unrepresented Employee Group;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to revise and execute a new Unrepresented Employee Manual and effectuate the following changes for the Unrepresented Employee Group: (1) COLA Increases: 6.0% wage increase effective the start of the first full pay period after Council adoption; a 4.0% wage increase effective the first full pay period in July 2025; and a 4.5% wage increase in the FY 2026-2027 fiscal year, of which 2.5% will be effective the first full pay period in July 2026 and 2.0% will be effective the first full pay period in January 2027; (2) Longevity Pay: effective the first full pay period in July 2026, the longevity pay structure will be modified to provide 3% longevity pay beginning with the 15th year of service; (3) Holiday: the last Monday in March will be observed as Cesar Chavez Day.

BE IT FURTHER RESOLVED that since the City's tentative agreement with SEIU-MC envisions modest modifications to differentials and allowances that would not apply to Unrepresented employees, members of the Unrepresented Employee Group with career, benefited status shall have vision insurance added as a benefit effective January 2025;

BE IT FINALLY RESOLVED that the Council of the City of Berkeley approves, and the City Manager is hereby authorized to effectuate, a new Classification and Salary table for Unrepresented Employee Group classifications that implement the salary adjustments reflected in the new Unrepresented Employee Manual and supersede prior salary resolutions.

Exhibits

Exhibit A: Unrepresented Employee Manual (Revised Version – June 2024)
Exhibit B: Unrepresented Employee Manual (Tracked Changes Version)



This attachment will be provided to the City Council and the public prior to the meeting (including posting to the city website) in accordance with the requirements for revised and supplemental materials in the Open Government Ordinance.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Aram Kouyoumdjian, Director of Human Resources

Subject: Memorandum of Understanding: Berkeley EMS Professionals

RECOMMENDATION

Adopt a Resolution 1) approving a new Memorandum of Understanding (MOU) with the Berkeley EMS Professionals (IAFF Local 1227) for a three-year term from July 1, 2023 through June 30, 2026 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new MOU; and 2) approving a new Classification and Salary table for EMS Professionals classifications that implements the salary adjustments reflected in the new MOU.

The terms of the proposed 2023-2026 MOU are consistent with those of the Berkeley Fire Fighters Association (BFFA) and within the parameters of authority approved by Council in closed session.

FISCAL IMPACTS OF RECOMMENDATION

The fiscal impacts of the recommendation will vary depending on staffing levels of the Paramedic classification.

CURRENT SITUATION AND ITS EFFECTS

Since the creation of the single-function Paramedic classification, the City has been negotiating with BFFA to create an MOU unique to EMS Professionals.

At present, contractual specifications that pertain to EMS Professionals are addressed in an article of the BFFA contract. The stand-alone MOU maintains consistency with the BFFA contract wherever applicable and generally incorporates the key changes in terms that BFFA and the City agreed to in their most recent round of negotiations.

(1) **COLA Increases:** For unit members on Salary Table B only, the terms of the new MOU provide for a 3% wage increase effective the start of the first full pay period after Council adoption; a 3% wage increase effective July 21, 2024; and a 3% wage increase effective July 6, 2025 for a cumulative wage increase of 9% through the end of the contract.

(2) **Certification Differentials:** The City will incentivize a trio of certifications with a 2% differential for each: Preceptor Status (Alameda County), effective upon ratification; Pediatric Advanced Life Support, effective January 1, 2025; and Advanced Cardiac Life Support, effective January 1, 2026.

(3) **Longevity Pay:** Effective the first full pay period after Council adoption, the MOU provides 4% longevity pay beginning with the 12th, 15th, and 20th years of service for a maximum of 12%.

(4) **Retiree Health Benefits:** Paramedics will contribute $75 per month into the IAFF Retiree Medical Trust and, after they complete five continuous years of service, the City will contribute an additional $225 per month into their individual RMT accounts.

BACKGROUND

The single-function Paramedic classification was created in early 2022 and subsequently accreted into the Berkeley Fire Fighters Association.

Modifications to the City's MOU with BFFA last year included an article specific to Paramedics, while a separate MOU was being negotiated. The new MOU was finalized – and ratified by the bargaining unit members – this month.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

While the EMS Professionals MOU mirrors much of the City's MOU with BFFA, the group is sufficiently distinct to warrant a separate contract.

ALTERNATIVE ACTIONS CONSIDERED

Paramedics were included in a separate article of the BFFA contract until the current MOU was finalized.

CONTACT PERSON

Aram Kouyoumdjian, Director of Human Resources, (510) 981-6807.

Attachment:
1: Resolution: Memorandum of Understanding: Berkeley Fire EMS Professionals Association

Exhibit A: Memorandum of Understanding Between the City of Berkeley and Berkeley Fire EMS Professionals Association, 2023-2026

RESOLUTION NO. ##,###-N.S.

MEMORANDUM OF UNDERSTANDING: BERKELEY FIRE EMS PROFESSIONALS ASSOCIATION

WHEREAS, the City is obligated under the provisions of California Government Code Sections 3500-3511, commonly referred to as the Meyers-Milias-Brown Act, to meet and confer in good faith and attempt to reach agreement with representatives of recognized bargaining units on matters within the scope of representation including, but not limited to, wages, hours, and other terms and conditions of employment; and

WHEREAS, the City seeks to adopt a new labor contract with the Berkeley Fire EMS Professionals Association; and

WHEREAS, representatives of the City and the Berkeley Fire EMS Professionals Association have met and conferred in good faith and have reached agreement on a new Memorandum of Understanding that incorporates all changes and modifications in wages, hours, and other terms and conditions of employment agreed to by the parties;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute the new Memorandum of Understanding for the period July 1, 2023 through June 30, 2026 with the Berkeley Fire EMS Professionals Association, including changes in certain benefits on dates specified in the Memorandum of Understanding which is attached hereto, made a part hereof and marked Exhibit A, and to make non-substantive edits to the format and language of the MOU in alignment with the parties' agreement, and conforming to legal requirements; and

BE IT FURTHER RESOLVED that the Council of the City of Berkeley approves, and the City Manager is hereby authorized to effectuate, a new Classification and Salary table for EMS Professionals Association classifications that implement the salary adjustments reflected in the new MOU and supersede prior salary resolutions; and

BE IT FURTHER RESOLVED that a fully executed original of said contract is filed in the Office of the City Clerk.

Exhibit

A: Memorandum of Understanding Between the City of Berkeley and Berkeley Fire EMS Professionals Association, 2023-2026



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Public

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Kevin Fong, Information Technology Director

Subject: New Contract: Accela, Inc Software Upgrade and Maintenance

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to enter into a new Contract with Accela, Inc., for software upgrade and maintenance to their modern platform for a total not to exceed $1,324,193 from July 1, 2024 to June 30, 2027.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the one-time upgrade cost and software maintenance for this contract is subject to appropriation in the FY2025, FY2026, and, FY2027 budgets in the General Fund (011), Sanitary Sewer Fund (611), and Permit Service Fund (621).

One Time Cost

Department	Account Code	FY2025
Finance	011-33-321-327-0000-000-412-613130-	$32,000
Planning	621-53-585-634-0000-000-472-613130-	$85,943
PW	611-54-623-672-0000-000-472-613130-	$42,057
Total		**$160,000**

Annual Maintenance

Department	Account Code	FY2025	FY2026	FY2027
Finance	011-33-321-327-0000-000-412-613130-	$58,834	$69,848	$74,039
Planning	621-53-585-634-0000-000-472-613130-	$158,011	$187,591	$198,846
PW	611-54-623-672-0000-000-472-613130-	$77,325	$91,800	$97,308
Contingency for Misc. Licenses	Various	$43,705	$51,887	$55,000
Total		**$337,875**	**$401,125**	**$425,193**
			3-Year Total	$1,324,193

CURRENT SITUATION AND ITS EFFECTS

The Accela Civic Platform is a critical enterprise software platform that provides Permitting and Zoning for Planning, Utility Permitting for Public Works, and Business Licenses for Finance. Additionally, the platform has an online portal that allows the community to apply for business licenses and permits, schedule inspections, and pay for these services. This new contract will move and upgrade the current version of Accela (which will be discontinued at end of 2025) to Accela's modern and currently supported platform to ensure critical services remain highly available to the City and community.

The Accela Civic Platform helps advance the City's Strategic Goal to *be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community*.

BACKGROUND

In 2010, the City released an RFP for a new Permitting system, #11-10535-C. After a thorough multi-department selection process, the City selected Accela as its new Permitting and Business License system.

In 2011, by Resolution No. 65,398-N.S., the City Council approved a new contract with Accela for software licensing, implementation, maintenance and related services for a licensing and permitting system.

Since this time, the City has enhanced Accela to streamline internal processes and to make services more accessible to the community through an enhanced online portal.

Accela continues to provide ongoing support and maintenance for these systems.

RATIONALE FOR RECOMMENDATION

Accela will no longer support the platform that the City is using after December 2025 and is requiring the City migrate to its new platform for continued, uninterrupted operations. Accela retains exclusive rights to provide maintenance for their software and is the only vendor that provides authorized software maintenance to their system. Establishing a new contract for their new platform and associated maintenance ensures continued technical support and software updates to the platform.

ALTERNATIVE ACTIONS CONSIDERED

Staff issued a Request for Proposal (Specification No. 19-11330-C) in late 2019 for a new Digital Permitting System to investigate other potential Permitting software solutions on the market. However, the COVID 19 pandemic hit in the middle of the selection process and halted the RFP process. For the duration of this new contract, the City will remain with the Accela solution while possibly considering alternative solutions.

ENVIRONMENTAL SUSTAINABILTY AND CLIMATE IMPACTS

Accela's online web portal for permitting and business licenses reduces the need for the community to physically drive into the Permit Service Center and submit paper forms and documentation. Information can be submitted digitally and accessed remotely through the City's online Accela web portal thereby reducing the Berkeley's overall carbon footprint.

CONTACT PERSON

Kevin Fong, Director, Information Technology, (510) 981-6541.

Attachments:
1: Resolution

Public

RESOLUTION NO. ##,###-N.S.

NEW CONTRACT: ACCELA, INC. FOR SOFTWARE UPGRADE AND MAINTENANCE

WHEREAS, the Accela Civic Platform is a critical enterprise software platform that multiple City departments use including Planning, Public Works, and Finance; and

WHEREAS, the City Council previously authorized Contract No. 8865 with Accela, Inc. on July 19, 2011 (Resolution No. 65,398-N.S.) for software licensing, implementation, maintenance and related services for a licensing and permitting system; and

WHEREAS, the City seeks to start a new software contract with Accela, Inc.; and

WHEREAS, funding for software upgrade and maintenance will be available in the FY 2025 and FY 2026 and FY2027 General Fund, Permit Service Center, Sanitary Sewer fund, Abandoned Vehicle fund, and Vector Control fund; and

WHEREAS, spending for this amendment in future fiscal years is subject to Council approval of the proposed citywide budget and annual appropriation ordinances.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council authorizes the City Manager enter into a new contract with Accela, Inc., for software upgrade and maintenance in the amount of $1,324,193 from July 1, 2024 to June 30, 2027.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Kevin Fong, Director, Department of Information Technology

Subject: AHEAD, Inc: Using the California Department of General Services' (DGS) Software Licensing Program (SLP) for Software License Purchases

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to increase spending authority with AHEAD, Inc. ("AHEAD") for the purchase of Varonis subscription software licenses, utilizing pricing and contracts, amendments, and extensions from the California Department of General Services (DGS) Software Licensing Program (SLP) increasing the amount by $550,890 for a total amount not-to-exceed $973,804.51 and the period beginning January 31, 2023 through September 28, 2025.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the Varonis subscription software licenses in the amount of $550,890 is subject to appropriation in the Department of Information Technology's FY 2025 Cost Allocation Fund as outlined below:

	Description	Funding Source
$266,920.00	FY 2025 Subscription Varonis Licenses	IT Cost Allocation (Fund 680)
$283,970.00	FY 2026 Subscription Varonis Licenses	IT Cost Allocation (Fund 680)
$422,914.51	Previously approved Varonis Subscription	IT Cost Allocation (Fund 680)
$973,804.51	**NTE TOTAL**	

CURRENT SITUATION AND ITS EFFECTS

The City's Data Safety Program is designed to support the City's IT Digital Strategic Plan's goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities. Varonis DatAdvantage helps the City ensure proper data use and permissions, and meet legal, financial, and intellectual property requirements. For example, it can help classify and detect where sensitive data lives across various platforms. It can also detect insider threats and potential cyber criminals, all efforts to identify and mitigate where the City may be at risk.

BACKGROUND

The procurement and implementation of Varonis in 2021 provided visibility into how the City is handling and protecting the data it touches on a daily basis. City Information Technology is now expanding its Cybersecurity posture by adding control over the storage and management of its file stores and ensuring proper alerting for files stored and accessed throughout the City's datacenters.

The City of Berkeley participates in a cooperative purchasing agreement established by the California Department of General Services (DGS)' called the Software License Program (SLP). Established in January 1994, the SLP negotiates major software discounts with publishers and passes those discounts onto the State. The State establishes contracts with resellers based on these negotiations, which local agencies within the State of California can utilize. The City of Berkeley has engaged AHEAD as a reseller for the Varonis software under SLP contract number SLP-19-70-0151s. Additional software, and other goods and services related to the City's Data Safety Program, are also available on this SLP contract with AHEAD.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The Varonis DatAdvantage suite provides the necessary protections needed as the City moves towards utilizing more electronic files and documents, reducing the amount of paper use, thus supporting the City's efforts to reduce the negative impact on the environment.

RATIONALE FOR RECOMMENDATION

There is a large amount of data that resides in the City's shared drives which cannot be properly controlled and managed, placing the City at risk, due to a number of factors, including but not limited to identifying the type of data stored, and the owners of the data.

The Varonis DatAdvantage product provides the ability to visualize who can access sensitive and regulated information, audit every single file and email touched on- premise and in the cloud, and manage changes.

ALTERNATIVE ACTIONS CONSIDERED

Varonis provides automated protection as well as remediation through control over the files in City datacenters and those accounts used to access them. To accomplish this without Varonis would require a substantial increase in staffing which is not viable.

CONTACT PERSON

Kevin Fong, Director, Department of Information Technology, 510-981-6541

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.
AHEAD: USING THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES' (DGS) SOFTWARE LICENSING PROGRAM (SLP) FOR SOFTWARE LICENSE PURCHASES

WHEREAS, the purpose of the Data Safety Program is to protect the City of Berkeley's information and access to information, using an enterprise standard across all city systems, and is designed to support the Digital Strategic Plan and the City's Strategic Plan goal of advancing our City's strategic goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities; and

WHEREAS, the City of Berkeley participates in a cooperative purchasing agreement established by the California Department of General Services (DGS) called the Software License Program (SLP) that negotiates software discounts that are passed down to local agencies through a cooperative contract and software reseller; and

WHEREAS, the City of Berkeley has engaged AHEAD as a reseller for the Varonis software under SLP contract number SLP-19-70-0151s, and has the opportunity to purchase additional software, and other goods related to the City's Data Safety Program; and

WHEREAS, funding for purchases with AHEAD are funded by the IT Cost Allocation Fund (Fund 680), and citywide purchases will be made as needed by other available funding.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to increase spending authority with AHEAD for the purchase of professional services and software, and other goods related to the City's Data Safety Program, utilizing pricing and contracts, amendments, and extensions from the California Department of General Services (DGS) Software Licensing Program (SLP) increasing the amount by $550,890 for an amount not-to-exceed $973,804.51, and the period beginning January 31, 2023 through September 28, 2025.

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Tess Mayer, Director of Library Services
Henry Oyekanmi, Director of Finance

Subject: FY 2025 Special Tax Rate: Fund the Provision of Library Services

RECOMMENDATION

Adopt the Resolution to recommend that the Berkeley City Council set the FY 2025 tax rate for funding the provision of Library Services in the City of Berkeley at $0.2800 (28.00 cents) per square foot for dwelling units and $0.4233 (42.33 cents) per square foot for industrial, commercial, and institutional buildings.

FISCAL IMPACTS OF RECOMMENDATION

The tax levy of the recommended $0.2800 for dwelling units and $0.4233 for industrial, commercial, and institutional buildings will result in estimated collections of $25,905,893 for the Library Tax Fund. This is an estimated increase in the tax rate by $0.0102 for dwelling units and by $0.0153 for industrial, commercial, and institutional buildings.

CURRENT SITUATION AND ITS EFFECTS

The FY 2024 tax of $0.2800 for dwelling units and $0.4233 for all other property are being adjusted by the Consumer Price Index in the immediate San Francisco Bay Area of 3.767%, as the voters approved the greater of that or the Personal Income Growth factor in California of 3.620%. In addition, the Board of Library Trustees recommends that the City Council adjust the tax rate by 3.767%.

It is recommended that the City Council authorize the levy of a special tax of $0.2800 per square foot for dwelling units and of $0.4233 for all other property in the City of Berkeley. The tax will result in a cost to taxpayers in the following average amounts during FY 2025, as compared with amounts for FY 2024:

Square Feet	Annual Tax – Dwelling Units		Annual Tax – All Other Properties	
	FY25	FY24	FY25	FY24
1,200	$335.96	$323.77	$508.00	$489.56
1,500	419.95	404.71	635.00	611.95
1,900	531.94	512.63	804.33	775.13
3,000	839.91	809.42	1,270.00	1,223.90
3,900	1,091.88	1,052.24	1,651.00	1,591.06
10,000	2,799.69	2,698.05	4,233.33	4,079.65

BACKGROUND

The Central Library and neighborhood branch libraries will have received up to 98% of 2024 fiscal year funding through a citywide special tax (referred to as the Library Relief Act of 1980) of $0.2698 for dwelling units and $0.4080 per square foot on all improvements to industrial, commercial, and institutional real property. The purpose of this voter-approved tax is to provide a stable revenue source to ensure the provision of library services at the level which permits library operations six days a week at branch libraries, seven days a week at the Central Library, and which permits the purchase of library materials at levels which are commensurate with the libraries' hours of service, staffing, and patron needs.

On November 3, 2020, over 81% of Berkeley voters approved Measure LL to re-authorize the City, for a period of four (4) years through FY 2024, to spend the Library Services tax as approved by the voters.

RATIONALE FOR RECOMMENDATION

Adopting the per capita April Consumer Price Index in the immediate San Francisco Bay Area would contribute an incremental increase of approximately $36,699 to projected FY 2025 revenue over that of the Personal Income Growth factor in California.

ALTERNATIVE ACTIONS CONSIDERED

The fiscal impact on the Library Tax Fund of adopting the Personal Income Growth factor in California of 3.620% instead of the per capita April Consumer Price Index in the immediate San Francisco Bay Area of 3.767% would be a reduction of $36,699 in projected FY 2025 library tax receipts.

The fiscal impact on the Library Tax Fund of forgoing an adjustment to the fiscal year's library tax rate would be a reduction of $940,448 in projected FY 2025 library tax receipts when compared to the recommendation.

CONTACT PERSON

Henry Oyekanmi, Director of Finance, 981-7301
Tess Mayer, Director of Library Services, 981-6195

Attachments:
1. Ordinance
2. 2024 05 30 Library Tax Report v1.0
3. BOLT Resolution No. R24-078

ORDINANCE NO. -N.S.

SETTING THE FISCAL YEAR 2025 SPECIAL TAX RATE TO FUND LIBRARY SERVICES TAX IN THE CITY OF BERKELEY

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The FY 2025 Tax Rate to support usual and current expenses of operating library services is set at $0.2800 per square foot for dwelling units and $0.4233 per square foot for industrial, commercial and institutional buildings.

Section 2. The cost to taxpayers during FY 2025 will be $419.95 for a 1,500 square foot dwelling and $635.00 for all other property of similar size.

Section 3. This tax rate will result in estimated total collections of $25,905,893.

Section 4. The tax imposed by this ordinance does not apply to any property owner whose total personal income, from all sources for the previous calendar year, does not exceed that level which shall constitute a very low income, as established by resolution of City Council.

Section 5. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

BERKELEY PUBLIC LIBRARY

ACTION CALENDAR
May 30, 2024

To: Board of Library Trustees

From: Tess Mayer, Director of Library Services, and Nneka Gallaread, Fiscal and Administrative Services Manager

Subject: Recommendation to City Council on FY 2025 Library Tax Rate

RECOMMENDATION

Adopt the resolution to recommend that the Berkeley City Council set the FY 2025 tax rate for funding the provision of Library Services in the City of Berkeley at $0.2800 (28.00 cents) per square foot for dwelling units and $0.4233 (42.33 cents) per square foot for industrial, commercial, and institutional buildings.

FISCAL IMPACTS OF RECOMMENDATION

The total revenue generated by the Library Tax in FY 2025 is expected to be approximately $25,905,893 (*net of Alameda County billing and collection fees*). It is estimated that the tax will cost residential taxpayers no more than the following average amounts during Fiscal Year 2025, as compared with amounts for FY 2024:

Square Feet	Annual Tax – Dwelling Units		Annual Tax – All Other Properties	
	FY25	FY24	FY25	FY24
1,200	$335.96	$323.77	$508.00	$489.56
1,500	419.95	404.71	635.00	611.95
1,900	531.94	512.63	804.33	775.13
3,000	839.91	809.42	1,270.00	1,223.90
3,900	1,091.88	1,052.24	1,651.00	1,591.06
10,000	2,799.69	2,698.05	4,233.33	4,079.65

BACKGROUND

The Central Library and neighborhood branch libraries will have received up to 98% of 2024 fiscal year funding through a citywide special tax (referred to as the Library Relief Act of 1980) of $0.2698 for dwelling units and $0.4080 per square foot on all improvements to industrial, commercial, and institutional real property. The purpose of this voter-approved tax is to provide a stable revenue source to ensure the provision of library services at the level which permits library operations six days a week at branch libraries, seven days a week at the Central Library, and which permits the purchase of library materials at levels which are commensurate with the libraries' hours of service, staffing, and patron needs. Refer to Attachment 2. *Tax Rate Indices: PIG + CPI* for table of rates since 2008 and the Board's recommendation to the City Council.

CURRENT SITUATION

For the current fiscal year, Berkeley's Library Tax will raise around $24.9 million. The tax rates, initiated by a recommendation from the Director of Library Services to the Board, may be adjusted annually by indexing up to the greater of the Consumer Price Index in the immediate San Francisco Bay Area or the per capita Personal Income Growth factor in California.

The FY 2025 tax of $0.2800 for dwelling units and $0.4233 for all other property are recommended based on the per capita Consumer Price Index in the immediate San Francisco Bay Area of 3.767%, as the voters approved the greater of that or the Personal Income Growth Factor in California Area of 3.620%. In

addition, the Director of Library Services recommends that the Board of Library Trustees recommend that the City Council adjust the tax rate by 3.767%. The recommended library tax rates for FY 2025 are expected to yield total revenue of approximately $25,905,893 (*net of Alameda County billing and collection fees*).

At a special meeting of the Board of Library Trustees held on May 17, 2023, the Board of Library Trustees recommended via BOLT Resolution No.: R23-022 that the City Council increase tax rates for FY 2024.

RATIONALE FOR RECOMMENDATION

Adopting the per capita April Consumer Price Index in the immediate San Francisco Bay Area would contribute an incremental increase of approximately $36,699 to projected FY 2025 revenue over that of the Personal Income Growth factor in California.

ALTERNATIVE ACTIONS CONSIDERED

The fiscal impact on the Library Tax Fund of adopting the Personal Income Growth factor in California of 3.620% instead of the per capita April Consumer Price Index in the immediate San Francisco Bay Area of 3.767% would be a reduction of $36,699 in projected FY 2025 library tax receipts.

The fiscal impact on the Library Tax Fund of forgoing an adjustment to the fiscal year's library tax rate would be a reduction of $940,448 in projected FY 2025 library tax receipts when compared to the recommendation.

FUTURE ACTION

The Board of Library Trustee's recommendation will be forwarded to the City's Director of Finance for inclusion as a submittal to the City Council for action.

CONTACT PERSON

Tess Mayer, Director of Library Services, 510-981-6195

Attachments:

1. Resolution
2. Tax Rate Indices: PIG + CPI

BOARD OF LIBRARY TRUSTEES

RESOLUTION NO: R24-078

RECOMMEND THAT THE BERKELEY CITY COUNCIL SET THE FY 2025 TAX RATE FOR THE LIBRARY SERVICES TAX AT $0.2800 (28.00 CENTS) PER SQUARE FOOT FOR DWELLING UNITS AND $0.4233 (42.33 CENTS) PER SQUARE FOOT FOR INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BUILDINGS BASED ON THE APRIL CONSUMER PRICE INDEX IN THE IMMEDIATE SAN FRANCISCO BAY AREA OF 3.767%

WHEREAS, each year the City Council adopts an ordinance to establish the rates for the Library Services Tax, which supports the Library's operations; and

WHEREAS, the increase is based on up to the greater of the per capita Personal Income Growth factor in California or the Consumer Price Index in the immediate San Francisco Bay Area; and

WHEREAS, the Board of Library Trustees makes a recommendation to the City Council each year on the adoption of tax rates for library services, with a potential increase in the Library Services Tax rate based on either the per capita Personal Income Growth factor in California or the April Consumer Price Index in the immediate San Francisco Bay Area; and

WHEREAS, the Fiscal Year 2024-25 the April 2024 Consumer Price Index in the immediate San Francisco Bay Area is 3.767% and per capita Personal Income Growth factor for California is 3.620%; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of the City of Berkeley to recommend that the Berkeley City Council set the FY 2025 tax rate for the Library Services Tax at $0.2800 (28.00 cents) per square foot for dwelling units and $0.4233 (42.33 cents) per square foot for industrial, commercial, and institutional buildings based on the April 2024 Consumer Price Index in the immediate San Francisco Bay Area of 3.767%.

ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on May 30, 2024 by the following vote:

AYES:	Trustees Ami, Greene, Hahn, Roth & Selawsky
NOES:	none
ABSENT:	none
ABSTENTIONS:	none

_____
Amy Roth, President

_____
Tess Mayer, Director of Library Services
Serving as Secretary to the Board of Library Trustee

BERKELEY PUBLIC LIBRARY
TAX RATE INDICES: PIG + CPI

G:\FINANCE\BUDGETS\Yearly\[Annual Tax Rates.xlsx]BOLT 30MAY24

Year	PIG*	CPI^	Notes
2008	**4.42%**	3.200%	BOLT R07-043 (9MAY07)
2009	**4.29%**	4.000%	BOLT R08-046 (14MAY08)
2010	0.62%	**0.802%**	BOLT R09-054 (10JUN09)
2011	-2.50%	**1.717%**	BOLT R10-039 (25MAY10)
2012	2.51%	**2.821%**	BOLT R11-039 (11MAY11)
2013	**3.77%**	2.078%	BOLT R12-037 (13JUN12)
2014	**5.12%**	2.381%	BOLT R13-033 (29MAY13)
2015	-0.23%	**2.787%**	BOLT R14-026 (20MAY14)
2016	**3.82%**	2.436%	BOLT R15-108 (28MAY15)
2017	**5.37%**	2.695%	BOLT R16-018 (19MAY16)
2018	3.69%	**3.789%**	BOLT R17-031 (31MAY17)
2019	**3.67%**	3.217%	BOLT R18-026 (6JUN18)
2020	3.85%	**4.015%**	BOLT R19-023 (24MAY19)
2021	3.73%	1.110%	BOLT R20-018 (3JUN20): **Increase declined**
2022	**5.73%**	3.806%	BOLT R21-095 (26MAY21)
2023	**7.55%**	4.996%	BOLT R22-026 (23MAY22)
2024	**4.44%**	4.192%	BOLT R23-022 (17MAY23)
2025	3.62%	**3.77%**	Director Recommendation (MAY30) = CPI

BOLD BOLT recommendation to City Council

* per capita Personal Income Growth factor in California released late April/early May.

^ Consumer Price Index in the immediate San Francisco Bay Area released mid-May.

BOARD OF LIBRARY TRUSTEES

RESOLUTION NO: R24-078

RECOMMEND THAT THE BERKELEY CITY COUNCIL SET THE FY 2025 TAX RATE FOR THE LIBRARY SERVICES TAX AT $0.2800 (28.00 CENTS) PER SQUARE FOOT FOR DWELLING UNITS AND $0.4233 (42.33 CENTS) PER SQUARE FOOT FOR INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BUILDINGS BASED ON THE APRIL CONSUMER PRICE INDEX IN THE IMMEDIATE SAN FRANCISCO BAY AREA OF 3.767%

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WHEREAS, the Fiscal Year 2024-25 the April 2024 Consumer Price Index in the immediate San Francisco Bay Area is 3.767% and per capita Personal Income Growth factor for California is 3.620%; and

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ADOPTED by the Board of Library Trustees of the City of Berkeley at a regular meeting held on May 30, 2024 by the following vote:

AYES:	Trustees Greene, Hahn, Roth & Selawsky
NOES:	none
ABSENT:	~~none~~ Tanir Ami
ABSTENTIONS:	none

Amy Roth, President

Tess Mayer, Director of Library Services
Serving as Secretary to the Board of Library Trustee

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation and Waterfront

Subject: Grant Application: California Fire Foundation-Camps Wildfire Response Equipment

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to submit a grant application to the California Fire Foundation in the amount up to $25,000; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.

FISCAL IMPACTS OF RECOMMENDATION

The grant request is for up to $25,000 for Wildfire Response Equipment for Berkeley camps. This grant program does not require a matching portion and all associated costs of the equipment purchase would be covered by the grant. The revenue from this grant will be deposited into the One-Time Grants Fund (Fund 336).

CURRENT SITUATION AND ITS EFFECTS

The California Fire Foundation[1] offers periodic application periods for several funding areas, including Specialized Equipment. In 2023 the California Fire Foundation awarded over $1.38 million in support of 86 prevention, preparedness, relief and recovery projects statewide. Additional funding opportunities include education, planning, or community outreach campaigns, vegetation mitigation and fuels reduction, and personal protective equipment. At the end of June, 2024, the City will submit a grant proposal of up to $25,000 to purchase Wildfire Response Equipment for Berkeley camps.

BACKGROUND

Berkeley camps have a history of being impacted by wildfires. In 2013, Berkeley Tuolumne Camp was destroyed by the Rim Fire and in 2021, Echo Lake Camp barely avoided destruction by the Caldor Fire. In preparation for future wildland fire events, the Parks, Recreation, & Waterfront Department has held standing planning meetings in collaboration with the Berkeley Fire Department to prepare for a unified response to

[1] https://www.cafirefoundation.org/what-we-do/for-grant-seekers

future wildfire events. Through this partnership, we have identified strategic goals to obtain the resources necessary to best defend the camps against wildfires.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
Through the acquisition of this equipment, this project will help the City advance the following Strategic Plan Goal: 3. Create a resilient, safe, connected, and prepared city. Sub Section 3.23, Fire Prevention. By planning for and working to prevent wildfire, the City will be working to reduce greenhouse gas emissions related to large scale forest fires and will be better positioned to safeguard City assets in the event of a fire occurring.

RATIONALE FOR RECOMMENDATION
This grant will provide funding to obtain equipment necessary Berkeley Fire Department and PRW staff to maintain and defend Berkeley Echo Lake Camp against wildfires in the future.

ALTERNATIVE ACTIONS CONSIDERED
None

CONTACT PERSONS
Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700
Justin Pitcher, Recreation Program Supervisor, 981-6700

Attachments:
1: Resolution

Internal

RESOLUTION NO. ##-###

APPROVING THE FILING OF A GRANT APPLICATION TO THE CALIFORNIA FIRE FOUNDATION GRANT PROGRAM FOR UP TO $25,000

WHEREAS, the California Fire Foundation offers periodic application periods for several funding areas, including Specialized Equipment; and

WHEREAS, the City of Berkeley Fire Department and Parks, Recreation, & Waterfront Department have collaborated to identify needs related to fire resiliency at all Berkeley camps; and

WHEREAS, wildfire prevention and defense, as well as camper safety, will be greatly improved with wildland fire equipment available for preparation and response; and

WHEREAS, the applicant will enter into an agreement with the California Fire Foundation to carry out the acquisition of identified equipment, outlined in the grant application.

NOW, THEREFORE, BE IT RESOLVED that the **City of Berkeley**:

1. Approved the filing of an application for **"California Fire Foundation"**; and
2. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and,
3. Appoints the City Manager or a designee (F. Scott Ferris), to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

BE IT FURTHER RESOLVED, that the City of Berkeley authorizes the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.

BE IT FURTHER RESOLVED, that a record signature copy of said agreements and any amendments to be on file in the City of Berkeley's Office of the City Clerk.

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Office of the City Manager

CONSENT ITEM
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jennifer Louis, Interim Chief of Police

Subject: Audit Recommendation Status - Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities

CURRENT SITUATION AND ITS EFFECTS

The City Auditor's report included 12 recommendations. Five of the recommendations have been implemented, one has been partly implemented and six of the recommendations have been started. The next status update report will be in six months.

Included in the update is progress on two significant recommendations. We have recently implemented an electronic staffing software solution that will improve ability to monitor overtime and resources. The Department worked with the City Attorney's Office to develop Policy 1043 which describes the procedures and contractual agreement requirements for working with outside entities. That policy is attached to this item. Information about the process as well as the application itself are also available on the Police Department website at;

https://berkeleyca.gov/safety-health/police/community-liaisons

POLICY COMMITTEE RECOMMENDATION

No final action was taken by the Budget & Finance Committee. Item is automatically returning to the Council agenda pursuant to the time limit for items referred to policy committees.

[1] City Auditor's Office Overtime Audit (3/3/2022)
https://berkeleyca.gov/sites/default/files/2022-04/Berkeley%20Police%20-%20Improvements%20Needed%20to%20Manage%20Overtime%20and%20Security%20Work%20for%20Outside%20Entities.pdf

BACKGROUND

On March 3, 2022, the City Auditor's Office issued its audit, *Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities*[1] This audit report included 12 recommendations. The purpose of this report is to update the City Council on the Police Department's progress on implementing the City Auditor's recommendations. This is the second status report for this audit, the first being in November 2022.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities associated with the subject of this report.

FISCAL IMPLICATIONS

Staff time in addition to the contract costs. The contract for CareWare, approved in 2022 is $191,740 (5-year contract). This software is now being utilized throughout the whole Police Department.

CONTACT PERSON

Captain Kevin Schofield, Police Department, (510) 981-5815

ATTACHMENTS

1. Police Overtime Recommendation Table
2. Policy 1043 - Extra Duty Employment

Audit Title: Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities						
Finding	**Recommendation**		**Department**	**Expected or Actual Implementation Date**	**Status of Audit Recommendations, Corrective Plan, and Progress Summary**	**Last Period: Status**
Overtime is used to maintain minimum patrol staffing set by BPD.	1.1	Collect and monitor data on how often compensatory time leads to additional backfill overtime and develop a plan to monitor it.	Police	9/1/2023	Started: The CareWare electronic staffing software solution has recently been implemented to monitor staffing, overtime and time off, plus shift trades/swaps. Now that the software is being utilized, BPD will be better able to work towards understanding the expense and impacts of compensatory time.	Not Started
Overtime is used to maintain minimum patrol staffing set by BPD.	1.2	Fill vacancies deemed necessary and/or reallocate staff pending the reimagining process and a determination of appropriate staffing levels.	Police	Ongoing	Started: The City of Berkeley released an RFP for a "Berkeley Police Department Workload Organizational Study". A vendor for the organizational workload study has been selected and BPD is entering into the contracting process.	Not Started
Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated.	2.1	Establish a procedure to regularly assess minimum staffing and overall staffing needs of the department. This process should document and incorporate criteria to assess staffing levels, such as calls for service, other workload, community input, and other relevant factors. As BPD prepares for the rollout of a new software system, BPD should consider how to best align the program's capabilities with this assessment process.	Police	9/1/2023 - 3/1/2024	Started: Annually, BPD will monitor and reassess workloads as they consider how to best allocate resources. These internal tools were used with the March 2023 timesheet to help identify a new beat structure to ensure adequate coverage plus rebalancing minimum staffing levels.	Not Started

Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated.	2.2	Document and define the Patrol Unit's minimum staffing levels in a publicly assessible format.	Police	9/2/2022	Implemented: This information has been placed on the BPD webpage. The button "current officer shift assignments" links to a timesheet with officer assignments. Information can be viewed at https://berkeleyca.gov/safety-health/police/community-liaisons. The public-facing CoB website additionally includes the following language: "Note: The timesheet and minimum staffing levels are a starting point for each shift assessed every six months and commanders have a number of options to consider regularly. There are often daily assessments, as well. Overtime to backfill officers is typically triggered when a patrol team's staffing drops below 9 or 10, depending on which Patrol team, or as other needs may dictate (crimes, emergencies, protests, etc.). These numbers are always subject to change."	Implemented
Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated.	2.3	Document the results of staffing assessments along with the assessment criteria. Incorporate results into staffing projections for budgetary decision making, including establishing a sufficient and appropriate overtime budget.	Police	9/1/2023 - 3/1/2024	Started: A vendor for the organizational workload study has been selected and BPD is entering into the contracting process.	Not Started

Officers work excessive overtime, increasing health and safety risks.	3.1	Update the department overtime policy to address the fact that there currently is no limit to the number of consecutive days worked and determine the appropriate limit for overtime that is enforceable with the goal of avoiding officer fatigue. The department may examine other jurisdictions' overtime limits as possible criteria.	Police	3/1/2024	Started: BPD has started looking into what other agencies do regarding limiting the number of consecutive days worked. The current policy addresses the maximum number of work hours per week but does not address consecutive days worked. The recent implementation of the electronic staffing software solution and tracking abilities may also help guide any needed changes.	Not Started
Officers work excessive overtime, increasing health and safety risks.	3.2	Work to implement a staffing software solution that integrates overtime management and scheduling software. Develop management reports that provide timely, accurate, and complete information on overtime usage. Develop a process for filling overtime shifts on a voluntary and mandatory basis, including supervisor approval. Build in warnings for when an individual is approaching overtime limits and an approval process for allowing individuals to exceed limits when deemed necessary according to the policy.	Police	3/8/2023	Implemented: The CareWare electronic staffing software solution has recently been implemented to monitor staffing, overtime and time off, as well as shift trades/swaps. This includes a warning notice within the system that someone could be working more than the allowed number of hours. This warning requires acknowledgement by the user allowing the hours.	Started

BPD has no contracts for overtime security with outside entities.	4.1	Update A.R. 2.10 and other department policies to explicitly include guidance around department agreements for work for outside entities, which is paid for by reimbursements to the City from the outside entities. Internal procedures should include appropriate criteria to identify and document the benefit to the City gained by work for outside entity agreements, and to allocate resources in a way that does not negatively impact City operations. Additionally, BPD should document their criteria for when officers are not available or eligible for work for outside entities.	Police	Ongoing	Implemented: BPD finalized Policy 1043 and will begin using the newly created contracts with outside entities.	Started
BPD has no contracts for overtime security with outside entities.	4.2	In consultation with the City Attorney, create contracts with outside entities in compliance with City policies and applicable laws.	Police	Ongoing	Partly Implemented: Service agreements for work with outside entities are drafted and available on the Police Department's website. BPD's sergeant in special events will be doing outreach to all of the regular consumers/requesters as a next step.	Started

BPD has no contracts for overtime security with outside entities.	4.3	Develop an application for BPD's services that is publicly available and accessible online to any interested party. Set pay uniformly according to rank and hourly rate and include a reasonable fee that covers the expenses of administering work for outside entities including workers compensation, fuel, use of equipment, and any other actual or potentialcosts to the City.	Police	3/30/2023	Implemented: The application and service agreement have been added to the BPD website on the Community Liaisons page under 'Related Documents'. BPD will be working with their web management team to add it to the main City of Berkeley website in the 'Special Events' section. A 10% fee was added on top of employee fees to offset costs associated with coordinating special events, including planning and staff time. 10% is a standard administrative fee at the state level and is standard administrative fee for grant funding they receive. BPD wants to be consistent with department administrative fees throughout BPD. The police department will adjust the administrative fee in the future as needs dictate.	Started
BPD has no contracts for overtime security with outside entities.	4.4	BPD should reconcile invoices with the amounts received for work with outside entities at regular intervals. BPD should also implement procedures to check invoices for errors prior to billing outside entities.	Police	3/7/2023	Implemented: BPD's Admin & Fiscal Services Unit developed a written procedure for the 'Outside Entity Billing Process'. This will ensure consistency and accountability in billing and tracking.	Started
BPD has no contracts for overtime security with outside entities.	4.5	Explore ways to clearly account for different funds to track revenues and expenses.	Police	Ongoing	Started: BPD is in the beginning stages of developing potential solutions to account for different funds. It may require collaboration with Finance, Budget, Payroll Audit, the ERMA Team, and other stakeholders.	Started

Extra Duty Employment

1043.1 PURPOSE AND SCOPE

This policy covers extra duty employment, which consists of officers working special details wherein the City of Berkeley has a contractual agreement to provide services for a fee to private third parties.

1043.1.1 DEFINITIONS

Extra Duty Employment- Extra Duty Employment occurs when a member of this Department performs police services at the request of a private third party and receives overtime compensation or wages paid directly into their routine pay, the cost of which the City will recover pursuant to a Service Agreement between the private third party and the City. Approval shall be obtained from the Chief of Police prior to any overtime being posted for Extra Duty Employment.

1043.2 OBTAINING APPROVAL FOR EXTRA DUTY EMPLOYMENT

All requests for Extra Duty Employment will be offered only after a third party has signed a Service Agreement and completed an Application for Extra Duty Services prior to the officers being assigned.

The City is under no obligation to provide or approve Extra Duty Employment and all requests must consider the following criteria:

- The overall staffing needs of the Department, including Investigations and specialized patrols such as the Bike Force Team
- The impact of the request on officer wellness and fatigue mitigation
- The degree to which the extra duty employment supports overall public safety and builds connections with the community.
- The potential the extra duty employment has to cast discredit upon or create embarrassment for the Department or City Government.

In instances where the Department chooses not to staff an Extra Duty Employment opportunity, the private third party will not incur any charges.

The completion of a Service Agreement and Application for Extra Duty Services is required for all events in which the Berkeley Police Department will seek reimbursement. All police grant work is excluded from this policy. Mutual Aid response from the Berkeley Police Department may include incidents wherein reimbursement is expected, however it is explicitly excluded from the provisions of the Extra Duty Employment, and is covered under General Order M-02, and Policy 327 (upon its publication).

Any private third party seeking Extra Duty Employment shall complete the following:

- The private third party must complete the **Service Agreement** in order to request Extra Duty Employment. This form is available on the Police Department's website, and is attached to this policy.
- The **Service Agreement** may be entered into for a one-time event, for repeating events, or to cover continuous service. **Service Agreements** for Extra Duty Employment will span no longer than the duration of one calendar year, automatically resetting every January 1st for events that seek continuous services. In circumstances like the Berkeley Unified School District which may have different events spanning the year, the **Service Agreement** for Extra Duty Employment should identify what activities or events (i.e. sporting events, dances, graduation) are anticipated. Extra Duty Employment outside of these events will require an additional application. This allows for adjusted staffing consistent with the needs of each respective event.

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- City Manager approval must be obtained for all **Service Agreements**.
- The private third party must complete an **Application for Extra Duty Employment.** This form is available on the Police Department's website, and is attached to this policy.
- The private third party must submit the **Application for Extra Duty Employment** and any additional supporting documents to the Special Events Sergeant.
- Chief of Police approval must be obtained for all **Applications for Extra Duty Employment**
- The Special Events Sergeant will be the contact person between the Department and the private third party on the status of their respective application.
- The Special Events Sergeant will be responsible for posting the overtime.
- The Special Event Sergeant shall maintain records of all submitted Extra Duty Employment requests and shall be responsible for annual renewal of Service Agreements.

1043.3 EXTRA DUTY EMPLOYMENT- SWORN PERSONNEL

Sworn personnel are subject to the following provisions regarding Extra Duty Employment while working in a law enforcement function representing the Berkeley Police Department:

- Officers will treat Extra Duty Employment overtime like regular patrol duty, and shall be dressed in full Police Uniform, and adhere to all policies and procedures of the Berkeley Police Department. Officers are permitted to use marked police vehicles as appropriate while working in this capacity.
- All officer conduct will be highly professional, and all law enforcement actions taken will be those authorized by the employee's status as a California police officer.
- In all Extra Duty Employment instances, the police personnel shall at all times be subject to the exclusive direction, supervision, and control of the Police Department.
- Equipment, including vehicles, may be assigned by the Police Department based on the nature and duration of the work to be performed.

See attachment: BPD Service Agreement-final.pdf

See attachment: Application for Extra Duty Services.pdf

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Attachments

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BPD Service Agreement-final.pdf

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CITY OF BERKELEY POLICE DEPARTMENT SERVICE AGREEMENT

This agreement for services ("Agreement") is by and between the City of Berkeley, a chartered California municipal corporation ("City") and _____ ("Organization"). The City and the Organization may be referred to herein individually as a "Party", or collectively as the "Parties".

The Parties agree to the following terms and conditions:

1. DATES: Unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on _____ and terminate on _____.

2. SERVICES; CONDITIONS; CITY EMPLOYEES: In exchange for the compensation from the Organization, as described in this Agreement, the City's Police Department Peace Officer Personnel ("Personnel") shall provide security services, crowd control, and/or traffic control (collectively, "Services") as may be separately requested by the Organization and agreed upon by the City. In performing such Services, the Personnel shall be utilized only in their capacity as Peace Officers, as defined by California Government Code Section 50920 and Penal Code Sections 830 and 830.1.

   The Personnel shall, at all times, be subject to the exclusive direction, supervision, and control of the City. The Personnel shall remain employees of the City when performing Services under this Agreement, and shall not be deemed employees of the Organization.

   Services shall be provided only upon written request by the Organization via the completion of an Application for Extra Duty Services, attached hereto as Exhibit A. Any request shall include the date and time-period for which Services are required, the number of Personnel anticipated, and a description of the Services. The City may reject any request for any reason in its sole discretion.

   The City's ability to perform such Services is subject to the availability of its Personnel, as such availability may be determined by the City in its sole discretion. It is understood and agreed that the City assumes no liability for its rejection of any request for Services or its inability to provide Personnel for Services on any particular date and/or time.

3. BILLING: The Organization will be billed by the City for Services rendered by the Personnel at the overtime rate of the individual Personnel who provide the Services plus indirect costs of 10% of the hourly rate. The specific hourly rate for the individual Personnel shall be determined by the City and shall include a three-hour minimum charge per individual Personnel. Billing for Services shall begin from the time the officer leaves the police station to travel to the off-site work area and will continue until the officer has returned from the off-site work area to the police station.

4. INDEMNITY/HOLD HARMLESS: To the maximum extent permitted by law, and excluding the gross negligence or willful misconduct by the Personnel while providing the Services, the Organization shall defend, indemnify, and hold harmless, the City (including any City employee, officer, or agent), from any claim, injury, loss, or damage,

including all costs and reasonable attorney's fees, in any way arising from the Services provided under this Agreement.

5. LIABILITY INSURANCE/ADDITIONAL INSUREDS: The Organization shall provide and maintain certificates of insurance for a Commercial General Liability and Automotive Liability insurance policy (in a form acceptable to the City Attorney's Office), which carries general policy coverage limits of at least one million dollars ($1,000,000).

   The Organization shall also provide an endorsement to such insurance policy providing coverage at least as broad as Insurance Services Office Endorsement CG 2010, 1985 Edition, which names the City of Berkeley and its employees, officers, and agents as additional insureds under said policy. Such insurance shall be primary and non-contributing, and shall include a waiver of any right of subrogation against the City. The Additional Insureds endorsement must include the following, or very similar, language: The City of Berkeley and its employees, officers, and agents are hereby added as additional insureds with respect to liability arising out of the paid services the City provides to the Organization under the terms of the Berkeley Police Department Service Agreement.

6. WORKER'S COMPENSATION CLAIMS

   An employee's worker's compensation claim for an injury sustained while performing Services under this Agreement shall be primarily covered by the City's Workers' Compensation Insurance Plan.

7. BINDING and NON-DELEGATION: The City and Organization bind themselves to the terms and conditions of this Agreement, and except as otherwise set forth in this Agreement, no interest in this Agreement or any of the Services provided for in a request under this Agreement shall be assigned, delegated, or transferred, either voluntarily or by operation of law, without the prior written approval of the Parties.

8. NOTICES: All notices prescribed by this Agreement shall be in writing and shall be deemed effective once delivered and properly receipted by:

   To City: Chief of Police
   Berkeley Police Department
   2100 Martin Luther King, Jr., Way
   Berkeley, CA 94704

   To Organization: _____
   _____
   _____

9. GOVERNING LAW: This Agreement shall be governed and construed in accordance with City of Berkeley Municipal Code and the laws and regulations of the State of California.

10. AMENDMENTS: The City or Organization may, from time to time, request changes in the terms and conditions of this Agreement. Such changes, which are mutually agreed upon in writing by the City and Organization shall be incorporated in amendments to this Agreement.

11. COUNTERPARTS: This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument; and, the Parties agree that signatures on this Agreement, including those transmitted by facsimile or scanned email attachment, shall be sufficient to bind the Parties.

12. OTHER AGREEMENTS: This Agreement shall not supersede, amend, or otherwise alter any other contract, memorandum of understanding, or any other written agreement between the Parties.

13. UNDERSTANDING/AUTHORITY TO SIGN: The Parties hereby certify that they have read the above terms and conditions, and agree to conform to them and all laws and regulations pertaining to the use of City Personnel for the purposes as set forth in this Agreement. The signatories below warrant and represent they have the authority to bind the Party to the terms of this Agreement.

CITY OF BERKELEY

Dated: _____

_____

Office of the City Manager
City of Berkeley
2180 Milvia Street, 5th Floor
Berkeley, CA 94704

ORGANIZATION NAME: _____

Dated: _____

By: _____

(Signature of Person authorized to bind the Organization)

Name: _____

Title: _____

Address: _____

_____

Email Address: _____

Telephone: ( ) _____

Fax: ( ) _____

Application for Extra Duty Services.pdf

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BERKELEY POLICE DEPARTMENT
2100 Martin Luther King Junior Way, Berkeley, CA 94704
TEL: (510) 981-5900, TDD (510) 981-5799, FAX: (510) 981-5744
EMAIL: police@cityofberkeley.info

APPLICATION FOR EXTRA DUTY SERVICES

Applicant Information	
Name:	Address:
Phone:	Alternate Phone:
Email:	
Reason for Request and Officer Responsibilities	
One Time Event ☐	Annual Employer ☐
Reason for the Request:	
List Responsibilities that Officer(s) will provide:	
Number of Officer(s) Requested:	
Event Information	
Date(s) of Event:	
Event Address:	
Company or Event Name:	
Company Address:	
Company Phone:	Email:

Insurance:
A completed general liability endorsement for $1,000,000 naming the prospective employee(s) as the insured for the period of Extra Duty Employment is required.

Insurance Agency Name: _____ ***Phone Number:*** _____
Policy Number: _____ ***Expiration Date:*** _____
A copy of the Insurance Policy Attached, If not explain: _____

Billing:
The Organization will be billed by the City for Services rendered by the Personnel at the overtime rate of the individual Personnel who provide the Services plus indirect costs of 10% of the hourly rate. The specific hourly rate for the individual Personnel shall be determined by the City and shall include a three-hour minimum charge per individual Personnel. Billing for Services shall begin from the time the officer leaves the police station to travel to the off-site work area and will continue until the officer has returned from the off-site work area to the police station.
The applicant's submission is an acknowledgement that any Police Services offered are subject to the City of Berkley Police Department Service Agreement, and that Police Officers will adhere to all Berkeley Police Department policies, procedures, and all local, state, and federal laws. The applicant further acknowledges and agrees that in all instances, the police personnel shall at all times be subject to the exclusive direction, supervision, and control of the Police Department.

Applicant Signature Applicant has declared that the information provided in this application is true and correct.	
Signature:	Date:
BPD USE| Received By:	Date Received:

Update on Audit Recommendations

BERKELEY POLICE: IMPROVEMENTS NEEDED TO MANAGE OVERTIME AND SECURITY WORK FOR OUTSIDE ENTITIES

Findings

1. Overtime is used to maintain minimum patrol staffing set by BPD. (2 recommendations)
2. Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated. (3 recommendations)
3. Officers work excessive overtime, increasing health and safety risks. (2 recommendations)
4. BPD does not have contracts for overtime security with outside entities. (5 recommendations)

Implementation Status Overview

12 total recommendations



2 started

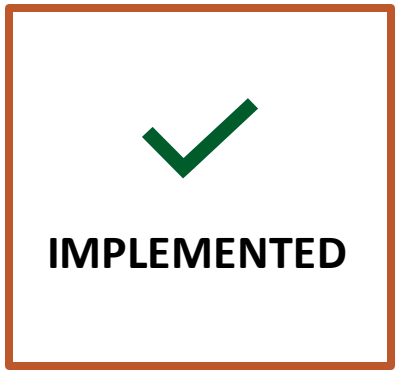


10 implemented

Recommendation 1.1

Collect and monitor data on how often compensatory time leads to additional backfill overtime and develop a plan to monitor it.

- BPD now has a formal process to monitor how often compensatory time leads to backfill overtime with data from the electronic staffing software. The Police Technology Unit will create a biannual report on this data to be reviewed by the Captain of the Support Services Division and the Office of the Chief.
- We implemented this change in July 2023. The first biannual report to track this information data will be created in January 2024.



Recommendation 1.2

Fill vacancies deemed necessary and/or reallocate staff pending the reimagining process and a determination of appropriate staffing levels.

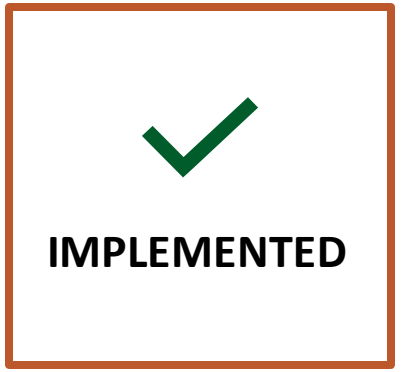


STARTED

- BPD contracted with a consultant, Citygate Associates, to conduct an assessment of staffing and allocation of resources. CityGate will provide a final report documenting the results of the staffing assessment along with the assessment criteria.
- Citygate has been conducting data collection, interviewing staff and is assessing current deployments. An internal survey and a series of focus groups with key stakeholders are being prepared. The work with Citygate is on schedule and expected to be completed before June 2024. Once complete, BPD will determine next steps for implementation.
- This recommendation is interconnected with 2.3

Recommendation 2.1

Establish a procedure to regularly assess minimum staffing and overall staffing needs of the department. This process should document and incorporate criteria to assess staffing levels, such as calls for service, other workload, community input, and other relevant factors. As BPD prepares for the rollout of a new software system, BPD should consider how to best align the program's capabilities with this assessment process.

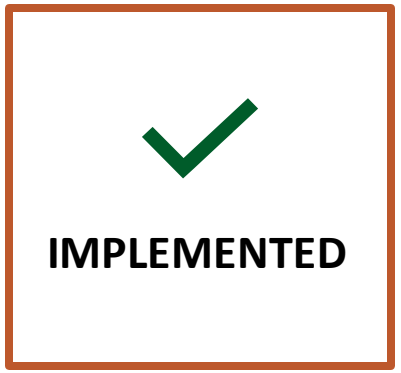


- BPD has created a written protocol to assess minimum staffing and department staffing needs biannually. The protocol incorporates criteria such as calls for service and shift availability. The protocol also considers allocation of police resources geographically, i.e. beat alignment.

Recommendation 2.2

Document and define the Patrol Unit's minimum staffing levels in a publicly assessible format.

- This information has been placed on the BPD webpage. The button "current officer shift assignments" links to a timesheet with officer assignments. Information can be viewed at: https://berkeleyca.gov/safety-health/police/community-liaisons



Recommendation 2.3

Document the results of staffing assessments along with the assessment criteria. Incorporate results into staffing projections for budgetary decision making, including establishing a sufficient and appropriate overtime budget.

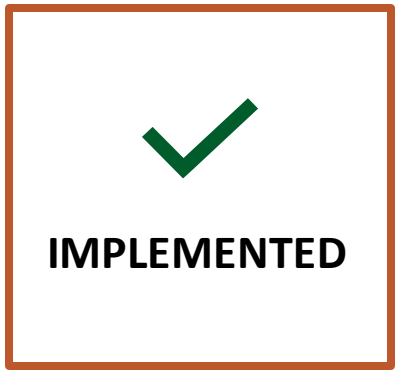


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- This recommendation is interconnected with 1.2

Recommendation 3.1

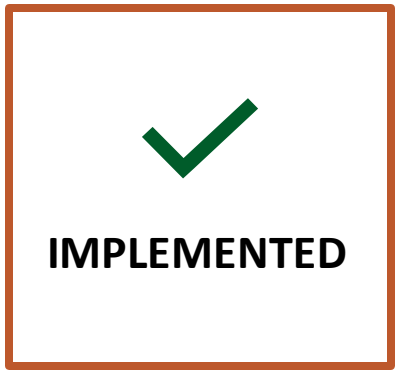
Update the department overtime policy to address the fact that there currently is no limit to the number of consecutive days worked and determine the appropriate limit for overtime that is enforceable with the goal of avoiding officer fatigue. The department may examine other jurisdictions' overtime limits as possible criteria.



- BPD policy 1015 has been updated to include a limit on the number of consecutive days worked. The policy also includes limitations on hours worked. This updated policy was issued on 8/23/23.

Recommendation 3.2

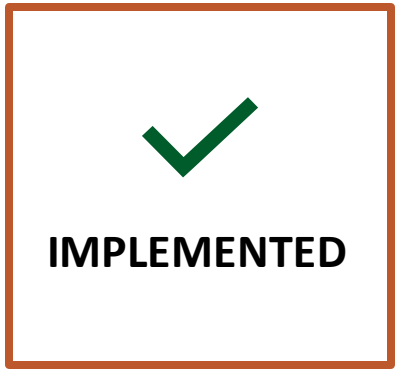
Work to implement a staffing software solution that integrates overtime management and scheduling software. Develop management reports that provide timely, accurate, and complete information on overtime usage. Develop a process for filling overtime shifts on a voluntary and mandatory basis, including supervisor approval. Build in warnings for when an individual is approaching overtime limits and an approval process for allowing individuals to exceed limits when deemed necessary according to the policy.



- The CareWare electronic staffing software solution has recently been implemented to monitor staffing, overtime and time off, plus shift trades/swaps. This includes a warning notice within the system that someone could be working more than the allowed number of hours. This warning requires acknowledgement by the supervisor allowing the hours.

Recommendation 4.1

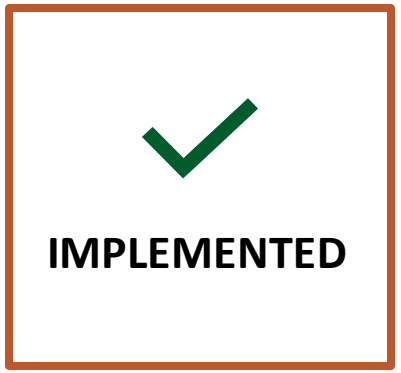
Update A.R. 2.10 and other department policies to explicitly include guidance around department agreements for work for outside entities, which is paid for by reimbursements to the City from the outside entities. Internal procedures should include appropriate criteria to identify and document the benefit to the City gained by work for outside entity agreements, and to allocate resources in a way that does not negatively impact City operations. Additionally, BPD should document their criteria for when officers are not available or eligible for work for outside entities.



- BPD has finalized Policy 1043 and has begun using the newly created contracts with outside entities including UC Berkeley, the Bearathlon and the Berkeley Half Marathon.

Recommendation 4.2

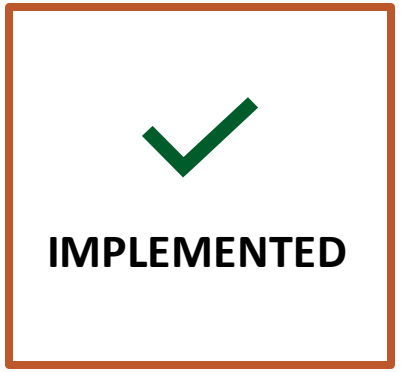
In consultation with the City Attorney, create contracts with outside entities in compliance with City policies and applicable laws.



- A template service agreement for work with outside entities is available on the Police Department's website: https://berkeleyca.gov/sites/default/files/documents/BPD%20Service%20Agreement-final.pdf.
- Three (3) service agreements have already been executed. These have been with UC Berkeley, the Bearathlon and the Berkeley Half Marathon.

Recommendation 4.3

Develop an application for BPD's services that is publicly available and accessible online to any interested party. Set pay uniformly according to rank and hourly rate and include a reasonable fee that covers the expenses of administering work for outside entities including workers compensation, fuel, use of equipment, and any other actual or potential costs to the City.

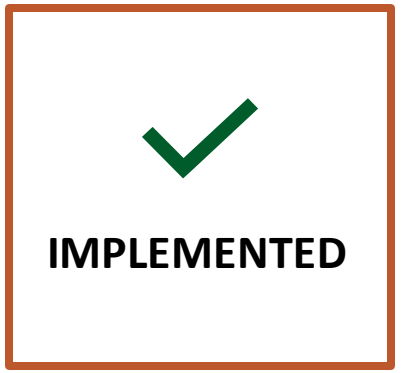


- The application and service agreement have been added to the BPD website on the Community Liaisons page under "Related Documents". BPD will be working with their web management team to add it to the main City of Berkeley website in the "Special Events" section. https://berkeleyca.gov/safety-health/police/community-liaisons

- A 10% fee was added on top of employee fees to offset costs associated with coordinating special events, including planning and staff time. 10% is a standard administrative fee at the state level and is standard administrative fee for grant funding we receive. We want to be consistent with department administrative fees throughout BPD. The police department will adjust the administrative fee in the future as needs dictate.

Recommendation 4.4

BPD should reconcile invoices with the amounts received for work with outside entities at regular intervals. BPD should also implement procedures to check invoices for errors prior to billing outside entities.

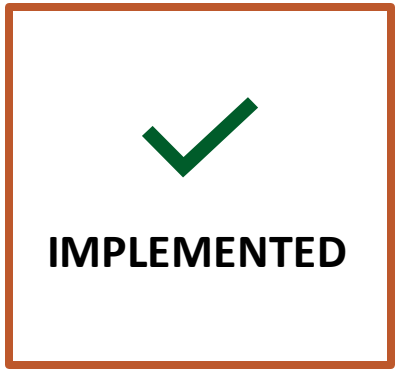


- BPD's Admin &Fiscal Services Unit developed a written procedure for the "Outside Entity Billing Process". This will ensure consistency and accountability in billing and tracking.

Recommendation 4.5

Explore ways to clearly account for different funds to track revenues and expenses.

- BPD has formalized a written protocol for an Outside Entity Billing Process. This document reflects eleven needed steps from billing through the depositing of funds with the Finance Department and clearly identifies a method to track revenues and expenses.



Update on Audit Recommendations

BERKELEY POLICE: IMPROVEMENTS NEEDED TO MANAGE OVERTIME AND SECURITY WORK FOR OUTSIDE ENTITIES

Findings

1. Overtime is used to maintain minimum patrol staffing set by BPD. (2 recommendations)
2. Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated. (3 recommendations)
3. Officers work excessive overtime, increasing health and safety risks. (2 recommendations)
4. BPD does not have contracts for overtime security with outside entities. (5 recommendations)

Implementation Status Overview

12 total recommendations



6 started



1 partly implemented



5 implemented

Recommendation 1.1

Collect and monitor data on how often compensatory time leads to additional backfill overtime and develop a plan to monitor it.



STARTED

- The CareWare electronic staffing software solution has recently been implemented to monitor staffing, overtime and time off, plus shift trades/swaps. Now that the software is being utilized, we will be better able to work towards understanding the expense and impacts of compensatory time.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)

Recommendation 1.2

Fill vacancies deemed necessary and/or reallocate staff pending the reimagining process and a determination of appropriate staffing levels.



STARTED

- On 12-7-22, the City of Berkeley released an RFP for a "Berkeley Police Department Workload Organizational Study". The proposals are currently being reviewed as we work toward making a vendor selection.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)

Recommendation 2.1

Establish a procedure to regularly assess minimum staffing and overall staffing needs of the department. This process should document and incorporate criteria to assess staffing levels, such as calls for service, other workload, community input, and other relevant factors. As BPD prepares for the rollout of a new software system, BPD should consider how to best align the program's capabilities with this assessment process.



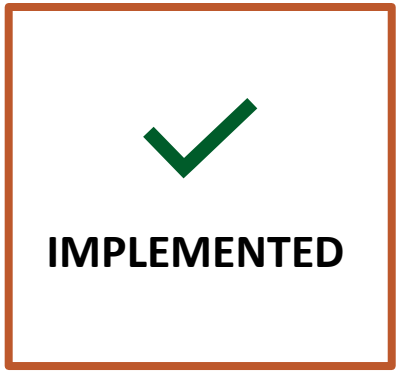
STARTED

- Annually, BPD will monitor and reassess workloads as we consider how to best allocate our resources. These internal tools were used at the March 2023 timesheet to help identify a new beat structure to ensure adequate coverage plus rebalancing minimum staffing levels.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)

Recommendation 2.2

Document and define the Patrol Unit's minimum staffing levels in a publicly assessible format.

- This information has been placed on the BPD webpage. The button "current officer shift assignments" links to a timesheet with officer assignments. Information can be viewed at: https://berkeleyca.gov/safety-health/police/community-liaisons



Recommendation 2.3

Document the results of staffing assessments along with the assessment criteria. Incorporate results into staffing projections for budgetary decision making, including establishing a sufficient and appropriate overtime budget.



STARTED

- A vendor for the organizations workload study has been selected and BPD is entering into the contracting process.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)

Recommendation 3.1

Update the department overtime policy to address the fact that there currently is no limit to the number of consecutive days worked and determine the appropriate limit for overtime that is enforceable with the goal of avoiding officer fatigue. The department may examine other jurisdictions' overtime limits as possible criteria.

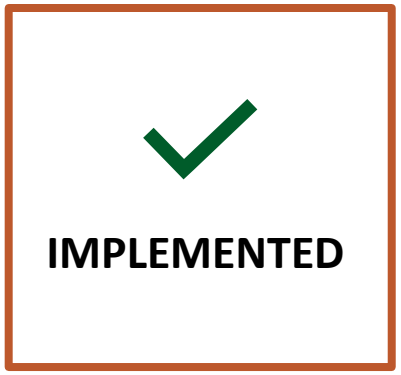


STARTED

- BPD has started looking into what other agencies do regarding limiting the number of consecutive days worked. BPD current policy clearly addresses the maximum number of work hours per week but does not address consecutive days worked. The recent implementation of the electronic staffing software solution and tracking abilities may also help guide any needed changes.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)

Recommendation 3.2

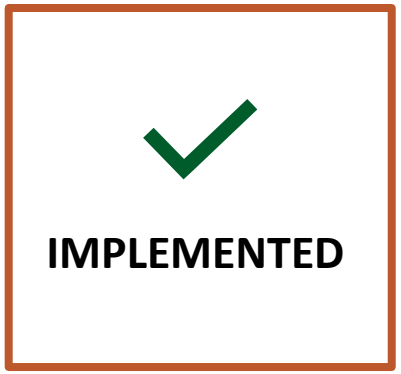
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- BPD has finalized Policy 1043 and will begin using the newly created contracts with outside entities.

Recommendation 4.2

In consultation with the City Attorney, create contracts with outside entities in compliance with City policies and applicable laws.

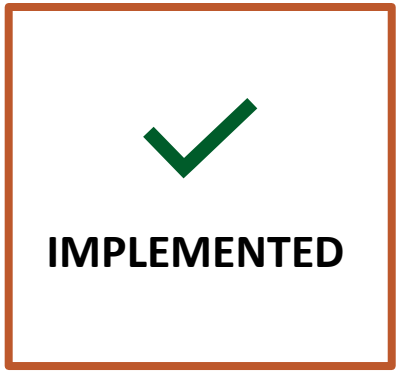


PARLTY IMPLEMENTED

- Service agreements for work with outside entities are drafted and available on the Police Department's website: https://berkeleyca.gov/sites/default/files/documents/BPD%20Service%20Agreement-final.pdf. BPD's sergeant in special events will be doing outreach to all of the regular consumers/requesters as a next step.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)

Recommendation 4.3

Develop an application for BPD's services that is publicly available and accessible online to any interested party. Set pay uniformly according to rank and hourly rate and include a reasonable fee that covers the expenses of administering work for outside entities including workers compensation, fuel, use of equipment, and any other actual or potential costs to the City.

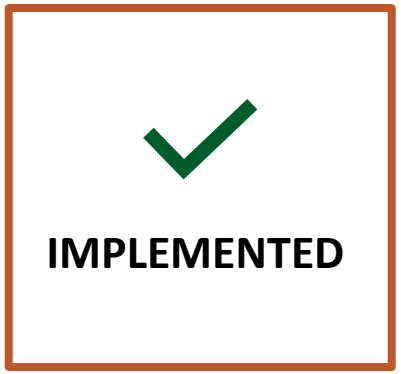


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- BPD's Admin &Fiscal Services Unit developed a written procedure for the "Outside Entity Billing Process". This will ensure consistency or accountability in billing and tracking.

Recommendation 4.5

Explore ways to clearly account for different funds to track revenues and expenses.

- BPD is in the beginning stages of developing potential solutions to account for different funds. It may require collaboration with Finance, Budget, Payroll Audit, the ERMA Team, and other stakeholders.
- Description of what is left to do and anticipated implementation date
- Consider including resources needed to implement ($, staff, technology, attorney input, management review, etc.)



STARTED

34

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works Department

Subject: Approving Proposed Projects Anticipated to be paid for by the State's Road Maintenance and Rehabilitation Account Funds for FY 2024-25

RECOMMENDATION

Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California's Road Maintenance and Rehabilitation Account, and authorize the City Manager to submit the proposed list to the California Transportation Commission.

FISCAL IMPACTS OF RECOMMENDATION

Based on information provided by CaliforniaCityFinance.com and the League of California Cities, the City of Berkeley can expect to collect an estimated $3,285,125 in Road Maintenance and Rehabilitation Account (RMRA) allocated funding in Fiscal Year (FY) 2025. No budgetary action is required at this time. RMRA appropriations will be addressed with the adoption of the FY 2025 Budget.

CURRENT SITUATION AND ITS EFFECTS

California Senate Bill 1 (SB1), signed into law on April 28, 2017, increased certain vehicle fuel and registration taxes and fees, and with those funds has created an RMRA, a portion of which will be distributed to jurisdictions. The California Transportation Commission (CTC) requires jurisdictions to submit documentation annually that RMRA funds were specifically adopted for allowed local streets and roads purposes. In order to receive this funding, the City must annually submit to the State a list of projects anticipated to be completed. For FY 2025, the CTC requires the submission of a list of projects proposed to be funded with RMRA during FY 2025 by July 1 2024. The adoption of the attached resolution by Council is a CTC requirement for RMRA funding; however, the provided project list is a plan and RMRA allows for the funding of projects not included in this list as long as they meet RMRA's requirements.

BACKGROUND

On April 28, 2017, the Governor signed Road Repair and Accountability Act (SB1) to address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local streets and road system. SB1 provides for the deposit of various funds for the program in the RMRA, which SB1 created in the State Transportation Fund, including the following:

- Revenues attributable to a $0.12 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill with an inflation adjustment;
- 50% of a $0.20 per gallon increase in the diesel excise tax, with an inflation adjustment;
- A portion of a new transportation improvement fee imposed under the Vehicle License Fee Law with a varying fee between $25 and $175 based on vehicle value and with an inflation adjustment; and
- A new $100 annual vehicle registration fee applicable only to zero-emission vehicles model year 2020 and later, with an inflation adjustment.

The fuel excise tax increases took effect on November 1, 2017, the transportation improvement fee took effect on January 1, 2018, and the zero-emission vehicle registration fee takes effect on July 1, 2020.

Similar to the Highway Users Tax Account (HUTA), the Road Maintenance and Rehabilitation Account (RMRA) is continuously appropriated, and apportioned on a monthly basis. There is not a set monthly amount as it is use-based. The first apportionments to the City of Berkeley were received in February 2018.

According to the applicable California Streets and Highways Code, eligible projects "shall be prioritized for expenditure on basic road maintenance and road rehabilitation projects, and on critical safety projects". There is no use-it-or-lose-it requirement in SB1, so multi-year projects are eligible. Eligible projects include, but are not limited to:

- Road maintenance and rehabilitation
- Safety projects
- Railroad grade separations
- Complete streets components, including active transportation, bike/pedestrian, transit facilities, and stormwater capture projects, in conjunction with an allowable project
- Traffic control devices
- Match for state/federal funds for eligible projects

SB1 requires cities and counties to provide basic project reporting to the CTC annually for projects to be funded through the RMRA. On August 16, 2017, the CTC adopted annual reporting guidelines for this funding. The guidelines require jurisdictions to submit documentation annually to show that RMRA funds were specifically adopted for allowed local streets and roads purposes, and also requires the submission of a list of projects proposed to be funded with RMRA during the fiscal year. The legislation also requires an annual expenditure report on work completed during the previous fiscal year to be submitted no later than October 31st.

Complete streets improvements such as bike lanes, curb ramps, and pedestrian crossing improvements are allowable uses of RMRA funds. In addition to the previously

designated projects listed in last year's Resolution No. 70,925–N.S., which will have RMRA expenditures taking place in FY 2025, staff has selected the FY 2025 Street Rehabilitation projects for use of RMRA. The projects are summarized in the following paragraph, and the complete list is provided in the Resolution (Attachment 1).

Pavement maintenance or rehabilitation as part of the FY 2025 Street Rehabilitation Project (PWENST2501). Selected segments include:

- Allston Way from Milvia St to Shattuck Ave (heavy street rehabilitation,15-year useful life)
- Arlington Ave from North City Limit to The Circle (heavy street maintenance, 10 to 15-year useful life)
- Bancroft Way from San Pablo Ave to Sacramento St (heavy street maintenance, 10 to 15-year useful life)
- Bancroft Way from Sacramento St to Martin Luther King Jr Way (heavy street rehabilitation,15-year useful life)
- California St from Oregon St to Ashby Ave (heavy street rehabilitation,15-year useful life)
- Euclid Ave from Bayview Pl to Hearst Ave (heavy street rehabilitation,15-year useful life)
- Harmon St from Idaho St to Sacramento St (reconstruction of the street, 20-year useful life)
- Haste St from Piedmont Ave to Shattuck Ave (heavy street rehabilitation,15-year useful life)
- Idaho St from 66th St to Alcatraz Ave (reconstruction of the street, 20-year useful life)
- Keeler Ave from Marin Ave to Poppy Ln (reconstruction of the street, 20-year useful life)
- Mabel St from Ward St to Ashby Ave (heavy street rehabilitation,15-year useful life)
- Mabel St from Ashby Ave to 66th St (heavy street maintenance, 10 to 15-year useful life)
- Matthews St from Ward St to Russell St (heavy street rehabilitation,15-year useful life)
- Mendocino Ave from Arlington Ave to Los Angeles Ave (reconstruction of the street, 20-year useful life)
- Mendocino Ave from Arlington Ave to Los Angeles Ave (reconstruction of the street, 20-year useful life)
- Mendocino Pl from Mendocino Ave to Los Angeles Ave (reconstruction of the street, 20-year useful life)
- Oregon St from San Pablo Ave to Grant St (reconstruction of the street, 20-year useful life)
- Oregon St from Grant St to Martin Luther King Jr Way (heavy street rehabilitation,15-year useful life)

- Park St from Ward St to Burnett St (reconstruction of the street, 20-year useful life)
- Russell St from San Pablo Ave to Park St (reconstruction of the street, 20-year useful life)
- Sacramento St from University Ave to South City Limit (light street maintenance, 7 to 10-year useful life)
- Wallace St from Ward St to Russell St (reconstruction of the street, 20-year useful life)
- Wildcat Canyon Rd from Grizzly Peak to The Spiral (light street maintenance, 7 to 10-year useful life)

A continuing project with FY 2024 RMRA funding to be expended in FY 2025 is: Pavement maintenance or rehabilitation as part of the FY 2024 Street Rehabilitation Project (PWENST2401). Selected segments include:

- Derby Street from Sacramento Street to Martin Luther King Jr. Way (overlay; 10-year useful life)
- Derby Street from Milvia Street to Telegraph Avenue (overlay; 10-year useful life)
- Grizzly Peak Boulevard from Spruce Street to Marin Avenue (overlay; 10-year useful life)
- Creston Road from Grizzly Peak Boulevard to Sunset Lane (overlay; 10-year useful life)
- Bancroft Way from Piedmont Avenue to Milvia Street (reconstruct; 20-year useful life)
- Dana Street from Bancroft Way to Dwight Way (reconstruct; 20-year useful life)
- Fulton Street from Bancroft Way to Dwight Way (overlay; 10-year useful life)
- Hopkins Street from San Pablo Avenue to Sutter Street (reconstruct; 20-year useful life).

Utilization of the RMRA funding will support the City's Strategic Plan goal of creating a resilient, safe, connected, and prepared city and providing state-of-the-art, well maintained infrastructure, amenities, and facilities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

RMRA funds will benefit all modes of transportation by improving road surfaces for bicyclists and transit riders as well as for auto riders, which could result in lessening greenhouse gas emissions.

RATIONALE FOR RECOMMENDATION

A project list is required to be adopted by City Council in order for the City to receive RMRA disbursements from the State Controller's office. Staff proposes use of RMRA funds for maintenance or rehabilitation of local streets as part of the FY 2025 Street Rehabilitation (PWENST2501). It should be noted that the provided project list is a plan; in the end-of-year reporting on actual spending of RMRA funds, the CTC allows for the

completion of projects not included in this list as long as they meet the requirements for RMRA funding.

ALTERNATIVE ACTIONS CONSIDERED

No reasonable alternative exists as the City's pavement condition is currently in the "at risk" category as defined by the Metropolitan Transportation Commission and is in need of continued maintenance and rehabilitation.

CONTACT PERSON

Srinivas Muktevi, Supervising Civil Engineer, Public Works (510) 981-6402
Ronald Nevels, Manager of Engineering, Public Works (510) 981-6439

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

RESOLUTION APPROVING PROPOSED PROJECTS ANTICIPATED TO BE PAID FOR BY THE STATE'S ROAD AND MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) FUNDS FOR THE CITY OF BERKELEY FISCAL YEAR 2024-25

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must approve by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated $3,285,125 in RMRA funding in Fiscal Year 2024-25 from SB 1; and WHEREAS, this is the eighth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a public process to ensure public input into the community's street priorities and the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will be used by the City for basic street maintenance and rehabilitation, critical safety projects on local roadways, and pedestrian safety and transportation projects throughout the City this year and for similar projects into the future; and

WHEREAS, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in the low end of the fair condition category,

and this revenue will help us increase the overall quality of our road system, and improve their bicycle and pedestrian mobility and safety; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide; and

WHEREAS, the following list of proposed projects is anticipated to be funded in-part or solely with Fiscal Year 2024-25 Road Maintenance and Rehabilitation Account revenues:

FY 25 Street Rehabilitation (PWENST2501) – 10 Miles

- Segment 1, Allston Way from Milvia St to Shattuck Ave (0.14 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected in 2025.

- Segment 2, Arlington Ave from North City Limit to The Circle (1.07 miles) – Heavy Maintenance of the street pavement. The work will provide a 10 to 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 3, Bancroft Way from San Pablo Ave to Sacramento St (0.50 miles) – Heavy Maintenance of the street pavement. The work will provide a 10 to 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 4, Bancroft Way from Sacramento St to Martin Luther King Jr Way (0.50 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 5, California St from Oregon St to Ashby Ave (0.18 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 6, Euclid Ave from Bayview Pl to Hearst Ave (0.67 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 7, Harmon St from Idaho St to Sacramento St (0.19 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 8, Haste St from Piedmont Ave to Shattuck Ave (0.87 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 9, Idaho St from 66th St to Alcatraz Ave (0.15 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 10, Keeler Ave from Marin Ave to Poppy Ln (0.30 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025

- Segment 11, Mabel St from Ward St to Ashby Ave (0.33 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 12, Mabel St from Ashby Ave to 66th St (0.24 miles) – Heavy Maintenance of the street pavement. The work will provide a 10 to 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 13, Matthews St from Ward St to Russell St (0.23 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 14, Mendocino Ave from Arlington Ave to Los Angeles Ave (0.31 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 15, Mendocino Pl from Mendocino Ave to Los Angeles Ave (0.02 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 16, Oregon St from San Pablo Ave to Grant St (0.40 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 17, Oregon St from Grant St to Martin Luther King Jr Way (0.09 miles) – Heavy Rehabilitation of the street pavement. The work will provide a 15-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 18, Park St from Ward St to Burnett St (0.26 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 19, Russell St from San Pablo Ave to Park St (0.23 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 20, Sacramento St from University Ave to South City Limit (2.05 miles) – Light Maintenance of the street pavement. The work will provide a 7 to 10-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 21, Wallace St from Ward St to Russell St (0.23 miles) – Reconstruction of the street. The work will provide a 20-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

- Segment 22, Wildcat Canyon Rd from Grizzly Peak to The Spiral (1.16 miles) – Light Maintenance of the street pavement. The work will provide a 7 to 10-year useful life. Design is expected to start in June 2024, with construction expected to be completed by December 2025.

The following previously proposed and approved projects may utilize FY 2024-25 Funds Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

FY 24 Street Rehabilitation

- Segment 1, Derby Street from Sacramento Street to Martin Luther King Jr. Way (0.48 miles)– overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in July 2023 and will be completed by December 2023.

- Segment 2, Derby Street from Milvia Street to Telegraph Avenue (0.56 miles) – overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in July 2023 and will be completed by December 2023.

- Segment 3, Grizzly Peak Boulevard from Spruce Street to Marin Avenue (0.67 miles) – overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in June 2024 and will be completed by December 2024.

- Segment 4, Creston Road from Grizzly Peak Boulevard to Sunset Lane (0.36 miles) – overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in June 2024 and will be completed by December 2024.

- Segment 5, Bancroft Way from Piedmont Avenue to Milvia Street (0.61 miles) - reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in August 2024 and will be completed by December 2025.

- Segment 6, Dana Street from Bancroft Way to Dwight Way (0.25 miles) – reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in August 2024 and will be completed by December 2025.

- Segment 7, Fulton Street from Bancroft Way to Dwight Way (0.25 miles) – overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in August 2024 and will be completed by December 2025.

- Segment 8, Hopkins Street from San Pablo Avenue to Sutter Street (1.62 miles) – reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in June 2024 and will be completed by December 2024.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to submit the list of proposed projects to the California Transportation Commission as required by Senate Bill 1, Road Repair and Accountability Act of 2017.

35

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Purchase Order: WEX Fuel Card Program for Fueling of City Vehicles

RECOMMENDATION

Adopt a Resolution satisfying requirements of City Charter Article XI Sections 67.2 allowing the City to participate in Sourcewell contract bid procedures, and authorizing the City Manager to execute a multi-year purchase order for the WEX Fuel Card Program for fueling City vehicles in an amount not to exceed $1,500,000 through June 30th, 2029.

FISCAL IMPACTS OF RECOMMENDATION

The WEX Fuel Card Program will not exceed $1,500,000 during the contract period and includes both refueling and charging of fleet vehicles. Funding for this program is subject to appropriation in Public Works' Equipment Maintenance Fund (Fund 672) budget for bulk fuel purchases for FY 2025. Additionally, funding will be appropriated over the next four fiscal years (FY 2026 to FY 2029) in the Equipment Maintenance fund during the annual budget process.

CURRENT SITUATION AND ITS EFFECTS

Public Works provides fueling to all City fleet vehicles at two locations within the City, the Corporation Yard located at 1326 Allston Way and the Transfer Station located at 1201 Second Street. Staff vehicle operators must spend time traveling across the City to refuel at these locations. This creates increased traffic at these sites. If fuel pumps are down for maintenance or repair, this limits the number of stations that operators can use to refuel.

The WEX Fuel Card Program allows cities to refuel vehicles at commercial gas and electrical charge stations which is critical in the event of emergency or if the City's fueling locations are out of service. This includes charging of electrical and hybrid vehicles. The City has 15 stations within City limits that can be used, including national fueling chains. WEX can also be used outside a city's limits to allow for fueling in case an operator needs to travel longer distances and needs to refuel which is critical for Police and Fire during mutual aid support operations.

The WEX Fuel Card Program would supplement the majority of Public Works' fueling work by providing additional fueling options for vehicles operators. This will decrease traffic at the Corporation Yard and Transfer Station, reduce time spent by operators to travel and refuel at those sites, and give operators more refueling options in case of emergency or if City fuel pumps are down for maintenance and repair. Rollout will start with Police and Fire Department fleet vehicles and then expand to all other City departments.

The WEX Fleet Fueling program also provides several additional benefits to the City. WEX provides reporting functionality to control access of funds, alerts on preset card limits, price comparison between WEX affiliated fueling stations, and real-time tracking of fuel usage, which can be integrated into Public Works' Assetworks Management System.

This purchase will support the City's Strategic Plan Goal of creating a resilient, safe, connected, and prepared City.

BACKGROUND

City Charter XI Section 67.2 allows the City to purchase goods without undergoing a competitive bid process if the City utilizes pricing obtained by another entity through a competitive process.

The City has been a no-cost member of Sourcewell formerly National Joint Powers Alliance (NJPA), a municipal contracting agency operation under the legislative authority of Minnesota Statue 123A.21.

The original 1978 statue was revised in 1995 to allow government clients to better meet their specific needs through participation in a service cooperative, rather than paying the higher cost associated with individual procurement. Sourcewell allows participating municipal agencies to leverage the benefits of cooperative purchasing and reduces procurement costs. Sourcewell serves all educational, government, and non-profit agencies nationwide, and offers cooperatively contracted products, equipment and service opportunities to government entities throughout the U.S.

All Sourcewell contracts have been competitively solicited nationwide. On June 18, 2020, Sourcewell released Request for Proposal No. 080620, fleet payment solutions for related services, which included purchases for fuel and electric charging station fees for fleet vehicles. The solicitation was released for approximately 48 days and four proposals were submitted and received. Upon review, the Sourcewell proposal evaluation committee selected WEX Bank as the best most responsive proposer to meet the specifications thusly awarding Contract No. 080620-WEX.

For all contracts, Sourcewell charges an administrative fee based upon a percentage of

the sales, and that fee is paid by the Sourcewell. In this instance, an additional fee of 1% will be paid by Sourcewell Contract holder WEX Bank and this cost will not be passed on to the City.

On December 12, 2023, the City approved Resolution 71,040-N.S., authorizing the City Manager to execute a multi-year purchase order with Pinnacle Petroleum, Inc. for bulk purchases of diesel and gasoline. Public Works will still continue to provide fuel for City fleet vehicles, utilizing the aforementioned contract, however the WEX Fleet Fueling Program will ensure that operators can efficiently refuel where ever they are working.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The WEX Fuel Program provides key fobs to pay for Electrical Vehicle charging. This supports the electrification of the City's fleet and provides additional charging options for vehicle operators as the City continues to build out its electrical charging infrastructure.

RATIONALE FOR RECOMMENDATION

The WEX program will provide City of Berkeley vehicle operators several more options for refueling their vehicles, saves staff time and costs by having operators travel less distance to refuel, and reduces traffic at the Corporation Yard and Transfer Station. It will also provide an alternative to the City's fuel islands in the event of emergency or it being out of service.

ALTERNATIVE ACTIONS CONSIDERED

The City can continue to only utilize the Corporation Yard and Transfer Station fueling islands, but this will limit fueling options during emergency situations.

CONTACT PERSON

Joy Brown, Operations Manager, Public Works, (510) 981-6629
Peni Basalusalu, Deputy Director, Public Works, 510-981-6485
Greg Ellington, Superintendent, Public Works, (510) 981-6469

Attachment:
1: Resolution: Purchase Order: WEX Fuel Card Program for Fueling of City Vehicles

RESOLUTION NO. ##,###-N.S.

PURCHASE ORDER: WEX FUEL CARD PROGRAM FOR FUELING OF CITY VEHICLES

WHEREAS, City of Berkeley Public Works needs vehicle operators to have the ability to refuel and charge their vehicles at additional locations throughout the City; and

WHEREAS, the WEX Fleet Fueling Program allows vehicle operators to refuel and charge their vehicles at participating fueling stations; and

WHEREAS, City Charter XI Section 67.2 allows the City to purchase goods without undergoing a competitive bid process if the City uses pricing obtained by another entity through a competitive bid process; and

WHEREAS, on June 18, 2020, Sourcewell released Request for Proposal No. 080620 fleet payment solutions for related services, which included purchases for fuel and electric charging station fees for fleet vehicles. The solicitation was released for approximately 48 days and four proposals were submitted and received. Upon review, the Sourcewell proposal evaluation committee selected WEX Bank as the best most responsive proposer to meet the specifications thusly awarding Contract No. 080620-WEX; and

WHEREAS, Sourcewell contract bid procedures satisfy the procurement requirements of the City of Berkeley; and

WHEREAS, funds will be allocated from the FY 2025 baseline budget in Equipment Maintenance Fund 672 and funds for additional years will be appropriated from the through the annual budget process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a purchase order for the WEX Fuel Card Program for fueling of City of Berkeley vehicles in an amount not to exceed $1,500,000 through June 30, 2029.

36

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works Department

Subject: Contract: Bay Construction Co. for the Second Street STAIR Center Site Improvements and Shelter Units Project

RECOMMENDATION

Adopt a Resolution:

- Approving plans and specifications for Second Street STAIR Center Site Improvements and Shelter Units Project, Specification No. 23-11603-C;
- Accepting the bid of Bay Construction Co. as the lowest responsive and responsible bidder; and
- Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed $1,069,200, which includes a contingency of $97,200.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this project is fully programmed in the FY 2025 budget in the General Fund and Capital Improvement Fund.

All costs will be paid from the General and Capital Improvement Funds including amendments, extensions or other change orders until completion of the project.

- $768,100.00:……General Fund
- $301,100.00:……Capital Improvement Fund

Low bid by Bay Construction Co.	$972,000
10% Contingency	$97,200
Total Construction Cost NTE	**$1,069,200**

No further funding is required, and no other projects will be delayed due to this expenditure.

CURRENT SITUATION AND ITS EFFECTS

The Public Works Department (PW), jointly with Housing, Health, and Community Services Department (HHCS), is requesting the execution of a construction contract between the City and Bay Construction Co. to improve the Second Street STAIR Center.

The site currently houses a Navigation Center for people experiencing homelessness in the City. The program offers intensive housing navigation services and rental assistance to support participants in moving to permanent housing. Currently, 42 participants sleep in a congregate setting in two modular dormitories.

The Site Improvements and Shelter Units Project will replace the congregate sleeping trailers with thirty-two (32) new single-occupancy pre-manufactured cabins. Each cabin is provisioned with electrical, lighting, heating, and fire sprinklers. The Project also includes numerous site improvements to address accessibility deficiencies, including grading, paving, new pedestrian gates and hardware, site lighting, signage, and an ADA compliant van parking space. Concurrent with the Project's construction will be additional work under a different contract to address accessibility deficiencies at existing office, dining, restroom, and laundry trailers that are remaining at the site.

The project is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

On April 4, 2017, Council voted unanimously to refer the creation of the STAIR Center as part of the Pathways Project to Address Homelessness in Berkeley, to the City Manager. Council allocated the funding for the capital creation of the program on June 27, 2017, and the allocated program funds on December 5, 2017. Roughly 7 months later, the City and Bay Area Community Services (BACS) opened the STAIR Center, on June 27, 2018.

In February 2020, Disability Access Consultants (DAC) conducted an accessibility survey at the STAIR Center, and identified numerous deficiencies, including in the pedestrian path of travel, parking, signage, and throughout the existing trailers.

In March 2020, the STAIR Center was forced to reduce shelter capacity to enable greater physical distancing to comply with health orders due to the COVID-19 pandemic. This reduced the effective capacity of the STAIR Center from 42 shelter beds to 22.

PW and HHCS engaged the services of an architect to begin design of the Site Improvements and Shelter Units Project in November 2021. The purpose of the project was to prevent, prepare for, and respond to the COVID-19 pandemic by adding individual sheltering structures to the site to decompress the dormitory-style sleeping

quarters and promote social distancing between clients, and by making additional ADA improvements to better serve guests and visitors.

DAC and the Berkeley Fire Department (BFD) were engaged to provide review and input on the design of the project as related to accessibility and emergency response starting in February 2022 after initial site layout studies were prepared. Based on their input, the project incorporates accessible pathways throughout the site, several larger sleeping cabins for wheelchair users, an unobstructed fire lane and wayfinding signage for emergency responders, and fire sprinklers in each sleeping cabin.

In August 2022, PW and HHCS held an on-site meeting with members of the City's Homeless Services Panel of Experts to review initial designs the architect developed, receiving feedback to incorporate in the final design.

The project will consist of replacing the existing congregate sleeping trailers with thirty-two (32) pre-manufactured single-occupancy sleeping cabins to provide more privacy for participants, which is preferred by people living on the streets. The project will also consist of accessibility improvements, landscaping, and related work.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no anticipated negative environmental effects of this action.

RATIONALE FOR RECOMMENDATION
Contracted services are required for this project as the City does not have the in-house expertise to complete this specialized work.

ALTERNATIVE ACTIONS CONSIDERED
None. The City can elect not to construct the project, however deferring the work will lead to continued deterioration of the building.

CONTACT PERSON
Elmar Kapfer, Supervising Civil Engineer, Public Works (510) 981-6435
Ronald Nevels, Manager of Engineering, Public Works (510) 981-6439
Wahid Amiri, Deputy Director, Public Works (510) 981-6396

Attachments:
1: Resolution
2: Abstract of Bids

RESOLUTION NO. ##,###-N.S.

CONTRACT: BAY CONSTRUCTION CO. FOR THE SECOND STREET STAIR CENTER SITE IMPROVEMENTS AND SHELTER UNITS PROJECT

WHEREAS, the Second Street STAIR Center was required to reduce its shelter bed capacity to enable greater physical distancing due to the COVID-19 pandemic; and

WHEREAS, an accessibility survey identified numerous deficiencies to the site, including to pedestrian pathways, parking, existing trailer buildings, stairs and ramps; and

WHEREAS, the City engaged the services of an architect to design site improvements to replace the existing congregate sleeping trailers with individual shelter units and address accessibility deficiencies; and

WHEREAS, an invitation for bids (Plans and Specifications No. 23-11603-C) was duly advertised, and Bay Construction Co. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are programmed in the FY 2025 budget in the General Fund and Capital Improvements Fund.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Plans and Specifications No. 23-11603-C for the Second Street STAIR Center Site Improvements and Shelter Units Project are approved, and Bay Construction Co. is determined to be the lowest responsive and responsible bidder.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions or change orders, until completion of the project in accordance with the approved plans and specifications with Bay Construction Co. for the Second Street STAIR Center Site Improvements and Shelter Units Project at 1601 Second Street, in an amount not to exceed $1,069,200, which includes a contingency of $97,200. A record signature copy of the agreement and any amendments will be on file in the Office of the City Clerk.

Finance Department
General Services Division

City of Berkeley
Abstract of Bid Worksheet

Spec. # 23-11603-C **Bid Date: 4/9/2024**

FOR: Second Street STAIR Center Site Improvements and Shelter Units

required w/ bid

	Bidders	Base Bid	Addenda (1 & 2)	Bid Bond	Bidder Registration / Experience	Subcontractors	Statement of Qualifications	Non-Collusion	Bidder Certifications
1	Bay Construction Co.	$ 940,000.00	X	X	X	X	X	X	X
2	Sustainable Urban Neighborhoods	$ 1,431,549.13	X	X	X	X	X	X	X
3									
4									
5									
6									
7									
8									
9									
10									

Bid Recorder: Roopreet Soorma Talia Stewart (May 23, 2024 16:24 PDT) Date 4/10/2024

Bid Opener: Josh Roben Josh Roben (May 23, 2024 16:23 PDT) Date 4/10/2024

Project Manager: Titus Chen Date 4/10/2024

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works Department

Subject: Accepting Grant Funds from the U.S. Environmental Protection Agency for West Berkeley Aquatic Park Stormwater Improvement Project

RECOMMENDATION

Adopt a Resolution: Authorizing the City Manager to execute a $1.5M grant agreement with the U.S. Environmental Protection Agency (EPA) to plan, design, and construct a bioretention garden for the Channing Way Micro-Watershed and the installation of two Hydrodynamic separators on the Bancroft Street culvert and Channing Way.

FISCAL IMPACTS OF RECOMMENDATION

Based on the grant guidelines, the City is required to match the U.S. EPA funding for the proposed West Berkeley Aquatic Park Stormwater Improvement Project with $1.5M local matching funds. Local matching funds for the Project are programmed in the Fiscal Year (FY) FY 2025 – FY 2028 capital improvement budget for the Storm Drain Program in the Clean Stormwater Fund (616). No other funding is required.

U.S EPA Grant Funds	$1,500,000
Clean Storm Fund (616) – Local matching Funds	$1,500,000
Total Project Cost Design & Construction Phases	**$3,000,000**

CURRENT SITUATION AND ITS EFFECTS

The U.S. EPA manages a grant program to support projects that protect and restore San Francisco Bay watersheds and wetlands. In 2023, the Parks Recreation & Waterfront (PRW) Department and Public Works Engineering Division applied for funding under this program for the West Berkeley Aquatic Park Stormwater Improvement Project. Implementing this Project would provide water quality benefits to the Aquatic Park lagoon by treating urban stormwater and improving sediment and trash capture from two micro-watersheds that drain to the Aquatic Park.

In March 2024, the City received a letter from the EPA selecting the City to receive a $1.5 million San Francisco Bay Water Quality Improvement Fund (SFBWQIF) grant with a $1.5 million local match. Accepting the grant funding and implementing the West Berkeley Aquatic Park Stormwater Improvement Project supports the City's Strategic Plan goals of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities and

being a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

The Aquatic Park Lagoon in West Berkeley is an artificial inland lagoon and park area that receives bay waters through daily tidal action from the west and stormwater from City streets east of the lagoon. The lagoon's water quality and upland habitats are degraded. Bathymetric data indicate that the average depth of the lagoon has decreased by approximately 50% since 1970, highlighting a long-term concern that eutrophication could occur if hydrology and water quality improvements are not implemented.

Acceptance of grant funding would allow the City to pursue the West Berkeley Aquatic Park Stormwater Improvement Project. This Project would provide water quality benefits for the lagoon, and its implementation aligns with recommendations outlined in the Aquatic Park Improvement Program. The Project would also help the City meet its regulatory requirements for implementing green infrastructure as mandated by the Municipal Regional National Pollutant Discharge Elimination System Stormwater Discharge Permit (MRP), Order No. R2-2022-0018.

The proposed project calls for the planning, design, and construction of a bioretention garden for the Channing Way micro-watershed and the installation of two hydrodynamic separators (HDS), one at Bancroft Street and one at Channing Way, to treat urban runoff and capture trash from the streets of West Berkeley before its discharge into the Aquatic Park Lagoon. The bioretention garden and HDS units will treat stormwater and urban runoff traveling through the Channing Way and Bancroft Street micro-watersheds, significantly improving the stormwater entering the Aquatic Park Lagoon and, subsequently, San Francisco Bay Estuary.

The bioretention garden will remove pollutants of concern from urban runoff through physical and biological treatment processes. These pollutants include nutrients, metals, mercury, polychlorinated biphenyls (PCBs), organic compounds, bacteria, and suspended solids. The treatment provided by the bioretention garden can help achieve Alameda County’s key goal of removing mercury and PCBs from runoff, reducing the adverse impacts of urban runoff on receiving waters, including the Aquatic Park Lagoon. The bioretention garden would occupy a portion of an existing parking lot adjacent to Dreamland Kids Playground on the east side of Aquatic Park.

The hydrodynamic separators will remove trash, debris, and floatable material by MRP requirements for trash capture.

This Project will also improve the site for a variety of local non-profit and community groups currently utilizing the location. Waterside Workshops provides job training opportunities, including revegetation projects. The Bay Area Outreach and Recreation Program (BORP) provides recreational opportunities to individuals with mobility challenges and other disabilities. The Berkeley Paddling and Rowing Club regularly

uses the Park for activities. The park is additionally used by bird watchers and others who are drawn to the unique flora and fauna.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The continued efforts to reduce trash and litter entering the storm drain systems improve the health of Berkeley's creeks, Aquatic Park, and waterways, improve water quality, protect native flora and fauna, and prevent pollutants from entering San Francisco Bay.

RATIONALE FOR RECOMMENDATION

Accepting the grant and implementing the Project would improve water quality in Aquatic Park and would be vital for the City to meet MRP requirements for implementing green infrastructure and eliminating trash discharges to San Francisco Bay.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered, as the City must install a mandated 5 acres of Green Infrastructure by June 2027 per MRP requirements. Installing trash capture and a bioretention garden are effective ways for the City to meet regulatory requirements.

CONTACT PERSON

Srinivas Muktevi, Supervising Civil Engineer (510) 981-6402
Ronald Nevels, Manager of Engineering (510) 981-6439
Wahid Amiri, Deputy Director (510) 981-6396

Attachments:
1: Resolution
2: U.S. EPA Funding Selection Letter

Internal

RESOLUTION NO. ##,###-N.S.

ACCEPTING GRANT FUNDS FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY FOR AQUATIC PARK WATER QUALITY IMPROVEMENTS

WHEREAS, the U.S. Environmental Protection Agency (EPA) has announced the availability of San Francisco Bay Water Quality Improvement Fund (SFBWQIF) grants; and

WHEREAS, said grants are intended to help improve the water quality of San Francisco Bay; and

WHEREAS, it is in the City's interest to enhance Aquatic Park Lagoon water quality, habitat and recreational values; and

WHEREAS, the City has been selected by the EPA to receive SFBWQIF grant for $1,500,000 with a local non-federal match of $1,500,000 from the Clean Storm Fund 616 that is programmed in the FY25-28 Storm Capital budget; and

The project proposed for grant funding would be environmentally beneficial and aligned with regulatory requirements and the goals of the Aquatic Park Improvement Program.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to; 1) Accept a U.S. EPA San Francisco Bay Water Quality Improvement Funding grant to improve Water quality in the San Francisco Bay; 2) execute any resultant agreements and amendments; and 3) authorize the implementation of projects in compliance with the requirements of EPA grant and allocate funding for related expenses, subject to securing the grant. A record signature copy of said agreements and any amendments shall be on file in the office of the City Clerk.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Dee Williams-Ridley
2180 Milvia St.
Berkeley, CA 94704

RE: Availability of FY 2023 SF Bay Water Quality Improvement Fund Funding

Dear Dee Williams-Ridley:

Congratulations! The City of Berkeley has been selected to receive a U.S. Environmental Protection Agency (EPA) SF Bay Water Quality Improvement Fund (SFBWQIF) grant in the amount of 1,500,000 with a non-federal match of 1,500,000. This letter lays out the programmatic and administrative materials needed to complete the application for federal assistance. This letter is not an official Notice of Award. Only the Grants Management Office can issue an award offer to you.

Funding Information (West Berkeley Aquatic Park Stormwater Improvement Project):
$1,500,000 (EPA) + $1,500,000 (Required Nonfederal Match = $3,000,000 (Total Project Cost)

I will serve as the EPA SFBWQIF Project Officer for your grant and will work with you on the development and/or refinement of a work plan, and programmatic issues that come up during the implementation of your project. I can be reached at 415-972-3269 or tu.lyndsey@epa.gov.

An EPA Grants Specialist will be assigned to your grant and will assist with the administrative aspects of the grant, such as processing the grant award document and annual financial reporting. I will share their contact information with you when it's available.

I would like to suggest setting up a call at your earliest convenience to discuss the workplan and budget to go over any questions you might have on that as well as the forms listed below before you plan to submit them as your final complete application. We propose a deadline of February 12, 2024 for submitting all these materials in their final form. Once all materials are submitted, I will share them with the Grants Office to complete the grant award.

1. **Workplan**: The workplan is based on the project described in the original funding proposal. In addition to your application narrative, your final workplan will include:
    a. Project Schedule that includes deliverables, outcomes, and costs associated with each task.
    b. The latitude and longitude coordinates that best represents your project area.

c. A representative photo of your project along with the appropriate caption to include on the SF Bay Water Quality Improvement Fund website.

2. **Budget:**
   a. If revised, form SF-424A for Budget Information for Non-Construction Programs.
   b. Budget Detail (template is attached; refer to the R9 Grants Handbook for budget development guidance)

3. **Administrative**: Complete the forms listed below if you have not already. Download the forms here by searching the form number or letter.
   a. Certification Regarding Lobbying (EPA Form 6600-06)
   b. Pre-Award Compliance Review Report (EPA Form 4700-4)
   c. Additional information for SF424, Block #19: The SFBWQIF (Program) is covered by Executive Order (EO) 12372. **The appropriate answer for this box is A.** Since your proposals have been selected for a grant award, you will need to send a copy of your SF-424 to the California Grants Coordination State Clearinghouse via their online portal: https://cfda.opr.ca.gov/#/
   d. SF-LLL Disclosure of Lobbying Activities (if applicable)
   e. Current Indirect Rate Cost Negotiation Agreement (if applicable)

Please note, projects funded by the SFBWQIF are authorized under CWA Section 320 which does not require an Environmental Information Document (EID) under the National Environmental Policy Act. However, compliance with other Federal environmental laws, such as the Endangered Species Act and the National Historic Preservation Act, and state regulations may be required.

Please let us know if you have questions or concerns about the required documents and due dates and we can adjust the schedule accordingly. We look forward to partnering with you on this project!

Sincerely,



Lyndsey Tu, EPA Region 9
SFBWQIF Project Officer

Attachments: Budget Detail Template
R9 Grants Handbook- https://www.epa.gov/system/files/documents/2023-03/epa-region-9-grants-handbook.pdf

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Grant Acceptance: Alameda CTC CIP 2024 Adeline Corridor Transportation Improvements

RECOMMENDATION
Adopt a Resolution accepting funds from the Alameda County Transportation Commission (CTC) for the Adeline Street Transportation Improvements Project.

SUMMARY
The attached Resolution allows the City to accept grant funding from the Alameda County Transportation Commission for a project to redesign Adeline Street between Ashby Avenue and the Oakland border using concepts approved by the Council on November 29, 2022 (Resolution No. 70,622-N.S. Adeline Street at Ashby BART Conceptual Design) and December 8, 2020 (Resolution No. 69,642 N.S. A Resolution (A) Certifying the Environmental Impact Report and Related California Environmental Quality Act (CEQA) Findings; and (B) Adopting the Adeline Corridor Specific Plan and Related General Plan Amendments). This project will further the goals of the City's Strategic Transportation Plan, Bicycle Plan, Pedestrian Plan, Vision Zero Action Plan, and Adeline Corridor Specific Plan, by developing transit, pedestrian, and bicycling improvements on Adeline Street. Per the grant requirements, preliminary engineering and environmental clearance must be completed, and all grant funding must be spent by December 31, 2026.

FISCAL IMPACTS OF RECOMMENDATION
This project is funded by an Alameda County Transportation Commission (Alameda CTC) Comprehensive Investment Plan (CIP) grant. Local match for this grant is from the Alameda County Transportation Sales Tax Measure BB Local Streets and Roads Fund (Fund 134).

Alameda CTC CIP Award:	$1,095,000
Local match:	$365,000
Total Amount:	$1,460,000

CURRENT SITUATION AND ITS EFFECTS

In 2021 and 2023, the City was awarded grant funding from the Alameda County Transportation Commission CIP to scope and develop preliminary engineering plans for a project on Adeline Street from Ashby Avenue (adjacent to the Ashby BART station) to the southern city limits. The Adeline Street Transportation Improvements Project would construct safety improvements for pedestrians, bicyclists, and transit riders, and repurpose two of the existing general-purpose traffic lanes in order to construct protected bikeways and opportunities for public space, including space for a pedestrian plaza on the west side of Adeline Street at the Ashby BART station.

Per grant requirements, preliminary engineering/environmental studies must be completed, and funds from Alameda CTC must be spent by December 31, 2026. Resolution language required by the funder is in Attachment 1: Resolution.
The City will need to seek additional funding to complete Final Design and Construction of this project.

The Adeline Street Transportation Improvements Project advances the City's Strategic Goals to (1) provide state-of-the-art, well-maintained infrastructure, amenities, and facilities; (2) foster a dynamic, sustainable, and locally-based economy; (3) create a resilient, safe, connected, and prepared city; and (4) be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

The Adeline Street Transportation Improvements project will scope and develop preliminary engineering plans and conduct environmental analysis for pedestrian, bicycle, and transit improvements on approximately 0.55 miles of Adeline Street from just north of Ashby Avenue to the southern city limits (King Street/62nd Street/Stanford Avenue/ Martin Luther King Jr Way). This project supports plans for transit-oriented development (TOD) on the Ashby BART station site. As part of the project, two of the four existing traffic lanes adjacent to Ashby BART will be repurposed to provide space for a new pedestrian plaza that could accommodate the needs of the Berkeley Flea Market, which currently uses the BART parking lot west of Adeline Street. This project would repurpose two of the existing four traffic lanes south of Ashby BART, in order to construct a new protected bikeway that will close a crucial gap in the Berkeley bicycle network, connecting neighborhood and commercial districts in Berkeley and Oakland. Other proposed project improvements include repaired sidewalks, improved loading zones for businesses, upgraded traffic signals, and improved bus operations and bus stop amenities.

Council approved the overall concept design for the corridor as part of the approval of the Adeline Corridor Specific Plan on December 8, 2020, Resolution No. 69,642 N.S. Subsequently, Council approved preliminary concepts for the section of the project adjacent to Ashby BART (Resolution No. 70,622-N.S. Adeline Street at Ashby BART Conceptual Design) at the November 29, 2022 Council Meeting. Data collection, public engagement, environmental analysis and preliminary engineering is expected to begin

in summer 2024 and continue through the end of 2026. Following a robust public engagement process, internal Staff review, and the input of the Transportation and Infrastructure Commission and other City commissions, staff anticipates bringing a concept design for this project to the Council for consideration late in 2026.

The project is divided into two sections based on geography. Section 1 is the area of Adeline Street adjacent to the Ashby BART Station which begins just north of Ashby Avenue and runs south to Martin Luther King Jr Way. Concepts for Section 1 were approved by Council on November 29, 2022 (Resolution No. 70,622-N.S.). Section 2 begins at Martin Luther King Jr Way and runs south to the Berkeley/Oakland border (King Street/62nd Street/Stanford Avenue/Martin Luther King Jr Way). Section 2 concepts are detailed in the 2020 Adeline Corridor Specific Plan, adopted by the Council on December 8, 2020 (Resolution No. 69,642 N.S.). Funding for Sections 1 and 2 was awarded as part of two separate Alameda CTC Comprehensive Investment Plan grants. However, because of the similarity of project scopes Alameda CTC has allowed the City to combine both projects into one funding agreement in order to minimize administrative burden and facilitate efficient project delivery.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Installing transit improvements, protected bikeways, and upgrading pedestrian crossings is anticipated to increase the numbers of people using transit, walking, and biking. This is consistent with the 2009 Climate Action Policy that calls for expanding and improving the City's bicycle and pedestrian infrastructure. The 2009 Climate Action Plan sets targets of reducing transportation emissions 33% below year 2000 levels by 2020, and 80% below year 2000 levels by 2050. The Plan further states that transportation modes such as public transit, walking, and bicycling must become the primary means of fulfilling the City's mobility needs in order to meet those targets.

RATIONALE FOR RECOMMENDATION

Adopting this resolution accepting Alameda CTC CIP funding will meet the funder's requirements and allow the city to use these funds on the Adeline Street Transportation Improvements Project.

ALTERNATIVE ACTIONS CONSIDERED

Council could opt not to approve the resolution from Alameda CTC at this time and instead defer the item to a future Council agenda. This decision would delay the start of the Project, jeopardize funding with Alameda CTC, and endanger the delivery of the Project by the milestones indicated in the grant funding agreement.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works (510) 981-6396
Hamid Mostowfi, Transportation Manager, Public Works (510) 981-6403
Eric Anderson, Principal Planner, Public Works (510) 981-7062

Janney Lockman, Associate Planner, Public Works (510) 981-7073

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

A RESOLUTION OF THE GOVERNING BODY
OF THE CITY OF BERKELEY
ACCEPTING FUNDS FROM THE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
FOR THE ADELINE STREET TRANSPORTATION IMPROVEMENTS PROJECT

WHEREAS, the Alameda County Transportation Commission ("Alameda CTC") administers funding programs for projects and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration Fee ("VRF"), 2014 Measure BB, CMA-TIP, and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the "Alameda CTC Administered Funds"; and

WHEREAS, the City of Berkeley ("Fund Recipient") submitted a funding application ("Application") to the Alameda County Transportation Commission ("Alameda CTC") for Adeline Street Transportation Improvements Project ("Project"); and

WHEREAS, the Project will conduct preliminary engineering and environmental analysis for protected bike lanes, pedestrian safety features, transit improvements, and public plaza space on Adeline Street from Ashby Avenue to the Oakland border; and

WHEREAS, by action of the Alameda CTC Commission at its meetings held on July 22, 2021 and May 25, 2023, Alameda CTC awarded a total of $1,095,000 in Alameda CTC Administered Funds to the Fund Recipient for the implementation and delivery of the Preliminary Engineering/Environmental Studies phase(s) ("Awarded Phase(s)") of Project; and

WHEREAS, prior to receipt of any Alameda CTC Administered Funds, Fund Recipient shall be required to enter into a Project Funding Agreement with Alameda CTC for the Project ("Agreement") based on Alameda CTC's form therefor, which Agreement shall set forth certain project-specific requirements applicable to the Project; and

WHEREAS, as part of the requirements to receive Alameda CTC Administered Funds awarded to the Project, Alameda CTC requires a resolution accepting the awarded funding to be adopted by the Fund Recipient's governing body confirming the following:

1. Fund Recipient's commitment to secure matching funds against the awarded Alameda CTC Administered Funds; and
2. Fund Recipient's commitment to provide any additional funding required to deliver the Awarded Phase(s) of Project, with an understanding the same shall not be funded with additional Alameda CTC Administered Funds; and

3. Fund Recipient's commitment to implement the Awarded Phase(s) of Project as described in the funding application and the subsequent funding agreement between Alameda CTC and the Fund Recipient; and
4. Fund Recipient's commitment to comply with the Agreement; and
5. Fund Recipient's commitment to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity ("LBCE") Program for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, and abide by the LBCE procedures in the applicable solicitations and contracts.

NOW, THEREFORE, BE IT RESOLVED that Fund Recipient agrees to accept award of $1,095,000 in Alameda CTC Administered Funds; and be it further

RESOLVED that Fund Recipient, by adopting this resolution, does hereby state that:

1. Fund Recipient will provide a minimum of $365,000 in matching funds anticipated to be from Measure BB funds; and
2. Fund Recipient understands that Fund Recipient shall be responsible to provide any additional funding required to deliver the Awarded Phase(s) of Project, and the same shall not be funded with additional Alameda CTC Administered Funds; and
3. Awarded Phase(s) of Project will be implemented as described in the Application, Agreement, and in this resolution; and
4. Fund Recipient will comply with the Agreement; and
5. Fund Recipient will comply with the applicable requirements set forth in Alameda CTC's LBCE Program; and therefore, be it further

RESOLVED that Fund Recipient hereby confirms that there is no pending or threatened litigation that might in any way adversely affect Fund Recipient's ability to implement and deliver the proposed Project; and be it further

RESOLVED that Fund Recipient authorizes its City Manager or designee, to execute the Agreement; and be it further

RESOLVED that Fund Recipient shall provide Alameda CTC with a fully-executed copy of this Resolution.

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Contract: B Brothers Construction, Inc. for the West Berkeley Service Center Improvements Project

RECOMMENDATION

Adopt a Resolution:

1. Approving plans and specifications for West Berkeley Service Center Improvements Project, Specification No. 21-11604-C;
2. Accepting the bid of B Brothers Construction, Inc. as the lowest responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, for an amount not to exceed $1,461,394, which includes a contingency of $145,616.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this project is fully programmed in the FY 2024 & 2025 budget in the General Fund and CDBG Grant Fund.

All costs will be paid from the CDBG Grant Fund including amendments, extensions or other change orders until completion of the project.

- $936,360.00:……CDBG Grant Fund
- $525,034.00:……General Fund

Low bid by B Brothers Construction, Inc.	$1,315,778
11% Contingency	$145,616
Total Construction Cost NTE	**$1,461,394**

No further funding is required, and no other projects will be delayed due to this expenditure.

CURRENT SITUATION AND ITS EFFECTS

The Public Works Department, jointly with Housing, Health, and Community Services, is requesting the execution of a construction contract between the City and B Brothers Construction, Inc. to renovate the West Berkeley Service Center at 1900 Sixth Street.

The existing building has numerous deficiencies, including water intrusion at the existing roofing and windows, worn and damaged flooring, accessibility issues, and inadequate restroom facilities. The West Berkeley Service Center Improvements Project is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

The West Berkeley Service Center was built in 1979, and originally served as a Senior Center. Since then, there have been no major upgrades to the building other than accessibility accommodations in 1999.

The building now serves as the West Berkeley Family Wellness Center and is operated by the City of Berkeley's Public Health Division. The building holds multiple Public Health Programs from Women's Infant, Children (WIC), Black Infant Health, and Immunizations. The Center was created as a direct response to the 2019 Community Needs Assessment, where community members voiced the need for a safe, inclusive, accessible, and family friendly space in West Berkeley that they can access Public Health services and resources easily.

Public Works and Health Services Division Staff engaged the services of an architectural firm to begin design of the improvements in November 2021. The project will consist of new roofing, electrical upgrades, upgraded mechanical systems and HVAC, flooring replacement, restroom renovations, and new outdoor children's play area.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no anticipated negative environmental effects of this action. The installation of new electric heat pump water heaters and new energy efficient windows will comply with the latest energy efficiency standards and reduce energy use overall. The addition of air ionization units to the existing HVAC system will improve indoor air quality for staff and visitors.

RATIONALE FOR RECOMMENDATION

Contracted services are required for this project as the City does not have the in-house expertise to complete this specialized work.

ALTERNATIVE ACTIONS CONSIDERED

None. The City can elect not to construct the project, however deferring the work will lead to continued deterioration of the building.

CONTACT PERSON
Ronald Nevels, Manager of Engineering, Public Works (510) 981-6439
Elmar Kapfer, Supervising Civil Engineer, Public Works (510) 981-6435

Attachments:
1: Resolution
2: Abstract of Bids

Internal

RESOLUTION NO. ##,###-N.S.

CONTRACT: B BROTHERS CONSTRUCTION, INC. FOR THE WEST BERKELEY SERVICE CENTER IMPROVEMENTS PROJECT

WHEREAS, the existing roofing, flooring, and select windows in the 1900 Sixth Street building needs replacement; and

WHEREAS, additional deficiencies to the building's restrooms, electrical distribution system, HVAC system, and accessible pathways have been identified for improvement; and

WHEREAS, an invitation for bids (Plans and Specifications No. 21-11604-C) was duly advertised, and B Brothers Construction, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are programmed in the FY 2024 and FY 2025 budget in the General Fund and CDBG Grant Fund.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Plans and Specifications No. 21-11604-C for the West Berkeley Service Center Improvements Project are approved, and B Brothers Construction, Inc. is determined to be the lowest responsive and responsible bidder.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions or change orders, until completion of the project in accordance with the approved plans and specifications with B Brothers Construction, Inc. for the West Berkeley Service Center Improvements Project at 1900 Sixth Street, in an amount not to exceed $1,461,394. A record signature copy of the agreement and any amendments will be on file in the Office of the City Clerk.

Finance Department
General Services Division

City of Berkeley
Abstract of Bid Worksheet

Bid Date: 3.5.2024
Spec. # **21-11604-C**

FOR: **West Berkeley Service Center Improvement Project**

required w/ bid

	Bidders	Base Bid	Addenda (3)	Bid Bond	Reg / Exp	Subcontractors	Non-Collusion	CERTS
1	Bay Construction Co.	$ 1,648,735.00	X	X	X	X	X	X
2	B Brothers Construction	$ 1,430,538.00	X	X	X	X	X	X
3	Buhler Commercial	$ 2,068,762.00	X	X	X	X	X	X
4	DC Construction, Inc.	$ 2,235,295.00	X	X	X	X	X	X
5	Marcon Builders, Inc.	$ 1,852,271.00		X	X	X	X	X
6	Vantis	$ 1,600,000.00	X	X	X	X	X	X
7	Pro-Ex Construction, Inc.	$ 2,460,000.00	X	X	X	X	X	X
8	S&H Construction **(Only one envelope submitted)**	$ 1,568,600.00	X	X	X	X	X	X
9								
10								

Bid Recorder: Talia Stewart — Talia Stewart (Mar 6, 2024 11:33 PST) — Date Mar 6, 2024

Bid Opener: Josh Roben — Josh Roben (Mar 6, 2024 11:12 PST) — Date Mar 6, 2024

Project Manager: Titus Chen — Date Mar 6, 2024

21-11604-C_.abstract

Final Audit Report 2024-03-06

Created:	2024-03-06
By:	Talia Stewart (TStewart@berkeleyca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzT1tOhoj-UqnkCpRVeYCfnTVi1rZ23DA

"21-11604-C_.abstract" History

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2024-03-06 - 7:33:19 PM GMT

Document e-signed by Talia Stewart (TStewart@berkeleyca.gov)
Signature Date: 2024-03-06 - 7:33:29 PM GMT - Time Source: server

Agreement completed.
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Office of the City Manager

REVISED AGENDA MATERIAL

Meeting Date: **June 25, 2024**

Item Description: **Contract: Edgeworth Integration, LLC for Installation of Security Cameras at Council-Approved Intersections**

Submitted by: **Terrance Davis, Director of Public Works**

This is a replacement of the previous report submitted to allow for Council Approved camera installations at approved locations. Additionally, it now includes the Public Works Department Surveillance Acquisition Report.

This change was necessary to ensure no contracted camera work would be performed in advance of all required permissions and approvals.

Therefore, the corrected report and resolution are attached

Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director of Public Works

Subject: Contract: Edgeworth Integration, LLC for Installation of Security Cameras at Council-Approved Intersections

RECOMMENDATION

Adopt a Resolution to authorize the City Manager to execute a contract with Edgeworth Integration, LLC, for purchase and installation of external fixed video surveillance cameras at City Council approved locations for an amount not to exceed $850,000 for a contract period through June 30, 2027.

FISCAL IMPACTS OF RECOMMENDATION

Estimated one-time costs to purchase and install cameras are estimated between $44,000 to $55,000 per intersection not including permit fees. This contract will also include ongoing maintenance and repairs for installed cameras which are anticipated to be $15,000 per year.

Funding in the amount of $600,000 is available in the FY 2024 baseline Public Works budget General Fund 011 (budget code: 011-54-624-694-0000-000-412-612990). Additional funds will be appropriated as approved by Council through the FY 2025 budget process.

CURRENT SITUATION AND ITS EFFECTS

On October 12, 2021, City Council approved a budget referral for the installation of External Fixed Video Surveillance Cameras, prominent signage, and increased lighting in public right-of-way intersections experiencing a rise in violent crime. The referral approved installation of security cameras at the following ten intersections:

- University & 6th
- Ashby & 7th
- Ashby & Claremont
- Ashby & College
- Ashby & Sacramento
- Ashby & San Pablo

- Dwight & San Pablo
- Dwight & 7th
- University & San Pablo
- King & 62nd

On January 30th, 2024, Council approved of a budget referral for the installation of additional External Fixed Video Surveillance Cameras at the following intersections:

- Alcatraz & College
- Alcatraz & Adeline
- Alcatraz & Sacramento
- San Pablo & Gilman
- Woolsey & Telegraph
- Woolsey & Shattuck

This contract will provide for the installation of approved cameras prioritizing those approved in 2021.

Public Works executed contract No. 32400010 on July 18, 2023 for the purchase and installation of a surveillance camera at the University & 6th intersection.

Cameras for this contract are compatible with those already in use at San Pablo Park under Contract Nos. 31900080 and 31900205 along with those deployed at University and 6th under Contract No. 32400010. Edgeworth Integration, LLC was the contractor for these projects. Beyond the initial purchase and installation, City of Berkeley's Public Works Department will support Edgeworth as needed for maintenance and repairs for the installed cameras.

For the sites approved by City Council on October 12, 2021, a Surveillance Acquisition Report for the security cameras and corresponding Surveillance Use Policy was submitted to the Police Accountability Board and thereafter the City Council approved the installation of those locations. Attached to this report is a Surveillance Acquisition Report for the security cameras and corresponding Surveillance Use Policy for the additional six locations. On February 2, 2024, the Police Accountability Board was notified of City Council's intention of installing the cameras at these additional locations. The topic was included in their February 28, 2024 agenda.

Security camera footage would be used pursuant to the use policy. The cameras are not intended for continuous surveillance purposes nor will contain License Plate Reader technology or software.

This supports the Strategic Plan Goal of creating a resilient, safe, connected, and prepared City.

BACKGROUND

A 2011 report[1] from The Urban Institute's Justice Policy Center noted that cameras can be an effective tool for preventing crimes and supporting investigations. These tools appear fiscally prudent both as tools for investigations, and with the installation and maintenance of security cameras being less costly than the costs associated with crimes that may take place without them. Moreover, an experiment conducted at the University of Twente in the Netherlands finds evidence that the presence of security cameras can encourage "prosocial" and "helping behavior" among bystanders.[2]

Berkeley's Police Department has been conducting Crime Prevention Through Environmental Design (CPTED) assessments for neighborhoods throughout the City over the past several years. These assessments include recommendations such as: increased lighting, maintenance of properties, landscaping and signage that can be used to deter criminal behavior.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identified environmental or climate impacts associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

This Resolution will allow Public Works to execute the contract to start camera installation on Council-approved intersections. The installation of security cameras at select intersections has been a Council Directive since 2021. The initial ten locations selected for installation of cameras were approved in October 2021 and one has already been successfully installed.

On December 13th, 2021, Council approved an Amendment to FY 2022 Annual Appropriations Ordinance, which allocated $1.3 million in funds towards the Surveillance Camera project. However, Public Works could not start fully on this project as the City had to develop and approve a Surveillance Camera Policy before work could begin. On June 13, 2023, Council approved Acquisition and Use Policies for External Fixed Video Surveillance Cameras and Unmanned Aerial System, which now allows Public Works to begin work on these installations.

ALTERNATIVE ACTIONS CONSIDERED

None.

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[1] La Vigne, N. G., et al. (2011). Evaluating the use of public surveillance cameras for crime control and prevention. *Washington, DC: US Department of Justice, Office of Community Oriented Policing Services. Urban Institute*, Justice Policy Center, 1-152.

[2] Van Rompay, T. J., et al. (2009). The eye of the camera: Effects of security cameras on prosocial behavior. Environment and Behavior, 41(1), 60-74.

CONTACT PERSON
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Attachments:
1: Resolution – Contract: Edgeworth Integration, LLC for Purchase and Installation of External Fixed Video Surveillance Cameras at Council-Approved Locations
Exhibit A: Public Works Department Surveillance Acquisition Report
Exhibit B: Surveillance Use Policy – External Fixed Video Surveillance Cameras

CONSENT CALENDAR
June 25, 2024

RESOLUTION NO. ##,###-N.S.

CONTRACT: EDGEWORTH INTEGRATION, LLC FOR PURCHASE AND INSTALLATION OF EXTERNAL FIXED VIDEO SURVEILLANCE CAMERAS AT COUNCIL-APPROVED LOCATIONS

WHEREAS, on March 13, 2018, City Council adopted Ordinance NO. 7,592-N.S., the Surveillance Technology Use and Community Safety Ordinance; and

WHEREAS, on October 16, 2018, City Council approved the installation of cameras in San Pablo Park, and

WHEREAS, on January 28, 2019, the City and Edgeworth Integration, LLC entered into Contract No. 31900080 for the purchase and installation of a video surveillance system at San Pablo Park; and

WHEREAS, on October 12, 2021, City Council adopted a budget referral for the purchase and installation of External Fixed Video Surveillance Cameras at ten City of Berkeley intersections; and

WHEREAS, on December 13th, 2021, Council approved Ordinance NO. 7,795-N.S. which amended the FY 2022 Annual Appropriations Ordinance NO. 7,779-N.S. and allocated $1.3 million in funds towards the purchase and installation of Public Safety Surveillance Cameras at City Council approved locations; and

WHEREAS, on June 13, 2023, City Council adopted Resolution NO. 70,895-N.S., which approved the Acquisition and Use Policies for External Fixed Video Surveillance Cameras and Unmanned Aerial System; and

WHEREAS, Edgeworth Integration has been selected as the preferred vendor of Public Works; and

WHEREAS, $600,000 in funding is available in the amount of $600,000 is available in the FY 2024 baseline Public Works budget General Fund 011; and

WHEREAS, additional funding will be procured through the FY 2025 budget process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Council authorizes the City Manager to execute a contract with Edgeworth Integration, LLC for installation of External Fixed Video Surveillance Cameras at council-approved locations, for an amount not to exceed $850,000 for a contract period through June 30, 2027.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that this action constitutes final approval.

Exhibits
A: Public Works Department Surveillance Acquisition Report
B: Surveillance Use Policy – External Fixed Video Surveillance Cameras

Public Works Department Surveillance Acquisition Report

SURVEILLANCE CAMERAS

A. DESCRIPTION

The Avigilon camera system consists of three main components: The camera, the server, and a remote information management system referred to as the Avigilon Control Center Client application (ACC).

The first component, the Avigilon camera, is a device that incorporates a video recording from an image. The cameras are affixed to City of Berkeley-owned infrastructure including utility poles on City streets and parks. The cameras provide protection to indoor and outdoor spaces with high-resolution images of up to 5 MP, a wide field of view, and efficient bandwidth management in a compact design without compromising building aesthetics. Although license plate and facial recognition hardware is available, neither was purchased or installed. Without the hardware, these features cannot be activated. Audio is a standard feature of the camera, but will remain deactivated by the authorized administrators of the system.

The second component of the system is the server. Once the Avigilon camera captures the imagery, a local device called a server, functions as a repository for the data. Servers are physically secured on City property and video recordings are protected within the City's network. Servers are designed to store recorded events in real time for secure retrieval and analysis. Recorded videos are transferred from the server's storage into an information management system, Avigilon Control Center (ACC) application.[1]

The third component is the Avigilon Control Center Client application (ACC) which streamlines data management and allows users to access videos on one secure platform. The ACC software provides various levels of analytics to sort stored videos faster and is a standard feature. These include pixel motion detection of vehicles and people. Vehicular characteristics are searchable by vehicle type and color. Personal characteristics are searchable by gender (gender is a binary search, female of male), hair color, age, and upper and lower body clothing color. Authorized users of the system can only access data stored on a server through the ACC application. The ACC application is located on the server and accessed solely through the City's secured intranet by protected login and password. The application does not allow the authorized administrator or system users to alter, manipulate, or edit any of the footage recorded by the server.

B. PURPOSE

The cameras shall only record video images and not sound. Recorded images may be used and video surveillance may be monitored for the following purposes:

(a) To support specific and active criminal or administrative investigations.

(b) To respond and review critical incidents or natural disasters.

C. LOCATION

[1] https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200320040AB839

Surveillance cameras encompassed by this report, are located at, or will be installed at, the following locations.

Future Projects:

- San Pablo Avenue at University Avenue
- 7th Street at Dwight Way
- San Pablo Avenue at Dwight Way
- 7th Street at Ashby Avenue
- San Pablo Avenue at Ashby Avenue
- Sacramento Street at Ashby Avenue
- College Avenue at Ashby Avenue
- Claremont Avenue at Ashby Avenue
- 62nd Street at King Street
- Alcatraz & College
- Alcatraz & Adeline
- Alcatraz & Sacramento
- San Pablo & Gilman
- Woolsey & Telegraph
- Woolsey & Shattuck

Additional intersections as approved by City Council

Completed Projects:

- San Pablo Park
- City of Berkeley Marina
- 6th Street at University Avenue

D. IMPACT

The primary intent of these cameras is to deter and address crime in the City of Berkeley. The Public Works Department will work to ensure that the video recordings are secured and only accessible to authorized personnel. The right to maintain someone's anonymity versus the need to collect information to maintain public safety is of paramount concern. The Department recognizes that all people have a right to privacy and is committed to protecting and safeguarding civil rights by adhering to the strictest requirements concerning the release of video recordings. There should not be any impact on anyone's civil liberties or civil rights. The camera system lacks the hardware to conduct license plate reader or facial recognition technology. Audio is a standard feature of the cameras, but will remain

deactivated by the authorized administrators of the system. Staff is explicitly prohibited from using any facial recognition technology as outlined in BMC 2.99.

The Public Works Department will ensure responsible data management, transparency, and accountability including the posting of video surveillance notices.

E. MITIGATION

In order to minimize violations of privacy, data shall be maintained in a secure, non-public accessible location, such locations require specialized system access including a dedicated password and log in. Data will be obtained or released in accordance with the use policy. Data will not be used to unlawfully discriminate against people based on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, gender identity, disability status, sexual orientation or activity, or genetic and/or biometric data. Additionally, the Department will not use the camera surveillance system to scan footage and identify individuals based on any of the categories listed in the preceding sentence.

Employees are prohibited from retaining, duplicating, or distributing video recordings except for departmental business purposes in accordance with the use policy.

F. DATA TYPES AND SOURCES

The surveillance camera system's use is limited to capturing non-audio, video recordings on affixed City buildings, including utility poles on streets and within park boundaries. The Camera Surveillance system collects video recordings in high-resolution imagery that is stored securely on a local server and accessible by authorized users on the ACC application. As video images are recorded, the ACC application automatically stamps the video with the current date/time and the camera's identity.

G. DATA SECURITY

External users will not have access to the ACC application. The authorized administrator and designated staff will have access to video recordings. To gain system access, staff must obtain approval from system management. Authorized users will access the ACC application via a single sign-on and password administered by Information Technology. All system access including system log-in, access duration, and data access points is accessible and reportable by the Public Works authorized administrator. The application prohibits the authorized administrator and users from altering, manipulating, tampering, or editing video recordings.

The Public Works Director or his/her designee shall appoint a member of the department as the authorized administrator to coordinate the use and maintenance of the Surveillance Camera system and the storage of recordings, including:

1. Establishing a system for downloading, storing, and securing of recordings.
2. Designating persons responsible for downloading recorded data.
3. Establishing a maintenance system to ensure the working order of surveillance cameras.
4. Monitoring the system to prevent tampering, deleting, and copying recordings.
5. Working in alignment with the State of California record retention policy, AB 839 to ensure an appropriate retention schedule is being applied to recordings and associated documentation.

6. Maintaining an audit trail record for all access to video recording files, wherein access information for each file is logged using a secure log-in system. The ACC application associates an audit trail record with each user access information, thereby logging the date, time, user name, and activity occurring during each video recording file access.

H. FISCAL COST

Costs for future projects listed in Section C of this report are unknown at this time. Future costs will depend on additional maintenance, equipment, and parts. Ongoing costs include associated staff time relative to the system administrator's role of administering and maintaining the surveillance camera program. All cameras are purchased and wholly owned and operated by City of Berkeley.

Initial Purchase Costs:

San Pablo Park: $64,829.46 – 1 server and 21 camera views
Marina: $106,620.14 – 2 servers and 45 camera views
6th and University: $36,346.30 – 1 server and 360̊ camera views

Ongoing Costs:

Personnel, maintenance, and other ongoing costs, including compliance and other reporting and oversight requirements - $15,000.00 per year.

I. THIRD PARTY DEPENDENCE AND ACCESS

All Camera Surveillance data is accessed by a secure network login and password and stored on servers maintained by the Department of Information Technology. There is no third-party dependence or external access to information other than the ACC is a proprietary technology which requires all the components to be Avigilon.

J. ALTERNATIVES

The City can decide to rely on traditional policing techniques as a method for addressing crime such as deploying sworn officers.

There is a broad consensus – among the community– that surveillance cameras can be an important tool for deterring criminal activities.

K. EXPERIENCE OF OTHER ENTITIES

Neighboring cities including San Francisco, Oakland, and San Jose have adopted the use of Surveillance Cameras as a tool for reducing crime on city streets and parks. Many cities have developed their own usage policies which may include standards for use, data retention standards, and system controls.

External Fixed Video Surveillance Cameras

351.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of City of Berkeley external fixed video surveillance cameras by the Berkeley Police Department (BPD).

This policy only applies to fixed, overt, marked external video surveillance systems utilized by the BPD. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department, as authorized by the City Council for use by other City Departments. BPD Personnel shall adhere to the requirements for External Fixed Video Surveillance Cameras covered in this policy as well as the corresponding Surveillance Use Policy -1304.

351.2 POLICY

The Berkeley Police Department utilizes a video surveillance system to enhance its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance safety and security in public areas. As specified by this policy, cameras may be placed in strategic locations throughout the City to record, deter, and solve crimes, to help the City safeguard against potential threats to the public, and to help manage emergency response situations during natural and human-made disasters, among other uses specified in Section 351.3.1.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

351.3 OPERATIONAL GUIDELINES

Only City Council-approved video surveillance equipment shall be utilized. BPD members authorized to review video surveillance may only record and review public areas and public activities where no reasonable expectation of privacy exists and pursuant to Section 351.3.1. The City Manager shall obtain Council approval of any proposed additional locations for the placement and use of video surveillance technology.

351.3.1 PLACEMENT REVIEW AND MONITORING

Camera placement will only occur in locations approved by the City Council and will be guided by this policy and the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City departments when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Camera placement includes existing cameras such as those located at San Pablo Park, the Berkeley Marina, and cameras placed in Council identified and approved intersections throughout the City, and potential future camera locations as approved by City Council.

Current City Council approved locations:

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- 6th Street at University Avenue
- San Pablo Avenue at University Avenue
- 7th Street at Dwight Way
- San Pablo Avenue at Dwight Way
- 7th Street at Ashby Avenue
- San Pablo Avenue at Ashby Avenue
- Sacramento Street at Ashby Avenue
- College Avenue at Ashby Avenue
- Claremont Avenue at Ashby Avenue
- 62nd Street at King Street

The cameras shall only record video images and not sound. Recorded images pursuant to Section 351.5 may be accessed, reviewed, and used for specific criminal or BPD administrative investigations and video surveillance may be accessed and reviewed by authorized BPD personnel for the following purposes:

(a) To support specific and active criminal investigations.

(b) To support serious traffic-related investigations.

(c) To support police misconduct investigations, and

(d) To respond to and review critical incidents or natural disasters.

Unauthorized recording, viewing, reproduction, dissemination, or retention of video footage is prohibited.

351.3.2 FIXED CAMERA MARKINGS

All public areas monitored by video surveillance equipment shall be marked in a conspicuous manner with unobstructed signs to inform the public that the area is under police surveillance.

351.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department is prohibited from integrating or accessing system capabilities of the video surveillance system with other systems, such as gunshot detection, automated license plate recognition, facial recognition and other video-based analytical systems.

351.4 VIDEO SUPERVISION

Access to video surveillance camera data shall be limited to Berkeley Police Department (BPD) personnel utilizing the camera database for uses authorized above, with technical assistance from Public Works Department and Department of Information Technology personnel. Information may be shared in accordance with Sections 351.6 or 1304.9 below. BPD members seeking access to the camera system shall obtain the approval of the Investigations Division Captain, or their designee.

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Supervisors should monitor video surveillance access and usage to ensure BPD members are complying with this policy, other applicable department policy, and applicable laws. Supervisors should ensure such use and access is appropriately documented.

351.4.1 VIDEO LOG

No one without authorization will be allowed to login and view the recordings. Access to the data must be obtained through the Public Works Department according to this policy and published regulations that limit access and use of data by Public Works and other City Departments and personnel. All system access including system log-in, access duration, and data access points is accessible and reportable and shall be documented by the Public Works Department's authorized administrator. Those who are authorized and login should automatically trigger the audit trail function to ensure compliance with the guidelines and policy. This is further outlined in Section 1304.4 ot the Surveillance Use Policy.

351.4.2 PROHIBITED ACTIVITY

Video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Video surveillance systems shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

Video surveillance systems and recordings are subject to the Berkeley Police Department's Immigration Law Policy, and hence may not be shared with federal immigration enforcement officials.

351.5 STORAGE AND RETENTION OF MEDIA

Video surveillance recordings are not government records pursuant to California Government Code 34090 in and of themselves. Except as otherwise permitted in this section, video surveillance recordings shall be purged within one hundred and eighty (180) days of recording. Recordings of incidents involving use of force by a police officer or involving, detentions, arrests, or recordings relevant to a formal or informal complaint against a sworn police officer shall be retained for a minimum of two years and one month. Recordings relating to court cases and complaints against BPD sworn officers that are being adjudicated will be manually deleted at the same time other evidence associated with the case is purged in line with the Department's evidence retention policy. Any recordings related to a police misconduct investigation shall be maintained until such matter is fully adjudicated, at which time it shall be deleted in line with the Department's evidence retention policy, and any applicable orders from the court.

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Any recordings needed as evidence in a criminal or police misconduct proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

351.5.1 EVIDENTIARY INTEGRITY
All media downloaded and retained pursuant to this Policy shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

351.6 RELEASE OF VIDEO IMAGES

Data collected and used in a police report shall be made available to the public in accordance with department policy and applicable state or federal law, also referenced in Policy 1304.8.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records pursuant to Policy 804.

Requests for recorded video from other law enforcement agencies shall be referred to the Investigations Division Captain, or their designee for release in accordance with this policy and must be related to a specific active criminal investigation.

Requests for recorded video from the Office of Director of Police Accountability and Police Accountability Board shall be referred to the Investigations Division Captain, or their designee, for release in accordance with Charter Article XVIII, Section 25, Subdivision (20)(a).

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

351.7 VIDEO SURVEILLANCE AUDIT

The video surveillance software generates a site log each time the system is accessed. The site log is broken down by server, device, user or general access. The site log is kept on the server for two years and is exportable for reporting. System audits will be conducted by the Professional Standards Bureau's Audit and Inspections Sergeant on a regular basis, at least biennial.

BPD will enforce against prohibited uses of the cameras pursuant to Policy 1010, Personnel Complaints or other applicable law or policy. The City Manager shall enforce against any prohibited use of cameras and/or access to data by other City of Berkeley personnel.

The audit shall be documented in the form an internal department memorandum to the Chief of Police. The memorandum shall include any data errors found so that such errors can be corrected. After review by the Chief of Police, the memorandum and any associated documentation shall be published on the City of Berkeley website in an appropriate location, and retained within the Professional Standards Bureau.

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351.8 TRAINING

All department members authorized to operate or access video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, associated software, and review of relevant policies and procedures, including this policy, as well as review of relevant City of Berkeley laws and regulations. Training should also address state and federal law related to the use of video surveillance equipment and privacy. All relevant recordings that are utilized will be collected pursuant to Policy 802, Property and Evidence, and retained pursuant to Policy 804 Records and Maintenance.

351.9 MAINTENANCE

It shall be the responsibility of the Public Works Director to facilitate and coordinate any updates and required maintenance, with access limited to that detailed in the City Manager's promulgated policies.

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Office of the City Manager

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director of Public Works

Subject: Contract: Edgeworth Integration, LLC for Installation of Security Cameras at Council-Approved Intersections; and Authorizing Additional External Fixed Video Surveillance Cameras

RECOMMENDATION

1. Adopt a Resolution authorizing the City Manager to execute a contract with Edgeworth Integration, LLC for purchase and installation of External Fixed Video Surveillance Cameras at fifteen council-approved locations, for an amount not to exceed $850,000.

2. Adopt a Resolution authorizing the installation of additional External Fixed Video Surveillance Cameras under this contract scope should they be approved by City Council, included in the Surveillance Policy and funding appropriated.

FISCAL IMPACTS OF RECOMMENDATION

Estimated one-time costs to purchase and install cameras are estimated between $44,000 to $55,000 per intersection. Total costs would vary based on the number of intersections selected. Specifically, total one-time costs for the fifteen previously selected intersections already selected by Council would cost approximately $750,000.

Funding in the amount of $600,000 is available in the FY 2024 baseline Public Works budget General Fund 011. (budget code: 011-54-624-694-0000-000-412-612990). Additional funds will be appropriated through the FY 2025 budget process.

CURRENT SITUATION AND ITS EFFECTS

On October 12, 2021, council approved a budget referral for the installation of External Fixed Video Surveillance Cameras, prominent signage, and increased lighting in public right-of-way intersections experiencing a rise in violent crime. The referral approved installation of security cameras at the following intersections:

- University & 6th
- Ashby & 7th
- Ashby & Claremont

- Ashby & College
- Ashby & Sacramento
- Ashby & San Pablo
- Dwight & San Pablo
- Dwight & 7th
- University & San Pablo
- King & 62nd

Public Works executed contract No. 32400010 on July 18, 2023 for the purchase and installation of a surveillance camera at the University & 6th intersection. Approval of these Resolutions will allow for the purchase and installation of approved cameras at all other Council-approved locations. Cameras for this project will be compatible with those already in use at San Pablo Park under Contract Nos. 31900080 and 31900205 along with those deployed at University and 6th under Contract No. 32400010. Edgeworth Integration, LLC was the contractor for these projects. Public Works estimates that remaining cameras will be purchased and installed by June 30, 2024 if the Resolutions are approved. Beyond the initial purchase and installation, City of Berkeley's Public Works Department will be in charge of maintenance for the installed cameras.

On January 30th, 2024, Council approved of a budget referral for the installation of additional External Fixed Video Surveillance Cameras at the following intersections:

- Alcatraz & Adeline
- Alcatraz & College
- Alcatraz & Sacramento
- San Pablo & Gilman
- Woolsey & Telegraph
- Woolsey & Shattuck

Council at this January 30th meeting also approved these additional locations to be considered for potential future installations:

- Telegraph and Dwight
- 5th Street and Gilman
- 4th Street and Hearst
- Cedar St. and East shore Hwy
- 4th Street and Virginia
- 8th Street and Harrison
- 2nd Street and Page
- University and San Pablo

The additional sites approved on the January 30th Council meeting are currently factored into the proposed Edgeworth contract scope and would be installed sometime

in FY 2025 if the previously requested funding is provided. This contract will allow Public Works to install additional cameras quickly if any of those sites are approved by Council.

Security camera footage would be used solely for the purpose of solving criminal investigations. The cameras are not intended and would not be used for continuous surveillance purposes nor will contain License Plate Reader technology or software.

This supports the Strategic Plan Goal of creating a resilient, safe, connected, and prepared City

BACKGROUND

A 2011 report[1] from The Urban Institute's Justice Policy Center noted that cameras can be an effective tool for preventing crimes and supporting investigations. These tools appear fiscally prudent both as tools for investigations, and with the installation and maintenance of security cameras being less costly than the costs associated with crimes that may take place without them. Moreover, an experiment conducted at the University of Twente in the Netherlands finds evidence that the presence of security cameras can encourage "prosocial" and "helping behavior" among bystanders.[2]

Berkeley's Police Department has been conducting Crime Prevention Through Environmental Design (CPTED) assessments for neighborhoods throughout the City over the past several years. These assessments include recommendations such as: increased lighting, maintenance of properties, landscaping and signage that can be used to deter criminal behavior.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

These Resolutions will allow Public Works to start installation at the fourteen Council-approved intersections. The installation of security cameras at select intersections has been a Council Directive since 2021. The initial ten locations selected for installation of cameras were approved in October 2021 and an additional six locations were selected in January 2024.

On December 13th, 2021, Council approved an Amendment to FY 2022 Annual Appropriations Ordinance, which allocated $1.3 million in funds towards the

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[1] La Vigne, N. G., et al. (2011). Evaluating the use of public surveillance cameras for crime control and prevention. *Washington, DC: US Department of Justice, Office of Community Oriented Policing Services. Urban Institute*, Justice Policy Center, 1-152.

[2] Van Rompay, T. J., et al. (2009). The eye of the camera: Effects of security cameras on prosocial behavior. Environment and Behavior, 41(1), 60-74.

Surveillance Camera project. However, Public Works could not start fully on this project as the City had to develop and approve a Surveillance Camera Policy before work could begin. On June 13, 2023, Council approved Acquisition and Use Policies for External Fixed Video Surveillance Cameras and Unmanned Aerial System, which now allows Public Works to begin work on these installations.

ALTERNATIVE ACTIONS CONSIDERED
None

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Michael Durbin, Police Lieutenant, 510-981-5760
Jen Tate, Police Lieutenant, 510-981-5810
Peni Basalusalu, Deputy Director, Public Works, 510-981-6485

Attachments:
1: Resolution – Contract: Edgeworth Integration, LLC for Purchase and Installation of External Fixed Video Surveillance Cameras at Fifteen Council-Approved Locations
2: Resolution - Approving Installation of Future Security Cameras at Select Intersections as Approved by Council

RESOLUTION NO. ##,###-N.S.

CONTRACT: EDGEWORTH INTEGRATION, LLC FOR PURCHASE AND INSTALLATION OF EXTERNAL FIXED VIDEO SURVEILLANCE CAMERAS AT FIFTEEN COUNCIL-APPROVED LOCATIONS

WHEREAS, on March 13, 2018, City Council adopted Ordinance NO. 7,592-N.S., the Surveillance Technology Use and Community Safety Ordinance; and

WHEREAS, on October 16, 2018, City Council approved the installation of cameras in San Pablo Park, and

WHEREAS, on January 28, 2019, the City and Edgeworth Integration, LLC entered into Contract No. 31900080 for the purchase and installation of a video surveillance system at San Pablo Park; and

WHEREAS, on October 12, 2021, City Council adopted a budget referral for the purchase and installation of External Fixed Video Surveillance Cameras at ten City of Berkeley intersections; and

WHEREAS, on December 13th, 2021, Council approved Ordinance NO. 7,795-N.S. which amended the FY 2022 Annual Appropriations Ordinance NO. 7,779-N.S. and allocated $1.3 million in funds towards the purchase and installation of Public Safety Surveillance Cameras at City Council approved locations; and

WHEREAS, on June 13, 2023, City Council adopted Resolution NO. 70,895-N.S., which approved the Acquisition and Use Policies for External Fixed Video Surveillance Cameras and Unmanned Aerial System; and

WHEREAS, on January 30, 2024, City Council adopted a budget referral for the purchase and installation of External Fixed Video Surveillance Cameras at six additional City of Berkeley intersections and additional camera locations to be considered for installation for eight other intersections; and

WHEREAS, $600,000 in funding is available in the amount of $600,000 is available in the FY 2024 baseline Public Works budget General Fund 011; and

WHEREAS, additional funding will be procured through the FY 2025 budget process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Council authorizes the City Manager to execute a contract with Edgeworth Integration, LLC for installation of External Fixed Video Surveillance Cameras at fifteen council-approved locations, for an amount not to exceed $850,000.

RESOLUTION NO. ##,###-N.S.

APPROVING INSTALLATION OF FUTURE SECURITY CAMERAS AT SELECT INTERSECTIONS AS APPROVED BY COUNCIL

WHEREAS, on March 13, 2018, City Council adopted Ordinance NO. 7,592-N.S., the Surveillance Technology Use and Community Safety Ordinance; and

WHEREAS, on October 16, 2018, City Council approved the installation of cameras in San Pablo Park, and

WHEREAS, on January 28, 2019, the City and Edgeworth Integration, LLC entered into Contract No. 31900080 for the purchase and installation of a video surveillance system at San Pablo Park; and

WHEREAS, on October 12, 2021, City Council adopted a budget referral for the purchase and installation of External Fixed Video Surveillance Cameras at ten City of Berkeley intersections; and

WHEREAS, on June 13, 2023, City Council adopted Resolution NO. 70,895-N.S., which approved the Acquisition and Use Policies for External Fixed Video Surveillance Cameras and Unmanned Aerial System; and

WHEREAS, on January 30, 2024, City Council adopted a budget referral for the purchase and installation of External Fixed Video Surveillance Cameras at six additional City of Berkeley intersections and additional security cameras to be considered for installation for eight other intersections.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Council authorizes the City Manager to approve the installation of External Fixed Video Surveillance Cameras at future to-be-determined intersections if approved by City Council.

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Housing Advisory Commission

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Housing Advisory Commission

Submitted by: Debbie Potter, Chairperson, Housing Advisory Commission

Subject: Adopt a Resolution Supporting the Bay Area Housing Finance Authority's 2024 Regional Affordable Housing Bond

RECOMMENDATION

Adopt a resolution supporting the Bay Area Housing Finance Authority's (BAHFA's) 2024 Regional Affordable Housing Bond.

FISCAL IMPACTS OF RECOMMENDATION

Voter approval of the nine Bay Area countywide bond measure, if placed on the 2024 November ballot, would raise a significant amount of funding to assist local jurisdictions in building and preserving affordable housing. Depending on the size of the bond ($10 to $20 billion) and the fund distribution model adopted by the Alameda County Board of Supervisors, Berkeley would be eligible to receive $45 million - $107 million over a 10-year period. This would have a positive fiscal impact on the City's ability to fund permanent affordable housing.

CURRENT SITUATION AND ITS EFFECTS

The Housing Advisory Commission (HAC) received a presentation about the Bay Area Finance Authority's 2024 Regional Affordable Housing Bond from Alameda County Housing and Community Development (HCD) staff at its May 2, 2024 meeting. The City Council received a similar presentation at its February 13, 2024 meeting.

Following the presentation, the HAC voted unanimously to recommend to City Council that it endorse the BAHFA Regional Bond Measure and to recommend to City Council that it encourage the County to use the allocation method that would result in the most funding to Berkeley. A draft resolution has been prepared for the City Council's consideration and action.

> Action: M/S/C (Simon-Weisberg/Ortiz-Cedeno) to recommend to City Council to endorse the BAHFA Regional Bond Measure and to recommend to City Council to encourage the County to use the allocation method that would result in the most funding to Berkeley.

Vote: Ayes: Bell, Braslaw, Calavita, Mendonca, Ortiz-Cedeno, Potter and Simon-Weisberg. Noes: None. Abstain: None. Absent: None.

BACKGROUND

BAHFA is a joint effort of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). Its mission is to raise, administer, and allocate funding and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. BAHFA's jurisdiction is the entire nine-county Bay Area region.

In the summer of 2022, the BAHFA Board and the ABAG Executive Board began the process to consider placing a $10-$20 billion general obligation bond on the November 2024 ballot. The affordable housing bond would be a general obligation bond financed through a tax on real property. The annual cost to taxpayers would be $10-$20 per $100,000 of assessed value for up to 30 years. Eighty percent (80%) of the net revenue generated would be returned to counties based on each county's share of assessed property value ("return to source"). Berkeley's share of the bond proceeds would be determined by the Alameda County Board of Supervisors based on an approved distribution model.

The ABAG Executive Board and the BAHFA Board must authorize the regional housing bond to be submitted to Bay Area votes; if they do so, counties are required to place the measure on the ballot.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Placement of the affordable housing bond measure on the November 2024 ballot and approval of the measure could provide critical funding for Berkeley's affordable housing initiatives and help the city achieve a number of its Housing Element goals and objectives.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered.

CITY MANAGER

The City Manager takes no position on the content and recommendations of the Commission's Report.

CONTACT PERSON

Anna Cash, Commission Secretary, HHCS, (510) 981-5403

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

SUPPORTING THE BAY AREA HOUSING FINANCE AUTHORITY 2024 REGIONAL AFFORDABLE HOUSING BOND MEASURE

WHEREAS, costs for both rental and for-sale housing in the City of Berkeley and the rest of Alameda County have risen substantially in recent years; and

WHEREAS, affordable housing is a critical resource that provides a stable, safe environment for members of the local workforce, as well as seniors, people with disabilities, and others on a fixed income; and

WHEREAS, through the Regional Housing Needs Assessment (RHNA) process completed by the Association of Bay Area Governments in 2021, Berkeley's assigned share of the regional housing need was 8,934 units, including 3,854 units affordable to low- and very low-income households; and

WHEREAS, the City has a Housing Element policy to "seek, advocate for, and develop additional sources of funds for permanently affordable housing, including housing for people with extremely low incomes and special needs"; and

WHEREAS, the Bay Area Housing Finance Authority is conducting work sessions and public stakeholder meetings for the purpose of developing a proposed 2024 Bay Area affordable housing bond; and

WHEREAS, the Alameda County Department of Housing and Community Development provided presentations on the affordable housing bond measure to the Berkeley City Council on February 13, 2024, and to the Housing Advisory Commission on May 2, 2024; and

WHEREAS, the proposed measure would generate $10-$20 billion throughout the nine-county Bay Area region for affordable housing, including an estimated $984 million in Alameda County (excluding Oakland); and

WHEREAS, up to 21% of funds generated in Alameda County would be earmarked for Berkeley projects; and

WHEREAS, the bond measure would provide an important new resource for developing and preserving affordable rental housing in Berkeley to assist the City to meet its RHNA goals and to achieve numerous policy goals as laid out in the Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Berkeley does hereby affirm its support for the 2024 Bay Area Affordable Housing Bond measure and encourages Berkeley residents and businesses to support the measure if placed on the November 2024 ballot.

BE IT FURTHER RESOLVED, that the City of Berkeley encourages the Alameda County Board of Supervisors to adopt a funding distribution model that maximizes the City of Berkeley's share of bond proceeds for the production of permanent affordable housing.

Mental Health Commission

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Mental Health Commission

Submitted by: Monica Jones, Mental Health Commission Chair

Subject: Appointment of Ajay Krishnan to Mental Health Commission for the City of Berkeley

RECOMMENDATION

Adopt a Resolution appointing: Ajay Krishnan as a representative of the General Public Interest Category to complete his first 3-year term beginning June 25, 2024 and ending June 24, 2027.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

The Mental Health Commission is authorized to be composed of thirteen members. However, there are presently eight vacancies on the Commission. The Mental Health Commission is actively seeking candidates with the ability to fulfill the state law duties for Commissioners, including reviewing and evaluating the community's mental health needs, services, facilities, resources and programs.

Approval of the recommended appointment will fill one vacancy and move the Commission one step closer to having a full and diverse complement of commissioners to review and evaluate the community's mental health needs, resources and programs.

BACKGROUND

The Mental Health Commission nominated Ajay Krishnan as a representative of the general public interest appointment on the Mental Health Commission for the City of Berkeley, for a three-year term. Ajay is a student focusing on a career in psychiatry and is involved with research for mental health and working as a mental health hotline worker. He has significant interactions with those who are suffering with mental health especially among youth.

California State law requires that appointees to the Mental Health Commission meet specific categories. The general public interest category includes anyone who has an interest in and some knowledge of mental health services. The special public

interest category includes direct consumers of public mental health services and family members of consumers, which together must constitute at least fifty percent or nine of the commission seats. Direct consumers and family members shall each constitute at least 20% of the commission membership.

Ajay Krishnan meets the category of general public interest and his represents as a person who is in school and has a diverse background speaking multiple languages. Ajay has a long history of volunteering and is the recipient of 3 Presidential Service Awards. He has organized multiple blood drives, he is bilingual and interprets at community health clinics and for the crisis text line. Mental health issues resonate with Ajay as a college student, he shares that teenagers tend to find that mental health hotlines are a great outlet for people experiencing crisis.

In his current undergraduate studies, Ajay is currently involved in two research projects involving mental health and neuroscience. He is certified by the CITI program to conduct research in the psychological science. Along with his passion in mental health he is interested in public policy.

The Mental Health Commission passed the following motions at the March 28, 2024 meeting:

Review application for Ajay Krishnan
M/S/C (Prichett, Jones) Motion to approve Ajay Krishnan application for the Mental Health Commission
PASSED
Ayes: Jones, Opton, Prichett, Turner Noes: None; Abstentions: None; Absent: Kimber-Smith

ENVIRONMENTAL SUSTAINABILITY
There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION
Approval of the recommended action will allow the Mental Health Commission to move one step closer to having a full and diverse complement of commissioners to review and evaluate the community's mental health needs, resources, and programs.

ALTERNATIVE ACTIONS CONSIDERED
None.

CITY MANAGER
The City Manager concurs with the content and recommendations of the Commission's Report.

CONTACT PERSON
Jamie Works-Wright, Commission Secretary, HHCS, 510-981-7721

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

APPOINTMENT OF AJAY KRISHNAN TO THE MENTAL HEALTH COMMISSION

WHEREAS, membership of the Mental Health Commission is composed of thirteen appointments by the City Council as a whole, including one appointment by the Mayor (*or designee),* six special public interest appointments, and four general public interest appointments; and

WHEREAS, with the ongoing implementation of the Mental Health Services Act, the City of Berkeley will need to have a full complement of diverse appointees to the Commission to review and evaluate the community's mental health needs, resources, and programs and to fulfill its mandate; and

WHEREAS, Mr. Ajay has an investment in the mental health community and is pursuing a career in psychiatry,

WHEREAS, the Mental Health Commission at its March 28, 2024 meeting recommended appointments of Ajay Krishnan.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council appoint as a representative of the General Public Interest category, to complete her first term ending June 24, 2027.

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Parks, Recreation and Waterfront Commission

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Parks, Recreation and Waterfront Commission

Submitted by: Claudia Kawczynska, Chairperson

Subject: Allocation of funds for a Nexus Study to develop a Parks Impact Fee for new developments

RECOMMENDATION

To provide for the foreseeable new park and recreation needs generated by the City's assigned (RHNA) population growth, the Parks, Recreation and Waterfront Commission recommends that the City Council allocate $100,000 to fund a Nexus Study, in the FY24/25 Budget, as a first step toward adopting a Parks Impact Fee for new developments.

FINANCIAL IMPLICATIONS

Most Californian cities charge Parks Impact Fees on new development, which generate millions of dollars to mitigate the park needs created by population growth. While a Parks Impact Fee can be established by legislative action, an Impact Study (Nexus) is required.

For example, a modest impact fee of $5,000 per unit would generate $0.5M/per new 100 units. If such a fee had been in place in 2022 when the City approved plans for nearly 900 homes, a Parks Impact Fee would have generated $4.5 million in single year. Thus, any delay is making this upfront investment of $100,000 to fund a Nexus Study will result in the loss of millions in future funding for our parks!

CURRENT SITUATION AND ITS EFFECTS

A. Berkeley's Parks Service Standards Are Below Average

The City of Berkeley currently maintains a parks service standard of 2 acres of parks per 1,000 residents. This standard was adopted in the 1977 "Master Plan" and has been incorporated in the City's General Plan guidance ever since; most recently in the City's 2002 Open Space Plan, which is significantly out of date. Furthermore, Berkeley's 2 acres/1,000 residents fails to meet the Quimby Act's base standard of 3 acres/1,000 residents.

The City of Berkeley's 2 acres/1000 park service standard is below average in comparison to comparable municipalities. The below table shows that Berkeley's standard is significantly lower than Fremont, Sacramento, Los Angles, and Fresno..

City	Parks Acres/1000 residents
Fremont	5
Sacramento	5
Los Angeles	4.2
Fresno	3
Berkeley	2

B. Population Growth's Impact on Parks

Berkeley's current population is 122,580. Based on the Regional Housing Needs Assessment (RHNA) assigned to Berkeley by the Association of Bay Area Governments (ABAG), Berkeley must accommodate the addition of 8,934 new residential units between 2023-2031. This new growth will bring Berkeley's population to 140,935 by 2040. To meet Berkeley's policy goal of 2 acres/1,000 residents would require 52 acres of new parkland by 2040.

C. Berkeley's Current Parks Taxes Insufficient is to Meet Future Needs

The existing City Parks tax of $0.213/ft2 is needed primarily for maintenance of existing park facilities and is insufficient to cover major capital improvements or property acquisition for new parks. Thus, the City's current parks taxes are not intended or expected to address the impacts of residential and employee population growth.

D. Parks Impact Fees Mitigates Growth Impacts on Parks

Each of the Cities in Table 1 has a parks impact fee, which is charged to new development to mitigate the impact of new growth (residents and employees) on parks infrastructure. Park impact fees may be used to pay for park land, park improvements, community centers, recreation facilities, trails, open space, and etc.

Santa Monica, a city to which Berkeley often compares itself, currently charges the following park impact fees:

Single Family Residential – $9,092 per unit
Multi-Family Residential – Studio/1 Bedroom - $4,927 per unit
Multi-Family Residential – 2+ Bedrooms - $7,936 per unit
Retail $1.78 per square foot
Office $2.75 per square foot
Medical Office $1.51 per square foot
Lodging $3.71 per square foot
Industrial $1.55 per square foot

In FY 2021-22, the City of Santa Monica collected $1,952,613 in parks impact fees and expended $944,782 from its improvement fund.

The City of Berkeley does not have a parks impact fee. By way of information, Berkeley does have a "Percent for Art Policy" that assesses a fee [BMC 23.316], which applies to multi-family residential development and commercial developments and requires on-site artwork values at 1.75% of construction costs: or an in-lieu valued at 0.8% of the construction costs: or combination of the two.

D. Procedure for Adopting a Parks Impact Fee

Adopting a Parks Impact Fee does not require a vote of the people, and it can be approved by City Council action after complying with the Mitigation Fee Act and conducting requisite public hearings. A Parks Impact Fee would be charged only on new development. Accordingly, it would provide a way for new growth to contribute a "fair share" to address the parks infrastructure need created by that growth.

The process for adopting impact fees is well-established. The principal requirement is the preparation of a "Nexus study." Nexus studies are typically prepared by well-established professional consulting firms with expertise in municipal finance and real estate issues. After completing the nexus study, the final step is to determine and adopt a fee for each land use through the legislative process, after evaluating local policy and financial considerations, and deciding how the impact fee program will be implemented. This step includes an evaluation regarding whether fees should be charged at or below the maximum nexus fee amount and how the impact fee program will be implemented, including how fees may be annually adjusted.

E. Summary

Berkeley is not keeping up with its *modest* park service standard. As the City's residential and employee population grows—as it must grow as the City responds to its Regional Housing Needs Allocation—Berkeley's parks infrastructure will foreseeably fall further behind. Berkeley is an outlier in terms of its being a densely urbanized area that has not adopted a Parks Impact Fee.

Adopting a Parks Impact Fee will require a meaningful allocation of resources (i.e, funding of a nexus study) as well as a commitment of staff time from PRW, Planning and Economic Development and resources to support the preparation of the nexus study. However, it is well established that new development may be asked to pay for its "fair share" of the cost attributable to the increased demand for public facilities: the City Council has the legal authority to adopt a Parks Impact Fee (and has adopted other impact fees); and that—considering Berkeley's projected growth—meaningful funding to meet the needs of that growth would be generated by a Parks Impact Fee.

CITY MANAGER

The City Manager takes no position on the recommendation contained in this report.

COMMISION
At a regular meeting on May 8, 2024, the Parks, Recreation and Waterfront Commission M/S/C to approve recommendation and designate Abshez, Kawczynska, and Wozniak to present PRW Commission at City Council meeting re: budget: (M/S/C: Cox/Hurtado/U) Ayes: Cox; Diehm; Hurtado; Kawczynska; Lee; Ranuzzi; Wozniak; Noes: None; Absent: Abshez.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONAL FOR RECOMMENDATION
See body of report.

ALTERNATIVE ACTIONS CONSIDERED
None

CONTACT PERSON
Roger Miller, Secretary, Parks, Recreation and Waterfront Commission, 510-981-6704
Claudia Kawczynska, Chairperson, Parks, Recreation and Waterfront Commission

Office of the Mayor

CONSENT CALENDAR
June 25, 2024

To: Honorable Members of the City Council

From: Mayor Jesse Arreguín (Author), Councilmember Hahn (Co-Sponsor)

Subject: Front Row Festival: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember including $500 from Mayor Arreguin to the Downtown Berkeley Association for their Front Row Festival with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin and any other Councilmembers who would like to contribute.

BACKGROUND

On August 24, 2024, from 10am to 7pmthe Downtown Berkeley Association will be hosting the Front Row Festival, an annual event that celebrates music and the arts in Berkeley. The day-long event on Shattuck Avenue and BART Plaza attracts thousands of people throughout the region, providing economic benefits to downtown businesses and the City. This year's festivities will include performances by The Curtis Family C-Notes, Barrio Manouche, and Noelle & The Deserters among others. Local music and arts venues, including the Aurora Theatre, The Back Room, Berkeley Symphony, California Jazz Conservatory, Freight & Salvage, and the UC Theatre will be hosting events and concerts throughout the day. The Festival is free with activities for all ages, food trucks, and vendors.

To help support the costs and logistics for hosting such a large event, the Downtown Berkeley Association is requesting at least $500 from Councilmembers. These contributions will help ensure the success of the Festival and promote both the arts and local Berkeley businesses.

FINANCIAL IMPLICATIONS

No General Fund impact. $500 is available from the Mayor's office budget discretionary account.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with adopting this recommendation.

CONTACT PERSON
Mayor Jesse Arreguín 510-981-7100

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

2024 FRONT ROW FESTIVAL

WHEREAS, the Front Row Festival, sponsored by the Downtown Berkeley Association, will take place on August 24, 2024; and

WHEREAS, the annual event is expected to attract thousands of people throughout the region, providing economic benefits to downtown businesses and the City; and

WHEREAS, the City Council has historically supported programs and events that support the arts, and this event will be one of the largest free music festivals in the City; and

WHEREAS, Mayor Arreguin has surplus funds in his office expenditure account; and

WHEREAS, the Downtown Berkeley Association seeks funds in the amount of $500 to help cover the costs of the Festival; and

WHEREAS, the provision of such services would fulfill the following municipal public purpose of promoting access to the arts.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council Office Budget up to $500 per office shall be granted to the Downtown Berkeley Association for helping cover the costs of the Festival.

Office of the Mayor

CONSENT CALENDAR
June 25, 2024

To: Honorable Members of the City Council

From: Mayor Jesse Arreguín (Author), Councilmember Hahn (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)

Subject: Support for ACA 14 – The Basic Labor Standards at the University of California Act

RECOMMENDATION

Adopt a Resolution in support of ACA 14 (Ortega) – The Basic Labor Standards at the University of California Act. Send copies of the Resolution to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymembers Buffy Wicks and Liz Ortega.

BACKGROUND

Berkeley is home to the flagship campus of the University of California system, which was established in 1868. In 1879, the California Constitution was amended to constitute the University of California as a public trust, under Article IX, Section 9. In recent years, this section of the State Constitution has been interpreted by the courts to exclude employees of the UC system from various labor laws. As a result, hundreds of thousands of employees are exempt from California's basic labor standards, including rights to equal pay, minimum wage, and overtime pay.

ACA 14, introduced by Assemblymember Liz Ortega, would place a ballot measure to amend Article IX of the California Constitution to enshrine basic labor standards for UC employees. The Berkeley City Council has historically been supportive of improving labor standards at the University of California, in recognition of the importance of the work these employees do to maintain a world class university in Berkeley. One example of this was the approval of Resolution No. 67,454-N.S. in 2016 to support equal pay for UC contract employees.

Every California worker should have the same basic state labor standards, including equal pay standards, payment of a minimum wage, overtime pay, timely payment of wages, payment of a prevailing wage, and restrictions on outsourcing of jobs. The outdated, nearly 150-year-old exclusion of basic state labor standards for Californians who work or perform work for the University of California can be changed only by amending Article IX by a vote of the People of California.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental impacts associated with the recommendations in this report.

CONTACT PERSON

Mayor Jesse Arreguín 510-981-7100

Attachments:
1: Resolution
2: Text of ACA 14
3: ACA 14 Fact Sheet

RESOLUTION NO. ##,###-N.S.

IN SUPPORT OF ACA 14 – THE BASIC LABOR STANDARDS AT THE UNIVERSITY OF CALIFORNIA ACT

WHEREAS, California did not have basic state labor standards in place when Section 9 of Article IX of the California Constitution (hereafter "Article IX") was amended in 1879 to constitute the University of California as a public trust; and

WHEREAS, in 2021, a federal district court ruled that UC was not subject to the California Equal Pay Act, stating that UC "is immune from suit for violations of California Labor Code § 1197.5"; and

WHEREAS, in 2021, the Fourth District Court of Appeals ruled that UC was not subject to California's minimum wage law, upholding arguments that UC is "exempt from statutes and regulations that govern wages and benefits of public employees"; and

WHEREAS, in 2000, the First District Court of Appeals ruled that UC was not subject to California's overtime pay law, stating that the "Regents are nonetheless exempt from its mandate by virtue of their constitutional status"; and

WHEREAS, every California worker should have the same basic state labor standards, including equal pay standards, payment of a minimum wage, overtime pay, timely payment of wages, payment of a prevailing wage, and restrictions on outsourcing of jobs; and

WHEREAS, the outdated, nearly 150-year-old exclusion of basic state labor standards for Californians who work or perform work for the University of California can be changed only by amending Article IX by a vote of the People of California.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby supports and endorses ACA 14, the Basic Labor Standards at the University of California Act proposed by the California State Legislature.

BE IT FURTHER RESOLVED that the Berkeley City Council urges the citizens of Berkeley to support the amendment to the California Constitution as proposed in the Basic Labor Standards at the University of California Act during the upcoming election.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Gavin Newsom, State Senator Nancy Skinner, and Assemblymembers Buffy Wicks and Liz Ortega.



ACA 14 - Basic Labor Standards at the University of California Act

SUMMARY

Article IX, Section 9 of the State Constitution was adopted nearly 150 years ago before basic labor standards were in place.

As a result, courts have held that Article IX, Section 9 excludes hundreds of thousands of Californians performing work for the University of California from labor standards adopted by the state legislature for virtually all other Californians since then.

Basic state labor standards such as equal pay for women, the minimum wage, overtime pay, meal and rest breaks, sick leave, prevailing wages, and restrictions on outsourcing of jobs should cover all Californians.

BACKGROUND

ACA 14 gives each legislator's constituents an opportunity to amend Article IX, Section 9 of the State Constitution.

An affirmative vote by the public will cover hundreds of thousands of Californians performing work at the University of California with basic labor standards adopted by the Legislature.

Californians who are currently not covered by basic labor standards include underpaid service and maintenance workers who clean toilets, bedpans, pick up trash, cook food, perform clerical functions, maintain buildings, and perform jobs subject to outsourcing with unequal wages and inadequate benefits.

Despite the Supreme Court holding that state legislation "may be made applicable to the University when the legislation regulates matters of statewide concern," and despite the fact that the Legislature has adopted such laws, the University of California has repeatedly prevailed in excluding hundreds of thousands of Californians who perform work for the University of California from basic state labor standards that apply to other California employers.

In 2021, a federal district court ruled that UC was not subject to the California's Equal Pay Act:

"Defendant argues Plaintiff cannot state an Equal Pay Act claim under California law because Defendant is immune from suit for violations of California Labor Code § 1197.5."

In 2021, the Fourth District Court of Appeals ruled that UC was not subject to California's minimum wage law:

"The Regents demurred to the complaint, arguing the first cause of action for failure to pay minimum wage for all hours worked was barred as a matter of law because the Regents are exempt from statutes and regulations that govern wages and benefits of public employees."

In 2000, the First District Court of Appeals ruled that UC was not subject to California's overtime pay law by citing that UC was not subject to California's prevailing wage law:

LIZ ORTEGA
Assemblymember, District 20



ACA 14 FACT SHEET

"Regardless of whether Kim was directly employed by the state within the meaning of the above regulation, the Regents are nonetheless exempt from its mandate by virtue of their constitutional status."

PROBLEM

Neither the Governor nor the Legislature have the executive or legislative authority to ensure basic labor standards apply to or are enforced at UC due to a 150-year old, outdated provision of the State Constitution.

SOLUTION

Californians can amend Article IX, Section 9 of the State Constitution to ensure basic labor standards apply to UC.

SUPPORT

AFSCME 3299 (co-sponsor)
California Labor Federation (co-sponsor)

FOR MORE INFORMATION

Stephanie Gerstle Esparza
Legislative Director, Assemblymember Liz Ortega
Stephanie.GerstleEsparza@asm.ca.gov

Assembly Constitutional Amendment No. 14

Introduced by Assembly Member Ortega

September 13, 2023

Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding subdivision (h) to Section 9 of Article IX thereof, relating to the University of California.

LEGISLATIVE COUNSEL'S DIGEST

ACA 14, as introduced, Ortega. University of California: basic state labor standards.

The California Constitution provides that the University of California constitutes a public trust, and requires the university to be administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes. These provisions grant the regents all the powers necessary or convenient for the effective administration of its trust.

This measure would require employees of the Regents of the University of California to have the right to, and be covered by, certain basic state labor standards, as provided. The measure would require individuals who perform certain work for the regents to have the right to the payment of a prevailing wage. The measure would authorize the Legislature to enact laws that further these rights, establish, define, or specify the basic state labor standards applicable to the regents, or establish other health, safety, and labor protections for individuals performing work for the regents.

Vote: ⅔. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

WHEREAS, California did not have basic state labor standards in place when Section 9 of Article IX of the California Constitution (hereafter "Article IX") was amended in 1879 to constitute the University of California as a public trust; and

WHEREAS, Despite the California Supreme Court previously holding in San Francisco Labor Council v. Regents of the University of California (1980) (26 Cal.3d 785, 789-790) that "it is well settled that general police power regulations governing private persons and corporations may be applied to the university" and that state legislation "may be made applicable to the University when the legislation regulates matters of statewide concern," and despite the fact that the Legislature has adopted such laws, the University of California has continually taken the position that Article IX excludes hundreds of thousands of Californians who work or perform work for the University of California from basic state labor standards that apply to all other California employers; and

WHEREAS, Some intermediate California courts have held that Article IX excludes Californians who work or perform work for the University of California from some basic state labor standards that apply to all other California employers; and

WHEREAS, Every California worker should have the same basic state labor standards, including equal pay standards, payment of a minimum wage, overtime pay, timely payment of wages, payment of a prevailing wage, and restrictions on outsourcing of jobs; and

WHEREAS, The outdated nearly 150-year-old exclusion of basic state labor standards for Californians who work or perform work for the University of California can be changed only by amending Article IX by a vote of the People of California; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2023–24 Regular Session commencing on the fifth day of December 2022, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First—This measure shall be known, and may be cited, as the Basic Labor Standards at the University of California Act.

Second—That subdivision (h) is added to Section 9 of Article IX thereto, to read:

(h) (1) Notwithstanding subdivision (a) and unless otherwise provided by a state law, employees of the Regents of the University of California shall have the right to, and shall be covered by, the following basic state labor standards as they apply to employees of the state on or after January 1, 2025:

(A) Equal pay standards, including those established pursuant to the California Equal Pay Act and California Fair Pay Act of 2015.

(B) The payment of a minimum wage.

(C) The timely payment of wages.

(D) The payment of overtime and standards governing the hours of work.

(E) Occupational safety and health standards.

(F) Meal and rest breaks.

(G) Paid leave, including paid sick leave.

(H) Standards against displacement and contracting out of work as provided for in state laws governing the nonemergency use of personal service contracts by the state.

(2) Notwithstanding subdivision (a) and unless otherwise provided by a state law, individuals who perform work for the Regents of the University of California shall have the right to the payment of a prevailing wage for work paid for, in whole or in part, out of University of California funds, if that work would be considered public works under prevailing wage laws applicable to the state on or after January 1, 2025.

(3) Notwithstanding subdivision (a), the Legislature may enact laws to further the rights established by this subdivision, to establish, define, or specify basic state labor standards applicable to the Regents of the University of California, or to establish other health, safety, and labor protections for individuals performing work for the Regents of the University of California.

(4) This subdivision shall not apply to a contract entered into before January 1, 2025, if compliance with this subdivision would impair the obligations of that contract.

(5) This subdivision shall not preclude the state labor standards and protections identified in this subdivision from being superseded by more favorable terms in a collective bargaining agreement.

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Office of the Mayor

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CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Mayor Jesse Arreguín (Author), Councilmember Hahn (Co-Sponsor)

Subject: Accepting grant funding of $100,000 from San Francisco Foundation and engage Planet DMA (DBA DMA INK) in consulting work associated with the Equitable Black Berkeley (EBB) Initiative and execute a new contract with Gail McGuire to support EBB community engagement

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to:

- Receive $100,000 of grant funds from the San Francisco Foundation (SFF) (see Attachment #2) for project support and implementation for the Equitable Black Berkeley (EBB) Initiative;

- Approve a PO with DMA INK (aka “DMA”) and the Mayor’s Office for services associated with supporting EBB for a total amount not to exceed $45,000; and

- Execute a contract with the independent contractor between the Mayor’s Office and Gail McGuire to support EBB’s community engagement efforts at a weekly rate not to exceed $2,000 for twelve weeks.

BACKGROUND

Equitable Black Berkeley (EBB) is an innovative, replicable model to support equity, opportunity and the well-being of Berkeley’s Black community. It will underpin policies to repair harm, create financing vehicles to sustain community investment and ensure Black families have a right to stay, right to return, and right to own/build equity.

The City of Berkeley’s Black population has experienced segregation, disinvestment, displacement, gentrification, health disparities and racial inequity. Construction of the Ashby BART station in the 1970s resulted in an eminent domain taking of property in the historically black and culturally rich South Berkeley neighborhood.

When BART was initially developed, the South Berkeley community rose up to underground the tracks to prevent elevated tracks to further divide the community along the historic red line of Grove Street (present day Martin Luther King Jr. Boulevard). While they were successful in the effort of undergrounding the tracks, the construction caused massive disruption and loss of businesses, and eminent domain took away many Black homes and businesses in South Berkeley.

As BART develops the Ashby station in the next few years, through EBB, the outcome will be designed to maximize equity outcomes for the African American community and low-income residents. With this initiative, Berkeley can begin to repair the harm done to the South Berkeley community, erase the legacy of segregation and make Berkeley a stronger, thriving and more equitable place for all.

For over 50 years, Berkeley's Black population has decreased from 23.5% to 7.9%. Two-thirds of South Berkeley residents are renters and 20% are below the poverty line. Between 2012 and 2018, the median home price in redlined districts more than doubled, from $517,000 to $1,140,000. This increase was 7% faster than anywhere else in the city as a result of gentrification. In that same time period, rents in South Berkeley increased 42%. Very little of the existing housing in South Berkeley is deed-restricted affordable, and prices have spiraled beyond what people who live in the community can afford.

Displaced Black homeowners suffered the missed opportunity for wealth building when gentrification escalated property values of historically redlined areas. Because disparities in wealth compound like an interest rate, the disinvestment in Black families in Berkeley and across the country throughout our history is still felt sharply today. The median Black American family has thirteen cents for every one dollar in wealth held by White families. EBB seeks to tackle these inequities head on through economic, housing, and community investments.

The San Francisco Foundation has been an unparalleled supporter of EBB. In addition to the previous grants the City received as part of SFF's Policy & Innovation grantmaking, the Mayor's Office was selected as part of the latest Partnership for the Bay Future (PBF) government partner. PBF is a multi-sector initiative focused on creating and maintaining a vibrant, racially and economically diverse Bay Area by addressing the interconnected and urgent needs in housing, transportation and economic opportunity providing funding, technical assistance. As part of our engagement with PBF, the Mayor's Office was selected to host a Fellow to help support the work of EBB and engage directly with our community partner, Healthy Black Families (HBF). Gail McGuire was the select Fellow placed at the Mayor's Office. The continuation of her support is imperative to maintaining the progress, knowledge retention, and relationship building with community stakeholders needed to ensure EBB is brought to success.

In January 2024, DMA was contracted directly with the Mayor's Office[1] to offer consulting support to launch a strategy for returning displaced Black and other marginalized former residents to housing in Berkeley. The deployment of this strategy led to the development and execution of a Strategy Session on April 3, 2024 where 25 Black community leaders, advocates, and residents were convened by the Mayor's Office, with support from HBF, to identify a priority outcome to be executed by his group. These leaders selected affordable housing for current and returning residents s their priority outcome, with a focus on a pathway through policy channels. The collective next step was to draft a letter for the Mayor of Berkeley to send to county, state, and federal officials, advocating for 100% affordable housing in the upcoming Adeline and Ashby BART development areas. A second strategy session will build from the information collected during this meeting. A

[1] DMA's work in January 2024 was funded directly by the Mayor's Office.

second group of City Staff and external leaders directly whose work is related to EBB's vision will be convened in an effort to blend ideas to create a truly cross-sectoral conversation and collaboration that produces prioritized actionable community-driven outcomes that can be articulated to external partners (namely funders) that builds a narrative of the impact EBB will have.

CURRENT SITUATION AND ITS EFFECTS

On November 30, 2021, the City Council approved a $50,000 grant from the San Francisco Foundation (SFF) grant to support a six-month process to ideate increasing affordable housing at the North Berkeley and Ashby BART stations. On November 29, 2022 City Council accepted a grant of $75,000 from SFF. SFF increased the grant funding by an additional $75,000 on November 1, 2023 to continue the work of an existing part-time consultant to create a plan in collaboration with the community and multiple partners, to secure funding needed to meet the project goals of maximizing affordable housing at and around the Ashby and North Berkeley BART sites within a reparative framework, and assisting the City in outreach with Berkeley Flea Market vendors and community members, regarding resources to support the Berkeley Flea Market currently and plans for its relocation at a new Adeline Plaza as part of the new transit oriented development at Ashby Station.

On July 11, 2023, the Berkeley City Council passed the Right to Return Preference Policy that would prioritize offering affordable housing to people in select identity categories. The success of this policy is directly contributed to the work of PBF, Gail McGuire, and the SFF. EBB will continue to build upon this policy and seek to support racial justice, equity, opportunity and the well-being of Berkeley's African American community through three components:

1. Community driven development at the Ashby station, through an equitable development approach rooted in a reparative framework, incorporating supportive policies such as right to return/local preference.

2. Innovative public, philanthropic, and private funding streams to raise funds to support community benefits and services, infrastructure funding and equitable, affordable housing at the BART sites and the surrounding neighborhoods.

3. Developing a catalytic and replicable model for a reparative framework in communities throughout the region and beyond.

As EBB is moved from concept to implementation, the project needs additional support to achieve the following activities and goals:

1) Enhance the development of an investors pitch deck to describe the vision of EBB, document and communicate the historical accomplishments of our work

2) Develop and deploy public outreach and education tactics in coordination with the City to highlight the work of EBB, bring new audiences to EBB and its

progress, and highlight opportunities for investment to build sustainability for the initiative;

3) In combination with the work and deliverables generated from Creative Development Partners (Contract No. 32200161), prepare a refined and finalized a) operations, business, and strategic plan/s, b) board development and governance plan, c) transition plan for the temporary relocation and return of the Berkeley Flea Market to the new south plaza, and d) incorporate the Berkeley Flea Market into the community benefit agreement with the Ashby TOD; and

4) Create the foundational elements to build a non-governmental organization and governance structure to hold one or multiple investor funds as part of EBB.

The contract support provided by DMA will support the first two goals of this grant, with contract support provided by Gail McGuire contributing to all four activities and goals.

FISCAL IMPACTS OF RECOMMENDATION
Marginal. 100% of these funds were raised by the Mayor's office. No new City funds will used to support the contract. The new PO and new contract execution may require staff time to administer, but will be maintained and overseen by the Mayor's Office staff.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
Supports Climate Action goals by providing more affordable housing along transit corridors.

RATIONALE FOR RECOMMENDATION
EBB is at a point of transition with the completion of the Partnership for the Bay's Future grant term. Funding received during this juncture will ensure we continue the momentum of our work, bringing this initiative from conception to implementation. Accepting these funds will ensure timely progress is made through supportive measures with consultants who possess contextual and knowledge and skillset necessary to move this work forward.

CONTACT
Mayor Jesse Arreguín (510) 981-7100
Anthony Rodriguez, Senior Legislative Assistant (510) 981-7102

Attachment:
1. Resolution
2. Grant confirmation letter

RESOLUTION NO. ##,###-N.S.

ACCEPTING A GRANT FROM THE SAN FRANCISCO FOUNDATION, AUTHORIZING APPROVAL OF A PO WITH DMA INK, AND EXECUTING A NEW CONTRACT WITH GAIL MCGUIRE TO SUPPORT THE EQUITABLE BLACK BERKELEY INITATIVE

WHEREAS, On November 30, 2021, the Berkeley City Council voted to receive a grant from the San Francisco Foundation to support a consultant to assist the Equitable Black Berkeley Initiative (EBB) in a six-month process to ideate financing alternatives to increase the level of affordable housing at the North Berkeley and Ashby BART stations within a reparative framework; and

WHEREAS, On November 28, 2023 the Berkeley City Council voted to receive a grant from the San Francisco Foundation to continue the work of the part time consultant in creating a plan, in collaboration with the community and multiple partners, to secure the funding needed to meet the project goals of maximizing affordable housing at and around the Ashby and North Berkeley BART sites within a reparative framework; and

WHEREAS, EBB is an innovative, replicable model to support equity, opportunity and the well-being of Berkeley's Black community and will underpin policies to repair harm, create financing vehicles to sustain community investment and ensure Black families have a right to stay, right to return, and right to own/build equity; and

WHEREAS, on May 1, 2024 the San Francisco Foundation provided an additional grant of $100,000 for the period of May 1, 2024 through April 30, 2025 to the City of Berkeley to support the Equitable Black Berkeley Initiative; and

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to 1) receive $100,000 of grant funds from the San Francisco Foundation for project support for the Equitable Black Berkeley (EBB) initiative, 2) approve a PO with DMA INK to fund services provided by DMA not to exceed a total of $45,000, and 3) execute a new contract with the independent contractor Gail McGuire at a weekly rate of $2,000 for twelve weeks.

Subject: TIME SENSITIVE: City of Berkeley/EBB Grant Request & Invitation to Apply
Date: Wednesday, May 1, 2024 at 4:58:31 PM Pacific Daylight Time
From: Demitrius Burnett
To: Rodriguez, Anthony, Randolph Belle, Gail McGuire
CC: Rodney K. Nickens, Jr, Judith Bell, Ella Zimbalist, Ella Zimbalist, Jes Montesinos
Attachments: image001.jpg, SFF Project Budget EBB Oct. 2023-2024 (1) (3).xlsx, EBB Spring FY'24 Grant Outcomes & Activities.docx

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Good Afternoon Everyone,

I'm following up on your modified proposal below. After discussing the proposal and reviewing the documents you shared, *we are moving forward with recommending the $100,000 over 12 month grant for the Equity for Black Berkeley transition work.* **Please note the following intent of funds as well as the attached outcomes and activities.**

Since we are late in our grantmaking process, we are on a *tight* turnaround. To streamline our process, I've made a copy of your Fall application and updated the outcomes and activities to what is in the attachment. I will send the application to you in Fluxx to make sure it is up to date and complete. **Please have the application complete and submitted, including a project budget, by EOD Monday, 5/6.** I'll be working to get it into the approval pipeline on Tuesday, 5/7.

Intent of Funds

- **These funds are intended to be flexible resources to support accomplishing the stated purpose, outcomes, and activities of the grant. These funds are NOT to be solely used for the consultant contract with BDO. This support is for whatever consultant support is needed (you can have multiple), including but not limited to DMA, and expenses that are necessary to complete the stated work.**
- **The City also made a request of the PBF TA fund through Enterprise to help extend DMA's contract. In lieu of the additional TA funds, which the TA fund is not able to fulfill at this time, outcome 2 and its activities have been written to include language you submitted in your TA fund request.**
- **As the PBF fellowship comes to an end, these funds can also be used to support the extension of Gail's role on a consultant basis. We understand this may not be necessary as you mentioned you all are considering a full-time staff role to hold this work for the city. We just want to be explicit about the flexibility of the funds.**
- **Wherever you land for the best use of the $100k, a simple project budget will need to be attached to the application showing your anticipated spending. I've attached your last project budget for reference.**

Let me know if you have any questions.

Best,

Demitrius

Demitrius Burnett
Senior Program Officer

San Francisco Foundation
One Embarcadero Center, Suite 1400 | San Francisco, CA 94111
T: (415) 733-8581 | F: (415) 477-2783
dburnett@sff.org

sff.org

From: Demitrius Burnett <dburnett@sff.org>
Sent: Thursday, April 25, 2024 10:00 PM
To: Rodriguez, Anthony <ARodriguez@berkeleyca.gov>; Judith Bell <jbell@sff.org>; Ella Zimbalist <ezimbalist@sff.org>; Rodney K. Nickens, Jr <rnickens@sff.org>
Cc: Gail McGuire <gmcguire@coronorcal.org>; Randolph Belle <rbelle@creativedevelopmentpartners.com>; Ella Zimbalist <ezimbalist@sff.org>
Subject: Re: Thank You + Request

Thank you, Anthony,

We'll review materials and get back to you next week.

Demitrius

From: Rodriguez, Anthony <ARodriguez@berkeleyca.gov>
Sent: Tuesday, April 23, 2024 6:02:14 PM
To: Demitrius Burnett <dburnett@sff.org>; Judith Bell <jbell@sff.org>; Ella Zimbalist <ezimbalist@sff.org>; Rodney K. Nickens, Jr <rnickens@sff.org>
Cc: Gail McGuire <gmcguire@coronorcal.org>; Randolph Belle <rbelle@creativedevelopmentpartners.com>; Ella Zimbalist <ezimbalist@sff.org>
Subject: Thank You + Request

Hi Demitrius and Team SFF,

Thank you for the conversation and sharing your time with us. You and the team gave us a lot to think about. While debriefing, we recognize that we are trying to move forward an initiative we inherited. That being said, we see value in this work moving forward on a lot of parallel tracks. We have found particular value in the work we've engaged in through the consultant DMA. Her work contributes not only to identifying the minimum viable product (MVP), but also builds into a the theory of change, describes high value initiatives that can be achieved, and ultimately describes the "Why" someone would fund EBB. In addition, DMA's work bring us closer to bringing an NGO online as her work contributes to multiple needs and deliverables achieved by BDO or any other organization working to stand up this NGO.

If SFF decides not to fund our work with BDO at $100K, we respectfully ask for your team to consider funding our work more broadly for EBB to achieve a set of outcomes, including

defining the value of a successful EBB initiative, which can be accomplished by DMA or another consultant. A $100K grant would still be valuable for us to move this work forward and bring it from concept to implementation.

Thank you again.

Anthony

Anthony Rodriguez (he/él/they)
Senior Advisor
Office of Mayor Jesse Arreguín
City of Berkeley
on Huichin Ohlone Land



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Office of the Mayor

CONSENT CALENDAR
June 25, 2024

To: Members of the City Council

From: Mayor Jesse Arreguín

Subject: Contract No. 32000196 Amendment: Szabo & Associates for Communications Consulting Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 32000196 with Szabo & Associates for communications consulting services for the Mayor's Office, increasing the contract amount by $32,500 for a new total not to exceed $336,000, extending the contract to November 30, 2024.

FINANCIAL IMPLICATIONS

This amendment will add $32,500 to extend the Mayor's Office's existing contract for communications consulting services. The term of the contract will be extended by five months to coincide with the end of the Mayor's term on November 30, 2024. Funds for this contract amendment are available from the Mayor's Office budget.

CURRENT SITUATION AND ITS EFFECTS

Under Berkeley Municipal Code Chapter 7.18.010A, "expenditures…which exceed the amount of $50,000 shall require Council approval", as adopted under Ordinance No. 7,566 and mandated under Article XI, Section 67.5 of the City Charter.

Contract No. 32000196 was entered into on March 16, 2020, originally at $35,000. Since then, amendments have been made to extend the term of the contract. A new extension was approved by Council in July 2021, which was required as the increase in the cumulative amount of the contract went beyond the $50,000 threshold, thus requiring Council approval.

In 2021 during the first contract extension, as a courtesy, bargaining unit members of SEIU CSU/PTRLA were advised by City of Berkeley Human Resources Department of this contract extension and offered the opportunity to meet. The services provided under this contract are not of the kind, nature or type of work presently performed by the bargaining unit members.

BACKGROUND

Under Article VI, Section 21 of the City Charter, the Mayor is the ceremonial head of the City. As such, the Mayor serves as a spokesperson for the City, and should provide

consistent information to residents and businesses on the operations and policies of the City. Providing open and transparent lines of communication is a cornerstone of democracy and good governance. Relaying critical information, such as communications during the ongoing local state of emergency in response to COVID-19, PG&E Power Safety Shutoff events, other critical events, and City policies and programs, are important to the health, safety and operation of the City.

Services provided by Szabo & Associates include development of press releases and media advisories on issues of importance to the Berkeley community, maintaining social media accounts, press coordination, graphic design, and other support services relating to the communications from the Mayor's Office.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental impacts associated with the recommendations in this report.

CONTACT PERSON

Mayor Jesse Arreguín 510-981-7100

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: SZABO & ASSOCIATES FOR COMMUNICATIONS CONSULTING SERVICES FOR THE MAYOR'S OFFICE

WHEREAS, as the ceremonial head of the city under the City Charter, the Mayor must serve as a city spokesperson and provide consistent information to residents and businesses on the operations and policies of the City; and

WHEREAS, Szabo & Associates is a communications consulting firm whose services include development of press releases and media advisories on issues of importance to the Berkeley community, maintaining social media accounts, press coordination, and other support services relating to the communications; and

WHEREAS, providing open and transparent lines of communication is a cornerstone of democracy and good governance. Relaying critical information, such as communications during the ongoing local state of emergency in response to COVID-19, PG&E Power Safety Shutoff events, other critical events, and City policies and programs, are important to the health, safety and operation of the City; and

WHEREAS, under Berkeley Municipal Code Chapter 7.18.010A, "expenditures…which exceed the amount of $50,000 shall require Council approval", as adopted under Ordinance No. 7,566 and mandated under Article XI, Section 67.5 of the City Charter; and

WHEREAS, Contract No. 32000196 was entered into on March 16, 2020, originally at $35,000, with additional amendments having been made, and requires Council approval by passing the $50,000 threshold; and

WHEREAS, in July 2021, Council approved Resolution No. 69,985-N.S. to increase the contract by $78,000 and extending the contract to June 30, 2022; and

WHEREAS, in July 2022, Council approved Resolution No. 70,451-N.S. to increase the contract by $78,000 and extending the contract to June 30, 2023; and

WHEREAS, in June 2023, Council approved Resolution No. 70,928-N.S. to increase the contract by $78,000 and extending the contract to June 30, 2024; and

WHEREAS, funding for this amendment to extend the contract by one year is available in the Mayor's Office budget.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000196 with

Szabo & Associates for communications consulting services for the Mayor's Office, increasing the contract by $32,500, and extending the contract to November 30, 2024.

BERKELEY CITY COUNCILMEMBER
TERRY TAPLIN
DISTRICT 2

CONSENT CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Taplin, Mayor Arreguín (co-sponsor), Councilmember Lunaparra (co-sponsor)

Subject: Downtown Berkeley Pride on the Plaza: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember, including $500 from the author and co-sponsors, to support the Downtown Berkeley "Pride on the Plaza" event.

FINANCIAL IMPLICATIONS

No General Fund impact. $500 is available from contributing Councilmembers' Council Office Budget discretionary accounts.

BACKGROUND

The Downtown Berkeley Association is hosting "Pride on the Plaza" at the Downtown Berkeley BART Plaza on Friday, June 28, from 4-7pm. The event is free and open to the public, and is intended to celebrate and uplift Berkeley's diverse LGBTQ+ community.



ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
None.

CONTACT PERSON
Councilmember Taplin Council District 2 510-981-7120

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE ACCOUNTS OF THE MAYOR AND COUNCILMEMBERS FOR A GRANT TO PROVIDE PUBLIC SERVICES FOR A MUNICIPAL PUBLIC PURPOSE

WHEREAS, Councilmember Taplin has surplus funds in his office expenditure account (budget code 011-11-102-100-0000-000-411); and

WHEREAS, a California non-profit tax exempt corporation Downtown Berkeley Association seeks funds in the amount of $500 to provide the following public services: Pride on the Plaza; and

WHEREAS, the provision of such services would fulfill the following municipal public purpose: hosting a free event to celebrate LGBTQ+ Pride;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council Office Budget up to $500 amount per office shall be granted to the Downtown Berkeley Association to support Pride on the Plaza.

Office of the City Manager

ACTION CALENDAR
June 25,2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Gilman, Interim Director, Health, Housing, and Community Services

Subject: Reserving $24.5 Million to Support the Development of Affordable Housing at the North Berkeley BART Site

RECOMMENDATION

Adopt a Resolution:

1. Reserving $24.5 Million for the following affordable housing developments at the North Berkeley BART (NBB) site:
    a. NBB BRIDGE Phase 1 Project (BRIDGE Housing Corporation) at $10,657,975
    b. NBB EBALDC Project (East Bay Asian Local Development Corporation) at $5,473,534
    c. NBB BRIDGE Insight PSH Project (BRIDGE Housing Corporation and Insight Housing) at 8,368,491
2. Waiving Section I.A.1 of the Housing Trust Fund Guidelines for Applicant Experience for Insight Housing.
3. Authorizing the City Manager or designee to disburse up to $2M of the $24.5M reservation for predevelopment, if the development is unsuccessful in securing predevelopment funding from the Metropolitan Transportation Commission's Priority Sites Program.
4. Authorizing the City Manager or designee to execute all original or amended documents or agreements to effectuate this action.

FISCAL IMPACTS OF RECOMMENDATION

City Council reserved $53M in funding for the Ashby and North Berkeley BART sites at their April 27, 2021 meeting through Resolution 69,833-N.S. Of that total $53M reservation, $13M will come from Affordable Housing Mitigation Fees, and $40M will come from Measure O. The Measure O portion will be available in the third and fourth issuances, expected in 2025 and 2027. Up to $26.5M – half of the BART set-aside – is available to the North Berkeley BART affordable housing projects.

City Council previously authorized advancing $2M in Affordable Housing Mitigation Fees to support predevelopment activities for the North Berkeley BART projects through

Resolutions No. 70,643-N.S. and 70,991-N.S, as there are limited sources of funding for early project costs. The attached resolution would reserve the remaining $24.5M for the three affordable projects in the first phase of the North Berkeley BART development. Staff will determine the exact mix of funds from Measure O (Fund 512) and Affordable Housing Mitigation Fee (Fund 120) for each project prior to loan closing. The funding is subject to appropriation in the FY 2025 budget.

CURRENT SITUATION AND ITS EFFECTS

North Berkeley Housing Partners is the team of developers selected through a joint process with BART and the City. It includes BRIDGE Housing Corporation (BRIDGE, acting as the master developer), East Bay Asian Local Development Corporation (EBALDC), Insight Housing (Insight), and AvalonBay Communities (Avalon). Avalon is a market-rate developer and will not receive City subsidy.

BRIDGE, EBALDC, and Insight submitted a combined request for $24.5 Million in development funds for their respective affordable housing projects anticipated to be developed in the first phase of at the North Berkeley BART site. The City's Housing Trust Fund Guidelines and the Affordable Housing Framework for North Berkeley BART establish standards for the projects. The North Berkeley Housing Partners team proposes to exceed the City and BART's sitewide requirement that at least 35% of new housing be affordable to households earning an average of 60% of Area Median Income. The funding reservation would support the creation of 265 new units of affordable housing that will be available to households earning up to 30-70% of the Area Median Income.

The affordable developers are pursuing up to $3M in predevelopment funds through Metropolitan Transportation Commission's (MTC) Priority Sites Program. MTC has not finalized its funding recommendations as of the writing of this report. If the request for MTC funds is unsuccessful, up to $2M of the $24.5M funding reservation may be made available for predevelopment at the discretion of the City Manager or designee. Any additional predevelopment award from the City would be conditioned on performance metrics established by Housing and Community Services staff. A portion of the existing predevelopment loan will be rolled into each affordable project's development loan, in proportion to each project's share of the total affordable units at the North Berkeley BART site.

BACKGROUND

To support the City and BART's shared affordable housing goals, City Council set aside $53M for affordable housing development. Council also indicated that a portion of the BART set-aside funds could be used for predevelopment activities including master planning, as funding sources for early project costs are limited. In July 2022, the City and BART issued a Request for Qualifications (RFQ) to select a team to develop housing at the North Berkeley BART site. The City and BART selected North Berkeley Housing Partners, with BRIDGE acting as the master developer. Through the RFQ, the

City offered up to $2M in predevelopment funding to cover the nonprofit developers' proportional share of master planning costs.

North Berkeley Phase 1 Projects Overview

	NBB BRIDGE Phase 1 Project	**NBB EBALDC Project**	**NBB BRIDGE Insight PSH Project**
Total Units	120	60	85
Unit Sizes	studios, 1brs, 2brs, 3brs	studios, 1brs, 2brs, 3brs	studios, 1brs
Housing Type	family housing	family housing + permanent supportive housing for formerly homeless individuals	permanent supportive housing for formerly homeless individuals
Affordability (% of Area Median Income)	30-70% AMI	20-60% AMI	30-50% AMI
Total Development Cost (TDC)	$109,346,858	$66,364,289	$84,178,808
TDC/Unit	$911,224	$1,106,071	$990,339
Total City Subsidy	$11,563,636	$5,926,364	$9,010,000
City Subsidy/Unit	$96,364	$98,773	$106,000

While high, the estimated development costs are in line with other City-funded projects that are currently under construction or in predevelopment. In recent years, the City subsidy for projects has averaged $200k per unit, and up to $250k per unit for one project. Thanks in part to the discounted ground lease from BART, the City subsidy for the North Berkeley BART phase 1 projects is considerably lower than the recent average.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Creating new affordable housing in Berkeley that allows lower income individuals and families to live closer to transit will make the City more economically and racially equitable, and reduce greenhouse gas emissions by reducing vehicle-miles-traveled and decreasing reliance on personal vehicles. New affordable housing developments are typically built to third-party green building standards, these projects will achieve GreenPoint Rated Gold standards.

RATIONALE FOR RECOMMENDATION

The development team was selected through a competitive process. The proposed development exceeds affordability targets. The proposed development benefited from an intensive community planning process. The City's total investment of $26.5 Million

dollars will enable leverage of meaningful State funding for the creation of new affordable housing at the North Berkeley BART site.

ALTERNATIVE ACTIONS CONSIDERED

Since the City agreed in its Memorandum of Agreement with BART and the RFQ to make this funding available for the selected nonprofit developer, and since the proposed affordable housing projects qualify for this funding under the City's Housing Trust Fund criteria, staff did not consider any alternative actions.

CONTACT PERSON

Jenny Wyant, Senior Community Development Project Coordinator, HHCS, 510-981-5228

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

RESERVING $24.5 MILLION TO SUPPORT THE DEVELOPMENT OF AFFORDABLE HOUSING AT THE NORTH BERKELEY BART STATION

WHEREAS, City Council established a Housing Trust Fund Program (HTF) to assist in the development and expansion of housing affordable to low and moderate income persons who either work or reside within the City of Berkeley, and authorized the City Manager to implement the Program; and

WHEREAS, there is a great need for affordable and special needs housing in the City of Berkeley as stated in the General Plan Housing Element and the City of Berkeley's Consolidated plan; and

WHEREAS, the City and BART are collaborating on the development of the North Berkeley BART site, and articulated shared goals in a Memorandum of Understanding, Memorandum of Agreement, and Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley Stations; and

WHEREAS, the City and BART are committed to achieving a minimum of 35% affordable housing at each BART site; and

WHEREAS, on April 27, 2021, with Resolution 69,883-N.S., the City Council reserved $53 million, to be divided between the two BART sites, as the local subsidy needed to achieve 35% affordability, and allowed for a portion of that funding to be considered for predevelopment costs associated with affordable housing; and

WHEREAS, the $53 million includes $40 million in Measure O funds, and $13 million in Affordable Housing Mitigation Fees; and

WHEREAS, in July 2022, BART issued a Request for Qualifications (RFQ) to select a team to develop new housing at the North Berkeley BART site and created an RFQ selection panel with equal representation from the City and BART; and

WHEREAS, through the RFQ, the City indicated that up to $2 million of the $53 million funding reservation could be available for predevelopment for each BART site; and

WHEREAS, on December 1, 2022, the BART Board of Supervisors approved the RFQ panel's recommendation to select a development team made up of BRIDGE Housing Corporation (BRIDGE), East Bay Asian Local Development Corporation (EBALDC), Insight Housing (Insight), and AvalonBay Communities (collectively, the North Berkeley Housing Partners); and

WHEREAS, the North Berkeley Bart development team propose to develop 50% of the residential units at the North Berkeley BART as affordable to lower-income persons; and

WHEREAS, City Council reserved $2,000,000 in predevelopment funding for the North Berkeley BART projects with Resolutions No. 70,643-N.S. and 70-991-N.S.; and

WHEREAS, BRIDGE, EBALDC, and Insight requested a combined $24.5M in development funding to support their affordable projects at North Berkeley BART; and

WHEREAS, Insight intends to partner with BRIDGE on its NBB BRIDGE Insight PSH Project, Insight does not meet the threshold criteria for developer experience as described in Section I.A.1 of the Housing Trust Fund Guidelines on its own; and

WHEREAS, the City, BART and the North Berkeley Housing Partners shall continue to collaborate on the development of North Berkeley Bart site.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council approves the following reservations for the North Berkeley Bart affordable housing projects:

- $10,563,635 to BRIDGE Housing Corporation (BRIDGE) for the NBB BRIDGE Phase 1 Project;
- $5,473,534 to East Bay Asian Local Development Corporation for the NBB EBALDC Project; and
- $8,368,491 for NBB BRIDGE Insight PSH Project (BRIDGE Housing Corporation and Insight Housing)

BE IT FURTHER RESOLVED that the City Manager may incorporate a portion of the existing predevelopment loan into the new permanent loans resulting from this resolution, in proportion to each project's share of the affordable units.

BE IT FURTHER RESOLVED that the City's Housing Trust Fund program guidelines will apply to the use of these funds.

BE IT FURTHER RESOLVED that the requirements of Section I.A.1 of the HTF Guidelines shall be waived and Insight approved as an eligible developer with demonstrated capacity to complete the North Berkeley Bart, though it has not completed the number of projects required by the developer eligibility criteria.

BE IT FURTHER RESOLVED the City Manager, or designee, is hereby authorized to make no more than $2,000,000 dollars of the $24,500,000 reservation available for predevelopment activities at North Berkeley BART, if the North Berkeley Housing Partners are unsuccessful at securing other predevelopment funding, and would be disbursed based on performance metrics and conditions determined by City staff.

BE IT FURTHER RESOLVED that funds shall be reserved for a period of no more than 24 months from the date of this Resolution, contingent on the development teams obtaining all required land use approvals of the property and securing commitments for project funding that the City Manager or designee deems sufficient within the reservation period.

BE IT FURTHER RESOLVED that the funding reservation is conditioned upon the completion of the environmental review process, except as authorized by 24 CFR, Part 58, and that should HOME and/or CDBG funds constitute a portion of the funding for any project, a final commitment of HOME and/or CDBG funds shall occur only upon the satisfactory completion of the appropriate level of environmental review and also upon the receipt of approval of the request for release of funds and related certification from the U.S. Department of Housing and Urban Development, when applicable. The funding reservation for any of the HOME and/or CDBG funded projects is conditioned upon the City of Berkeley's determination to proceed with, modify, or cancel the project based on the results of subsequent environmental review under the National Environmental Policy Act.

BE IT FURTHER RESOLVED that the making of each loan shall be contingent on and subject to such other appropriate terms and conditions as the City Manager or her designee may establish.

BE IT FURTHER RESOLVED the City Manager, or designee, is hereby authorized to execute all original or amended documents or agreements to effectuate this action; a signed copy of said documents, agreements and any amendments will be kept on file in the Office of City Clerk.

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Office of the City Manager

ACTION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Gilman, Interim Director, Health, Housing, and Community Services

Subject: Approval of the North Berkeley BART Affordable Housing Compliance Plan

RECOMMENDATION
Adopt a Resolution:

1. Approving the North Berkeley BART Affordable Housing Compliance Plan.
2. Authorizing the City Manager or her designee to execute all original or amended documents or agreements to effectuate this action.

FISCAL IMPACTS OF RECOMMENDATION
The Affordable Housing Compliance Plan includes an estimate for the minimum developer contribution required from the market rate project at the North Berkeley BART site, which is currently estimated at $14.4M. The developer contribution is expected to be paid to the City and administered through the Housing Trust Fund program. The developer contribution, less any administrative fee collected by the City, would support the development of BRIDGE Housing Corporation's phase 2 affordable project and the affordable housing projects' share of site improvements. Any remaining funds would be prioritized for the permanent supportive projects at the North Berkeley BART site.

CURRENT SITUATION AND ITS EFFECTS
North Berkeley Housing Partners is the team of developers selected through a joint process with BART and the City of Berkeley, and includes BRIDGE Housing Corporation (BRIDGE, acting as the master developer), East Bay Asian Local Development Corporation (EBALDC), Insight Housing (Insight), and AvalonBay Communities (Avalon). BRIDGE, EBALDC, and Insight will develop affordable housing projects at the North Berkeley BART site, and Avalon will develop a market-rate project.

The team submitted an Affordable Housing Compliance Plan (the Plan) to Housing and Community Services (HCS) staff, which details the proposed means of compliance with the Affordable Housing Framework approved by Council on July 25, 2023, with Resolution No. 71,012-N.S. The Affordable Housing Framework outlined the City's expectations regarding the share of affordable units and their income requirements, the phasing of various components of the project, inclusionary requirements, the conditions

for awarding City subsidy funds, and the City's expectations regarding the contribution to affordable housing from market rate project.

The preliminary design concept includes four affordable housing developments and one market rate project, which will create a total of 739 new residential units. Approximately 51% of the total units will be restricted to affordable households earning between 30-70% of the Area Median Income (AMI). North Berkeley Development Partners proposed two main phases of development. The first phase will include three affordable projects: a 120-unit BRIDGE project serving family households, a 60-unit EBALDC project also serving family households with 15 units set aside for formerly homeless residents, and an 85-unit permanent supportive housing project serving formerly homeless households developed by Insight in partnership with BRIDGE. The second phase will include another BRIDGE-sponsored family project (116 units), as well as the 358-unit Avalon project. The timeline and phasing are subject to the affordable housing developers' success at pursuing state funding for the affordable projects, and market conditions for the Avalon project.

The Plan addresses the North Berkeley Housing Partners' specific commitments to develop the 381 units of affordable housing at a range of incomes, and includes a site plan, unit and bedroom counts, a phasing plan, a description of site amenities, a description of the proposed market rate developer contribution, and a third-party report on the feasibility analysis of the market rate project. The Plan shows that the projects will collectively meet or exceed the framework requirements by providing over 50% affordable housing at North Berkeley BART, with at least 20% of the affordable units targeting households earning 30% AMI. Affordable housing will be constructed prior to the market rate housing, the market rate component will meet its inclusionary housing obligation, the development team has a detailed plan to leverage outside sources, and the Plan is consistent with the City subsidy expectations. The Plan projects a minimum developer contribution of $14.4M, which will subsidize affordable housing at the North Berkeley BART site.

A compliant Affordable Housing Compliance Plan is a condition of the City reserving up to $24.5M in development funds to the North Berkeley BART affordable housing projects. Any substantive changes to the approved Plan would require re-approval by Council.

BACKGROUND

For the past few years, the City has been working closely with BART on the development of the North Berkeley and Ashby BART sites. The City created a BART Community Advisory Group (CAG), made up of 15 members of the public to develop a vision for affordable housing, land use, station access, building form, and new public spaces. The CAG met throughout 2020 and 2021 at public meetings and community workshops, and provided feedback on the new zoning regulations impacting the North Berkeley BART site. The City and BART entered into a Memorandum of Agreement

(MOA) in June 2022 to address additional aspects of the collaboration, and both agencies adopted the Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley Stations (JVP) in June 2022. The JVP articulates the shared goals of the City and BART, including the goal of achieving at least 35% affordability at each site. To support the shared affordable housing goal at the BART sites, City Council set aside $53M through Resolution 69,833-N.S. on April 27, 2021.

BART issued a Request for Qualifications (RFQ) in July 2022 to select a team to develop housing at the North Berkeley BART station site. A selection panel with equal representation of City and BART staff recommended the selection of the North Berkeley Housing Partners.

The City engaged Street Level Advisors, a housing economics firm, to develop the general framework that the City of Berkeley will use to evaluate affordable housing project proposals at the North Berkeley BART station. Council approved the Affordable Housing Framework in July 2023.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Creating new affordable housing in Berkeley that allows lower income individuals and families to live closer to transit will make the City more economically and racially equitable, and reduce greenhouse gas emissions by reducing vehicle-miles-traveled and decreasing reliance on personal vehicles. New affordable housing developments are typically built to third-party green building standards, these projects will achieve GreenPoint Rated Gold standards.

RATIONALE FOR RECOMMENDATION

Development at the North Berkeley BART station will consist of multiple phases and projects, and necessitated an Affordable Housing Framework to define the development expectations beyond the City's standard Inclusionary and Housing Trust Fund regulations and guidelines. The proposed Affordable Housing Compliance Plan meets or exceeds the requirements in the framework. It will help ensure that the City and community goals for affordable housing at the North Berkeley BART site are met, and that the City is effective at leveraging its resources to achieve the maximum number of affordable units.

ALTERNATIVE ACTIONS CONSIDERED

Since the City adopted an Affordable Housing Framework for the North Berkeley BART station on July 25, 2023 and since the proposed North Berkeley BART Affordable Housing Compliance Plan meets or exceeds the framework requirements for the site, alternatives were not considered. If the Affordable Housing Compliance Plan is not approved, the projects would not be eligible for the $24.5M in development funding currently requested, which would cause delays in the project schedules, and could impact their eligibility to pursue critical state funding.

CONTACT PERSON
Jenny Wyant, Senior Community Development Project Coordinator, HHCS, 510-981-5228

Attachments:
1: Resolution
Exhibit A: Affordable Housing Compliance Plan

RESOLUTION NO. ##,###-N.S.

APPROVAL OF THE NORTH BERKELEY BART AFFORDABLE HOUSING COMPLIANCE PLAN

WHEREAS, there is a great need for affordable and special needs housing in the City of Berkeley as stated in the General Plan Housing Element and the City of Berkeley's Consolidated plan; and

WHEREAS, the City and BART are collaborating on the development of the North Berkeley BART site, and articulated shared goals in a Memorandum of Understanding, Memorandum of Agreement, and Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley Stations; and

WHEREAS, the City and BART are committed to achieving a minimum of 35% affordable housing at each BART site; and

WHEREAS, on April 27, 2021, with Resolution 69,883-N.S., the City Council reserved $53 million, to be divided between the two BART sites, as the local subsidy needed to achieve 35% affordability; and

WHEREAS, in July 2022, BART issued a Request for Qualifications (RFQ) to select a team to develop new housing at the North Berkeley BART site and created an RFQ selection panel with equal representation from the City and BART; and

WHEREAS, on December 1, 2022, the BART Board of Supervisors approved the RFQ panel's recommendation to select a development team made up of BRIDGE Housing Corporation, East Bay Asian Local Development Corporation, Insight Housing, and AvalonBay Communities (collectively, the North Berkeley Housing Partners); and

WHEREAS, the North Berkeley Housing Partners propose to develop 50% of the residential units at the North Berkeley BART as affordable to lower-income persons; and

WHEREAS, on July 25, 2023, City Council adopted Resolution No. 70-012 N.S., adopting the Affordable Housing Framework for Development at the North Berkeley BART Station; and

WHEREAS, the North Berkeley Housing Partners submitted the North Berkeley BART Affordable Housing Compliance Plan, which addresses the required elements identified in the adopted Affordable Housing Framework for Development at the North Berkeley BART Station; and

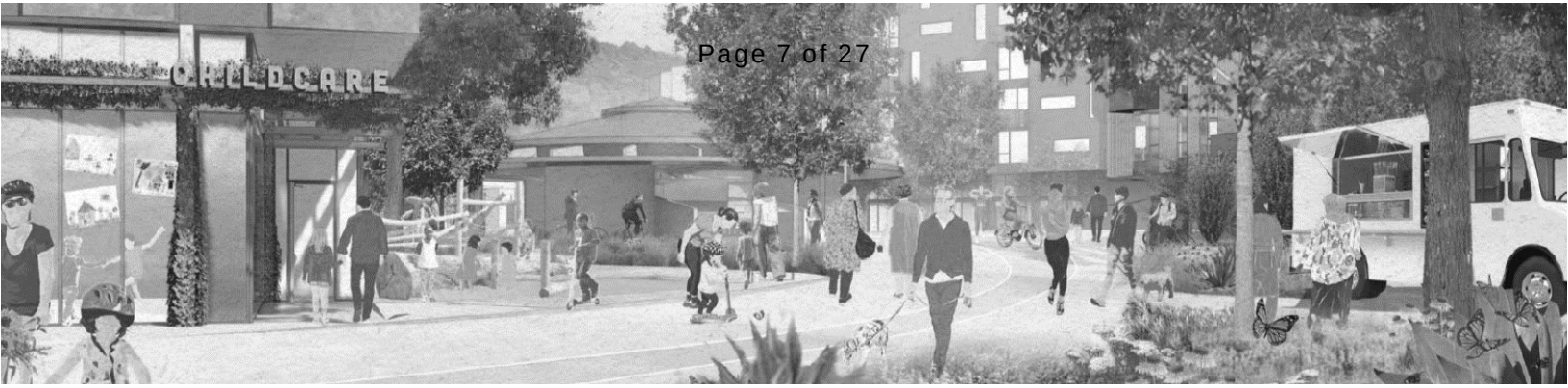
WHEREAS, the North Berkeley BART Affordable Housing Compliance Plan meets and, in some cases, exceeds the City adopted Affordable Housing Framework for Development at the North Berkeley BART Station.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley approves the North Berkeley BART Affordable Housing Compliance Plan (Exhibit A).

BE IT FURTHER RESOLVED the Council of the City of Berkeley must re-approve the Affordable Housing Compliance Plan if there are substantive changes to the plan.

BE IT FURTHER RESOLVED the City Manager, or designee, is hereby authorized to execute all original or amended documents or agreements to effectuate this action; a signed copy of said documents, agreements and any amendments will be kept on file in the Office of City Clerk.

Exhibits
A: Affordable Housing Compliance Plan



North Berkeley BART TOD
Affordable Housing Compliance Plan

Submitted by:
North Berkeley Housing Partners

On Behalf of:
BRIDGE Housing
Insight Housing
East Bay Asian Local Development Corporation
AvalonBay Communities

Draft Date:
May 30, 2024

NBHP North Berkeley Housing Partners

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Section 1.0 Introduction

The North Berkeley Housing Partners (NBHP) are committed to the City of Berkeley and BART's vision to redevelop the surface parking lots surrounding the North Berkeley BART station into a vibrant, accessible, mixed-use, mixed-income community. To further that mission, NBHP have developed the enclosed Affordable Housing Compliance Plan, which outlines how the team's development proposal for this site complies with the City of Berkeley's inclusionary housing ordinance and the City's Housing Trust Fund regulations and guidelines. On July 25, 2023, the Berkeley City Council adopted a framework for evaluating the Affordable Housing Compliance Plan. That framework outlined a list of required elements, which are listed below and included within the sections that follow:

a. A description of the proposed means of compliance with the City's Inclusionary Housing Ordinance, including any request for alternative means of compliance such as clustering of the inclusionary units
b. Site Plan identifying the location of the market rate and affordable housing units/developments
c. Unit and bedroom count for the market rate units and the affordable units, including the specific affordability restrictions (depth of affordability) for each set of units
d. Phasing Plan covering the entire site and demonstrating that affordable units will be constructed in advance of or concurrent with the market rate units
e. A description of any site amenities including open space or exterior amenities
f. A description of the proposed developer contribution to affordable housing. This description will identify specific in- kind and cash contributions as well at their likely timing. The land discount granted by BART cannot be included as an in-kind contribution for the purposes of the developer contribution
g. A report completed by a third-party economic analysis firm approved by the City of Berkeley which:
    i. Compares the proposed level of affordability (number of units and depth of AMI affordability) to the level that would be provided by a hypothetical development project on the Property that complied with the City's Inclusionary Housing Requirements through the on-site compliance option;
    ii. Provides a financial analysis estimating the developer capital contribution that would be required to provide the City's inclusionary units on-site and comparing that to the developer's proposed affordable housing capital contribution as part of their finance plan; and
    iii. Reviews individual and combined project return metrics, economics, and annual cash flow to validate project feasibility and to ensure a customary market rate return.

Section 2.0 Master Development Structure

NBHP is comprised of a four-developer team that was organized to respond to the BART development Request for Qualifications for the North Berkeley BART TOD site and includes BRIDGE Housing Corporation, Avalon Bay Communities, East Bay Local Asian Development Corporation, and Insight Housing. The NBHP developers formed a single purpose entity, North Berkeley Housing LP, in order to collaboratively master plan, design, and entitle the site. Following entitlement, the developers intend to form additional single purpose ownership entities for each building within the site that will be managed by the developer(s) of each building. North Berkeley Housing LP will continue to own and manage the shared site amenities and infrastructure at the site and be the entity through which shared operations and maintenance are coordinated.

Section 3.0 Compliance with City Inclusionary Housing Ordinance

The proposed project satisfies the City of Berkeley's Inclusionary Housing Ordinance (BMC Section 23.328.030) by providing 50% of total project units at rent levels that range from 20% AMI to 70% AMI, including 30% of the affordable units at rent levels that are at or below 50% of Area Median Income. A detailed unit mix table summarizing the proposed affordability levels for the development project can be found in Section 4.0. Berkeley Municipal Code Section 23.328.030.A.1 requires providing 20% of total project units at affordable rent levels, where the proposed project will provide 50% of total project units at affordable rent levels. BMC Section 23.328.030.5(a) provides that at least 50% of the required affordable units in the housing development shall be offered at rent that is affordable to Very Low-Income Households, up to a maximum of 10% of the total units in the Housing Development Project if the project provides more affordable units than are otherwise required by the Chapter., where the proposed project will provide 30% of the affordable units at rent levels that are at or below 50% of Area Median Income, which exceeds the requirement in BMC Section 23.328.030.5(a).

As the unit mix table in Section 4.0 below details, the affordable units within the project are located within four 100% affordable housing buildings. This reflects a strategy by the NBHP team to maximize the ability of the affordable housing projects on site to compete for scarce and competitively allocated State and Federal subsidies. These funding programs, which are consistently oversubscribed each year, prioritize funding for applicants whose development proposals include high levels of affordability. This strategy will also allow the nonprofit affordable housing developers for each 100% affordable projects to implement a services delivery model that prioritizes the needs of specific populations within each building – for example low-income families or homeless individuals – while providing the same level of design, quality, and property amenities throughout the entire site.

Section 4.0 Site Plan

Please find a site plan attached as **Exhibit A** to this document. The site plan identifies buildings by the name of the developer. Unit mixes for each building identified within the site plan, including affordability levels, can be found in Section 4.0 below.

Section 5.0 Unit Mix

A detailed summary of the unit types and affordability levels of the current development proposal can be found in the table below. The NBHP is comprised of four developers, who will construct units across five independently owned and constructed housing developments across two phases. Across all five buildings, 51% or 381 of the 739 units are proposed to be deed-restricted affordable housing, with an average affordability of under 50% of AMI.

Affordability	Total	Phase I										Phase II						
Level	Units	BRIDGE Phase I				Insight		EBALDC				Avalon Bay			BRIDGE Phase II			
		Stu	1bd	2bd	3bd	Studio	1bd	Stu	1bd	2bd	3bd	Studio	1bd	2bd	Stu	1bd	2bd	3bd
30% AMI	153	6	7	7	4	15	2	5	4	3	3				12	9	5	3
40% AMI	23														6	6	6	5
50% AMI	72	14	10	12	24										4	3	3	2
60% AMI	94	8	4	3	7	60	8	12	8	12	12				5	5	7	11
70% AMI	36		7	6											4	4	5	10
Manager	3			1					1								1	
Market Rate	358											65	147	146				
Total	739	28	28	29	35	75	10	17	13	15	15	65	147	146	31	27	27	31

Section 6.0 Phasing Plan

Please find a preliminary phasing plan attached as **Exhibit B** to this document. The plan outlines a potential process through which the 8-acre North Berkeley BART site can be built out. The plan was developed to balance the need for flexibility in the sequencing of phases while preserving BART station operations, ADA accessibility, bus service, and access to BART rider parking throughout each phase of construction. The plan represents the development team's current understanding of how best to achieve these goals and is intended to serve as a demonstration of project feasibility, but it will be subject to change as designs and financing plans further develop.

Each building within the project along with the adjacent open spaces will be independently financed and constructed. For the four affordable housing buildings, full financing will require projects to secure multiple competitive funding awards. These include State Department of Housing and Community Development loans, Federal and State tax credits, and tax-exempt bonds, which are granted with strict groundbreaking deadlines. In the case of the market rate buildings, full financing will require that achievable market rents can support the financing, construction, and ground lease costs for the project.

To achieve the needed flexibility outlined above while preserving station operations, the plan is divided into two phases. Phase 1 is comprised of the three affordable housing buildings east of the station access road, the station access road itself, and adjacent open spaces. Phase 1 is subdivided into phases 1A through 1D, which are sequenced to demonstrate a potential process through which Phase 1 might progress. These subphases could, however, be reordered without compromising BART station operations.

Phase 2 is comprised of the market rate buildings, BRIDGE 2 building, and adjacent open spaces.

Section 7.0 Site Amenities

Today the North Berkely Bart Station's large hot surface parking lots are an exception in the gardened, pedestrian-friendly neighborhood fabric. The proposed development will reestablish the station as a community gathering place that welcomes pedestrians and bikers, provides much needed housing, and provides a strong local setting for the BART Station. Inspired by existing Berkeley public space quirks, public stairs and walks, and neighbors' beautiful front yards, gardens, and porches, the design for the open space combines this local character at a civic scale. It is intended that this new place be both familiar and something new.

The proposed design creates multiple accessible trails in order to invite in neighbors who previously walked through surface parking and to connect new residents to the surrounding area. The design incorporates many existing conditions such as the station itself, the elevator, the electrical substation, and the tunnel of the BART tracks which runs Northwest to Southeast. Inviting the public to flow into the site on all sides and to enjoy more than one experience of

moving across the site was a design goal that ensured the publicness of this new place. The design creates desirable and varied paths across the site which connect existing elements to new housing and negotiates the 19-foot change in elevation. Much of the open space is located on top of the tunnel and its immediate edges called the zone of influence. A winding trellis which holds both space and identity for the Ohlone Greenway defines the edge of the open space and provides a two-way bike path as well as pedestrian space for linear trail movement across the site. The trellis is a civic sized front porch and will be a new infrastructure that establishes a welcoming gateway to the site and creates places for neighbors to use with areas for bike parking, performance, swinging, ping pong, and seating. Two other trails link the Ohlone Greenway on all sides and reestablish the small block streets that existed prior to the station development on Francisco and Short streets. The north south two-way cycle track trail along the primary internal street is transformed with the addition of linear trees that separate the bikes from vehicles. A new east west trail connection from Acton to Sacramento embraces the slower winding pedestrian walking pace inspired by the Berkeley stairs and trails in the hills nearby. This walk is wrapped in large boulders and stone and establishes a new gradual trail that connects to the elevator, the station, and more intimate garden planting. All of the trails serve the larger transit goals of this multi-modal connection point by making the experience of biking or walking desirable and easy.

Outdoor gathering areas for the public are established surrounding the station and along Sacramento near the casual carpool and the elevator. With restrictions on planting above the tunnel, the design of the plaza area west of the station is framed in planting and given human scale and microclimatic comfort by the trellis and surrounding trees. A visually dynamic and materially interesting ground plane serves as a canvas for human activities in and around the plaza. Furniture and lights are arranged with precise rhythm within the pavement pattern to establish edges and comfortable places to sit. Large scale public art could further establish identity and interest within the plaza itself. East of the station a more garden quality adjacent to the tunnel houses space for informal performance, a child exploration garden, and immersive planting. These casual garden rooms are connected to a café along Sacramento with a small patio as well as to the existing elevator access to BART.

The setting for the new housing is varied on all sides and responds to the neighborhood context. Along Virginia St and Acton St, small gardens and stoops with a variety of planting reflect the houses across the street. Along Sacramento the buildings act as buffers to the fast-moving cars and the very wide street and planting is minimal. Along Delaware the buffered bike lane and deep planting balances the new buildings and the planted character of the neighborhood. Building courtyards extend longer views, planting, and connection to the surrounding sidewalk experience.

The planting design for the project is developed to increase healthy ecology in a variety of ways. Stormwater treatment is integrated into the project design in a dispersed manner with attention to the size and character of its basins. Pollinator species and habitat plants are selected and designed in accordance with ecological groupings as well as aesthetics. Planting practices such

as green mulch and layered planting design that minimizes maintenance and soil compaction are used to establish healthy plants and minimize maintenance costs.

In addition to these publicly accessible open spaces, the development proposal also incorporates community amenities into the first floor of multiple housing developments. These include a retail space within the BRIDGE 1 building, a retail space within the EBALDC building, a commercial childcare facility within the BRIDGE 2 building, community kitchen facility within the Insight building, and BART rider parking within the Avalon Bay garage structure.

Section 8.0 Developer Contribution to Affordable Housing

The market rate units included within NBHP's development proposal will be constructed by AvalonBay Communities (AVB) and, as the phasing plan included within Section 5.0 describes, will be constructed in the second phase of the project. While the exact sequencing of each building within the development proposal is subject to change, the NBHP team anticipate that the AVB building will be constructed following completion of the three affordable housing developments included within Phase I and concurrently or prior to the construction of the BRIDGE Phase II building. AVB will make an affordable housing contribution (the minimum developer contribution) as prescribed by the North Berkeley BART Affordable Housing Framework (adopted by Council in July 2023) for the North Berkeley BART site to the City of Berkeley to be used to fund affordable housing projects located within the North Berkeley BART TOD site and no more than the affordable housing developments' pro rata share of on-site infrastructure. The Funds shall be disbursed generally consistent with the terms of the Housing Trust Fund Guidelines. The contributions are anticipated to equal to $200,000 per on-site affordable unit, or $14,400,000, and this $14,400,000 is anticipated to be available to fund the affordable housing projects within the North Berkeley BART TOD site and associated on-site and off-site infrastructure or required reserves. These funds will be contributed prior to the City's issuance of a building permit for the AVB building.

Section 9.0 Third Party Economic Analysis

The City of Berkeley engaged the third-party economic analysis consultant Street Level Advisors to prepare the feasibility memo enclosed here as Exhibit C.

Exhibit A

Site Plan



NOTES:

FINAL CURB AND LOADING SPACE ALLOCATIONS TO BE DETERMINED AND SHOWN IN PLANS IN COORDINATION WITH THE ACCESS PLAN AT A LATER STAGE.

STATEMENT REGARDING NATURAL GAS PROHIBITION, BERKELEY ENERGY CODE AND BERKELEY GREEN CODE: THE PROPOSED NEW BUILDING(S) WILL NOT INCLUDE ANY NATURAL GAS INFRASTRUCTURE IN COMPLIANCE WITH BMC CHAPTER 12.80. THE PROPOSED PROJECT IS DESIGNED TO COMPLY WITH THE BERKELEY ENERGY CODE (BMC CHAPTER 19.36) AND BERKELEY GREEN CODE (BMC CHAPTER 19.37), ADOPTED BY THE CITY COUNCIL ON DECEMBER 3, 2019, INCLUDING A SOLAR PV SYSTEM AS WELL AS ENERGY AND WATER EFFICIENCY MEASURES IN AN ALL-ELECTRIC BUILDING. THE APPLICANT WILL NOT BE REQUESTING ANY EXEMPTIONS TO THE NATURAL GAS PROHIBITION UNDER THE BERKELEY MUNICIPAL CODE.

0' 10' 20' 40'

NORTH BERKELEY BART STATION TOD

1750 Sacramento Street
Berkeley, CA 94702

NBHP North Berkeley Housing Partners

David Baker Architects
dbarchitect.com
461 Second Street c127
San Francisco, CA 94107
415.896.6700

EINWILLERKUEHL LANDSCAPEARCHITECTURE

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Issuances

Description	Date
COORDINATION SET	11/03/2023
DEVELOPMENT APPLICATION	XX/XX/2024

Revisions

Rev	Description	Date

Set Title

DEVELOPMENT APPLICATION

Drawing Title

SITE PLAN - GROUND FLOOR

Sheet No.

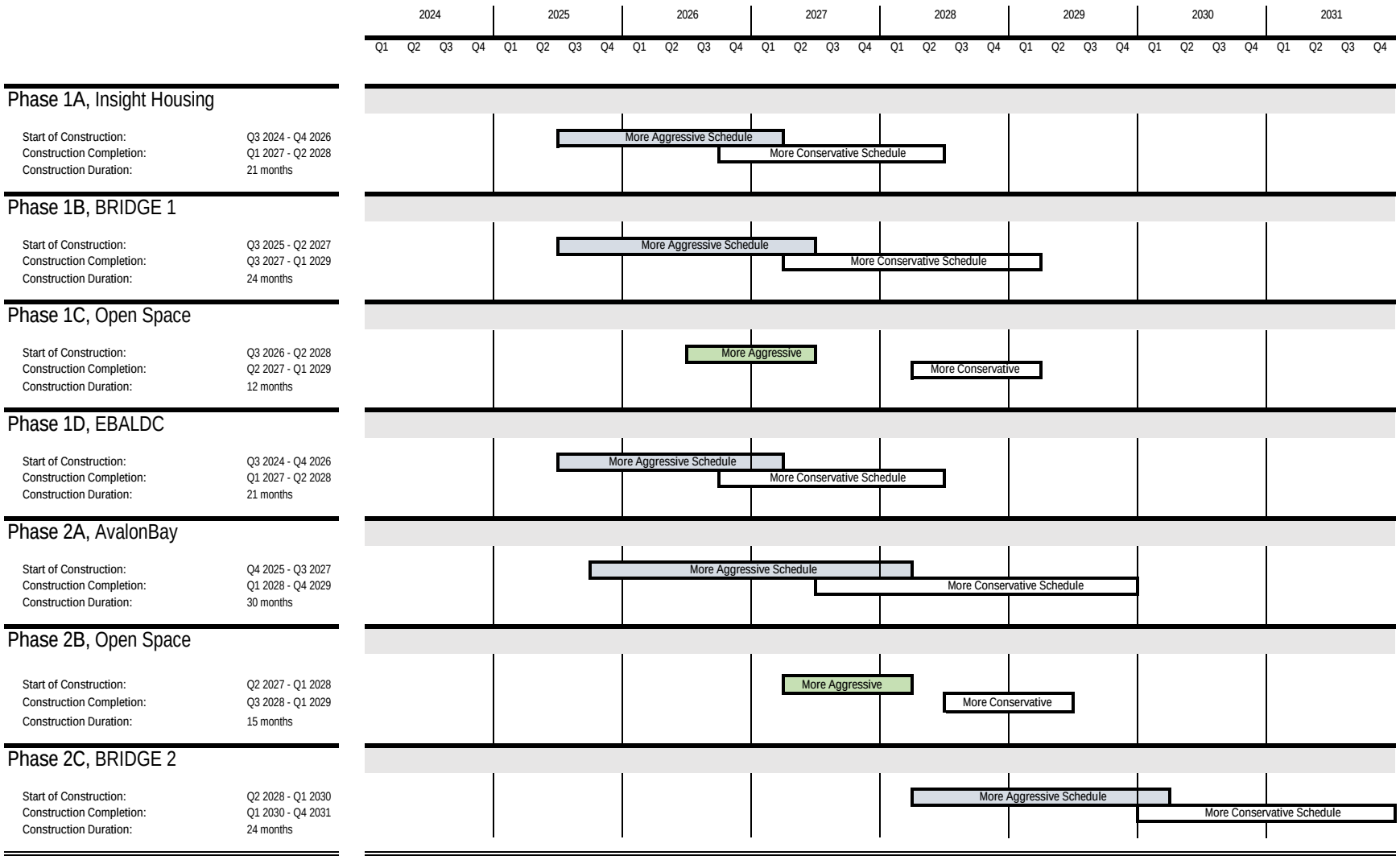
A002

Date 2023-11-03
Project No. 22233

Exhibit B

Preliminary Phasing Plan

Master Plan - Construction Phasing





LEGEND

- BART OPERATIONS
- BUS STOP
- ADA PARKING STALLS (18)
- ADA PATH
- TWO WAY CYCLETRACK
- PROPERTY LINES

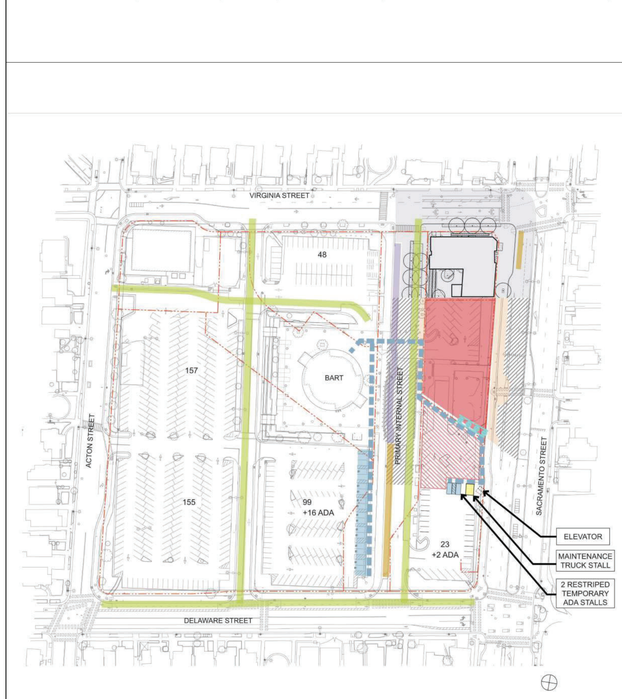
PHASE NUMBER

0

PHASE DESCRIPTION

- Public Open Space:N/A
- Unit Count: N/A
- Parking Count: 589
- Notes: Existing conditions

NBHP North Berkeley Housing Partners | David Baker Architects | EINWILLERKUEHL LANDSCAPEARCHITECTURE | North Berkeley BART Station TOD | PHASING PLAN | 12/21/2023 | scale (printed at 22x34): 1" = 50'-0" | 22233



LEGEND

- ON-SITE CONSTRUCTION SCOPE
- OFF-SITE CONSTRUCTION SCOPE
- STREET PAVING/STRIPING
- CONSTRUCTION STAGING AREA
- BART OPERATIONS
- BUS STOP
- ADA PARKING STALLS (18)
- ADA PATH
- ADA RAMP
- TWO WAY CYCLETRACK
- PROPERTY LINES
- COMPLETED SCOPE

PHASE NUMBER

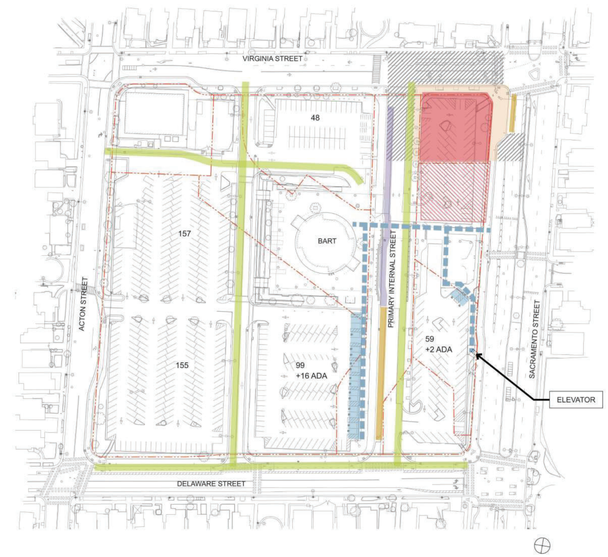
1b

PHASE DESCRIPTION

- Public Open Space:0
- Unit Count: 201
- Parking Count: 500
- Notes: Bridge 2, 116 units

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LEGEND

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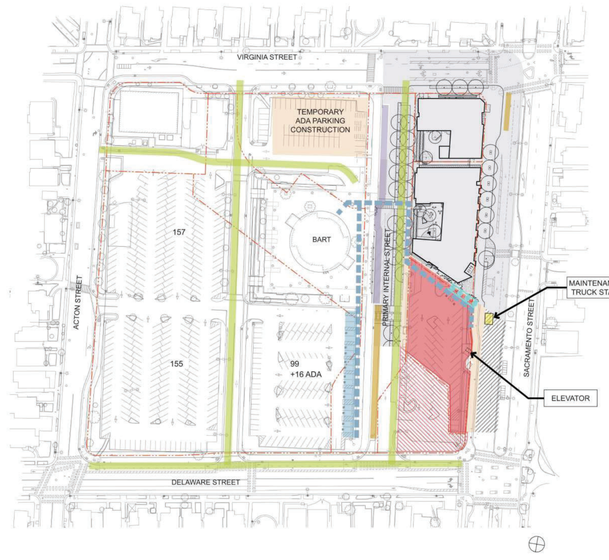
PHASE NUMBER

1a

PHASE DESCRIPTION

- Public Open Space: 0
- Unit Count: 85
- Parking Count: 536
- Notes: Insight Building

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LEGEND

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- ADA PATH
- ADA RAMP
- TWO WAY CYCLETRACK
- PROPERTY LINES
- COMPLETED SCOPE

PHASE NUMBER

1c

PHASE DESCRIPTION

- Public Open Space: 17,400 SF
- Unit Count: 201
- Parking Count: 427
- Notes: Public Open Space

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DEVELOPMENT APPLICATION	XX/XX/2024

Revisions

Rev	Description	Date

Set Title

DEVELOPMENT APPLICATION

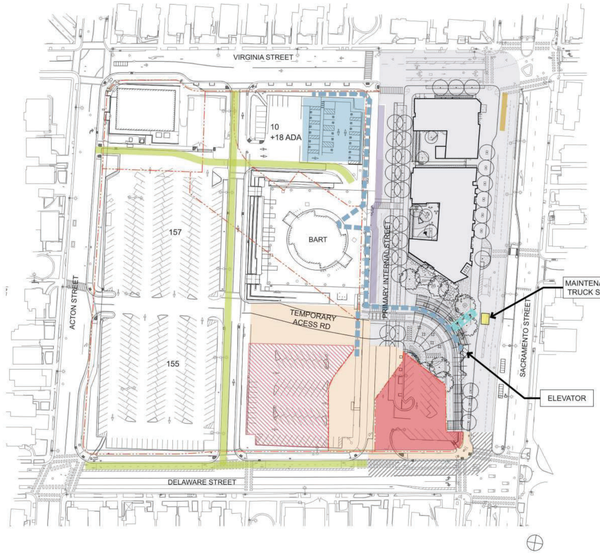
Drawing Title

PHASING

Sheet No.

G012.0

Date 2023-11-03
Project No. 22233



LEGEND

- ON-SITE CONSTRUCTION SCOPE
- OFF-SITE CONSTRUCTION SCOPE
- STREET PAVING/STRIPING
- CONSTRUCTION STAGING AREA
- BART OPERATIONS
- BUS STOP
- ADA PARKING STALLS (18)
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- COMPLETED SCOPE

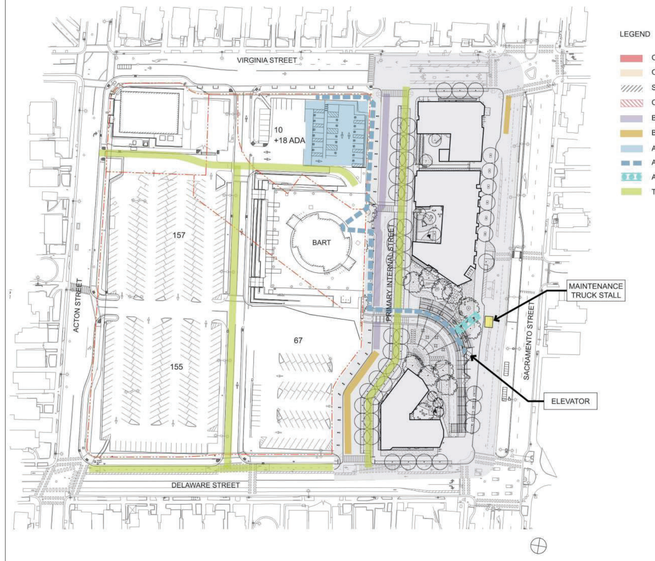
PHASE NUMBER

1d

PHASE DESCRIPTION

- Public Open Space: 17,400 SF
- Unit Count: 261
- Parking Count: 340
- Notes: EBALDC, 60 uni

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LEGEND

- ON-SITE CONSTRUCTION SCOPE
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- BART OPERATIONS
- BUS STOP
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- ADA PATH
- ADA RAMP
- TWO WAY CYCLETRACK
- PROPERTY LINES
- COMPLETED SCOPE

PHASE NUMBER

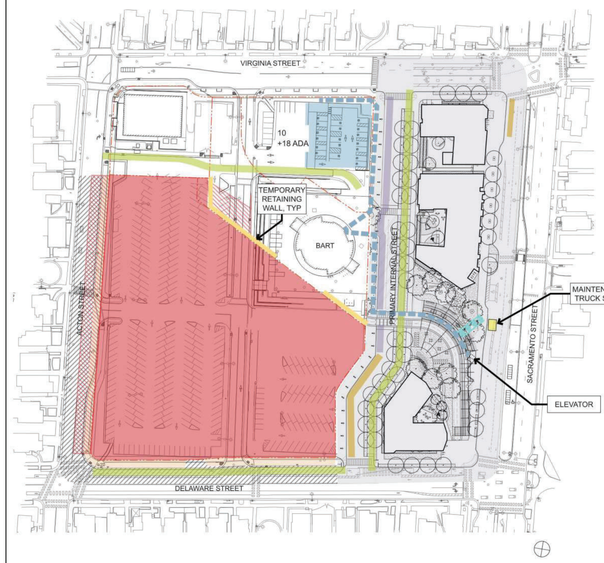
1 Complete

PHASE DESCRIPTION

- Public Open Space:17,400 SF
- Unit Count: 261
- Parking Count: 407
- Notes:Phase 1 Complete

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LEGEND

- ON-SITE CONSTRUCTION SCOPE
- OFF-SITE CONSTRUCTION SCOPE
- STREET PAVING/STRIPING
- CONSTRUCTION STAGING AREA
- BART OPERATIONS
- BUS STOP
- ADA PARKING STALLS (18)
- ADA PATH
- ADA RAMP
- TWO WAY CYCLETRACK
- PROPERTY LINES
- COMPLETED SCOPE
- RETAINING WALL

PHASE NUMBER

2a

PHASE DESCRIPTION

- Public Open Space: 17,400 SF
- Unit Count: 618
- Parking Count: 28
- Notes: Avalon, 357 units

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LEGEND

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- OFF-SITE CONSTRUCTION SCOPE
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- CONSTRUCTION STAGING AREA
- BART OPERATIONS
- BUS STOP
- ADA PAVVRKING STALLS
- ADA PATH
- ADA RAMP
- TWO WAY CYCLETRACK
- PROPERTY LINES
- COMPLETED SCOPE
- RETAINING WALL

PHASE NUMBER

2b

PHASE DESCRIPTION

- Public Open Space: 51,300 SF
- Unit Count: 618
- Parking Count: x
- Notes: Public Open Space, 33,900 SF
- Bike Parking to be determined. May share space with staging area at unused leveled ADA parking.

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Revisions

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Set Title

DEVELOPMENT APPLICATION

Drawing Title

PHASING

Sheet No.

G012.1

Date 2023-11-03
Project No. 22233



LEGEND

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- OFF-SITE CONSTRUCTION SCOPE
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- RETAINING WALL

PHASE NUMBER

2c

PHASE DESCRIPTION

- Public Open Space: 51,300 SF
- Unit Count: 734
- Parking Count: X
- Notes: Bridge 2, 116 units

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LEGEND

- ON-SITE CONSTRUCTION SCOPE
- OFF-SITE CONSTRUCTION SCOPE
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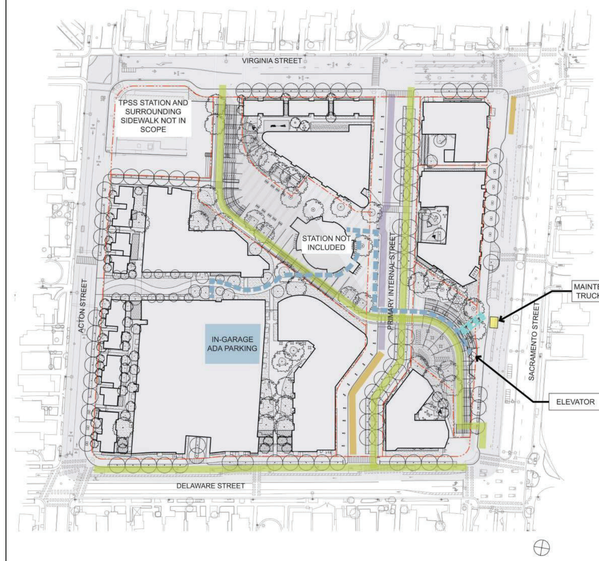
2d

PHASE DESCRIPTION

- Public Open Space: 51,300 SF
- Unit Count: 734
- Parking Count: x
- Notes: TPSS laydown

NBHP North Berkeley Housing Partners | David Baker Architects | YES. | EINWILLERKUEHL LANDSCAPE ARCHITECTURE | North Berkeley BART Station TOD | PHASING PLAN | 12/21/2023 | scale (printed at 22x34): 22233 1" = 50'-0"

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LEGEND

- ON-SITE CONSTRUCTION SCOPE
- OFF-SITE CONSTRUCTION SCOPE
- STREET PAVING/STRIPING
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- ADA RAMP
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- PROPERTY LINES
- COMPLETED SCOPE

PHASE NUMBER

2 Complete

PHASE DESCRIPTION

- Public Open Space: 51,300 SF
- Unit Count: 734
- Parking Count: x
- Notes:

NBHP North Berkeley Housing Partners | David Baker Architects | YES. | EINWILLERKUEHL LANDSCAPE ARCHITECTURE | North Berkeley BART Station TOD | PHASING PLAN | 12/21/2023 | scale (printed at 22x34): 22233 1" = 50'-0"

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YES.

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Revisions

Rev	Description	Date

Set Title

DEVELOPMENT APPLICATION

Drawing Title

PHASING

Sheet No.

G012.2

Date 2023-11-03
Project No. 22233

Exhibit C

Street Level Advisors | Feasibility Memo

MEMO

To: Jenny Wyant, City of Berkeley
From: Rick Jacobus, Street Level Advisors
RE: Economic Feasibility Assessment for North Berkeley BART

Date: April 4, 2024

This memo is intended to satisfy the requirements of the North Berkeley BART Project Affordable Housing Framework which was approved by the Berkeley City Council on July 25 of 2023. The framework calls for a "report completed by a third-party economic analysis firm approved by the City of Berkeley" which:

i. Compares the proposed level of affordability (number of units and depth of AMI affordability) to the level that would be provided by a hypothetical development project on the Property that complied with the City's Inclusionary Housing Requirements through the on-site compliance option;
ii. Provides a financial analysis estimating the developer capital contribution that would be required to provide the City's inclusionary units on-site and comparing that to the developer's proposed affordable housing capital contribution as part of their finance plan; and
iii. Reviews individual and combined project return metrics, economics, and annual cash flow to validate project feasibility and to ensure a customary market rate return.

Overview:

The proposed mixed income project at North Berkeley BART provides dramatically more and deeper affordability than would be required under Berkeley's Inclusionary Housing Ordinance. Allowing the clustering of the required affordable housing units will significantly reduce the cost burden on the market rate project. The proposed contribution is still consistent with the cost that a comparable market rate project would face if they elected to pay Berkeley's in lieu fee. Even with this reduction in the cost of compliance, the project's financial feasibility is uncertain under current market conditions.

1. Proposed Level of Affordability

The proposed North Berkeley BART, as currently designed, includes dramatically more affordable housing units at much deeper levels of affordability than would be required under Berkeley's Inclusionary Housing Ordinance. The Ordinance (BMC 23.328) requires projects

that provide units onsite to set aside 10% of total units for households earning 80% of Area Median Income (AMI) or less and 10% of units for households earning 50% of AMI or less.

By clustering affordable units into 100% affordable housing buildings and leveraging the contribution from market rate units with public affordable housing funding, the project proposes to provide more than 50% of the total units on the site with restrictions which will maintain affordability to households earning 70% of AMI or less. And among the affordable units, the income mix reaches much deeper than the inclusionary ordinance requires. Forty percent of the proposed affordable units serve households under 30% of AMI where the ordinance requires no units at this level. And where the ordinance allows half of the affordable units in each project to be at the 'low income' level (below 80% AMI), the proposed project only includes a third in this income range with the majority of those targeting 60% AMI, the rest at 70% and none at 80% AMI.

Table 1: Comparison of affordability levels

	Proposed Project		Hypothetical Compliance	
30% Ami	153			
40% AMI	23			
50% AMI	72		74	
60% AMI	94			
70% AMI	36			
80% AMI	0		74	
Manager	3			
Market Rate	358		591	
TOTAL	**739**		**739**	
Affordable %	51%		20%	
VLI or lower	34%		10%	
ELI %	21%		0%	
Affordable Unit Breakdown				
Extremely Low Income	153	40%	0	0%
Very Low Income	95	25%	74	50%
Low Income	130	34%	74	50%
Total	**378**		148	

2. Developer Capital Contribution Comparison

Consistent with the methodology outlined in the City's Affordable Housing Framework, the compliance plan describes a developer contribution of $14 million. The framework calls for a contribution based on the greater of:

a. The then-current City housing mitigation and/or inclusionary in-lieu housing fee amount per unrestricted market rate unit (or aggregate square footage of the market rate units) to be developed on the Property (including any bonus units available as a result of the density bonus), or
b. $200,000 per on-site affordable unit required by the City's affordable housing regulations (inclusionary unit).

The final square footage of the market rate units has not been determined yet, so the Compliance Plan uses $200,000 per required onsite affordable unit to estimate the required minimum contribution.

Table 2: Minimum Contribution Calculation

Mimimum Contribution		
Market rate units	358	
Affordable units that would be required onsite (rounded)	72	20%
Contribution Per Required Unit	$200,000	
Total Minimum Contribution	$14,400,000	

Prior to approving a final amount for this contribution, the City should require the developer to also calculate the amount due under option A – calculated based on the residential square footage times the then current in lieu fee. It is possible that this could result in a slightly higher contribution.

The Framework calls for a comparison between this proposed capital contribution and the capital cost of providing the required 20% affordable units onsite in the project. It is difficult to calculate the cost of onsite compliance at this time because, under current market conditions, the project is not entirely feasible. Rents will need to rise and/or construction and financing costs will need to fall before the project is likely to begin construction. The exact cost of onsite compliance will depend on the specific changes in market conditions between now and the time the project commences construction.

In order to roughly approximate the cost of compliance, we used the results of a recently completed city-wide feasibility study conducted by Strategic Economics. Strategic estimated that for a typical Berkeley multi-family project each unit rented at 50% of AMI cost a project (ie. reduced the market value of a building) $478,116 and each 80% AMI unit cost $298,632. Table 3 uses these assumptions to estimate the total cost of compliance for the hypothetical situation where a market rate project at North Berkeley BART had to comply with the inclusionary ordinance with onsite units mixed into the market rate building.

Table 3: Estimated Cost of Onsite Compliance

Affordability Gap	Gap per Unit	Required Units	Total Gap
50% AMI units	$ 478,116	36	$ 17,212,176
80% AMI Units	$ 298,632	36	$ 10,750,752
Total		72	$ 27,962,928

The proposed developer minimum contribution is significantly less expensive than onsite compliance in a mixed income building would be. Strategic Economics found that this is also true for every other project in Berkeley: the cost of compliance onsite is dramatically higher than the cost of Berkeley's In Lieu Fee.

3. Analysis of Return

Lastly, the Framework calls for an evaluation of the rates of return to evaluate feasibility and ensure that returns are not above what is typical.

Avalon Bay, the developer of the market rate buildings at North Berkeley BART, provided Street Level Advisors with a preliminary analysis of development costs and cash flows. The assumptions that they used were highly consistent with the assumptions that we used in an analysis of likely feasibility that we presented to the BART station Community Advisory Group (CAG) in 2020 as well as with the assumptions made more recently by Strategic Economics. Avalon indicated that the project would require a Yield on Cost of 6.5% to be fully feasible. After conducting interviews with several local multi-family developers, Strategic Economics concluded that the minimum feasible yield on cost in Berkeley today is 6.0%. Avalon's target of 6.5% is well within the normal range of variation that we would expect to see and Strategic's research suggests that they may be willing to move forward with the project even if they cannot reach their target of 6.5%

However, under current conditions the project does not appear likely to generate a return of 6.5% or even 6.0%. Increases in rent and/or decreases in development costs will be necessary before the project can generate customary market returns. For comparison, Strategic Economics' recent report included a prototype for an 8 story multi-family rental project which was projected to generate a yield of 3.75% under current conditions.

The combination of high construction costs and recent increases in interest rates have resulted in a situation where feasibility is temporarily very challenging throughout Berkeley. It is likely that the situation will change over time as interest rates fall and rents rise. As a result, it is not surprising that under current conditions, the market rate portion of the North Berkeley Project does not generate the necessary level of return to be considered feasible. To be extra clear, this does not mean that the project will not move forward, only that the developer will have to feel confident that conditions are changing before they break ground on the project. There are other East Bay projects currently moving forward in spite of temporarily unfavorable conditions and the North Berkeley BART site continues to be a highly desirable site for multi-family development.

Office of the City Manager

PUBLIC HEARING
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Department of Public Works

Subject: Levy and Collection of Fiscal Year 2025 Street Lighting Assessments

RECOMMENDATION

Conduct a public hearing and upon conclusion adopt Resolutions confirming the assessments for the Berkeley Street Lighting Assessment District No. 1982-1 and the Street Lighting Assessment District 2018, approving the Engineer's Reports, and authorizing the levying and collection of assessments in Fiscal Year 2025.

FISCAL IMPACTS OF RECOMMENDATION

On May 21, 2024, Council adopted Resolutions No. 71,349 –N.S. (District No. 1982-1) and Resolution No. 71,350–N.S. (District 2018) declaring the City's intent to levy and collect FY 2025 assessments for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District 2018, collectively referred to herein as the Districts; preliminarily approving the Engineer's Reports for the Districts; and setting a public hearing for the June 25, 2024 Council Meeting.

The attached Resolutions confirm the assessments, approve the final Engineer's Reports, and authorize the levy and collection of assessment in Fiscal Year 2024. The assessments are to be filed with the Alameda County Auditor and included on the County's assessment roll. After collection by the County the total amount of the assessment minus a county collection fee is paid to the City of Berkeley. The revenue is posted in the Street Light Assessment District Fund (Fund 142).

A summary of forecasted FY 2025 revenue and expenditures for the Districts is shown in Table 1.

Table 1: FY 2025 Street Light Assessment Revenue & Expenditures Forecast

Street Lighting Program Expenditures	**$ 1,948,743**
Projected Assessments	
Street Light Assessment District 1982-1	$ 1,422,966
Street Light Assessment District 2018	$ 838,753

Misc. Revenue	$ 500
Projected Net Assessments	**$ 2,262,219**
To (from) General Fund and/or Reserves	**$ 313,477**

Allowable annual adjustments of the 2018 District assessment rates are expected to raise revenues over the coming years.

CURRENT SITUATION AND ITS EFFECTS

The proposed FY 2025 rates for Assessment District 1982-1 (1982 District) are incorporated into the Engineer's Report (Attachment 3) and reflect no changes to assessment rates in FY 2025. Accordingly, this action is exempt from the notice, protest, and hearing requirements of State Proposition 218 as set forth in Government Code Section 53753.5 (Article XIII D, Sec. 5). Any increase or change in formula for the assessments would make the annual assessment subject to procedures and approval process of Proposition 218 (Government Code Section 53750-53754). Table 2 details prior year and proposed FY 2025 assessment rates for this district.

Table 2: Street Lighting Assessment District No. 1982-1 Rate Schedule

Rate Category	Assessment FY 2024	Proposed Assessment FY 2025	Unit
Residential and Institutional	$ 0.0108	$ 0.0108	BSF[1]
Industrial and Utility	$ 0.0216	$ 0.0216	BSF
Commercial	$ 0.0432	$ 0.0432	BSF

The assessment for Street Lighting Assessment District 2018 (2018 District) is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 3%. For the period beginning in December 2022 and ending in December 2023, the CPI increased by 2.62%[2] therefore the assessment CPI adjustment for Fiscal Year 2025 may not exceed 2.62%. As approved by voters, the total annual adjustment may be calculated by taking the sum of the 1982-1 District assessment and the 2018 District assessment, and multiplying the sum by the allowable CPI increase. Calculating the adjustment in this manner allows for the inclusion of a

[1] Building Square Footage (BSF)
[2] Bureau of Labor Statistics, Data Series CUUSS49BSA0

1982-1 District adjustment as part of the 2018 District adjustment. The cumulative total adjustment results in a 2018 District assessment rate increase of approximately 7.4%.

These rate increases and the methodology used in their calculation for the 2018 District are in accordance with the voter approved measure; therefore the proposed adjustments are exempt from the notice, protest, and hearing requirements of State Proposition 218 as set forth in Government Code Section 53753.5 (Article XII D, Sec. 5). Table 3 details the proposed FY 2025 assessment rates for this district. Additional information regarding the annual adjustment and the corresponding rate increases is included in the 2018 District Engineer's Report (Attachment 4).

Table 3: Street Lighting Assessment District 2018 Rate Schedule

Rate Category	Assessment FY 2024	Proposed Assessment FY 2025	Unit
Residential			
Single Family	$ 16.72	$ 17.96	parcel
Multi-Family<5 units	$ 13.38	$ 14.37	unit
Multi-Family 5 or more units	$ 10.03	$ 10.78	unit
Condominium	$ 13.38	$ 14.37	parcel
Mobile Home	$ 8.36	$ 8.98	unit
Multiple SFR on parcel	$ 16.72	$ 17.96	unit
Non-Residential			
General Commercial	$ 250.80	$ 269.40	acre
Industrial / Warehouse	$ 25.08	$ 26.94	acre
Auto Repair	$ 167.20	$ 179.60	acre
Hotel / Motel / Boarding	$ 167.20	$ 179.60	acre
Hospital	$ 104.50	$ 112.25	acre
Retirement Home	$ 20.90	$ 22.45	acre
School / Day Care	$ 37.62	$ 40.41	acre
Medical / Dental / Vet	$ 209.00	$ 224.50	acre
Church	$ 12.54	$ 13.47	acre
Mortuary	$ 4.18	$ 4.49	acre
Recreational	$ 41.80	$ 44.90	acre
Parking / Transportation	$ 83.60	$ 89.80	acre
Mini Storage	$ 12.54	$ 13.47	acre
Office	$ 62.70	$ 67.35	acre
Bank	$ 209.00	$ 224.50	acre
Park / Open Space / Agriculture	$ 0.84	$ 0.90	acre
Vacant	*Not assessed*		

Revenue from the assessments will provide needed funding for installing, maintaining, and servicing public lighting facilities, including but not limited to street lights, traffic signals, and related electrical facilities. The improvements and services support the Strategic Plan goals of creating a resilient, safe, connected, and prepared City and providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

The City's Street Lighting Assessment District No. 1982-1 was established under the Landscaping and Lighting Act of 1972 (Streets and Highway Code Section 22620-22631) on July 27, 1982 (Resolution No. 51,449-N.S.)[3]. The Street Lighting Assessment District 2018 was established under the same Act on June 12, 2018 (Resolution No. 68,482-N.S.). The Act requires the Council to hold a public hearing each year to consider adoption of an annual budget and approve changes to the Engineer's Report. At this hearing owners of assessed properties within the district are allowed to make an oral or written protest against the annual levy.

During the course of, or upon conclusion of the public hearing, Council may order changes in any of the matters provided in the respective Engineer's Report, including changes in improvements; zones within the assessment district; and the proposed district diagram, or the proposed assessment, as long as any proposed changes are less than the proposed annual levy. With the incorporation of any changes made by Council to the Engineer's Report, it is then adopted upon supporting vote by Council confirming the diagrams, assessments, and levying assessments for the coming Fiscal Year.

The City's Engineering Division has filed the FY 2025 Engineer's Reports for the assessment districts with the City Clerk. Copies of the Engineer's Reports with FY 2025 assessments will be available for review on the City's Website[4] after this Council Action, and at the reference desk of the main branch of the Berkeley Public Library and at the City Clerk's Office when the City offices reopen for public business.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The City exclusively uses LED (light emitting diode) street lighting. LED lights achieve the City's illumination standards and last longer than high-pressure sodium lamps, reducing maintenance costs, and providing environmental benefits by reducing the level of greenhouse gases emitted, reducing the level of toxic materials disposed, and maximizing energy efficiency.

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[3] State of California legislation (Streets & Highways §22500) allows local governmental agencies to form Landscape & Lighting Maintenance Districts. A 1972 Act Landscaping and Lighting District is a flexible tool used by local government agencies to pay for landscaping, lighting and other improvements and services in public areas. It is based on the concept of assessing only those properties that benefit from improvements financed, either directly, or indirectly through increased property values. http://www.californiataxdata.com/pdf/1972LLact.pdf

[4] https://berkeleyca.gov/city-services/report-pay/property-taxes

RATIONALE FOR RECOMMENDATION

Failure to conduct a public hearing and adopt the Resolutions would result in non-compliance of the requirements set forth in the Landscaping and Lighting Act of 1972 thus preventing the City from levying assessments in FY 2025. The District assessments are needed to establish financial sustainability for the Program and to avoid significant reductions in service.

CONTACT PERSON

Wahid Amiri, Deputy Director, Department of Public Works, (510) 981-6396
Ronald A. Nevels, Manager of Engineering, Public Works, (510) 981-6439

Attachments:
1: Resolution – Declaration of Intent – Street Lighting Assessment District 1982-1
2: Resolution – Declaration of Intent – Street Lighting Assessment District 2018
3: Engineer's Report - Street Lighting Assessment District 1982-1 Fiscal Year 2025
4: Engineer's Report - Street Lighting Assessment District 2018 Fiscal Year 2025
5: Public Hearing Notice

RESOLUTION NO. ##,###-N.S.

LEVY AND COLLECTION OF FY 2025 ASSESSMENTS FOR STREET LIGHTING ASSESSMENT DISTRICT 1982-1

WHEREAS, the Council adopted Resolution No. 71,349 -N.S. declaring the City's intent to levy and collect assessments for FY 2025, approving the preliminary Engineer's Report, dated April 2024, for the Berkeley Lighting Assessment District 1982-1, and setting a public hearing for June 25, 2024; at a regular Council Meeting; and

WHEREAS, the City Clerk published notice of the public hearing 10 days prior to the public hearing in accordance with Streets and Highway Code Sections 22625, 22626, 22552, and 22553 and Government Code Section 6061 in a newspaper with general circulation; and

WHEREAS, a public hearing was held on Tuesday, June 25, 2024 at the regular Council meeting; and all interested persons were afforded the opportunity to hear and be heard or file a written protest with the Clerk; and

WHEREAS, the Council considered all public comments received against the levy of an annual assessment at the same rate as was levied in FY 2024 and the assessment follows the Landscape and Lighting Act of 1972.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley approves the final Engineer's Report dated April 2024 and authorizes the levy and collection of assessments within Berkeley Street Lighting Assessment District No. 1982-1 for FY 2025. The area of Land to be assessed is located in the City of Berkeley, Alameda County.

BE IT FURTHER RESOLVED that improvements to be made in this assessment district are generally described as maintenance or servicing of existing and future public lighting facilities, including, but not limited to street lights, traffic signals, and related electrical facilities; and the installation and construction of public lighting including but not limited to grading, clearing, removal of debris, installation and construction of curbs, gutters, walls, sidewalk, paving, irrigation, and drainage as needed for the installation of public lighting or related electrical facilities.

RESOLUTION NO. ##,###-N.S.

LEVY AND COLLECTION OF FY 2025 ASSESSMENTS FOR STREET LIGHTING ASSESSMENT DISTRICT 2018

WHEREAS, the Council adopted Resolution No. 71,350-N.S. declaring the City's intent to levy and collect assessments for FY 2025, approving the preliminary Engineer's Report, dated April 2024, for the Street Lighting Assessment District 2018, and setting a public hearing for June 25, 2024; at a regular Council Meeting; and

WHEREAS, the City Clerk published notice of the public hearing 10 days prior to the public hearing in accordance with Streets and Highway Code Sections 22625, 22626, 22552, and 22553 and Government Code Section 6061 in a newspaper with general circulation; and

WHEREAS, a public hearing was held on Tuesday, June 25, 2024 at the regular Council meeting and all interested persons were afforded the opportunity to hear and be heard or file a written protest with the Clerk; and

WHEREAS, the Council considered all public comments received against the levy of an annual assessment at the proposed assessment rate of SEVENTEEN DOLLARS AND NINETY-SIX CENTS ($17.96) per single-family equivalent benefit unit; and

WHEREAS, the proposed annual assessment adjustment is in accordance with formulas established when the assessment district was formed and the assessment follows the provisions of Proposition 2018 (Article XIII D of the California Constitution) and the Landscape and Lighting Act of 1972.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley approves the final Engineer's Report dated May 2024 and authorizes the levy and collection of assessments within Street Lighting Assessment District 2018 for FY 2025. The area of land to be assessed is located in the City of Berkeley, Alameda County.

BE IT FURTHER RESOLVED that that improvements to be made in this assessment district are generally described as maintenance or servicing of existing and future public lighting facilities, including, but not limited to street lights, traffic signals, and related electrical facilities; and the installation and construction of public lighting including but not limited to grading, clearing, removal of debris, installation and construction of curbs, gutters, walls, sidewalk, paving, irrigation, and drainage as needed for the installation of public lighting or related electrical facilities.

CITY OF BERKELEY

STREET LIGHTING ASSESSMENT DISTRICT No. 1982-1

ENGINEER'S REPORT

on the
Levy of an Assessment
for
Fiscal Year 2025

April 2024

Prepared by

RONALD NEVELS, PE
CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

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BACKGROUND

By its Resolution 51,230 N.S., adopted April 6, 1982, the Berkeley City Council initiated proceedings under the provisions of Division 15, Part 2, of the California Streets and Highways Code, entitled “Landscaping and Lighting Act of 1972”. The required public hearing was held on July 20, 1982, at which time the Council ordered the improvements and the formation of the assessment district, and confirmed the diagram and assessment. The district so formed was designated the “City of Berkeley Street Lighting Assessment District 1982-1”. Assessments have been levied for the 1983 through 2024 fiscal years.

This report was prepared and filed pursuant to Division 15, Part 2, of the California Streets and Highway Code Section 2250, and is exempt from Government Code Section 53753 since the proposed assessment for FY 2025 will not be increased.

PLANS AND SPECIFICATIONS

The plans and specifications for this assessment district were prepared and filed with the Engineer’s Report for the 1983 fiscal year, which plans and specifications are incorporated herein by this reference thereto.

METHODOLOGY

The benefit to individual parcels within the Assessment District was established in 1982 based on the median light intensity a parcel receives. Parcel’s Land Use Code (LUC) is used to categorize the parcels. The assessment is calculated by multiplying the building square footage on the parcel times the rate of its category. The rate structure has three categories: 1) Residential and Institutional, 2) Industrial, 3) Commercial. An industrial area has twice the median light intensity of a residential area and a commercial area has four times the median light intensity; therefore, the rates are two and four times higher, respectively, than the residential rate. The rates are:

Residential and Institutional	$0.0108/Building Square Footage
Industrial and Utility	$0.0216/Building Square Footage
Commercial	$0.0432/Building Square Footage

ESTIMATE OF COSTS

The improvements to be made in this assessment district are generally described as the maintenance or servicing of existing and future public lighting facilities, including, but not limited to street lights, traffic signals, and related electrical facilities; and the installation and construction of public lighting including grading, clearing, removal of debris, installation and construction of curbs, gutters, walls, sidewalks, paving, irrigation, and drainage as needed for the installation of public lighting or related electrical facilities.

An estimate of costs for the maintenance of the improvements is provided in the fiscal year (FY) 2025 Street Light Assessment Fund (Fund 142) forecast provided below.

Table 1- FY 2025 Street Light Fund Forecast

Expenses		
Personnel Expenses	$	474,194
Non-Personnel Expenses		
Non-Personnel	$	452,239
Debt Service	$	217,907
PG&E Electric Costs	$	498,352
Indirect Costs	$	56,564
Operating Transfer Out	$	12,120
County Collection Fee	$	37,367
Subtotal Non-Personnel Costs	**$**	**1,274,549**
Capital Expenses		
Deferred Capital/Maint	$	200,000
Subtotal Capital Expenses	**$**	**200,000**
Total Expenses	**$**	**1,948,743**
Assessments & Other Revenue		
Street Light Assessment District 1982-1	$	1,422,966
Street Light Assessment District 2018	$	838,753
Misc. Revenue	$	500
Total Revenue	**$**	**2,262,219**
Deficit – To (from) General Fund and/or Reserves	**$**	**313,477**

DIAGRAM

The diagram for this assessment district was prepared and filed with the Engineer's Report for the 1983 fiscal year.

ASSESSMENT

Except as described below, the assessments to be made against the assessable lots and parcels of land within this assessment district are contained in the "2024 Assessment Roll" for this district, which roll is filed herewith and incorporated herein by this reference thereto.

Said assessment roll filed herewith is based on data contained in the City's 2024 Library Tax tape and the County Assessor's 2024 maps. In the event that data contained in the 2024 Library Tax tape and 2024 maps, when issued, conflict therewith, assessments to be made against the affected parcels for this 2025 Fiscal Year shall be based upon the revised data contained in said 2025 tape and 2025 maps.

Dated: _____

_____

Ronald Nevels, RCE 62524
Engineer of Work

APPENDIX A: FY 2025 ASSESSMENT ROLL

An Assessment Roll (a listing of all parcels assessed within the City of Berkeley Street Lighting Assessment District 2018 and the amount of the assessment) has been filed with the City Engineer, and is, by reference, made part of this report and will be available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference, made part of this report. These records shall govern all details concerning the description of the lots or parcels.

FY 2025

City of Berkeley

Street Lighting Assessment District 2018

May 2024

Engineer of Work:

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CITY OF BERKELEY

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Introduction

Overview

The City of Berkeley ("City") provides maintenance and servicing of certain publicly-owned street lights throughout the City. In order to fund the installation, maintenance and operation (the "Services") of these improvements ("Improvements"), the City formed a city-wide street light assessment district in 1982. The rates for the 1982 assessment district have never been increased. Revenues from these assessments are placed into the streetlight fund (Fund 470).

In time, the financial outlook of the Streetlight fund began to cause concern as the costs increased for energy, labor and materials, while the revenue remained relatively static. Accordingly, the Streetlight fund no longer had enough funds to fund the Street light program. As a result, beginning in Fiscal Year 2006[1] the Streetlight fund began to receive a subsidy from the City's General Fund in order to balance revenues with expenditures. However, because of other demands on the General Fund, that subsidy ended beginning Fiscal Year 2018. The modest fund balance was sufficient for Fiscal Year 2018 to cover that year's anticipated expenses, but under current conditions it was expected to be depleted during Fiscal Year 2019. To establish financial sustainability for the Streetlight fund and avoid significant reductions in service levels, in 2018 the City conducted a funding measure to increase the assessment revenue for street light services.

With the passage of Proposition 218 in 1996, any increase in assessments must be approved by the affected property owners through a specified ballot proceeding. In addition, Proposition 218 and related subsequent court decisions create strict criteria for how assessments can be apportioned to the various properties, and the existing 1982 assessment structure may not be adequately consistent with these newer criteria. While the 1982 assessment structure may continue as a "grandfathered" assessment, any increase must be implemented in accordance with Proposition 218 and court decisions. For this reason, a new district, Street Lighting Assessment District 2018 ("District"), was formed separately, leaving the 1982 assessment structure in place, as is. The District will was formed and the levies are made pursuant to Part 2 of Division 15 of the *California Streets and Highways Code*, commonly known as the Landscape and Lighting Act of 1972 ("Act"), and Article XIIID of the California Constitution ("Article").

[1] Fiscal years are referenced in this Report by the year that fiscal period ends. For example, Fiscal Year 2006 would cover the period from July 1, 2005 through June 30, 2006.

Assessment Formation Process

This Engineer's Report ("Report") describes the Street Lighting Assessment District 2018 ("District"), along with the boundaries, a description of the facilities and public improvements to be improved, serviced and maintained by the assessments (the "Improvements"), and the proposed assessments for Fiscal Year 2025 ("Assessments").

At its meeting on April 3, 2018, the City Council passed a resolution directing that a notice of assessment and assessment ballot be mailed to property owners within the District whose property receives special benefit from the Improvements. The notice included a description of the Improvements to be funded by the Assessments, the proposed assessment amount for each parcel owned, and an explanation of the method of completing and submitting the ballot. Ballots were mailed on or about April 11, 2018.

On May 29, 2018, a public hearing was be held for the purpose of allowing public testimony regarding the proposed Assessments. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the proposed Assessments.

The returned ballots were then tabulated, and the ballot results were announced at the City Council meeting on June 12, 2018. It was determined that the assessment ballots submitted in opposition to the proposed Assessments did not exceed the assessment ballots submitted in favor of the Assessments (each ballot was weighted by the proportional financial obligation of the property for which the ballot was submitted), so the Council was able to take action to approve the levying of Assessments for Fiscal Year 2019. The Assessments were confirmed and approved, and the Assessment information was submitted to the County Auditor/Controller. The County Auditor/Controller included the Assessments on the property tax roll beginning in Fiscal Year 2019. Assessments may now be continued by the City Council from year to year.

Legal Requirements

Proposition 218

This Assessment District was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996 and is now codified as Articles XIIIC and XIIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including property-owner balloting for the imposition, increase and extension of assessments, and these requirements are satisfied by the process used to establish this Assessment District.

Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority

In July 2008, the California Supreme Court decided Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("*SVTA*"), the most significant court case clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the decision included further emphasis that:

- Benefit assessments are for special benefits to property, not general benefits.
- The services and/or improvements funded by assessments must be clearly defined.
- Assessment districts must be drawn to contain all parcels that receive a special benefit from a proposed public improvement.
- Assessments paid in each assessment district must be proportional to the special benefit received by each such parcel from the improvements and services funded by the assessment.

This Engineer's Report and the process used to establish the Assessments are consistent with the *SVTA* decision and with the requirements of Article XIIIC and XIIID of the California Constitution based on the following factors:

1. The District is narrowly drawn to include only the properties that receive special benefit from the specific Improvements. Thus, zones of benefit are not required, and the assessment revenue derived from real property in the District is extended only on the Improvements in the District.

2. The Improvements which will be constructed and maintained with Assessment proceeds in the District are located in close proximity to the real property subject to the Assessment. The Improvements provide illumination to streets and sidewalks enabling improved access to the residents of such assessed property. The proximity of the Improvements to the assessed parcels and the improved access and increased safety provided to the residents of the assessed parcels by the Improvements provides a special benefit to the parcel being assessed pursuant to the factors outlined by the Supreme Court in that decision.

3. Due to their proximity to the assessed parcels, the Improvements financed with Assessment revenues in the District benefit the properties in that District in a manner different in kind from the benefit that other parcels of real property in the area derive from such Improvements, and the benefits conferred on such property in the District are more extensive than a general increase in property values.

4. The assessments paid in the District are proportional to the special benefit that each parcel within the District receives from the Improvements because:

   a) The costs of the specific lighting Improvements and maintenance and utility costs in the District are specified in this Report; and

   b) Such Improvement and maintenance costs in the District are allocated among different types of property located within the District and equally among those properties which have similar characteristics, such as single-family residential parcels, multi-family residential parcels, commercial parcels, industrial parcels, etc.

Dahms v. Downtown Pomona Property

On June 8, 2009, the Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona in Dahms v. Downtown Pomona Property ("*Dahms*"). On July 22, 2009, the California Supreme Court denied review. In *Dahms* the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

Bonander v. Town of Tiburon

On December 31, 2009, in Bonander v. Town of Tiburon ("*Bonander*"), the Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments primarily on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of the overall cost of the improvements and the overall proportional special benefits.

Beutz v. County of Riverside

On May 26, 2010 the Court of Appeals issued a decision in Steven Beutz v. County of Riverside ("*Beutz*"). This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services was not explicitly calculated, quantified and separated from the special benefits.

Golden Hill Neighborhood Association v. City of San Diego

On September 22, 2011, the Court of Appeal issued a decision in Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The Court described two primary reasons for its decision. First, like in *Beutz*, the Court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the Court found that the City failed to record the basis for the assessment on its own parcels.

Compliance with Current Law

This Engineer's Report is consistent with the requirements of Articles XIIIC and XIIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the District; and the Improvements provide a direct advantage to property in the District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and Services and proportional special benefit to each property.

Plans and Specifications

The work and Improvements to be undertaken by the City and the cost paid from the levy of the annual assessment provide special benefit to assessor parcels within the District defined in the Method of Assessment herein. Consistent with the Act, the Improvements are generally described as follows:

The installation, maintenance, and servicing of local street lights in close proximity to certain lots and parcels which provide a direct special benefit to such lots or parcels.

The installation, maintenance, and servicing of peripheral street light structures which provide a special benefit to all the assessable parcels within the District whether or not such parcels are in close proximity to such lighting.

The installation or construction of public lighting facilities, or the acquisition of any new improvements.

Plans and Specifications for the Improvements for the District are voluminous and are not bound in this Report but by this reference are incorporated and made a part of this Report. The Plans and Specifications are on file in the Public Works Engineering Office where they can be made available for public inspection.

Article XIII D of the California Constitution defines "maintenance and servicing expenses" as, "the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care and supervision necessary to properly operate and maintain a permanent public improvement." The Improvement funding includes, but is not limited to, the removal, repair, replacement or relocation of light standards, poles, bulbs, fixtures and appurtenances, electrical energy, supplies, engineering and incidental costs relating to the maintenance and servicing of the local lighting improvements benefiting the parcels within the District.

The Improvements to be maintained and serviced within the District are to be part of the local street light system of the City of Berkeley that confers special benefit to the District's parcels. The specific location of local street light Improvements within the City can be found in the Streetlight Condition Assessment by Tanko Lighting, which is on file in the office of the Director of Public Works, where it is available for public inspection.

The Improvements to be maintained and serviced within the District include City-owned street lights within the right of way of the local public streets located within the boundaries of the District. These lights are all within close proximity to the parcels within the District identified as receiving local lighting benefit in the Method of Assessment, and, as such, provide special benefit to these parcels.

All street light maintenance will be performed by the City of Berkeley or its contractors.

Fiscal Year 2025 Budget

A summary budget for fiscal year 2025 for the maintenance of the Improvements is provided below. The full Itemized budget for the Assessment District is voluminous and is not bound in this report but by reference is incorporated and made a part of this report. The Itemized budget is on file in the Department of Public Works where it is available for public inspection.

Table 1 – FY 2025 Budget Summary

	FY 2025
Revenue	
1982 Assessment Dist	$ 1,422,966
SLAD 2018 Assessments [1]	838,753
Misc. Revenue	500
TOTAL REVENUE	$ 2,262,219
Expenses	
Personnel Expenses	
Personnel	474,194
Other Operating Expenses	
Non-Personnel	452,239
Indirect Costs	56,564
Gas/Electricity	498,352
Debt Service Payment	217,907
Operating Transfer Out	12,120
County Collection Fee	37,367
Other Operating Subtotal	$ 1,274,549
Capital Expenses	
Deferred Capital/Maint	200,000
Capital Subtotal	$ 200,000
TOTAL EXPENSES	$ 1,948,743
To (from) General Fund and/or Reserves	$ 313,477
Budget Allocation to Parcels	
Total Street Light 2018 Assessments [1]	$ 838,753
Total Street Light 2018 SFEs	46,691.257
Assessment per SFE [2]	**$ 17.96**

Notes on the Budget:

1. The Act requires that proceeds from the Assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the District. Moreover, funds raised by the Assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The City may also establish a reserve fund for contingencies and special projects, as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.

2. The rate shown here is for a Single-Family Equivalent ("SFE"), which is a single-family home or its equivalent. For the definition of the term SFE and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

Method of Assessment

This section of the Engineer's Report includes an explanation of the benefits derived from the installation, maintenance and servicing of the Improvements throughout the District and the Assessment methodology used to apportion the total Assessment to properties within the District.

The District consists of all assessor parcels within the boundaries as defined by the Assessment Diagram and the parcels identified by the Assessor Parcel Numbers listed with the levy roll included with this Report. The parcel list includes all assessable privately and publicly owned parcels within the boundaries. The method used for apportioning the Assessment is based on the proportional special benefits to be derived by the properties in the District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the Improvements and the second step is to allocate the Assessments to property based on the estimated relative special benefit for each type of property.

Discussion of Benefit

In summary, the Assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the Improvements or a property owner's specific demographic status. With reference to the requirements for Assessments, Section 22573 of the Act states:

> *The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.*

Proposition 218, as codified in Article XIIID of the California Constitution, has confirmed that Assessments must be based on the special benefit to property:

> *No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.*

Special Benefit

Street lighting is an optional improvement, not required by state or federal law, that is an enhancement over and above requisite infrastructure, and thus is a special benefit. The majority of the benefits of the street lights are received by the benefited property, with a small portion of the benefits received by the general public on major streets only. This portion received by the general public is captured and quantified in the following section.

The factors that determine special benefit conferred on parcels are detailed below:

Improved Visibility and Safety

Well maintained, effective street lighting provides special benefit to proximate parcels, within range of the light, because it allows for safer and improved use of the property in the evenings, early morning, and at night. Street lighting provides special benefit because it increases neighborhood safety and, at least indirectly, reduces the likelihood of crime on the proximate parcels. Over time, the Improvements continue to confer a particular and distinct special benefit upon parcels within the District because of the nature of the Improvements. The proper maintenance of the street lights and appurtenant facilities increases visibility and local human presence and, in many situations, helps reduce property-related crimes, especially vandalism, against assessed properties in the District.

Improved Access, Navigation and Traffic Safety

Well maintained, effective street lighting enhances ingress, egress and accessibility of all forms to the assessed parcels in the evening, early morning, and at night by increasing visibility. Improved visibility also helps prevent local automobile, bicycle, and pedestrian traffic accidents related to the assessed parcels. This benefit includes a reduction in accidents during non-daylight hours.

Improved Community Character and Vitality

Well maintained, effective street lighting promotes evening and nighttime social interaction of residents and customers of businesses and industry. This creates a positive atmosphere and enhanced community image in the evening and at night for the assessed parcels.

All of the above-mentioned items also contribute to a specific enhancement to each of the parcels within the District. The proximate street lights make each parcel safer, more visible, more accessible, more useful, more valuable and more desirable; and this further strengthens the basis of these Assessments.

General Versus Special Benefit

The proceeds from the Assessments are used to fund the described Improvements and increased levels of maintenance to the other City facilities that serve and benefit the properties in the District. In absence of the Street Lighting Assessment District 2018, such Improvements would not be properly maintained. Therefore, the District's purpose is to ensure that the necessary and beneficial public facilities for property in the District are properly maintained, operated and repaired over time. The Assessments will ensure that street lighting and associated improvements within and adjacent to the District are functional, well maintained and effective. These public resources directly benefit the property in the District and will confer distinct and special benefits to the properties within the District.

The Improvements and Services are specifically designed, located and created to provide additional and improved resources for property inside the District and not the public at large although the Improvements maintained by the Services may be available to the general public. Other properties that are outside the District do not enjoy the unique proximity and other special benefit factors described previously. These Improvements and Services are of special benefit to properties located within the District because they provide a direct advantage to properties in the District that would not be provided in the absence of the Assessments. Any general benefits to surrounding properties outside of the Assessment District, if any, are collateral and conferred concomitantly.

Quantification of General Benefit

Although the analysis used to support these assessments concludes that the benefits are solely special, as described above, consideration is made for the suggestion that a portion of the benefits are general. General benefits cannot be funded by these assessments. The funding for general benefits must come from other sources.

The maintenance and servicing of these Improvements is also partially funded, directly and indirectly, from other sources, including the City of Berkeley, Alameda County, and the State of California. This funding comes in the form of grants, development fees, special programs, and general funds, as well as direct maintenance and servicing of facilities (e.g. curbs, gutters, streets, drainage systems, etc.). This funding from other sources more than compensates for general benefits, if any, received by the properties within the Assessment District.

In the 2009 *Dahms* case, the Court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund Improvements and Services directly provided within the District and every benefiting property in the District enjoys proximity and access to the Improvements. Therefore, *Dahms* establishes a basis for minimal or zero general benefits from the Assessments. Nonetheless, possible general benefits have been liberally calculated below and then shown to be more than offset by resources from non-assessment sources.

Calculation of General Benefit

The Illumination Engineering Society of North America provides a widely-used standard for street lighting which has become the de-facto industry standard. This standard specifies footcandle requirements as a measurement of illumination at the roadway level, which are different for local, collector, and major streets using three levels (low/medium/high) of pedestrian activity. The three street classifications and pedestrian activity levels are described below with a discussion of their general benefit contribution from the street light system.

Local Streets – a street that is used to gain access to the property bordering it. The street lights on local streets primarily serve the adjacent property owner. Therefore, per industry standard, the street lights on local streets have no general benefit component.

Collector Streets – low to moderate capacity roads which serve to move traffic from local streets to arterial roads. Similar to local streets, collector streets are primarily used by local residents and per industry standard are also deemed to have no general benefit component. This street classification will be used as the baseline for this analysis.

Arterials – high capacity streets that serve as the principal network for through traffic flow. These routes connect areas of principal traffic generation and important regional roadways traversing the City. As such, this traffic includes a significant number of drivers from outside the District and the street light Improvements may confer some general benefit on those drivers.

On average, arterial streets require a 45% increase in lighting levels from the baseline collector streets.[2] This increase in lighting reinforces the special benefits to the abutting properties as defined above: increased visibility and safety; improved access, navigation and traffic safety; and improved community character and vitality. In addition to these benefits, the through traffic flow, which includes drivers from outside the District, receives the additional benefit of reduction in nighttime accidents due to enhanced lighting. The degree to which each of these benefits can be considered general benefit is shown in Table 2 below.

Table 2 – General Benefit for Arterial Streets

Benefit Factor	Relative Weight	General Benefit Contribution	Relative General Benefit
Improved Nighttime Visibility and Safety	25	0%	0.0%
Improved Access, Navigation and Traffic Safety	25	50%	12.5%
Improved Community Character and Vitality	25	0%	0.0%
Reduction in Nighttime Accidents	25	75%	18.8%
General Benefit on Arterial Streets from Improved Lighting			**31.3%**

The general benefit from arterial streets must be combined with the general benefit from all other streets in the District. Each category of street has its unique general benefit weight, prorated by center line miles of streets. This calculation is shown in Table 3 below.

Table 3 – Calculation of General Benefit

Street Classification	Centerline Miles		General Benefit Weight	**General Benefit**
Local	158	73.1%	0%	0.0%
Collector	37	17.1%	0%	0.0%
Arterial	21	9.7%	31.3%	3.0%
TOTAL	216	100%		**3.0%**

[2] Based on values from the Illumination Engineering Society of North America, *"American National Standard Practice for Roadway Lighting."*

As a result, the City of Berkeley will contribute at least 3.0% of the total budget from sources other than the Assessment. This contribution offsets any general benefits from the Assessment Services.

Calculation of the Current General Benefit Contribution from the City

This general benefit contribution is the sum of the following components:

The City of Berkeley owns, maintains, rehabilitates and replaces curb and gutter along the border of the Assessment District improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City of Berkeley toward general benefit from the maintenance, rehabilitation, and replacement of the curb and gutter is conservatively estimated to be 1%.

The City of Berkeley owns and maintains a storm drainage system along the border of the District's Improvements. This system serves to prevent flooding and associated damage to the Improvements and to manage urban runoff including local pollutants loading from the Improvements. The contribution from the City of Berkeley toward general benefit from the maintenance and operation of the local storm drainage system is conservatively estimated to be 1%.

The City of Berkeley owns and maintains local public streets throughout the District. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the City of Berkeley toward general benefit from the maintenance of local public streets is conservatively estimated to be 1%.

The value of the construction of the existing street light Improvements can be quantified and monetized as an annuity. Since this construction was performed and paid for by funds other than these Assessments, this "annuity" can be used to offset general benefit costs and is conservatively estimated to contribute 25%.

General Benefit is More than Offset by City Contribution

Therefore, the total general benefit is liberally quantified at 3.0%, which is more than offset by the total non-assessment contribution toward general benefit of 28%.

Method of Assessment

As previously discussed, the proposed Assessments will provide comprehensive Improvements that will clearly confer special benefits to properties in the proposed District. The allocation of special benefits to property is partially based on the type of property and the size of property.

The development of an Assessment methodology requires apportioning to determine the relative special benefit for each property. To determine the special benefit received by individual parcels, the use of that parcel must be considered. Each category of property can benefit from street lights in a unique way, and those characteristics must be quantified. As noted above, the special benefit factors are as follows:

- Improved visibility and safety
- Improved access, navigation and traffic safety
- Improved community character and vitality

The basis for apportioning Assessments is traffic generated to and from a particular parcel. This is used because the amount of traffic generated by a parcel is directly proportional to, and effectively models, the relative quantity of the three special benefit factors. For instance, the more people that come and go from a site, the more the site benefits from the improved visibility and safety. The same reasoning applies to the other special benefit factors.

Residential Traffic

The typical single-family residence ("SFR") generates approximately ten vehicular trips per day. Condominium units generate approximately eight trips per day and apartment units generate approximately six trips per day per unit. The trip generation rates that are used for each land use are based on the trip generation rates published by the San Diego Association of Governments and the Encinitas Ranch Austin Foust Traffic Study. The trip generation rates are included in Appendix A of this report.

Non-Residential Traffic

Trip generation for non-residential parcels vary depending on their designated land use as well as size of parcel. The trip generation data for non-residential land uses are based on trips per acre. For instance, a commercial parcel on two acres typically will have twice the traffic of a commercial parcel on one acre. It follows that the two-acre parcel will then receive twice the benefit from the street lighting as the one-acre parcel. Various land uses were grouped into categories with similar traffic characteristics, resulting in the fee categories shown later in this report.

Darkness

Non-residential parcels typically do not operate all night long. The average period of darkness is 12 hours, but non-residential uses will only operate for approximately three hours of that time. For that reason, a non-residential darkness factor of (3 ÷ 12 =) 25% is applied to those parcels. For two non-residential categories, the darkness factor is different, as shown below:

- Offices and banks typically close earlier than other non-residential uses so they are assigned a darkness factor of 12.5%.
- Hotels, motels and boarding houses typically have activity further into the night than other non-residential uses, so they are assigned a darkness factor of 50%.

Non-residential trip generation is then adjusted for the darkness factor for each rate category.

Single-Family Equivalents

The SFR category is used as the baseline for calculating the special benefit for all other land uses and sizes. Each rate category is assigned a single-family equivalent ("SFE") rate using the following formula:

$$\frac{ADT \quad x \quad Darkness\ Factor}{ADT\ for\ SFR} = SFE\ Rate$$

Where:

- ADT = Average Daily Trips for each category
- ADT for SFR = ADT for single-family residential, which is used as a baseline figure for SFE rate
- SFE Rate = SFEs per unit shown (parcel, [living] unit, or acre)

The results of these calculations for each rate category are shown in Table 4 below.

Table 4 – Single-Family Equivalent Rates

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Landuse Category	ADT	Darkness Factor	Adj ADT	SFE Rate	Unit
Residential					
Single Family	10	1	10	1.000	parcel
Multi-Family < 5 units	8	1	8	0.800	unit
Multi-Family 5 or more units	6	1	6	0.600	unit
Condominium	8	1	8	0.800	parcel
Mobile Home	5	1	5	0.500	unit
Multiple SFR on parcel	10	1	10	1.000	unit
Non-Residential					
General Commercial	600	0.25	150	15.000	acre
Industrial / Warehouse	60	0.25	15	1.500	acre
Auto Repair	400	0.25	100	10.000	acre
Hotel / Motel / Boarding	200	0.5	100	10.000	acre
Hospital	250	0.25	62.5	6.250	acre
Retirement Home	50	0.25	12.5	1.250	acre
School / Day Care	90	0.25	22.5	2.250	acre
Medical / Dental / Vet	500	0.25	125	12.500	acre
Church	30	0.25	7.5	0.750	acre
Mortuary	10	0.25	2.5	0.250	acre
Recreational	100	0.25	25	2.500	acre
Parking / Transportation	200	0.25	50	5.000	acre
Mini Storage	30	0.25	7.5	0.750	acre
Office	300	0.125	37.5	3.750	acre
Bank	1000	0.125	125	12.500	acre
Park / Open Space / Agriculture	2	0.25	0.5	0.050	acre
Vacant	0			na	

Annual Assessment Increase

The Assessment is subject to an annual adjustment tied to the San Francisco-Oakland-Hayward Consumer Price Index-U as of December of each succeeding year ("CPI"), with a maximum annual adjustment not to exceed 3%. In order for the City's dedicated Streetlight fund revenue sources to satisfy cost requirements into the future, the maximum rate per SFE is calculated based upon the sum of the 1982 assessment and the Street Light Assessment District 2018 Assessment.

Table 5 – Maximum Single-Family Equivalent Rate Calculation

	FY 2024	FY 2025
2018 District Maximum for FY 24	$ 780,912.67	$ 780,912.67
1982 District Maximum for FY 24	$ 1,422,966.00	
Total for FY 24	$ 2,203,878.67	
Maximum Increase of 2.62% of Total for FY 25		$ 57,840.80
FY 25 Maximum Assessment		$ 838,753.47
Total SFEs		46,691.257
FY 25 Maximum Rate per SFE		**$ 17.96**

Duration of Assessment

The Assessments may be continued every year after their formation, so long as the public Improvements need to be maintained and improved and the City requires funding from the Assessments for these Improvements in the District. As noted previously, the Assessment can continue to be levied annually after the City Council approves an annually updated Engineer's Report, budget for the Assessment, Improvements to be provided and other specifics of the Assessment. In addition, the City Council must hold an annual public hearing to continue the Assessment.

Appeals and Interpretation

Any property owner who feels that the Assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the City of Berkeley Public Works department. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City of Berkeley City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the City Engineer or her or his designee shall be referred to the Public Works Director and the decision of the Public Works Director shall be final.

Assessment Statement

WHEREAS, on March 21, 2024, the City Council of the City of Berkeley, County of Alameda, California, adopted a Resolution initiating proceedings for the levy of Assessments for fiscal year 2025 within the Street Light Assessment District 2018, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIIID of the California Constitution (collectively "the Act");

WHEREAS, the City of Berkeley directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District, to which the description of the proposed Improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under the Act and the order of the City Council of the City of Berkeley, hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for the Improvements and the expense incidental thereto to be paid by the City of Berkeley Street Lighting Assessment District 2018 for the fiscal year 2025 are generally as listed in Table 1.

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of the City of Berkeley Street light Assessment District 2018. The distinctive number of each parcel or lot of land in the City of Berkeley Street light Assessment District 2018 is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the City of Berkeley Street Lighting Assessment District 2018, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the cost estimate and method of assessment hereto attached and by reference made a part hereof.

The Assessments are made upon the parcels or lots of land within the City of Berkeley Street Lighting Assessment District 2018 in proportion to the special benefits to be received by the parcels or lots of land from the Improvements.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Alameda for the fiscal year 2025. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2025 for each parcel or lot of land within the City of Berkeley Street Lighting Assessment District 2018.

Dated: May 10, 2024

Engineer of Work

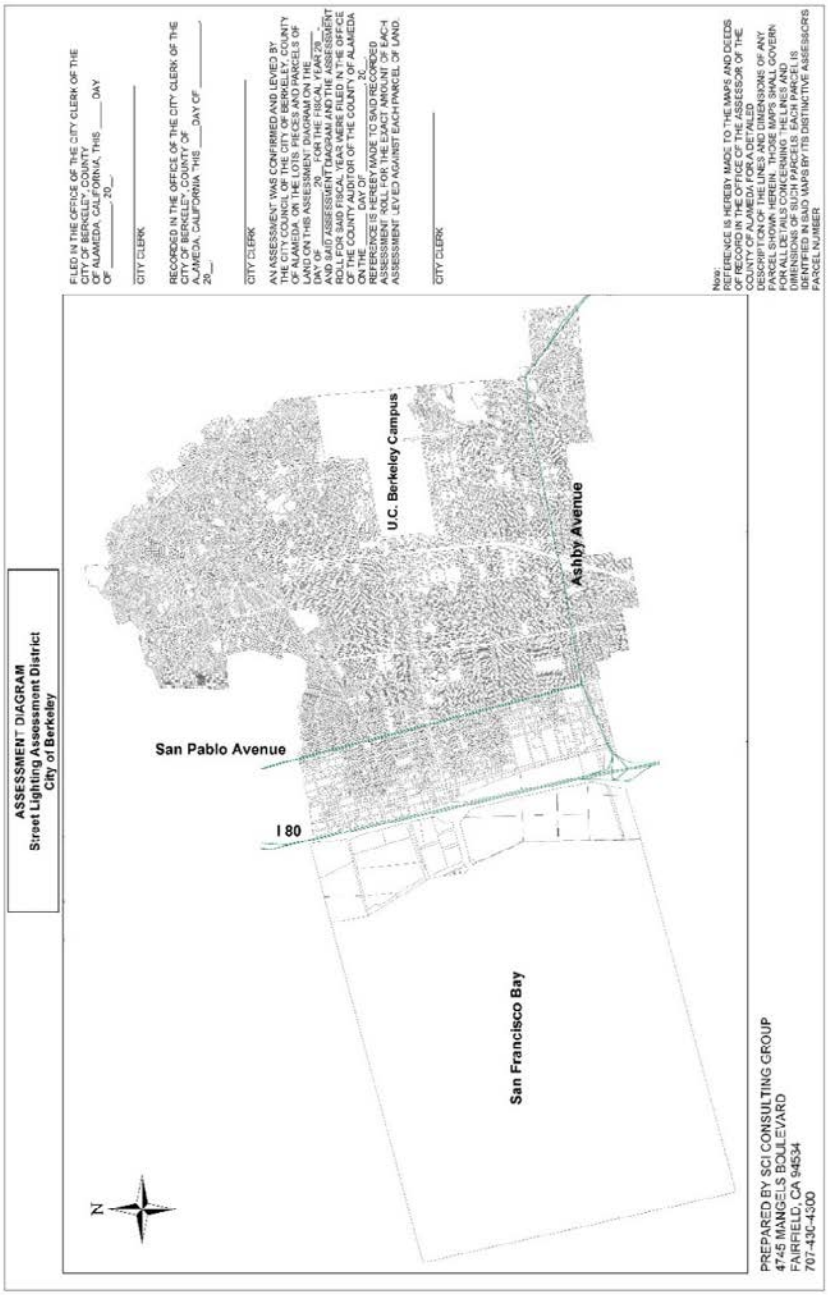
By _____
John Bliss, License No. C52091



Assessment Diagram

The boundaries of the City of Berkeley Street light Maintenance Assessment Districts and Annexations are displayed on the Assessment Diagram below.

Figure 1 – Assessment Diagram



Appendix A – SANDAG Trip Generation Tables

(NOT SO)
BRIEF GUIDE OF VEHICULAR TRAFFIC GENERATION RATES FOR THE SAN DIEGO REGION

APRIL 2002

SANDAG
401 B Street, Suite 800
San Diego, California 92101
(619) 699-1900 • Fax (619) 699-1950

NOTE: This listing only represents a ***guide*** of average, or estimated, traffic generation "driveway" rates and some very general trip data for land uses (emphasis on acreage and building square footage) in the San Diego region. These rates (both local and national) are subject to change as future documentation becomes available, or as regional sources are updated. For more specific information regarding traffic data and trip rates, please refer to the San Diego Traffic Generators manual. ***Always check with local jurisdictions for their preferred or applicable rates.***

LAND USE	TRIP CATEGORIES [PRIMARY:DIVERTED:PASS-BY][a]	ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (DRIVEWAY)	HIGHEST PEAK HOUR % (plus IN:OUT ratio) Between 6:00-9:30 A.M.		Between 3:00-6:30 P.M.		TRIP LENGTH (Miles)[b]
AGRICULTURE (Open Space)	[80:18:2]	2/acre**					10.8
AIRPORT	[78:20:2]						12.5
Commercial		60/acre, 100/flight, 70/1000 sq. ft.* **	5%	(6:4)	6%	(5:5)	
General Aviation		6/acre, 2/flight, 6/based aircraft* **	9%	(7:3)	15%	(5:5)	
Heliports		100/acre**					
AUTOMOBILE[5]							
Car Wash							
Automatic		900/site, 600/acre**	4%	(5:5)	9%	(5:5)	
Self-serve		100/wash stall**	4%	(5:5)	8%	(5:5)	
Gasoline	[21:51:28]						2.8
with/Food Mart		160/vehicle fueling space**	7%	(5:5)	8%	(5:5)	
with/Food Mart & Car Wash		155/vehicle fueling space**	8%	(5:5)	9%	(5:5)	
Older Service Station Design		150/vehicle fueling space, 900/station**	7%	(5:5)	9%	(5:5)	
Sales (Dealer & Repair)		50/1000 sq. ft., 300/acre, 60/service stall* **	5%	(7:3)	8%	(4:6)	
Auto Repair Center		20/1000 sq. ft., 400/acre, 20/service stall*	8%	(7:3)	11%	(4:6)	
Auto Parts Sales		60/1000 sq. ft.**	4%		10%		
Quick Lube		40/service stall**	7%	(6:4)	10%	(5:5)	
Tire Store		25/1000 sq. ft., 30/service stall**	7%	(6:4)	11%	(5:5)	
CEMETERY		5/acre*					
CHURCH (or Synagogue)	[64:25:11]	9/1000 sq. ft., 30/acre** (quadruple rates for Sunday, or days of assembly)	5%	(6:4)	8%	(5:5)	5.1
COMMERCIAL/RETAIL[5]							
Super Regional Shopping Center (More than 80 acres, more than 800,000 sq. ft., w/usually 3+ major stores)		35/1000 sq. ft.,[c] 400/acre*	4%	(7:3)	10%	(5:5)	
Regional Shopping Center (40-80acres, 400,000-800,000 sq. ft., w/usually 2+ major stores)	[54:35:11]	50/1000 sq. ft.,[c] 500/acre*	4%	(7:3)	9%	(5:5)	5.2
Community Shopping Center (15-40 acres, 125,000-400,000 sq. ft., w/usually 1 major store, detached restaurant(s), grocery and drugstore)	[47:31:22]	80/1000 sq. ft., 700/acre* **	4%	(6:4)	10%	(5:5)	3.6
Neighborhood Shopping Center (Less than 15 acres, less than 125,000 sq. ft., w/usually grocery & drugstore, cleaners, beauty & barber shop, & fast food services)		120/1000 sq. ft., 1200/acre* **	4%	(6:4)	10%	(5:5)	
Commercial Shops	[45:40:15]						
Specialty Retail/Strip Commercial		40/1000 sq. ft., 400/acre*	3%	(6:4)	9%	(5:5)	4.3
Electronics Superstore		50/1000 sq. ft**			10%	(5:5)	
Factory Outlet		40/1000 sq. ft.**	3%	(7:3)	9%	(5:5)	
Supermarket		150/1000 sq. ft., 2000/acre* **	4%	(7:3)	10%	(5:5)	
Drugstore		90/1000 sq. ft.**	4%	(6:4)	10%	(5:5)	
Convenience Market (15-16 hours)		500/1000 sq. ft.**	8%	(5:5)	8%	(5:5)	
Convenience Market (24 hours)		700/1000 sq. ft.**	9%	(5:5)	7%	(5:5)	
Convenience Market (w/gasoline pumps)		850/1000 sq. ft., 550/vehicle fueling space**	6%	(5:5)	7%	(5:5)	
Discount Club		60/1000 sq. ft., 600/acre* **	1%	(7:3)	9%	(5:5)	
Discount Store		60/1000 sq. ft., 600/acre**	3%	(6:4)	8%	(5:5)	
Furniture Store		6/1000 sq. ft., 100/acre**	4%	(7:3)	9%	(5:5)	
Lumber Store		30/1000 sq. ft., 150/acre**	7%	(6:4)	9%	(5:5)	
Home Improvement Superstore		40/1000 sq. ft.**	5%	(6:4)	8%	(5:5)	
Hardware/Paint Store		60/1000 sq. ft., 600/acre**	2%	(6:4)	9%	(5:5)	
Garden Nursery		40/1000 sq. ft., 90/acre**	3%	(6:4)	10%	(5:5)	
Mixed Use: Commercial (w/supermarket)/Residential		110/1000 sq. ft., 2000/acre* (commercial only) 5/dwelling unit, 200/acre* (residential only)	3% 9%	(6:4) (3:7)	9% 13%	(5:5) (6:4)	
EDUCATION							
University (4 years)	[91:9:0]	2.4/student, 100 acre*	10%	(8:2)	9%	(3:7)	8.9
Junior College (2 years)	[92:7:1]	1.2/student, 24/1000 sq. ft., 120/acre* **	12%	(8:2)	9%	(6:4)	9.0
High School	[75:19:6]	1.3/student, 15/1000 sq. ft., 60/acre* **	20%	(7:3)	10%	(4:6)	4.8
Middle/Junior High	[63:25:12]	1.4/student, 12/1000 sq. ft. 50/acre**	30%	(6:4)	9%	(4:6)	5.0
Elementary	[57:25:10]	1.6/student, 14/1000 sq. ft., 90/acre* **	32%	(6:4)	9%	(4:6)	3.4
Day Care	[28:58:14]	5/child, 80/1000 sq. ft.**	17%	(5:5)	18%	(5:5)	3.7
FINANCIAL[5]	[35:42:23]						3.4
Bank (Walk-In only)		150/1000 sq. ft., 1000/acre* **	4%	(7:3)	8%	(4:6)	
with Drive-Through		200/1000 sq. ft., 1500/acre*	5%	(6:4)	10%	(5:5)	
Drive-Through only		250 (125 one-way)/lane*	3%	(5:5)	13%	(5:5)	
Savings & Loan		60/1000 sq. ft., 600/acre**	2%		9%		
Drive-Through only		100 (50 one-way)/lane**	4%		15%		
HOSPITAL	[73:25:2]						8.3
General		20/bed, 25/1000 sq. ft., 250/acre*	8%	(7:3)	10%	(4:6)	
Convalescent/Nursing		3/bed**	7%	(6:4)	7%	(4:6)	
INDUSTRIAL							
Industrial/Business Park (commercial included)	[79:19:2]	16/1000 sq. ft., 200/acre* **	12%	(8:2)	12%	(2:8)	9.0
Industrial Park (no commercial)		8/1000 sq. ft., 90/acre**	11%	(9:1)	12%	(2:8)	
Industrial Plant (multiple shifts)	[92:5:3]	10/1000 sq. ft., 120/acre*	14%	(8:2)	15%	(3:7)	11.7
Manufacturing/Assembly		4/1000 sq. ft., 50/acre**	19%	(9:1)	20%	(2:8)	
Warehousing		5/1000 sq. ft., 60/acre**	13%	(7:3)	15%	(4:6)	
Storage		2/1000 sq. ft., 0.2/vault, 30/acre*	6%	(5:5)	9%	(5:5)	
Science Research & Development		8/1000 sq. ft., 80/acre*	16%	(9:1)	14%	(1:9)	
Landfill & Recycling Center		6/acre	11%	(5:5)	10%	(4:6)	

(OVER)

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, Santee, Solana Beach, Vista and County of San Diego.
ADVISORY/LIAISON MEMBERS: California Department of Transportation, County Water Authority, U.S. Department of Defense, S.D. Unified Port District and Tijuana/Baja California.

LAND USE	TRIP CATEGORIES [PRIMARY:DIVERTED:PASS-BY][P]	ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (DRIVEWAY)	HIGHEST PEAK HOUR % (plus IN:OUT ratio) Between 6:00-9:30 A.M.		Between 3:00-6:30 P.M.		TRIP LENGTH (Miles)[L]
LIBRARY	[44:44:12]	50/1000 sq. ft., 400/acre**	2%	(7:3)	10%	(5:5)	3.9
LODGING	[58:38:4]						7.6
Hotel (w/convention facilities/restaurant)		10/occupied room, 300/acre	6%	(6:4)	8%	(6:4)	
Motel		9/occupied room, 200/acre*	8%	(4:6)	9%	(6:4)	
Resort Hotel		8/occupied room, 100/acre*	5%	(6:4)	7%	(4:6)	
Business Hotel		7/occupied room**	8%	(4:6)	9%	(6:4)	
MILITARY	[82:16:2]	2.5/military & civilian personnel*	9%	(9:1)	10%	(2:8)	11.2
OFFICE							
Standard Commercial Office (less than 100,000 sq. ft.)	[77:19:4]	20/1000 sq. ft.,[O] 300/acre*	14%	(9:1)	13%	(2:8)	8.8
Large (High-Rise) Commercial Office (more than 100,000 sq. ft., 6+ stories)	[82:15:3]	17/1000 sq. ft.,[O] 600/acre*	13%	(9:1)	14%	(2:8)	10.0
Office Park (400,000+ sq. ft.)		12/1000 sq.ft., 200/acre* **	13%	(9:1)	13%	(2:8)	
Single Tenant Office		14/1000 sq. ft., 180/acre*	15%	(9:1)	15%	(2:8)	8.8
Corporate Headquarters		7/1000 sq. ft., 110/acre*	17%	(9:1)	16%	(1:9)	
Government (Civic Center)	[50:34:16]	30/1000 sq. ft.**	9%	(9:1)	12%	(3:7)	6.0
Post Office							
Central/Walk-In Only		90/1000 sq. ft.**	5%		7%		
Community (not including mail drop lane)		200/1000 sq. ft., 1300/acre*	6%	(6:4)	9%	(5:5)	
Community (w/mail drop lane)		300/1000 sq. ft., 2000/acre*	7%	(5:5)	10%	(5:5)	
Mail Drop Lane only		1500 (750 one-way)/lane*	7%	(5:5)	12%	(5:5)	
Department of Motor Vehicles		180/1000 sq. ft., 900/acre**	6%	(6:4)	10%	(4:6)	
Medical-Dental	[60:30:10]	50/1000 sq. ft., 500/acre*	6%	(8:2)	11%	(3:7)	6.4
PARKS	[66:28:6]		4%		8%		5.4
City (developed w/meeting rooms and sports facilities)		50/acre*	13%	(5:5)	9%	(5:5)	
Regional (developed)		20/acre*					
Neighborhood/County (undeveloped)		5/acre (add for specific sport uses), 6/picnic site* **					
State (average 1000 acres)		1/acre, 10/picnic site**					
Amusement (Theme)		80/acre, 130/acre (summer only)**			6%	(6:4)	
San Diego Zoo		115/acre*					
Sea World		80/acre*					
RECREATION							
Beach, Ocean or Bay	[52:39:9]	600/1000 ft. shoreline, 60/acre*					6.3
Beach, Lake (fresh water)		50/1000 ft. shoreline, 5/acre*					
Bowling Center		30/1000 sq. ft., 300/acre, 30/lane **	7%	(7:3)	11%	(4:6)	
Campground		4/campsite**	4%		8%		
Golf Course		7/acre, 40/hole, 700/course* **	7%	(8:2)	9%	(3:7)	
Driving Range only		70/acre, 14/tee box*	3%	(7:3)	9%	(5:5)	
Marinas		4/berth, 20/acre* **	3%	(3:7)	7%	(6:4)	
Multi-purpose (miniature golf, video arcade, batting cage, etc.)		90/acre	2%		6%		
Racquetball/Health Club		30/1000 sq. ft., 300/acre, 40/court*	4%	(6:4)	9%	(6:4)	
Tennis Courts		16/acre, 30/court**	5%		11%	(5:5)	
Sports Facilities							
Outdoor Stadium		50/acre, 0.2/seat*					
Indoor Arena		30/acre, 0.1/seat*					
Racetrack		40/acre, 0.6 seat*					
Theaters (multiplex w/matinee)	[66:17:17]	80/1000 sq. ft., 1.8/seat, 360/screen*	1/3%		8%	(6:4)	6.1
RESIDENTIAL	[86:11:3]						7.9
Estate, Urban or Rural (average 1-2 DU/acre)		12/dwelling unit*[R]	8%	(3:7)	10%	(7:3)	
Single Family Detached (average 3-6 DU/acre)		10/dwelling unit*[R]	8%	(3:7)	10%	(7:3)	
Condominium (or any multi-family 6-20 DU/acre)		8/dwelling unit*[R]	8%	(2:8)	10%	(7:3)	
Apartment (or any multi-family units more than 20 DU/acre)		6/dwelling unit*[R]	8%	(2:8)	9%	(7:3)	
Military Housing (off-base, multi-family)							
(less than 6 DU/acre)		8/dwelling unit	7%	(3:7)	9%	(6:4)	
(6-20 DU/acre)		6/dwelling unit	7%	(3:7)	9%	(6:4)	
Mobile Home							
Family		5/dwelling unit, 40/acre*	8%	(3:7)	11%	(6:4)	
Adults Only		3/dwelling unit, 20/acre*	9%	(3:7)	10%	(6:4)	
Retirement Community		4/dwelling unit**	5%	(4:6)	7%	(6:4)	
Congregate Care Facility		2.5/dwelling unit**	4%	(6:4)	8%	(5:5)	
RESTAURANT[S]	[51:37:12]						4.7
Quality		100/1000 sq. ft., 3/seat, 500/acre* **	1%	(6:4)	8%	(7:3)	
Sit-down, high turnover		160/1000 sq. ft., 6/seat, 1000/acre* **	8%	(5:5)	8%	(6:4)	
Fast Food (w/drive through)		650/1000 sq. ft., 20/seat, 3000/acre* **	7%	(5:5)	7%	(5:5)	
Fast Food (without drive-through)		700/1000 sq. ft.**	5%	(6:4)	7%	(5:5)	
Delicatessen (7am-4pm)		150/1000 sq. ft., 11/seat*	9%	(6:4)	3%	(3:7)	
TRANSPORTATION							
Bus Depot		25/1000 sq. ft.**					
Truck Terminal		10/1000 sq. ft., 7/bay, 80/acre**	9%	(4:6)	8%	(5:5)	
Waterport/Marine Terminal		170/berth, 12/acre**					
Transit Station (Light Rail w/parking)		300/acre, 2 1/2/parking space (4/occupied)**	14%	(7:3)	15%	(3:7)	
Park & Ride Lots		400/acre (600/paved acre), 5/parking space (8/occupied)* **	14%	(7:3)	15%	(3:7)	

* Primary source: *San Diego Traffic Generators*.

* Other sources: *ITE Trip Generation Report [6th Edition]*, Trip Generation Rates (other agencies and publications), various SANDAG & CALTRANS studies, reports and estimates.

[P] Trip category percentage ratios are daily from local household surveys, often cannot be applied to very specific land uses, and do not include non-resident drivers (draft SANDAG *Analysis of Trip Diversion*, revised November, 1990):
PRIMARY - one trip directly between origin and primary destination.
DIVERTED - linked trip (having one or more stops along the way to a primary destination) whose distance compared to direct distance ≥ 1 mile.
PASS-BY - undiverted or diverted < 1 mile.

[L] Trip lengths are average weighted for all trips to and from general land use site. (All trips system-wide average length = 6.9 miles)

[C] Fitted curve equation: Ln(T) = 0.502 Ln(x) + 6.945

[O] Fitted curve equation: Ln(T) = 0.756 Ln(x) + 3.950

T = total trips, x = 1,000 sq. ft.

[R] Fitted curve equation: t = -2.169 Ln(d) + 12.85 t = trips/DU, d = density (DU/acre), DU = dwelling unit

[S] Suggested PASS-BY [undiverted or diverted < 1 mile] percentages for trip rate reductions only during P.M. peak period (based on combination of local data/review and Other sources**):

COMMERCIAL/RETAIL	
Regional Shopping Center	20%
Community " "	30%
Neighborhood " "	40%
Specialty Retail/Strip Commercial (other)	10%
Supermarket	40%
Convenience Market	50%
Discount Club/Store	30%
FINANCIAL	
Bank	25%
AUTOMOBILE	
Gasoline Station	50%
RESTAURANT	
Quality	10%
Sit-down high turnover	20%
Fast Food	40%

[I] Trip Reductions - In order to help promote regional "smart growth" policies, and acknowledge San Diego's expanding mass transit system, consider vehicle trip rate reductions (with proper documentation and necessary adjustments for peak periods). The following are some examples:

[1] A 5% daily trip reduction for land uses with transit access or near transit stations accessible within 1/4 mile.

[2] Up to 10% daily trip reduction for mixed-use developments where residential and commercial retail are combined (demonstrate mode split of walking trips to replace vehicular trips).

Appendix B – Assessment Roll

An Assessment Roll (a listing of all parcels assessed within the City of Berkeley Street Lighting Assessment District 2018 and the amount of the assessment) has been filed with the City Engineer, and is, by reference, made part of this report and will be available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this report. These records shall govern all details concerning the description of the lots or parcels.

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

STREET LIGHTING ASSESSMENTS FOR FY 2025

The public may participate in this hearing by remote video or in-person.

NOTICE IS HEREBY GIVEN that at its meeting on Tuesday, June 25, 2024, the Berkeley City Council will conduct a public hearing to consider:

The levy of Street Lighting Assessments in Fiscal Year 2025

Berkeley Street Lighting Assessment District 1982-1:
No increase is proposed for Street Lighting Assessment District 1982-1 rates in FY 2025. The assessment rates will remain as follows:

Rate Category	Assessment Rate	Unit
Residential and Institutional	$ 0.0108	Bldg. Sf
Industrial	$ 0.0216	Bldg. Sf
Commercial	$ 0.0432	Bldg. Sf

Assessments under this district are determined by building square footage and rates.

Street Lighting Assessment District 2018:
In accordance with the voter-approved measure, Street Lighting Assessment District 2018 is subject to an annual assessment adjustment equal to the annual change in the Bay Area Consumer Price Index (CPI), up to a maximum of 3%. For the period beginning in December 2022 and ending in December 2023, the CPI increased by 2.62%; therefore the CPI assessment adjustment for Fiscal Year 2025 may not exceed 2.62%. As approved by voters, the total annual adjustment may be calculated by taking the sum of the 2018 District assessment and the Berkeley Street Lighting Assessment District 1982-1 assessment, and multiplying the sum by the allowable CPI increase. Calculating the adjustment in this manner allows for the inclusion of a 1982-1 District adjustment as part of the 2018 District adjustment. The cumulative total adjustment results in 2018 District assessment rate increase of approximately 7.4%. Detailed calculations of the annual adjustment and the corresponding rate increases are included in the Street Lighting Assessment District 2018 Engineer's Report for FY 2025[1]. The proposed assessment rates are summarized below.

Rate Category	Assessment FY 2024	Proposed Assessment FY 2025	Unit
Residential			
Single Family	$ 16.72	$ 17.96	parcel
Multi-Family<5 units	$ 13.38	$ 14.37	unit
Multi-Family 5 or more units	$ 10.03	$ 10.78	unit
Condominium	$ 13.38	$ 14.37	parcel

[1] Following the public hearing, copies of the report will be available for review on the City's Website, at the reference desk of the main branch of the Berkeley Public Library, and at the City Clerk's Office.

Mobile Home	$ 8.36	$ 8.98	unit
Multiple SFR on parcel	$ 16.72	$ 17.96	unit
Non-Residential			
General Commercial	$ 250.80	$ 269.40	acre
Industrial / Warehouse	$ 25.08	$ 26.94	acre
Auto Repair	$ 167.20	$ 179.60	acre
Hotel / Motel / Boarding	$ 167.20	$ 179.60	acre
Hospital	$ 104.50	$ 112.25	acre
Retirement Home	$ 20.90	$ 22.45	acre
School / Day Care	$ 37.62	$ 40.41	acre
Medical / Dental / Vet	$ 209.00	$ 224.50	acre
Church	$ 12.54	$ 13.47	acre
Mortuary	$ 4.18	$ 4.49	acre
Recreational	$ 41.80	$ 44.90	acre
Parking / Transportation	$ 83.60	$ 89.80	acre
Mini Storage	$ 12.54	$ 13.47	acre
Office	$ 62.70	$ 67.35	acre
Bank	$ 209.00	$ 224.50	acre
Park / Open Space / Agriculture	$ 0.84	$ 0.90	acre
Vacant	*Not assessed*		

Assessments under the 2018 District are generally determined by the number of parcels or acres, as applicable to each parcel category, and the associated rate category.

Public Hearing Information

The hearing will be held on **Tuesday, June 25, 2024 at 6:00 p.m.** in the School District Board Room, 1231 Addison Street. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of June 13, 2024.

For further information, please contact Ronald Nevels, Manager of Engineering/City Engineer, (510) 981-6439, or Ricardo Salcedo, Associate Civil Engineer, Public Works, (510) 981-6407.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley 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 or in person to the City Clerk. 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 at 981-6900 or clerk@berkeleyca.gov for further information.

Published: June 14, 2024 – The Berkeley Voice

City Clerk shall publish a notice at least 10 days prior to the date of the public hearing with the date, hour, and place of the public hearing for annual levy and collection of assessments in accordance with Streets and Highway Code Sections 22625, 22626, 22552, and 22553 and Section 6061 of the Government Code.

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I hereby certify that the Notice for this Public Hearing 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 June 13, 2024.

_____
Mark Numainville, City Clerk
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52

Office of the City Manager

PUBLIC HEARING
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Terrance Davis, Director, Public Works Department

Subject: Approval and Levy of 2018 Clean Stormwater Fee in FY 2025

RECOMMENDATION

Conduct a public hearing and upon conclusion adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2025.

FISCAL IMPACTS OF RECOMMENDATION

The Resolution would approve and order the levy of the 2018 Clean Stormwater Fee in Fiscal Year (FY) 2025. The fees are to be filed with the Alameda County Auditor and included in the County's assessment roll. After collection by the County the total amount of the assessment minus a collection fee is paid to the City of Berkeley. The revenue is posted in the Clean Storm Water Fund (Fund 616). Approximately $3.18 million is expected to be collected from the 2018 Clean Stormwater Fee in FY 2025. A summary of forecasted FY 2025 revenue and expenditures for Fund 616 is shown in the table below.

Table 1 - FY 2025 Fund 616 Forecast

Clean Stormwater Program Expenditures	**$ 8,353,615**
Revenue	
Clean Stormwater Fee (1991)	$ 1,921,318
2018 Clean Stormwater Fee	$ 3,793,277
Total Revenue	**$ 5,714,595**
Deficit/Surplus	**$ (2,639,02**

CURRENT SITUATION AND ITS EFFECTS

The 2018 Clean Stormwater Fee ("2018 Fee") is subject to an annual adjustment tied to the Consumer Price Index - U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"). Per the voter approved measure, any increase in the CPI in excess of 3% shall be cumulatively reserved as "Unused CPI" and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. For the period beginning in December 2022 and ending in December 2023, the CPI increased by 2.62%. Using the current accumulated "Unused CPI" balance of 3.12%,

the proposed adjustment for FY 2025 can be increased to the prescribed maximum of 3%. A balance of 2.74% “Unused CPI” remains to be used in future years.

As approved by voters, the annual adjustment may be calculated by taking the sum of the 1991 Clean Stormwater Fee (“1991 Fee”) and the 2018 Clean Stormwater Fee, and multiplying the sum by the allowable CPI increase. Calculating the adjustment in this manner allows for the inclusion of a 1991 Fee adjustment as part of the annual 2018 Fee increase. The cumulative adjustment of the 1991 Fee and the 2018 Fee, result in 2018 Fee increases of approximately 4.90%.

The table below details prior year and proposed FY 2025 annual rates for the property-related fee.

Table 2 - Summary of Annual Rates for 2018 Clean Stormwater Fee

Rate Category	FY 2024 Fee	Proposed FY 2025 Fee	Unit
Single-Family Residential			
Small	$ 44.25	$ 46.42	parcel
Medium	$ 55.32	$ 58.03	parcel
Large	$ 66.90	$ 70.18	parcel
Condominium	$ 44.25	$ 46.42	parcel

Single-Family Residential parcels with multiple single-family residences pay 22% higher rate

Rate Category	FY 2024 Fee	Proposed FY 2025 Fee	Unit
Non-Single-Family Residential**			
Multi-Family Residential	$ 964.98	$ 1,012.25	acre
Comm / Industrial / Parking	$ 1,077.19	$ 1,129.95	acre
Office	$ 1,009.87	$ 1,059.33	acre
Institutional / Church	$ 920.10	$ 965.17	acre
School / Hospital	$ 841.56	$ 882.77	acre
Recreational	$ 650.80	$ 682.68	acre
Park	$ 67.32	$ 70.62	acre
Vacant (developed)	$ 56.10	$ 58.85	acre
Open Space / Agricultural	exempt		

* Single-Family Residential category also includes duplex, triplex and four-plex units.
** Non-Single-Family Residential parcel size is calculated to the tenth of an acre or portion thereof.

Detailed calculations of the annual adjustment and the corresponding rate increases are included in the 2018 Clean Stormwater Fee - Fiscal Year 2025 Adjustment Report

(Attachment 2). Adoption of the Resolution would approve and order the levy of the 2018 Fee in FY 2025 at the rates described in this report. Following adoption, the fees will be filed with the Alameda County Auditor and included on the County's assessment roll for collection. Revenue from the Fee will provide needed funding for the Stormwater Program which includes flood management, compliance with clean water requirements, operations and maintenance, and major capital improvements, all of which advance the strategic goals of: 1.) Providing state-of-the-art, well-maintained infrastructure, amenities, and facilities; and 2.) Being a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

In 1991, the City was required to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the San Francisco Bay Regional Water Quality Control Board to improve the water quality of urban runoff and discharge storm water runoff to the City's waterways. The permit requires that the City implement a stormwater control program and best management practices.

To meet the NDPES permit requirements, the City implemented a Clean Storm Water Fee in 1991 for all residences and businesses in the City. The City has been collecting approximately $2 million annually for this fee and rates have not been increased since the fee was established in 1991. Initially, collected revenues were sufficient to fund ongoing maintenance, operations, and capital improvements. However, beginning in Fiscal Year 2014, the program began operating at a deficit. In 2018, in an effort to increase revenues for the program, the City introduced the 2018 Clean Stormwater Initiative to establish a new property-related fee to be assessed separately and in addition to the existing 1991 Fee. Following a Proposition 218 process the initiative was approved by voters and the City Council adopted Resolution No. 68,483-N.S., ordering the levy. The assessment has been levied for the 2019 through 2024 fiscal years.

Provisions of the California Health and Safety Code Section 5473.1 require that a public hearing be held each year that the fees are to be collected on the property tax roll and that a notice be published in a local newspaper. A public notice has been published designating June 25, 2024 as the date for the public hearing.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The 2018 Clean Stormwater Fee provides a secure funding source for environmental protection related to the impacts of stormwater on creeks and the San Francisco Bay. The fee maintains operations and maintenance activities and reduces environmental impacts of flooding, sink holes, trash, and debris.

RATIONALE FOR RECOMMENDATION

The additional funding will allow the City to fund the operating deficit without the use of general funds, continue maintenance service levels, meet clean water regulatory requirements, and develop a long-term financial plan for capital projects, to continue improving water quality and minimizing the impacts of flooding in local areas.

CONTACT PERSON
Srinivas Muktevi, Supervising Civil Engineer, Public Works (510) 981-6402
Ronald Nevels, Manager of Engineering, Public Works (510) 981-6439
Wahid Amiri, Deputy Director, Public Works (510) 981-6396

Attachments:
1: Resolution – Ordering the Levy of 2018 Clean Stormwater Fee in Fiscal Year 2025
2: 2018 Clean Stormwater Fee – Fiscal Year 2025 Adjustment Report1: Resolution

RESOLUTION NO. ##,###-N.S.

APPROVING THE LEVY AND COLLECTION OF THE CITY OF BERKELEY 2018 CLEAN STORMWATER FEE IN FISCAL YEAR 2025

WHEREAS, on February 13, 2018, the Council adopted Resolutions No. 68,334-N.S. and No. 68,335-N.S., to initiate the property related fee process and establish the balloting procedures for the 2018 Clean Stormwater Initiative consistent with California Constitution Article XIII D; and

WHEREAS, on April 3, 2018, the Council conducted a public hearing at which a majority protest was not achieved, and subsequently adopted Resolution No. 68,831-N.S. directing the mailing of fee ballots to all property owners of properties within the City subject to the fee; and

WHEREAS, on May 29, 2018, following tabulation of fee ballots and confirming voter approval of the 2018 Clean Stormwater Initiative, Council adopted Resolution No. 68,483-N.S. accepting the ballot tabulation and ordering the levy of the 2018 Clean Stormwater Fee; and

WHEREAS, pursuant to the authority granted by voters, the 2018 Clean Stormwater Fee is subject to an annual increase based on the San Francisco - U Consumer Price Index (CPI), not to exceed 3% per year; and any increase in excess of 3% shall be cumulatively reserved as “Unused CPI” and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. The maximum annual CPI adjustment for each property shall be calculated based upon the sum of the 1991 Clean Stormwater Fee and the 2018 Clean Stormwater Fee, and multiplying the sum by the CPI or 3% whichever is lower; and

WHEREAS, for the annual period ending in December 2023 the CPI increased by 2.62% and the Unused CPI was 3.12%, therefore the proposed annual adjustment can be applied at the maximum of 3.00%; and

WHEREAS, the proposed fee rate for FY 2025 of FIFTY-EIGHT DOLLARS AND THREE CENTS ($58.03) per single-family equivalent unit is in accordance with a City staff authored report dated May 2024 and titled “2018 Clean Stormwater Fee – Fiscal Year 2025 Fee Adjustment Report” (“Report”); and

WHEREAS, the rate increases and the methodology used in the calculation of the rates are described in the Report and are in accordance with the voter approved measure; and

WHEREAS, provisions of California Health and Safety Code Section 5473.1, require a public hearing to be held each year that the fees are to be collected on the property tax roll and a notice to be published in a local newspaper; and

WHEREAS, the notice was published designating June 25, 2024, as the date for public hearing; and

WHEREAS, a public hearing was held on June 25, 2024 at a regular Council meeting.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the levy and collection of fees for FY 2025 at the rates specified in the Report.

BE IT FURTHER RESOLVED that shortly after the adoption of this Resolution, but in no event later than August 10th following such adoption, the City Clerk shall file a certified copy of this Resolution and a fee levy roll with the Auditor of Alameda County ("County Auditor"). Upon such filing, the County Auditor shall enter on the County's assessment roll opposite each lot or parcel of land the amount of fee thereupon as shown in the levy roll.

CITY OF BERKELEY

2018 CLEAN STORMWATER FEE

Fiscal Year 2025
Fee Adjustment Report

May 2024

Prepared by

RONALD NEVELS, PE
CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

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INTRODUCTION

OVERVIEW

In 1991, the City of Berkeley was required to obtain a national Pollutant Discharge Elimination System (NPDES) permit from the San Francisco Bay Regional Water Quality Control Board to improve the water quality of urban runoff and discharge storm water runoff to the City's waterways. The permit requires that the City of Berkeley implement a stormwater control program and best management practices. The City adopted the Clean Stormwater Fee in 1991 to comply with clean water regulations and provide a secure funding source for stormwater operations, maintenance, and capital improvements. The program includes flood management, compliance with clean water requirements, operations and maintenance, and major capital improvements. Stormwater fees are paid by property owners and the fees have not been increased since the program's inception in 1991. The program has been running a deficit since 2014 attributable to basic operations, maintenance, and compliance with clean water regulations. The Stormwater program also faces a backlog in capital improvements, with more than $208 million in project costs identified in the 2011 Watershed Management Plan[1].

To bolster revenues for the Stormwater program, the City enacted Resolutions No. 68,334-N.S. and Resolution No. 68,335-N.S., kickstarting the property-related fee process and setting up balloting procedures for the 2018 Clean Stormwater Initiative in accordance with California Constitution Article XIII D. A public hearing was conducted on April 3, 2018 at which a majority protest was not achieved, subsequently Resolution No. 68,381-N.S. was adopted ordering the mailing of fee ballots to all property owners of properties within the City subject to the fee. Following the tabulation of votes, and confirming approval of the measure, Council adopted Resolution No. 68,483-N.S., accepting the ballot tabulations and ordering the levy of the City of Berkeley's 2018 Clean Stormwater Fee.

As approved by voters, the 2018 Clean Stormwater Fee is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 3%. Per the voter approved measure any increase in the CPI in excess of 3% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. The maximum authorized rate is equal to the maximum rate in the first fiscal year the Fee was approved adjusted annually by the lower of either 3% or the increase in the CPI plus any Unused CPI as described above. In order for the City's dedicated storm drainage revenue sources to satisfy costs requirement into the future, the annual

[1] Watershed Management Plan: https://berkeleyca.gov/your-government/our-work/adopted-plans/watershed-management-plan

adjustment for property may be calculated based upon the sum of the storm drainage fee and the existing Clean Storm Water Fee.

This abbreviated fee adjustment report, has been prepared by City staff to document the annual adjustment of the 2018 Clean Stormwater Fee for Fiscal Year 2025. The report also includes an abbreviated description of the storm drainage system, the program's funding sources, and a fund forecast for Fiscal Year 2025.

CITY'S FACILITIES

The City operates and maintains a storm drainage system, as it is empowered to do so per Government Code Sections §38900 and §38901. It is comprised of an integrated system of storm drain pipes, culverts and ditches. Local creeks are not considered part of the City's storm drain system, although they receive most of the urban runoff and are impacted by how the City's storm drainage system functions.

The Berkeley area began experiencing residential development over one hundred years ago. As the community grew, the storm drainage system was developed along with the neighborhoods and commercial areas while still maintaining many native creek segments. Although the City is highly urbanized, there are a large number of open creek segments that cross streets, private properties and roadways through numerous culvert sections.

In the early 1990s, in response to the federal Clean Water Act amendment of 1987, municipalities were, for the first time, required to obtain an NPDES[2] permit from the California Regional Water Quality Control Board to address urban storm drainage runoff pollution. Under this permit, the City works to reduce stormwater pollution, protect and enhance its watersheds, preserve beneficial uses of local waterways, and implement State and federal water quality regulations within the limits of its jurisdiction. Over the years, the range of actions taken by the City has greatly increased in response to evolving regulatory requirements and community needs.

STORM DRAINAGE FUNDING

In response to the NPDES permit requirements, the City implemented a Clean Storm Water Fee in 1991 for all residences and businesses in the City. The City collects approximately $2 million annually from this fee which has not been increased since its 1991 inception. Initially, revenues were sufficient to fund ongoing maintenance, operations and capital improvement projects. However, beginning in Fiscal Year 2014,

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[2] NPDES stands for the National Pollutant Discharge Elimination System as specified in the Federal Clean Water Act. The City is one of the co-permittees named on the Alameda County NPDES permit issued by the Regional Water Board. The most recent MRP was issued in November 2015, however, these permits typically are renewed every five years, with each new iteration containing additional requirements.

the program began operating at a deficit. In response to this deficit, the City implemented the 2018 Clean Stormwater Fee.

FINANCIAL NEEDS SUMMARY

A Clean Stormwater Fund forecast for FY 2025 is provided below as Table 1.

Table 1- FY 2025 Fund Forecast

Costs		
Personnel Costs	**$**	**1,431,117**
Non-Personnel Costs		
Capital Improvement Program	$	4,437,800
Non-Personnel	$	2,484,698
Subtotal Non-Personnel Costs	**$**	**6,922,498**
Total Costs	**$**	**8,353,615**
Revenue		
Clean Stormwater Fee (1991)	$	1,921,318
2018 Clean Stormwater Fee	$	3,793,277
Total Revenue	**$**	**5,714,595**
To (from) General Fund and/or Reserves	**$**	**(2,639,020)**

2018 CLEAN STORMWATER FEE RATE STRUCTURE ANALYSIS

All properties which generate storm and urban runoff which flow into the City's MS4 are served by the system. The amount of use attributed to each parcel is proportional to the amount of storm and urban runoff flow contributed by the parcel, which is proportional to the amount of impervious surface area (e.g. building roofs, pavement, etc.) on a parcel.

In this Report, the median single-family residential parcel is used as the basic unit of measure, called the single-family equivalent, or "SFE." Accordingly, since the primary quantifiable attribute for this fee structure is impervious surface area, the amount of impervious surface area on the median SFR parcel serves as the basic unit of impervious area.

The basic unit of impervious area can be expressed by the following formula:

Median SFR Parcel Area

x Average SFR Impervious Percentage

= SFE Impervious Area

The median SFR parcel is 0.11 acres (4,792 square feet). Careful analysis revealed that the average percentage of impervious area ("%IA") of the medium class of SFR parcels is 44.82%. Therefore, the amount of impervious area for the SFE is 2,148 square feet. This becomes the basis for calculating the SFEs for all other types of land uses. In order to accomplish this, a representative sample of each land use category was studied through aerial photographs to measure the actual impervious area, which was, in turn, used to calculate the %IA for each land use category.

SINGLE-FAMILY RESIDENTIAL PARCELS

Berkeley has a wide range of sizes of SFR parcels, which have varying levels of %IA. Generally, smaller parcels tend to have a higher proportion of impervious area than larger parcels, which tend to have a lower percentage of impervious area. (This can be best visualized by the fact that larger residential properties tend to have a larger proportion of pervious landscaping, and therefore less impervious area.) Therefore, the range of SFRs were broken into three size categories as shown in Table 4 below. Since the size of a parcel is considered in finite groups, the resultant SFEs were calculated on a per-parcel basis for each size category using the formula above.

It should be noted that the SFR category also includes multiplex parcels of two, three or four units, since their lot development characteristics do not vary significantly from the SFR parcels of similar size. In all, this includes the approximately 3,400 multiplex parcels in the City. Any residential structure with five or more units is categorized as multi-family residential ("MFR"), which is calculated separately. For parcels with multiple SFRs, analysis showed that those parcels contained 22% more impervious area than single-home SFRs within the same size category. Therefore, multiple-SFR parcels are computed separately.

Special Notes On Condominiums

Condominium units are particularly difficult to categorize as they are often on very small individual parcels, yet share larger common areas that are made up of landscaped (pervious) areas; parking lots and shared roofs (impervious); and other recreational uses (either pervious or impervious). The data for these variables are not readily available, so it is assumed that overall their characteristics were most similar to the small lot make up. Overall, condominium units are smaller than the average SFR, and may include two or more stories of residences in some cases. When combined with the various common areas (which were exempted from the SFE process), the overall effect would be less runoff impact than the median size SFR. Thus, the Small SFR rate was used.

Table 2- Summary of Single-Family Residential Parcels

Lot Type	Parcel Size Range (sf)	Total Parcels	% Imperv Area	SFE per Parcel	
				Single Home	Multiple Homes
Small	Under 3,200	2,416	65.73%	0.80	0.98
Medium	3,200 to 7,200	16,379	44.82%	1.00	1.22
Large	7,200 and over	2,688	29.81%	1.21	1.48
Condos	n/a	2,495	n/a	0.80	n/a
	TOTAL	**23,978**			

NON-SINGLE-FAMILY RESIDENTIAL PARCELS

Unlike the SFR parcels, the non-SFR parcels can vary widely in size as well as characteristics. For this reason, the parcels have been grouped into land use categories according their %IA characteristics (as shown in Appendix B) so that SFE per acre can be computed for each category using the following formula:

$$\frac{(43{,}560\ sf/acre)\ x\ \%IA}{2{,}148\ sf/SFE} = SFE\ per\ Acre$$

Where 2,148 square feet is the amount of the impermeable area in one SFE.

Table 3 below shows a summary of the non-single-family parcel SFEs for each non-SFR land use category.

Table 3 – Summary of Non-SFR Parcels

Land Use Category	Total Parcels	% Imperv Area	SFE per Acre
Multi-Family (Apartments)	1,474	86%	17.44
Commercial / Retail / Industrial	1,610	96%	19.47
Office	242	90%	18.25
Institutional / Church	280	82%	16.63
School / Hospital	29	75%	15.21
Recreational	28	58%	11.76
Vacant (developed)	567	5%	1.01
Open Space / Agricultural	94	Exempt	
TOTAL	**4,324**		

Each individual parcel's SFE is then calculated by multiplying the parcel size (in acres[3]) times the SFE per acre for that land use category, as shown in the following formula:

Developed Vacant Parcels

Developed vacant parcels are distinguished from undeveloped vacant land by one of several characteristics. Typically, a developed vacant parcel has been graded to be ready for building construction (possibly as part of the original subdivision or adjacent street grading). In some cases, the parcel was previously improved, but the improvement has been removed. Although developed vacant parcels may have significant vegetative cover, the underlying soil conditions resulting from grading work can usually cause some rainfall to run off into the storm drainage system. The %IA for developed vacant parcels is conservatively assumed to be 5%. Vacant parcels that have significant impervious paving remaining from prior improvements may be classified as Commercial or some other classification best representing the %IA of the parcel.

Open Space and Agricultural Parcels are Exempt

The City's MS4 was developed in response to land development over the past several decades. Tracts of land that have not yet been developed, or have been used primarily for agricultural purposes, have not created an impact on the drainage system beyond the natural condition, and are therefore considered to receive no service from the MS4.

[3] Parcel size for non-single-family residential parcels is calculated to the tenth of an acre or portion thereof.

In practical terms, these parcels generate no additional storm runoff beyond the natural condition. For these reasons, open space and agricultural parcels are exempt from the storm drainage fee.

Berkeley is a City with some open space land, which can be situated on portions of developed parcels. For parcels that have a significant portion that is considered open space (or agricultural), those portions have been taken into consideration in the calculations of the %IA and SFEs. For SFR parcels, these open space lands have been included in the sampled lots size when calculating the average %IA, which produced a lower %IA for the large parcel category, and, thus, a lower SFE and Fee to accommodate the open space areas. For non- SFR parcels the fees are calculated on individual acreage. However, the open space portion has been deducted from the acreage prior to all analyses including %IA as well as SFE and fee calculation.

EFFECTS OF LOW IMPACT DEVELOPMENT

The current NPDES Permit requires certain properties to construct storm drainage treatment and attenuation facilities, also known as low impact development ("LID"). These facilities often are designed to capture a portion of the storm flows, retain them, and enable them to infiltrate into the ground. While this is intended to help filter pollutants from the water, it also can reduce the parcel's storm drainage runoff quantity to some extent. However, LID is designed to capture, retain and treat frequent, but low intensity storms. Conversely, the MS4 is designed around the infrequent, high intensity storms, those storms which will typically overflow most LID facilities. For this reason, no discount in the storm drainage fees is made available for parcels with LID facilities.

STORM DRAINAGE FEE CALCULATION

The primary metric in this analysis is the SFE as illustrated above. To arrive at the fee amount for the various land use categories, the total SFEs must be divided into the total revenue requirement to arrive at the rate per SFE. That calculation is represented by the following formula:

$$\frac{Total\ Assessments\ to\ be\ Collected}{Total\ SFEs} = SFE\ Rate$$

The total assessment to be collected in FY 2025, includes an allowable adjustment. As described in the Overview section of this report, the fee is subject to an annual adjustment calculated by taking the sum of the 1991 Clean Stormwater Fee and the 2018 Clean Stormwater Fee and multiplying the sum by the allowable CPI increase not to exceed 3%. For the period beginning in December 2022 and ending in December 2023, the CPI increased by 2.62%. As discussed in the Overview section of this report, "Unused CPI" balance from previous years can be used to increase the annual adjustment in years with CPI increases less than 3%. Using the current accumulated "Unused CPI" balance of 3.12%, the proposed adjustment for FY 2025 can be increased to the prescribed maximum of 3%. A balance of 2.74% "Unused CPI" remains to be used in future years.

The SFE calculation can be rewritten as follows:

$$\frac{2018\ Fee\ in\ FY\ 24 + (2018\ Fee\ in\ FY\ 24 + 1991\ Fee) \times \%\ Increase}{Total\ SFEs}$$

$$= SFE\ Rate\ in\ FY\ 25$$

Or, using numbers from the analysis, the SFE Rate is:

$$\frac{\$3{,}029{,}749 + (\$3{,}029{,}749 + \$1{,}913{,}864) \times 0.03}{54{,}765.983\ SFEs} = \$\mathbf{58.03}\ \boldsymbol{per\ SFE}$$

This SFE rate amount is then multiplied by the SFE per parcel or SFE per acre for the various land use categories to arrive at the Storm Drainage Fee Rate Schedule shown in Table 4 below.

Table 4 - Storm Drainage Fee Schedule

Rate Category	SFE Rate	Proposed Fee	Unit
Single-Family Residential			
Small	0.79992	$ 46.42	parcel
Medium	1.00000	$ 58.03	parcel
Large	1.20933	$ 70.18	parcel
Condominium	0.79992	$ 46.42	parcel
Multiple SFR on a single parcel pay 22% higher rate			
Non-Single-Family Residential**			
Multi-Family Residential	17.44360	$ 1,012.25	acre
Commercial / Industrial / Parking	19.47193	$ 1,129.95	acre
Office	18.25493	$ 1,059.33	acre
Institutional / Church	16.63227	$ 965.17	acre
School / Hospital	15.21244	$ 882.77	acre
Recreational	11.76429	$ 682.68	acre
Park	1.21700	$ 70.62	acre
Vacant (developed)	1.01416	$ 58.85	acre
Open Space / Agricultural		exempt	

* Single-Family Residential category also includes duplex, triplex and four-plex units.
** Non-Single-Family Residential parcel size is calculated to the tenth of an acre or portion thereof

The proposed $58.03 SFE rate is well within the range of storm drainage rates adopted by other municipalities.

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

LEVY OF 2018 CLEAN STORMWATER FEE FOR FY 2025

The public may participate in this hearing by remote video or in-person.

NOTICE IS HEREBY GIVEN that at its meeting on Tuesday, June 25, 2024, the Berkeley City Council will conduct a public hearing to consider:

The levy of the 2018 Clean Stormwater Fee in Fiscal Year 2025.

The fee is collected through the property tax bill and collected revenue would fund operations, maintenance, and capital improvements of the City's storm drain system. The table below details prior year and proposed FY 2025 rates for the property-related fee.

Rate Category	FY 2024 Fee	Proposed FY 2025 Fee	Unit
Single-Family Residential			
Small	$ 44.25	$ 46.42	parcel
Medium	$ 55.32	$ 58.03	parcel
Large	$ 66.90	$ 70.18	parcel
Condominium	$ 44.25	$ 46.42	parcel
Single-Family Residential parcels with multiple single-family residences pay 22% higher rate			
Non-Single-Family Residential**			
Multi-Family Residential	$ 964.98	$ 1,012.25	acre
Comm / Industrial / Parking	$ 1,077.19	$ 1,129.95	acre
Office	$ 1,009.87	$ 1,059.33	acre
Institutional / Church	$ 920.10	$ 965.17	acre
School / Hospital	$ 841.56	$ 882.77	acre
Recreational	$ 650.80	$ 682.68	acre
Park	$ 67.32	$ 70.62	acre
Vacant (developed)	$ 56.10	$ 58.85	acre
Open Space / Agricultural	exempt		

* Single-Family Residential category also includes duplex, triplex and four-plex units.
** Non-Single-Family Residential parcel size is calculated to the tenth of an acre or portion thereof

In accordance with the voter-approved measure, the 2018 Clean Stormwater Fee ("2018 Fee") is subject to an annual assessment adjustment equal to the annual change in the Consumer Price Index - U for the San Francisco Bay Area (CPI), up to a maximum of 3%. As approved, any increase in the CPI in excess of 3% shall be cumulatively reserved as "Unused CPI" and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. For the period beginning in December 2022 and ending in December 2023, the CPI increased by 2.62%. Using the

current accumulated “Unused CPI” balance of 3.12%, the proposed adjustment for FY 2025 can be increased to the prescribed maximum of 3%. A balance of 2.74% “Unused CPI” remains to be used in future years.

As approved by voters, the annual adjustment may be calculated by taking the sum of the 1991 Clean Stormwater Fee (“1991 Fee”) and the 2018 Clean Stormwater Fee, and multiplying the sum by the allowable CPI increase. Calculating the adjustment in this manner allows for the inclusion of a 1991 Fee adjustment as part of the annual 2018 Fee increase. The cumulative adjustment of the 1991 Fee and the 2018 Fee, result in 2018 Fee increases of approximately 4.90%.

Public Hearing Information

The hearing will be held on **Tuesday, June 25, 2024 at 6:00 p.m.** in the School District Board Room, 1231 Addison Street. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

A copy of the agenda material for this hearing will be available on the City’s website at https://berkeleyca.gov/ as of June 13, 2024.

For further information, please contact Ronald Nevels, Manager of Engineering/City Engineer, (510) 981-6439, or Ricardo Salcedo, Associate Civil Engineer, Public Works, (510) 981-6407.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley 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 or in person to the City Clerk. 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 at 981-6900 or clerk@berkeleyca.gov for further information.

Published: June 14, 2024 – The Berkeley Voice

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I hereby certify that the Notice for this Public Hearing 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 June 13, 2024.



Mark Numainville, City Clerk
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PUBLIC HEARING
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Sharon Friedrichsen, Budget Manager

Subject: Fiscal Years 2025 & 2026 Biennial Budget Adoption

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt the Fiscal Years 2025 & 2026 ("FY25 and FY26") Biennial Budget as contained in the City Manager's FY25 & FY26 Proposed Biennial Budget, and as amended by subsequent Council action.

2. Authorizing the City Manager to provide applicable advances to selected community agencies receiving City funds in FY25, as reflected in Attachment 2 to the report, and as amended by subsequent Council action

FISCAL IMPACTS OF RECOMMENDATION

FY25 & FY26 Proposed Budget expenditures for all funds totals $776.2 million (gross appropriations) in FY25, decreasing to $771.0 million in FY26. The General Fund, including Measures P and U1, is $277.9 million in FY25 and $288.0 million in FY26 as shown on the table below. In addition to projected new revenues, either existing fund balance will be used and/or other budget balancing strategies will be implemented to reduce costs in order to produce a balanced budget wherein revenues will be equal to or exceed expenditures for FY25 and FY26 at the time of budget adoption.

	Fiscal Year 2025		Fiscal Year 2026	
	Revenue	Expenditures	Revenue	Expenditures
General Fund	$273,404,100	$277,875,083	$284,047,716	$287,960,725
Other Funds	393,666,050	498,354,151	408,507,814	429,066,935
Total	667,070,150	776,229,234	692,555,530	717,027,660

The expenditure information will be reflected in a separate Annual Appropriation Ordinance on the City Council's agenda on June 25, 2024.

CURRENT SITUATION AND ITS EFFECTS

The development of the baseline biennial budget for Fiscal Years 2025 and 2026 began in the winter of 2023 with the review of position control and the creation of the salary and benefit model that reflected changes in staffing and incorporated adjustments to personnel-related expenditures related to the implementation of adopted MOUs for public safety and known increases in pension and health insurance.

Over the next several months, departments worked with the City Manager's Office to develop their baseline budget and funding requests, which were presented to the City's Budget and Finance Policy Committee and subsequently to the City Council as part of the discussion on the FY25 and FY26 Proposed Budget. The City Manager evaluated department funding requests and recommended items categorized as tier 1 be included within the biennial budget. Tier 1 items are funding requests that are needed to maintain public health and safety; to implement a federal, state or local mandate; to generate or enhance revenue or has grant matching funds or based upon the timing a funds are needed (or funding decision determined) by July 1 or the first quarter of the fiscal year. In addition to the department funding requests, on May 21, 2024, City Council also received a comprehensive list that included funding requests by the Charter Offices (City Attorney, City Auditor and Office of the Director of Police Accountability) and Council budget referrals. These items will be considered as part of the budget process based upon the recommendations of the Budget and Finance Policy Committee to the City Council for inclusion of certain funding requests within the adopted biennial budget.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Actions included in the budget will be developed and implemented in a manner that is consistent with the City's environmental sustainability goals and requirements.

CONTACT PERSON

Sharon Friedrichsen, Budget Manager, City Manager's Office, 981-7000

Attachments:

1: Resolution: Adopting FY 2025 & FY 2026 Biennial Budget
    Exhibit A: FY 2025 and FY 2026 Proposed Budget
    Exhibit B: Schedule of Changes to the FY 2025 and FY 2026 Proposed Budget
    Exhibit C: Mayor's Supplemental Budget Recommendations
2: Community Agency Contract Advances
3: Public Hearing Notice

RESOLUTION NO.

ADOPTING THE CITY OF BERKELEY BIENNIAL BUDGET FOR FISCAL YEARS 2025 and 2026

WHEREAS, on May 21, 2024, the City Manager presented to the City Council the Fiscal Years 2025 and 2026 ("FY 2025 and FY 2026") Proposed Biennial Budget; and

WHEREAS, the City Council held a series of meetings to consider the Proposed Biennial Budget on May 21, 2024, June 4, 2024 and June 25, 2024; and

WHEREAS, members of the City Council presented recommended revisions to the Proposed Biennial Budget at the Council meeting on June 25, 2024;

WHEREAS, in addition to formal budget adoption, City Council action is required to authorize advances for select community agencies receiving funds in FY 2025. The advances are to be equivalent to 25% of the agency's allocation; and

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Berkeley adopts the FY 2025 and FY 2026 Budget contained in the City Manager's FY 2025 and FY 2026 Proposed Budget and as amended by subsequent Council action on June 25, 2024.

BE IT FURTHER RESOLVED that the appropriations constituting the FY 2025 Adopted Budget will be reflected in a separate FY 2025 Annual Appropriation Ordinance, as required by the City Charter.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute contracts and /or amendments, as necessary, to provide advances to selected community agencies receiving City funds in FY 2025.

BE IT FURTHER RESOLVED, that the City Manager is authorized to use the following invoicing/reporting system in contract administration, but maintains the discretion to amend these requirements depending on risk factors associated with past performance, the amount and type of funding an agency receives, and/or whether or not an agency is a new grantee:

Agencies receiving under $50,000 in General Fund to provide the following services:

1. Drop-In services only with no intensive case management, meal programs, outreach programs, or recreation programs:
    - Statements of Expense are required quarterly and a General Ledger is required at fiscal year-end; and
    - An end-of-year narrative summary of accomplishments.

2. All other agencies receiving General Fund only:
    - Statements of Expense are required quarterly and a General Ledger is required at fiscal year-end; and
    - Program Reports are required semi-annually.

3. Agencies with State and/or Federal Funding:
    - Statements of Expense are required quarterly and a General Ledger is required at fiscal year-end; and
    - Program Reports are required quarterly.

BE IT FURTHER RESOLVED that the City Manager or her designee is authorized to use the following invoicing/reporting system in contract administration for contracts awarded through the Youth Equity Partnership and the invoicing/reporting system described in City Council Resolution No. 71,278-N.S. for other agencies awarded federal and non-federal funding. The following invoicing/reporting system pertains only to agencies awarded contracts through the Youth Equity Partnership:

Fiscal Reports (*Youth Equity Partnership*):

- All agencies, regardless of funding level, are required to submit quarterly statements of expense and quarterly requests for advance payment. The final statement of expense for each fiscal year must be accompanied by a copy of the agency's General Ledger and a Statement of Revenues and Expenditures for each program.
- Four fiscal reports due by: October 15 (Q1, for the period of July 1 – September 30), January 15 (Q2, for the period of October 1 – December 31), April 15 (Q3, for the period of January 1 – March 31) and August 31 (Q4, for the period of April 1 – June 30).
- Four advance payment requests due by: July 15 (Q1, for the period of July 1 – September 30), October 15 (Q2, for the period of October 1 – December 31), January 15 (Q3, for the period of January 1 – March 31) and April 15 (Q4, for the period of April 1 – June 30).

Program Reports (*Youth Equity Partnership*):

- Two program reports, due by January 15 (1st half report, for the period of July 1 – December 31) and July 15 (2nd half report, for the period of January 1 – June 30).

BE IT FURTHER RESOLVED that the City Manager or her designee is authorized to approve advance payments to agencies awarded contracts through the Youth Equity Partnership, pending timely, complete, and accurate agency submission. City review and approval of fiscal and program reports is required before each payment will be released.

BE IT FURTHER RESOLVED that the City Manager or designee is authorized to maintain the discretion of requiring more frequent invoices and reports from new grantees or in contracts deemed to require closer scrutiny, and also maintains the discretion to terminate contracts based on factors outlined in the contract boilerplate, including but not limited to, the contractor's failure to fulfill obligations.

BE IT FURTHER RESOLVED, that the City Manager is authorized to refuse to execute or amend a contract with any agency that has not provided required contract exhibits and documentation within 60 days of award of funding.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute other resultant agreement and amendments with other agencies relating to receipt and expenditure under CDBG or CSBG Program in accordance with the proposals for community agency funding approved through the budget process. A record copy of said contracts and any amendments are on file with the Office of the City Clerk.

Attachments:
1: Resolution: Adopting FY 2025 and FY 2026 Biennial Budget
Exhibit A: FY 2025 and FY 2026 Proposed Budget
Exhibit B: Schedule of Changes to the FY 2025 and FY 2026 Proposed Budget
Exhibit C: Mayor's Supplemental Budget Recommendations

2: Community Agency Contract Advances

Attachment 2

FY 2025 Community Agency Advances

AGENCY NAME	LEAD DEPT	FY 2025 ALLOCATION	FY 2025 ADVANCE
Alameda County Homeless Action Center	HHCS	129,539	32,385
Bananas	HHCS	93,333	23,333
Bay Area Community Land Trust	HHCS	205,200	51,300
Bay Area Community Services	HHCS	4,492,895	1,123,224
Bay Area Hispano Institute for Advancement	HHCS	186,541	46,635
Bay Area Outreach and Recreation Program	HHCS	50,592	12,648
Berkeley Community Gardening Collaborative	HHCS	19,720	4,930
Berkeley Community Media	IT	285,210	71,303
Berkeley Community Scholars	HHCS	35,000	8,750
Berkeley Unified School District	HHCS	134,328	33,582
Berkeley Public Schools Fund	HHCS	73,117	18,279
Berkeley Youth Alternatives	HHCS	60,000	15,000
Big Oaks Learning Center	HHCS	142,463	35,616
Biotech Partners	HHCS	150,000	37,500
Bread Project	HHCS	70,000	17,500
Building Opportunities for Self Sufficiency	HHCS	295,316	73,829
Center for Independent Living	HHCS	211,600	52,900
Dorothy Day	HHCS	2,385,601	596,400
Downtown Berkeley Association	CMO	40,000	10,000
Downtown Streets Team	PW	225,000	56,250
East Bay Community Law Center	HHCS	323,556	80,889
Easy Does It	HHCS	1,712,079	428,020
Eden Council for Hope and Opportunity	HHCS	35,000	8,750
Ephesians Children's Center	HHCS	18,573	4,643
Eviction Defense Center	HHCS	1,072,139	268,035
Family Violence Law Center	HHCS	75,000	18,750
Habitat for Humanity East Bay/Silicon Valley	HHCS	154,280	38,570
Healthy Black Families, Inc.	HHCS	240,000	60,000
Insight Housing	HHCS	1,336,116	334,029
Inter-City Services	HHCS	101,351	25,338
J-Sei	HHCS	30,000	7,500
Larkin Street	HHCS	189,255	47,314
Lifelong Medical Care	HHCS	1,045,952	261,488
Multicultural Institute	HHCS	132,500	33,125
Nia House Learning Center	HHCS	100,000	25,000
Peer Wellness Collective	HHCS	32,016	8,004
Rebuilding Together	HHCS	207,944	30,713
RISE Program	HHCS	229,328	57,332
Stiles Hall	HHCS	100,000	25,000
Supplybank.Org	HHCS	30,000	7,500
Through the Looking Glass	HHCS	35,000	8,750
UC Berkeley	HHCS	140,000	35,000
Village of Love	HHCS	250,000	62,500
Visit Berkeley	CMO	740,277	185,069
Women's Daytime Drop-In Center	HHCS	267,071	66,768
		17,882,892	**4,449,450**

CMO = City Manager's Office
HHCS = Health, Housing & Community Services
IT = Information Technology
PW = Public Works

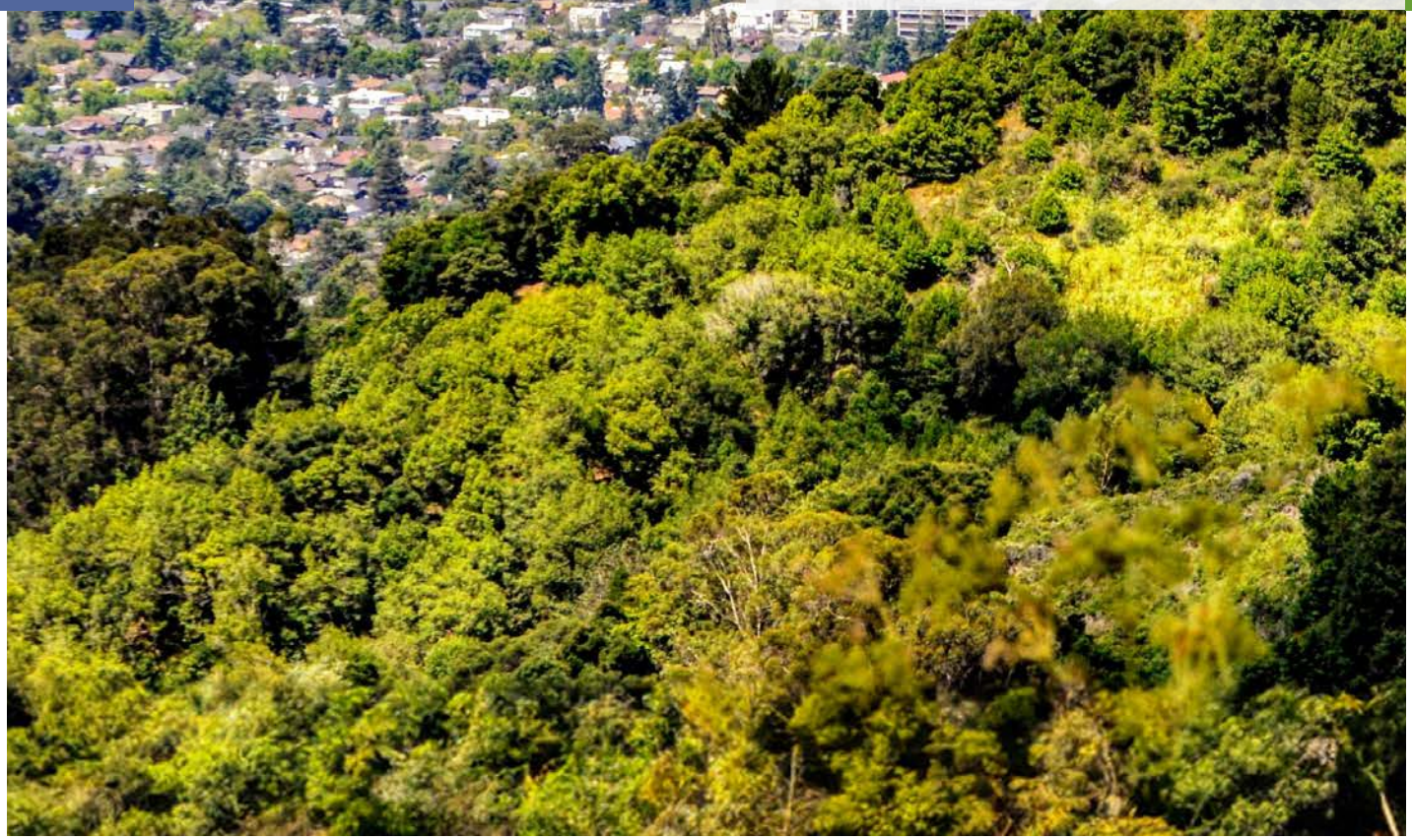


City of Berkeley, California

PROPOSED BUDGET

FOR FISCAL YEAR

2025 & 2026



List of Principal Officials

Elected Officials

Jesse Arreguín	Mayor
Jenny Wong	City Auditor
Rashi Kesarwani	District 1
Terry Taplin	District 2
Ben Bartlett	District 3
Pending Election Result	District 4
Sophie Hahn	District 5
Susan Wengraf	District 6
Cecilia Lunaparra	District 7
Mark Humbert	District 8

Administrative Staff

Dee Williams-Ridley	City Manager
Anne Cardwell	Deputy City Manager
LaTanya Bellow	Deputy City Manager
Sharon Friedrichsen	Budget Manager
Rama Murty	Senior Management Analyst
Maricar Dupaya	Senior Management Analyst
Michelle Rosete	Senior Management Analyst
Emelita Bersonda	Accounting Office Specialist III

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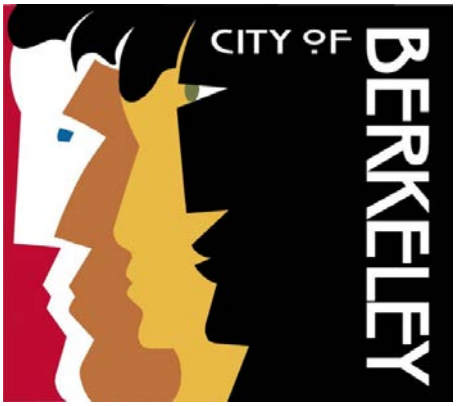
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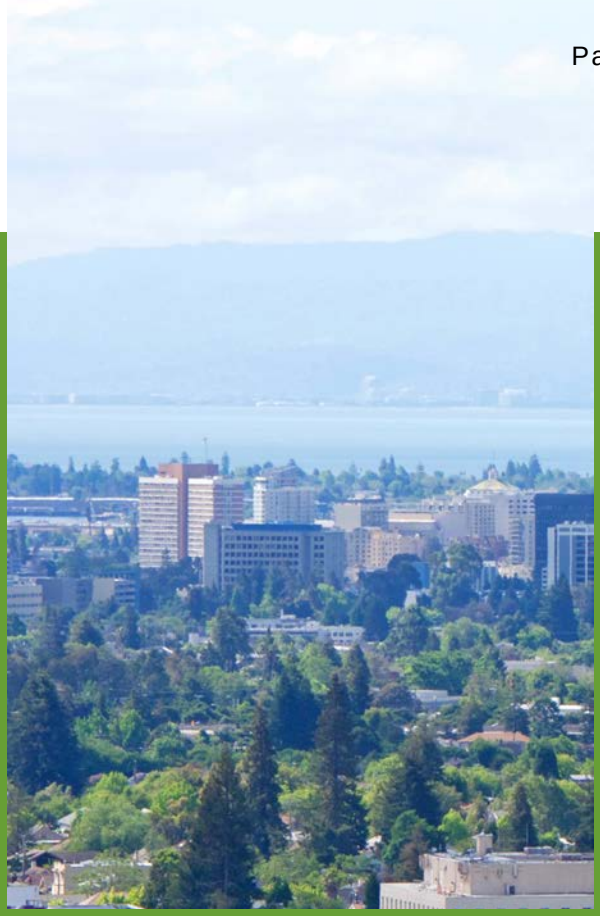
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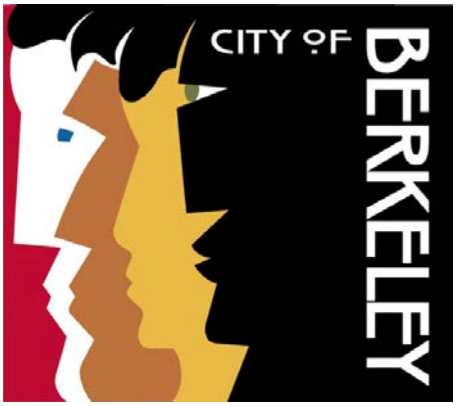
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CITY OF
BERKELEY



Introduction




CITY OF
BERKELEY



Mission

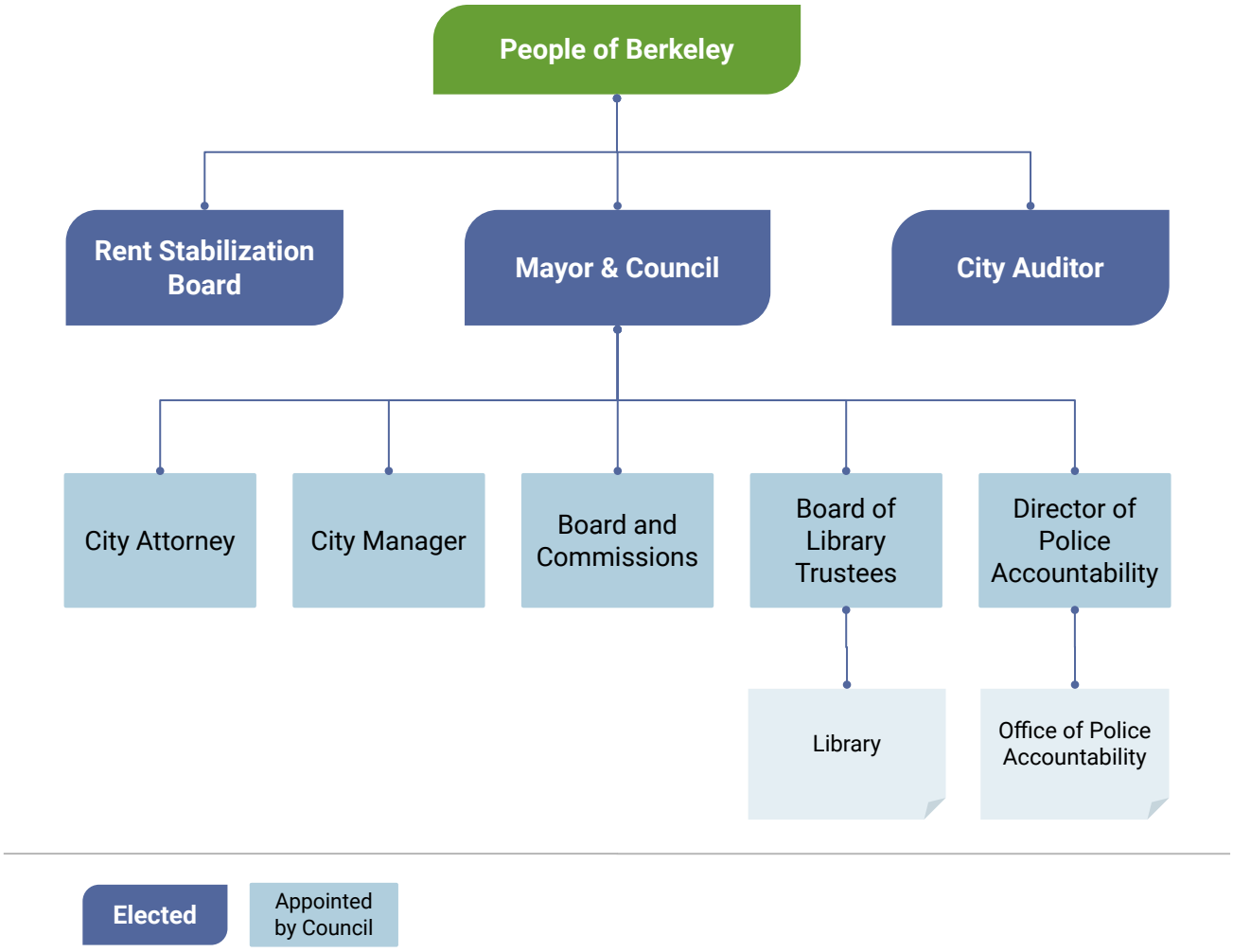
As City of Berkeley employees our mission is to provide quality service to our diverse community; promote an accessible, safe, healthy, environmentally sound and culturally rich city; initiate innovative solutions; embrace respectful, democratic participation; respond quickly and effectively to neighborhood and commercial concerns; and do so in a fiscally sound manner.

Organizational Structure

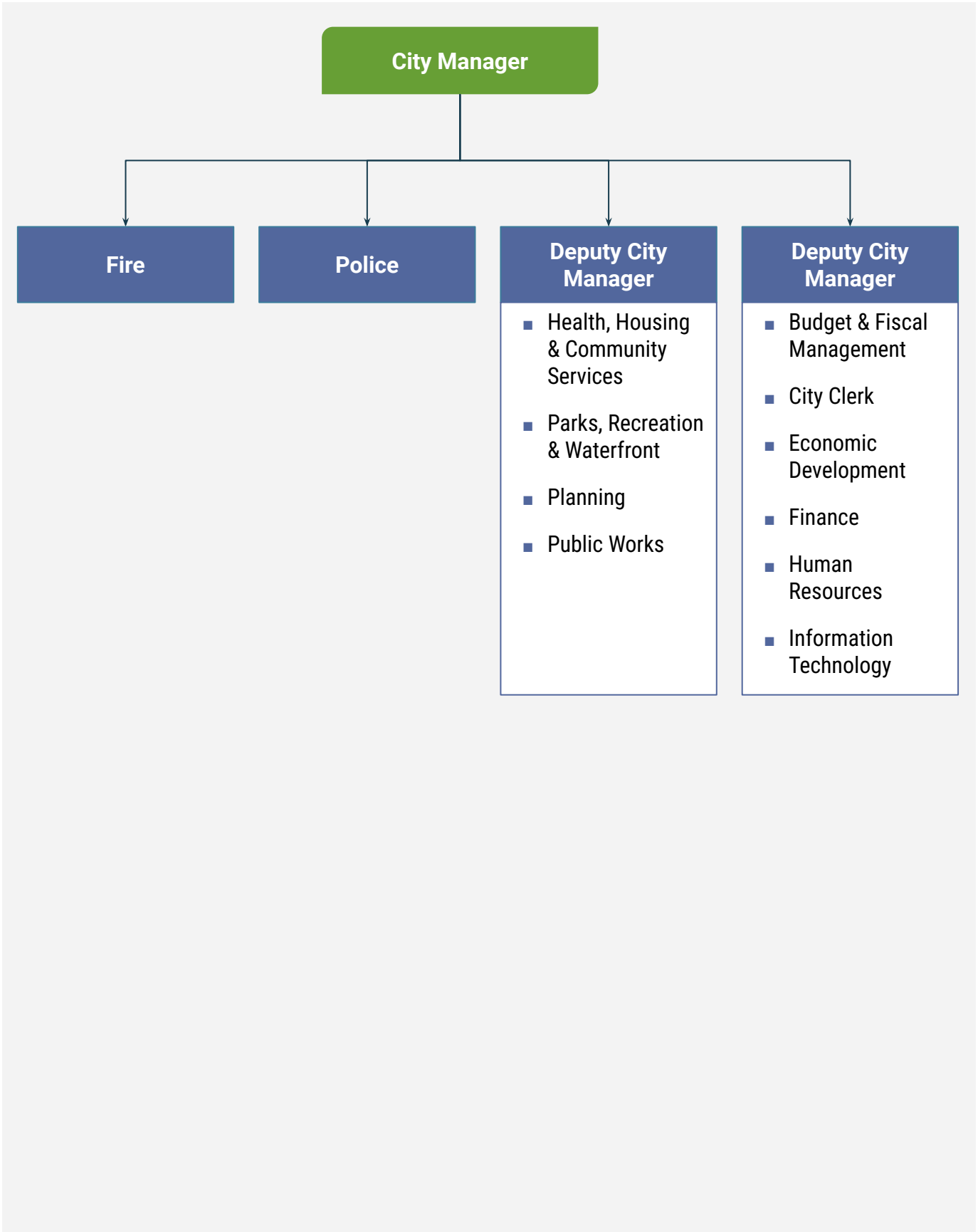
The people of Berkeley are the highest level in the City's organizational structure. They directly elect the Mayor and the eight other members of the City Council, the members of the Rent Board, the members of the School Board, and the City Auditor.

The nine members of the City Council (eight elected by district and the mayor, elected at- large) appoint the members of the Board of Library Trustees and the members of the City's Boards and Commissions. Boards and Commissions serve as advisory bodies to the Council, although some have quasi-judicial functions. Berkeley Housing Authority members are appointed by the Mayor and confirmed by the Council.

The Mayor and Council select and confirm the City Manager, who acts as a Chief Executive Officer for the rest of the City government. The City Manager is responsible for the administration of City services and programs, enforcement of the City's Municipal Code and ordinances, and preparation of the annual budget. The Department directors are selected by the City Manager and confirmed by the City Council. The departments reporting to the City Manager are shown on the organizational chart on the next page.



Organizational Chart



Budget Process and Basis of Budgeting

Budget Process

The budget process is the vehicle through which the City assigns resources to the goals and priorities set by the City Council. New programs are added based on Council service and program priorities. Under the City Charter, the City Manager is responsible for preparing and recommending an operating budget and a capital improvements budget for City Council consideration and adoption.

The City of Berkeley employs a two-year budget process. In year one of the biennial budget cycle, the City Council formally adopts authorized appropriations for the first year of the two- year budget and approves “planned” appropriations for the second fiscal year. In year two of the budget cycle, the City Council considers revisions and formally adopts authorized appropriations for the second fiscal year. Although the budget cycle covers a two-year period, the City Charter requires that the City Council adopt an annual appropriations ordinance for each budget year.

Budget Preparation

The biennial budget cycle begins with the development of the Budget Development Instructions, including a process for identifying short-term priority initiatives that will be accomplished in a given budget cycle. A budget development calendar is also prepared and presented to the Council Budget and Finance Policy Committee for review and then to the entire Council. The City Manager reviews and evaluates the baseline budgets and supplemental funding requests submitted by departments to determine whether they fulfill City Council goals and objectives, align with the City’s Strategic Plan, or increase efficiency or improve management effectiveness and service delivery. Requests received by both City Council (through the budget referral process) and departments for enhanced funding from the General Fund are prioritized using a “tier” system. Tier 1 items are recommended for funding based on available resources. Tier 1 items are items that operational must be paid for; pertain to a federal, state or locally mandated function; address public health and safety, critical operations and/or critical infrastructure needs; support the implementation of the City’s strategic plan goals and/or have been approved by Council; further climate initiatives or either generate revenue, are grant funded or otherwise leverage additional funding. Tier 2 are items that are considered to be Non-Critical Operational Needs that may be placed on hold or have existing funding while Tier 3 includes items deemed to be Non-Urgent Operational Needs.

The City Manager then develops a balanced budget proposal and presents the proposal to the Budget and Finance Policy Committee and then to the City Council. Both the Budget and Finance Policy Committee and the City Council holds public meetings to discuss the proposed budget, including two or more formal public hearings. Budget amendments are considered for incorporation into the proposed budget prior to the formal budget adoption.

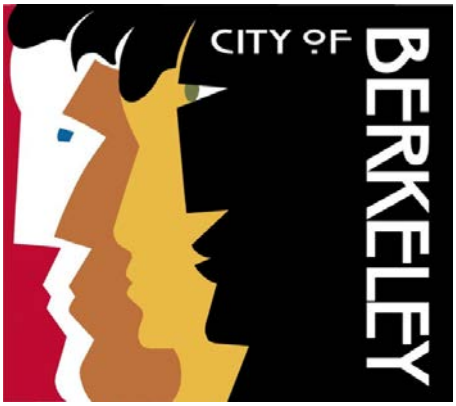
Budgetary Control

The City Council adopts the budget by June 30 through the passage of an Annual Appropriation Ordinance (AAO). This ordinance sets expenditure limits at the fund level for the City's General Fund, special funds, debt service funds, capital projects funds, enterprise funds, and all internal service funds except the Payroll Deduction Trust Fund, the Catastrophic Loss Trust Fund, Retiree Medical Trust Funds, and the Pension Annuity Fund.

Throughout the year, supplemental appropriations are approved through amendments to the AAO, and require a two-thirds super-majority vote of the City Council. The City Manager is authorized to transfer budgeted amounts between departments or programs within any fund. The Council must approve any transfer that either alters the total budget or moves amounts from one fund to another. All appropriated amounts lapse at year end and are subject to re-appropriation in the following fiscal year by City Council approval.

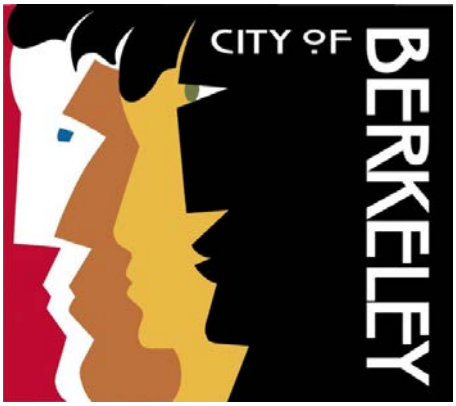
The City maintains an encumbrance accounting system as one technique of accomplishing budgetary control. Purchase orders, contracts, and other commitments for the expenditure of money are secured in order to reserve that portion of the applicable appropriation.

Encumbrances outstanding at year-end are reported as assignments of fund balance with unencumbered amounts lapsing at year-end.


CITY OF
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Financial Summaries

This section provides charts and tables of the City's budget. These summaries show the revenues and expenditures associated with the City's different funding sources, such as the General Fund, Special Revenue Funds, Grants, Capital Funds, Debt Service, Enterprise Funds, Internal Service Funds and Agency Funds. The charts illustrate revenues by funding source and expenditures by department.


CITY OF
BERKELEY

Overview of the Operating Budget

The City's Operating Budget is a flexible spending plan that is the legal authority for departments to commit financial resources to provide services within the City of Berkeley.

Revenue History by Category

	Actual FY 2022	Actual FY 2023	Budgeted FY 2024	Proposed FY 2025	Change %	Proposed FY 2026	Change %
Secured Property Taxes	$ 70,621,184	$ 79,311,105	$ 84,725,717	$ 89,687,496	5.9%	$ 92,826,558	3.5%
Supplemental Taxes	2,466,088	3,477,693	3,400,000	3,400,000	0.0%	3,400,000	0.0%
Unsecured Property Taxes	4,379,993	3,839,250	3,806,995	3,881,280	2.0%	3,881,280	0.0%
Property Transfer Taxes	39,662,601	21,978,933	22,873,786	19,000,000	(16.9%)	21,000,000	10.5%
Property Transfer Tax – Measure P	20,557,800	9,684,063	10,189,500	8,199,580	(19.5%)	8,609,559	5.0%
Sales Tax	18,950,488	18,759,977	19,654,225	19,183,600	(2.4%)	19,562,300	2.0%
Soda Tax	1,025,800	1,162,310	1,147,387	1,147,387	0.0%	1,147,387	0.0%
Utility Users Taxes	15,001,999	17,606,482	17,454,320	17,700,000	1.4%	17,700,000	0.0%
Transient Occupancy Taxes	5,680,715	7,911,684	8,374,588	8,237,549	(1.6%)	8,484,675	3.0%
Short-Term Rentals	1,295,798	1,372,439	1,400,000	1,400,000	0.0%	1,400,000	0.0%
Business License Taxes	20,403,975	21,854,193	21,560,783	21,991,999	2.0%	22,431,839	2.0%
Recreational Cannabis	1,250,792	997,572	1,000,000	1,000,000	0.0%	1,020,000	2.0%
Measure U1	4,913,872	5,844,564	5,900,000	5,900,000	0.0%	5,900,000	0.0%
Other Taxes	3,882,587	5,799,179	4,453,059	5,453,059	22.5%	10,453,059	91.7%
Vehicle In Lieu Taxes	38,421,395	40,499,309	43,169,728	43,859,851	1.6%	44,519,645	1.5%
Parking Fines – Regular Collections	4,802,956	5,952,451	5,800,000	5,800,000	0.0%	5,800,000	0.0%
Moving Violations	155,383	151,912	132,600	132,600	0.0%	135,252	2.0%
Ambulance Fees	4,014,675	5,468,875	5,350,779	6,944,117	29.8%	6,944,117	0.0%
Interest Income	(24,479,214)	8,150,922	10,337,245	14,126,388	36.7%	13,126,388	(7.1%)
Franchise Fees	2,208,188	2,681,331	2,057,700	2,247,528	9.2%	2,247,528	0.0%
Indirect Cost Reimbursement	5,074,695	6,758,577	6,104,970	6,936,000	13.6%	7,074,720	2.0%
Other Revenues	388,659,415	380,330,391	276,279,436	297,842,668	7.8%	306,887,117	3.0%
Total Revenues	**$ 628,951,185**	**$ 649,593,212**	**$ 555,172,818**	**$ 584,071,102**	**5.2%**	**$ 604,551,424**	**3.5%**
Operating Transfers In	657,686,821	769,539,487	97,411,398	82,999,048	(14.8%)	88,004,106	6.0%
	$1,286,638,006	**$1,419,132,699**	**$652,584,216**	**$667,070,150**	**2.2%**	**$692,555,530**	**3.8%**

Expenditure History by Category

	Actual FY 2022	Actual FY 2023	Budgeted FY 2024	Proposed FY 2025	Change %	Proposed FY 2026	Change %
Salaries & Benefits	$ 295,940,923	$ 317,461,808	$ 342,834,712	$ 386,426,174	12.7%	$ 397,173,070	2.8%
Services & Materials	128,339,434	144,706,728	140,793,216	151,303,154	7.5%	143,518,364	(5.1%)
Capital Outlay	41,379,503	18,364,767	86,616,435	67,885,603	(21.6%)	61,126,142	(10.0%)
Internal Services & All Other	79,008,119	91,935,207	109,081,051	125,714,258	15.2%	128,304,981	2.1%
Total Expenditures	**$ 544,667,979**	**$ 572,468,510**	**$ 679,325,414**	**$ 731,329,189**	**7.7%**	**$ 730,122,557**	**(0.2%)**
Operating Transfers Out	80,414,972	76,799,373	54,039,639	44,900,045	(16.9%)	40,905,103	(8.9%)
	$ 625,082,951	**$ 649,267,883**	**$ 733,365,053**	**$ 776,229,234**	**5.8%**	**$ 771,027,660**	**(0.7%)**

Revenue by Category and Fund Type Fiscal Year 2025

	General Fund	Special Revenue Funds	Grants Funds	Capital Projects Funds	Enterprise Funds	Internal Service Funds	All Other Funds	FY 2025 Total
Secured Property Taxes	$ 89,687,496	$ -	$ -	$ -	$ -	$ -	$ -	$ 89,687,496
Supplemental Taxes	3,400,000	-	-	-	-	-	-	3,400,000
Unsecured Property Taxes	3,881,280	-	-	-	-	-	-	3,881,280
Property Transfer Taxes	19,000,000	-	-	-	-	-	-	19,000,000
Property Transfer Tax – Measure P	8,199,580	-	-	-	-	-	-	8,199,580
Sales Tax	19,183,600	-	-	-	-	-	-	19,183,600
Soda Tax	1,147,387	-	-	-	-	-	-	1,147,387
Utility Users Taxes	17,700,000	-	-	-	-	-	-	17,700,000
Transient Occupancy Taxes	8,237,549	-	-	-	-	-	-	8,237,549
Short-Term Rentals	1,400,000	-	-	-	-	-	-	1,400,000
Business License Taxes	21,991,999	-	-	-	-	-	-	21,991,999
Recreational Cannabis	1,000,000	-	-	-	-	-	-	1,000,000
Measure U1	5,900,000	-	-	-	-	-	-	5,900,000
Other Taxes	5,453,059	-	-	-	-	-	-	5,453,059
Vehicle In Lieu Taxes	18,851,257	-	18,638,696	-	-	6,369,898	-	43,859,851
Parking Fines – Regular Collections	5,800,000	-	-	-	-	-	-	5,800,000
Moving Violations	132,600	-	-	-	-	-	-	132,600
Ambulance Fees	6,944,117	-	-	-	-	-	-	6,944,117
Interest Income	12,615,354	221,280	-	500,000	786,688	-	3,066	14,126,388
Franchise Fees	1,822,528	-	-	-	425,000	-	-	2,247,528
Indirect Cost Reimbursement	6,936,000	-	-	-	-	-	-	6,936,000
Other Revenues	8,468,797	106,189,637	27,886,357	192	130,980,559	8,892,080	15,425,046	297,842,668
Total Revenues	**$ 267,752,603**	**$ 106,410,917**	**$ 46,525,053**	**$ 500,192**	**$ 132,192,247**	**$ 15,261,978**	**$ 15,428,112**	**$ 584,071,102**
Operating Transfers In	10,355,777	(543,622)	-	32,950,905	90,501	36,484,662	3,660,825	82,999,048
	$ 278,108,380	**$ 105,867,295**	**$ 46,525,053**	**$ 33,451,097**	**$ 132,282,748**	**$ 51,746,640**	**$ 19,088,937**	**$ 667,070,150**

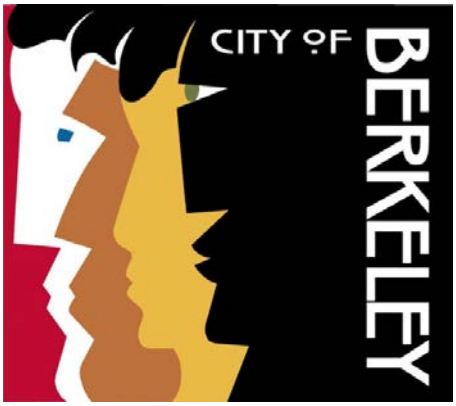
Revenue by Category and Fund Type Fiscal Year 2026	General Fund	Special Revenue Funds	Grants Funds	Capital Projects Funds	Enterprise Funds	Internal Service Funds	All Other Funds	FY 2026 Total
Secured Property Taxes	$ 92,826,558	$ -	$ -	$ -	$ -	$ -	$ -	$ 92,826,558
Supplemental Taxes	3,400,000	-	-	-	-	-	-	3,400,000
Unsecured Property Taxes	3,881,280	-	-	-	-	-	-	3,881,280
Property Transfer Taxes	21,000,000	-	-	-	-	-	-	21,000,000
Property Transfer Tax – Measure P	8,609,559	-	-	-	-	-	-	8,609,559
Sales Tax	19,562,300	-	-	-	-	-	-	19,562,300
Soda Tax	1,147,387	-	-	-	-	-	-	1,147,387
Utility Users Taxes	17,700,000	-	-	-	-	-	-	17,700,000
Transient Occupancy Taxes	8,484,675	-	-	-	-	-	-	8,484,675
Short-Term Rentals	1,400,000	-	-	-	-	-	-	1,400,000
Business License Taxes	22,431,839	-	-	-	-	-	-	22,431,839
Recreational Cannabis	1,020,000	-	-	-	-	-	-	1,020,000
Measure U1	5,900,000	-	-	-	-	-	-	5,900,000
Other Taxes	10,453,059	-	-	-	-	-	-	10,453,059
Vehicle In Lieu Taxes	19,511,051	-	18,638,696	-	-	6,369,898	-	44,519,645
Parking Fines – Regular Collections	5,800,000	-	-	-	-	-	-	5,800,000
Moving Violations	135,252	-	-	-	-	-	-	135,252
Ambulance Fees	6,944,117	-	-	-	-	-	-	6,944,117
Interest Income	11,615,354	221,280	-	500,000	786,688	-	3,066	13,126,388
Franchise Fees	1,822,528	-	-	-	425,000	-	-	2,247,528
Indirect Cost Reimbursement	7,074,720	-	-	-	-	-	-	7,074,720
Other Revenues	8,468,797	109,345,089	28,659,094	192	136,096,819	8,892,080	15,425,046	306,887,117
Total Revenues	**$ 279,188,476**	**$ 109,566,369**	**$ 47,297,790**	**$ 500,192**	**$ 137,308,507**	**$ 15,261,978**	**$ 15,428,112**	**$ 604,551,424**
Operating Transfers In	10,364,269	4,456,894	-	32,950,905	90,501	36,480,712	3,660,825	88,004,106
	$ 289,552,745	**$ 114,023,263**	**$ 47,297,790**	**$ 33,451,097**	**$ 137,399,008**	**$ 51,742,690**	**$ 19,088,937**	**$ 692,555,530**

Expenditure by Category and Fund Type Fiscal Year 2025

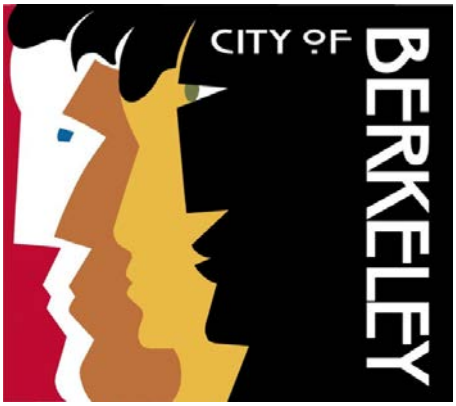
	General Fund	Special Revenue Funds	Grants Funds	Capital Projects Funds	Enterprise Funds	Internal Service Funds	All Other Funds	FY 2025 Total
Salaries & Benefits	$ 193,606,965	$ 69,185,388	$ 24,348,225	$ 5,061,434	$ 68,036,953	$ 20,499,596	$ 5,687,613	$ 386,426,174
Services & Materials	33,786,531	29,539,918	16,536,940	4,426,047	40,878,043	21,324,597	4,811,078	151,303,154
Capital Outlay	853,786	17,790,000	2,064,099	14,263,942	26,808,314	5,693,462	412,000	67,885,603
Internal Services & All Other	22,065,961	38,051,210	8,975,736	6,922,417	25,439,269	8,735,068	15,524,597	125,714,258
Total Expenditures	**$ 250,313,243**	**$ 154,566,516**	**$ 51,925,000**	**$ 30,673,840**	**$ 161,162,579**	**$ 56,252,723**	**$ 26,435,288**	**$ 731,329,189**
Operating Transfers Out	33,201,176	8,478,454	-	984,687	1,465,519	496,355	273,854	44,900,045
	$ 283,514,419	**$ 163,044,970**	**$ 51,925,000**	**$ 31,658,527**	**$ 162,628,098**	**$ 56,749,078**	**$ 26,709,142**	**$ 776,229,234**

Expenditure by Category and Fund Type Fiscal Year 2026

	General Fund	Special Revenue Funds	Grants Funds	Capital Projects Funds	Enterprise Funds	Internal Service Funds	All Other Funds	FY 2026 Total
Salaries & Benefits	$ 200,099,836	$ 71,145,339	$ 24,552,140	$ 5,153,820	$ 69,541,530	$ 20,883,936	$ 5,796,469	$ 397,173,070
Services & Materials	33,801,667	28,830,956	15,104,394	4,339,804	36,893,824	19,736,641	4,811,078	143,518,364
Capital Outlay	853,786	13,486,049	2,064,099	13,355,608	25,661,138	5,693,462	12,000	61,126,142
Internal Services & All Other	24,675,068	37,886,276	8,965,736	6,924,417	25,593,819	8,735,068	15,524,597	128,304,981
Total Expenditures	**$ 259,430,357**	**$ 151,348,620**	**$ 50,686,369**	**$ 29,773,649**	**$ 157,690,311**	**$ 55,049,107**	**$ 26,144,144**	**$ 730,122,557**
Operating Transfers Out	34,197,226	3,478,970	-	984,687	1,465,519	504,847	273,854	40,905,103
	$ 293,627,583	**$ 154,827,590**	**$ 50,686,369**	**$ 30,758,336**	**$ 159,155,830**	**$ 55,553,954**	**$ 26,417,998**	**$ 771,027,660**


CITY OF
BERKELEY

Revenue Sources


CITY OF
BERKELEY

General Fund Revenues Five-Year Summary

	2022 Actual	2023 Actual	2024 Current Budget	2025 Proposed	2026 Proposed
General Fund Revenue Summary					
Secured Property Taxes	$ 70,621,184	$ 79,311,105	$ 84,725,717	$ 89,687,496	$ 92,826,558
Supplemental Taxes	2,466,088	3,477,693	3,400,000	3,400,000	3,400,000
Unsecured Property Taxes	4,379,993	3,839,250	3,806,995	3,881,280	3,881,280
Property Transfer Taxes	39,662,601	21,978,933	22,873,786	19,000,000	21,000,000
Property Transfer Tax – Measure P	20,557,800	9,684,063	10,189,500	8,199,580	8,609,559
Sales Tax	18,950,488	18,759,977	19,654,225	19,183,600	19,562,300
Soda Tax	1,025,800	1,162,310	1,147,387	1,147,387	1,147,387
Utility Users Taxes	15,001,999	17,606,482	17,454,320	17,700,000	17,700,000
Transient Occupancy Taxes	5,680,715	7,911,684	8,374,588	8,237,549	8,484,675
Short-Term Rentals	1,295,798	1,372,439	1,400,000	1,400,000	1,400,000
Business License Taxes	20,403,975	21,854,193	21,560,783	21,991,999	22,431,839
Recreational Cannabis	1,250,792	997,572	1,000,000	1,000,000	1,020,000
Measure U1	4,913,872	5,844,564	5,900,000	5,900,000	5,900,000
Other Taxes	3,882,587	5,799,179	4,453,059	5,453,059	10,453,059
Vehicle In Lieu Taxes	15,151,524	16,668,736	17,811,134	18,851,257	19,511,051
Parking Fines – Regular Collections	4,802,956	5,952,451	5,800,000	5,800,000	5,800,000
Moving Violations	155,383	151,912	132,600	132,600	135,252
Ambulance Fees	4,014,675	5,468,875	5,350,779	6,944,117	6,944,117
Interest Income	(10,069,162)	3,261,122	8,826,211	12,615,354	11,615,354
Franchise Fees	1,712,652	1,810,581	1,720,056	1,822,528	1,822,528
Indirect Cost Reimbursement	5,074,695	6,758,577	6,104,970	6,936,000	7,074,720
Other Revenues	6,737,288	9,022,069	6,640,308	8,468,797	8,468,797
Transfers	116,962,155	147,500,128	13,265,778	10,355,777	10,364,269
TOTAL GENERAL FUND REVENUES	**$354,635,858**	**$ 396,193,895**	**$ 271,592,196**	**$ 278,108,380**	**$ 289,552,745**

* General Fund revenues include Fund 013 (GF Payroll Deduction Trust) and Fund 016 (Measure U1)

General Fund Revenues
Five-Year Summary

	2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
General Fund Revenue Detail					
Secured Property Taxes					
411110 Base Prop Tax - 1%	$ 70,621,185	$ 79,311,105	$ 84,725,717	$ 89,687,496	$ 92,826,558
Total Secured Property Taxes	**$ 70,621,185**	**$ 79,311,105**	**$ 84,725,717**	**$ 89,687,496**	**$ 92,826,558**
Supplemental Taxes					
411120 Base Prop Tax - Suppl	$ 2,466,089	$ 3,477,693	$ 3,400,000	$ 3,400,000	$ 3,400,000
Total Supplemental Taxes	**$ 2,466,089**	**$ 3,477,693**	**$ 3,400,000**	**$ 3,400,000**	**$ 3,400,000**
Unsecured Property Taxes					
411210 Unsecured - Personal Prop	$ 4,379,993	$ 3,839,249	$ 3,806,995	$ 3,881,280	$ 3,881,280
Total Unsecured Property Taxes	**$ 4,379,993**	**$ 3,839,249**	**$ 3,806,995**	**$ 3,881,280**	**$ 3,881,280**
Property Transfer Taxes					
411410 Transfer Tax	$ 39,662,601	$ 21,978,933	$ 22,873,786	$ 19,000,000	$ 21,000,000
Total Property Transfer Taxes	**$ 39,662,601**	**$ 21,978,933**	**$ 22,873,786**	**$ 19,000,000**	**$ 21,000,000**
Property Transfer Tax – Measure P					
411411 Transfer Tax - Meas P	$ 20,557,800	$ 9,684,062	$ 10,189,500	$ 8,199,580	$ 8,609,559
Total Property Transfer Tax – Measure P	**$ 20,557,800**	**$ 9,684,062**	**$ 10,189,500**	**$ 8,199,580**	**$ 8,609,559**
Sales Tax					
413110 Gen Sales - Sales Tax	$ 18,958,681	$ 18,768,528	$ 19,654,225	$ 19,183,600	$ 19,562,300
413120 Gen Sales - Sales Tax Contra	(8,194)	(8,551)	-	-	-
Total Sales Tax	**$ 18,950,487**	**$ 18,759,977**	**$ 19,654,225**	**$ 19,183,600**	**$ 19,562,300**
Soda Tax					
414110 Select Sales - Sugar Sw Bev	$ 1,047,802	$ 1,185,894	$ 1,147,387	$ 1,147,387	$ 1,147,387
414120 Select Sales - Ssb Contra	(22,002)	(23,584)	-	-	-
Total Soda Tax	**$ 1,025,800**	**$ 1,162,310**	**$ 1,147,387**	**$ 1,147,387**	**$ 1,147,387**
Utility Users Taxes					
416110 Util User - Gas	$ 15,001,999	$ 17,606,482	$ 17,454,320	$ 17,700,000	$ 17,700,000
Total Utility Users Taxes	**$ 15,001,999**	**$ 17,606,482**	**$ 17,454,320**	**$ 17,700,000**	**$ 17,700,000**
Transient Occupancy Taxes					
416210 Tot - Hotels	$ 5,680,715	$ 9,169,330	$ 8,374,588	$ 8,237,549	$ 8,484,675
416211 Tot - Hotels Contra	-	(1,257,646)	-	-	-
Total Transient Occupancy Taxes	**$ 5,680,715**	**$ 7,911,684**	**$ 8,374,588**	**$ 8,237,549**	**$ 8,484,675**
Short-Term Rentals					
416220 Tot - Short Term Rentals	$ 1,295,798	$ 1,497,519	$ 1,400,000	$ 1,400,000	$ 1,400,000
416221 Tot - Short Term Rent - Contra	-	(125,080)	-	-	-
Total Short-Term Rentals	**$ 1,295,798**	**$ 1,372,439**	**$ 1,400,000**	**$ 1,400,000**	**$ 1,400,000**

General Fund Revenues (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
General Fund Revenue Detail						
Business License Taxes						
415110	Bl Tax - General	$ 20,324,937	$ 21,713,108	$ 21,560,783	$ 21,991,999	$ 22,431,839
415140	Bl Tax - Cannabis - Medicinal	79,037	141,085	-	-	-
Total Business License Taxes		**$ 20,403,974**	**$ 21,854,193**	**$ 21,560,783**	**$ 21,991,999**	**$ 22,431,839**
Recreational Cannabis						
415150	Bl Tax - Cannabis - Recreation	$ 1,250,792	$ 997,572	$ 1,000,000	$ 1,000,000	$ 1,020,000
Total Recreational Cannabis		**$ 1,250,792**	**$ 997,572**	**$ 1,000,000**	**$ 1,000,000**	**$ 1,020,000**
Measure U1						
415130	Bl Tax - Real Prop - Lg Landlo	$ 4,913,872	$ 5,844,564	$ 5,900,000	$ 5,900,000	$ 5,900,000
Total Measure U1		**$ 4,913,872**	**$ 5,844,564**	**$ 5,900,000**	**$ 5,900,000**	**$ 5,900,000**
Other Taxes						
411130	Base Prop Tax - Redemption	$ 746,731	$ 732,319	$ 831,441	$ 1,018,153	$ 1,018,153
416310	Parking Lot Tax	707,449	2,257,775	1,325,080	1,622,646	1,622,646
416510	Residential Vacancy Tax	-	-	-	-	5,000,000
416910	Tnc User Tax	675,012	1,022,068	1,028,489	1,259,451	1,259,451
417210	Tax Penalty - Business License	1,431,082	1,454,367	925,192	1,132,957	1,132,957
418210	Tax Interest - Bus License	322,313	332,650	342,857	419,851	419,851
Total Other Taxes		**$ 3,882,587**	**$ 5,799,179**	**$ 4,453,059**	**$ 5,453,058**	**$ 10,453,058**
Vehicle In Lieu Taxes						
416410	Mvlf/Eraf Payback	$ 15,006,003	$ 16,659,665	$ 17,811,134	$ 18,851,257	$ 19,511,051
432390	Others - State	145,521	9,071	-	-	-
Total Vehicle In Lieu Taxes		**$ 15,151,524**	**$ 16,668,736**	**$ 17,811,134**	**$ 18,851,257**	**$ 19,511,051**
Parking Fines – Regular Collections						
451110	Parking Violation Fines	$ 4,802,956	$ 5,952,452	$ 5,800,000	$ 5,800,000	$ 5,800,000
Total Parking Fines – Regular Collections		**$ 4,802,956**	**$ 5,952,452**	**$ 5,800,000**	**$ 5,800,000**	**$ 5,800,000**
Moving Violations						
451210	Moving Violation Fines	$ 155,383	$ 151,912	$ 132,600	$ 132,600	$ 135,252
Total Moving Violations		**$ 155,383**	**$ 151,912**	**$ 132,600**	**$ 132,600**	**$ 135,252**
Ambulance Fees						
442110	Ambulance Fees	$ 4,014,675	$ 5,468,876	$ 5,350,779	$ 6,944,117	$ 6,944,117
Total Ambulance Fees		**$ 4,014,675**	**$ 5,468,876**	**$ 5,350,779**	**$ 6,944,117**	**$ 6,944,117**
Interest Income						
471110	Interest - Investment Pool	$ (10,088,962)	$ 3,362,836	$ 8,826,211	$ 12,615,354	$ 11,615,354
471120	Interest - From Loans	19,800	(101,714)	-	-	-
Total Interest Income		**$ (10,069,162)**	**$ 3,261,122**	**$ 8,826,211**	**$ 12,615,354**	**$ 11,615,354**

General Fund Revenues (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
General Fund Revenue Detail						
Franchise Fees						
425110	Franchise Fees - Electric	$ 580,426	$ 741,123	$ 580,426	$ 615,005	$ 615,005
425210	Franchise Fees - Gas	468,969	555,073	468,969	496,908	496,908
425310	Franchise Fees - Cable Tv	663,258	514,385	670,661	710,616	710,616
Total Franchise Fees		**$ 1,712,653**	**$ 1,810,581**	**$ 1,720,056**	**$ 1,822,529**	**$ 1,822,529**
Indirect Cost Reimbursement						
482001	Indirect Cost - Generic	$ -	$ -	$ 6,104,970	$ 6,936,000	$ 7,074,720
482128	Indirect Cost - Fund 128	138,719	176,194	-	-	-
482142	Indirect Cost - Fund 142	54,348	61,076	-	-	-
482336	Indirect Cost - Fund 336	34,322	83,802	-	-	-
482601	Indirect Cost - Fund 601	2,113,698	2,806,563	-	-	-
482608	Indirect Cost - Fund 608	356,699	613,371	-	-	-
482611	Indirect Cost - Fund 611	810,036	1,014,510	-	-	-
482616	Indirect Cost - Fund 616	116,002	180,335	-	-	-
482621	Indirect Cost - Fund 621	1,393,607	1,746,536	-	-	-
482622	Indirect Cost - Fund 622	57,265	76,190	-	-	-
Total Indirect Cost Reimbursement		**$ 5,074,696**	**$ 6,758,577**	**$ 6,104,970**	**$ 6,936,000**	**$ 7,074,720**
Other Revenues						
421110	Animal Licenses - Dog	30,813	27,359	31,059	39,611	39,611
424210	Street Use Permit	19,372	30,025	14,929	19,040	19,040
426110	Residential Pref Parking	1,028,614	978,806	836,693	1,067,087	1,067,087
426210	Ptp Car Share Permit	-	25,449	7,020	8,953	8,953
429110	Cannabis Disp Annual Fee	-	-	141,257	180,154	180,154
429210	Tobacco Retailer License Fee	36,805	43,080	32,363	41,275	41,275
429310	Utilities Permit	38,950	760	284,163	362,411	362,411
429510	Special Event Permit Fees	-	-	10,431	13,303	13,303
429610	Fire Permits	285,140	278,869	167,236	213,286	213,286
429710	Electric Micromobility Permit	138,700	84,200	-	-	-
429990	Other Permits	1,550	2,515	2,368	3,020	3,020
431110	Operating Grants - Fed	-	1,062,914	355,203	453,012	453,012
432110	Operating Grants - State	66,477	74,167	81,728	104,233	104,233
432320	Homeowners' Exception	384,008	392,433	307,843	392,611	392,611
433210	Capital Grants - County	-	50,000	-	-	-
434110	Operating Grants - Other	(4,590)	-	-	-	-
436110	Other Govt - Tax Prep	60,500	-	47,755	60,905	60,905
437110	Mutual Aid Reimbursement	62,485	162,831	-	-	-
437120	Shared Cost Reimbursements	-	28,850	19,375	24,710	24,710
441110	Wrk For Prvt Parties - Gn Govt	331,689	486,929	713,974	910,576	910,576
441210	Appeals - Appeals Board	1,300	9,000	8,051	10,268	10,268
441910	Credit Card Payment Fees	-	-	118,729	151,422	151,422
441990	Miscellaneous Charges	267,263	673,468	174,555	222,622	222,622

General Fund Revenues (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
General Fund Revenue Detail						
442130	Fire Inspection Fees	476,976	539,543	593,113	756,434	756,434
442140	Misc Police Services	35,141	33,853	50,265	64,106	64,106
442170	Jail Booking Fees	132,710	83,120	36,310	46,308	46,308
443110	Street & Road Maintenance	-	-	15,392	19,630	19,630
444110	Vital Statistics Charges	256,810	258,548	127,656	162,808	162,808
444120	Vital Statistics Contra	(99,463)	(94,857)	-	-	-
444210	Health Inspection Fees	667,520	685,561	623,163	794,759	794,759
444220	Clinic Fees	19	-	19,079	24,333	24,333
444310	Animal Services Charges	188,635	196,165	123,809	157,901	157,901
445110	Swimming Pool Fees	353,955	325,351	181,792	231,851	231,851
445130	Clubhouse/Rec Center Fees	22,538	138,722	90,479	115,394	115,394
445140	Athletic Fees	239	3,717	32,505	41,455	41,455
445160	Class Fees	371,618	396,108	178,011	227,029	227,029
445190	Other Recreation Fees	696,938	389,955	670,855	855,584	855,584
448910	Int Svc - Employee Pkg Permit	25,000	26,500	30,784	39,261	39,261
453110	Dog License Penalties	60	20	2,202	2,808	2,808
453210	Fire Inspection Penalties	1,724	9,510	8,708	11,106	11,106
453220	Multiple Response Penalties	-	100	1,184	1,510	1,510
453410	Health Code Violation Penaltie	6,595	3,160	9,077	11,576	11,576
453990	Misc Penalties	744	178	-	-	-
461110	Leases - General Building	30,781	200	15,648	19,957	19,957
461210	Rentals - Community Ctrs	-	7,873	78,647	100,303	100,303
461220	Rentals - Pool Rental	20,908	-	1,773	2,261	2,261
461230	Rentals - Oth Short Term	242,640	224,667	51,155	65,241	65,241
481110	Misc Rev - Donations Received	45,433	134,229	172,441	219,925	219,925
483110	Misc Rev - Over/Short	(186)	(286)	-	-	-
483120	Misc Rev - Insurance Claims	-	-	5,526	7,048	7,048
483130	Settlement - Agreement	-	270,431	-	-	-
483990	Misc Rev - Other	506,400	290,367	166,002	211,713	211,713
492120	Premium On Bonds Issued	-	687,680	-	-	-
493110	Gain/Loss On Sale Of Asset	4,478	-	-	-	-
Total Other Revenues		**$ 6,737,289**	**$ 9,022,070**	**$ 6,640,308**	**$ 8,468,800**	**$ 8,468,800**
Transfers						
491156	Transfer From Fund 156	2,643,280	2,643,280	2,643,280	2,643,280	2,643,280
491354	Transfer From Fund 354	22,969,355	12,022,049	3,255,743	-	-
491631	Transfer From Fund 631	1,742,288	1,742,288	1,742,288	1,042,288	1,042,288
491680	Transfer From Fund 680	-	438,968	450,613	496,355	504,847
499100	Aao Carryover	36,838,797	74,141,617	-	-	-
Total Transfers		**$ 64,193,720**	**$ 90,988,202**	**$ 8,091,924**	**$ 4,181,923**	**$ 4,190,415**
TOTAL GENERAL FUND REVENUES		**$ 301,867,426**	**$ 339,681,970**	**$ 266,418,342**	**$ 271,934,529**	**$ 283,378,894**

Other Funds Revenue
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
Other General Fund						
012 - GF - Fringe Benefits						
499100	AAO Carryover	$ 141	$ 141	$ -	$ -	$ -
Total GF - Fringe Benefits		**$ 141**	**$ 141**	**$ -**	**$ -**	**$ -**
013 - GF - Payroll Deduction Trust						
491780	Transfer From Fund 780	$ 273,854	$ 273,854	$ 273,854	$ 273,854	$ 273,854
499100	AAO Carryover	(1,162,555)	(2,059,529)	-	-	-
Total GF - Payroll Deduction Trust		**$ (888,701)**	**$ (1,785,675)**	**$ 273,854**	**$ 273,854**	**$ 273,854**
014 - GF - Catastrophic Leave						
499100	AAO Carryover	$ (375,302)	$ (504,358)	$ -	$ -	$ -
Total GF - Catastrophic Leave		**$ (375,302)**	**$ (504,358)**	**$ -**	**$ -**	**$ -**
016 - U1 - Housing						
491011	Transfer From Fund 011	$ 5,887,567	$ 4,900,000	$ 4,900,000	$ 5,900,000	$ 5,900,000
499100	AAO Carryover	11,189,666	12,624,315	-	-	-
Total U1 - Housing		**$ 17,077,233**	**$ 17,524,315**	**$ 4,900,000**	**$ 5,900,000**	**$ 5,900,000**
017 - Climate Equity Action						
491011	Transfer From Fund 011	$ 600,000	$ -	$ -	$ -	$ -
499100	AAO Carryover	-	600,000	-	-	-
Total Climate Equity Action		**$ 600,000**	**$ 600,000**	**$ -**	**$ -**	**$ -**
098 - GF - Stabilization Reserves						
491011	Transfer From Fund 011	$ 3,636,005	$ 3,862,341	$ -	$ -	$ -
499100	AAO Carryover	15,599,231	19,235,236	-	-	-
Total GF - Stabilization Reserves		**$ 19,235,236**	**$ 23,097,577**	**$ -**	**$ -**	**$ -**
099 - GF - Catastrophic Reserves						
491011	Transfer From Fund 011	$ 2,974,913	$ 3,160,098	$ -	$ -	$ -
499100	AAO Carryover	14,144,915	14,419,828	-	-	-
Total GF - Catastrophic Reserves		**$ 17,119,828**	**$ 17,579,926**	**$ -**	**$ -**	**$ -**
Special Revenue Funds						
101 - Library - Tax						
412110	Special Assessment Tax	$ 22,374,277	$ 24,057,929	$ 25,050,748	$ 25,464,754	$ 25,974,049
451310	Library Fines	16,147	17,689	40,000	40,000	40,000
481110	Misc Rev - Donations Received	-	2,072	-	-	-
483990	Misc Rev - Other	136,791	6,024	32,000	32,000	32,000
499100	AAO Carryover	13,187,685	17,493,292	-	-	-
Total Library - Tax		**$ 35,714,900**	**$ 41,577,006**	**$ 25,122,748**	**$ 25,536,754**	**$ 26,046,049**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
102 - Library - Trans Based Reimbur						
491011	Transfer From Fund 011	$ -	$ -	$ -	$ (5,000,000)	$ -
Total Library - Trans Based Reimbur		**$ -**	**$ -**	**$ -**	**$ (5,000,000)**	**$ -**
103 - Library - Grants						
432110	Operating Grants - State	$ 76,029	$ 65,331	$ 68,420	$ 68,420	$ 68,420
433390	Other - County and Local	30,000	-	-	-	-
499100	AAO Carryover	52,955	34,226	-	-	-
Total Library - Grants		**$ 158,984**	**$ 99,557**	**$ 68,420**	**$ 68,420**	**$ 68,420**
104 - Library - Friends & Gifts						
471110	Interest - Investment Pool	$ 783	$ 14,201	$ -	$ -	$ -
481110	Misc Rev - Donations Received	90,535	151,635	105,000	150,000	150,000
483990	Misc Rev - Other	1,000	-	-	-	-
499100	AAO Carryover	471,887	485,883	-	-	-
Total Library - Friends & Gifts		**$ 564,205**	**$ 651,719**	**$ 105,000**	**$ 150,000**	**$ 150,000**
105 - Library - Foundation						
481110	Misc Rev - Donations Received	$ 190,392	$ 13,657	$ 100,000	$ 100,000	$ 100,000
499100	AAO Carryover	458,507	588,622	-	-	-
Total Library - Foundation		**$ 648,899**	**$ 602,279**	**$ 100,000**	**$ 100,000**	**$ 100,000**
106 - Asset Forfeiture						
452110	Forfeitures - Fed Drug Pgm	$ 4	$ 621	$ 5,000	$ 5,000	$ 5,000
452120	Forfeitures - State Drug Pgm	12	9,570	50,000	50,000	50,000
499100	AAO Carryover	330,813	278,653	-	-	-
Total Asset Forfeiture		**$ 330,829**	**$ 288,844**	**$ 55,000**	**$ 55,000**	**$ 55,000**
107 - Special Tax For Disabled						
412110	Special Assessment Tax	$ 1,493,808	$ 1,608,773	$ 1,673,845	$ 1,704,183	$ 1,738,267
499100	AAO Carryover	201,688	196,537	-	-	-
Total Special Tax For Disabled		**$ 1,695,496**	**$ 1,805,310**	**$ 1,673,845**	**$ 1,704,183**	**$ 1,738,267**
108 - Workforce Investment Act						
491138	Transfer From Fund 138	$ 14,093	$ 6,675	$ 113	$ 3,563	$ 3,750
491501	Transfer From Fund 501	26,943	29,943	29,943	29,917	29,917
491608	Transfer From Fund 608	1,875	2,625	2,625	1,875	1,875
499100	AAO Carryover	28,850	68,440	-	-	-
Total Workforce Investment Act		**$ 71,761**	**$ 107,683**	**$ 32,681**	**$ 35,355**	**$ 35,542**
109 - Community Workforce						
499100	AAO Carryover	$ 10,074	$ 10,074	$ -	$ -	$ -
Total Community Workforce		**$ 10,074**	**$ 10,074**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
110 - SEC 108 HUD Loan Grant Asst						
471110	Interest - Investment Pool	$ 26	$ 2,934	$ 10,000	$ 10,000	$ 10,000
471120	Interest - From Loans	162,335	127,872	209,280	209,280	209,280
498110	Principal Received On Loans	-	-	407,443	407,443	407,443
499100	AAO Carryover	1,253,778	1,316,147	-	-	-
Total SEC 108 HUD Loan Grant Asst		**$ 1,416,139**	**$ 1,446,953**	**$ 626,723**	**$ 626,723**	**$ 626,723**
111 - Fund Raising Activities						
481110	Misc Rev - Donations Received	$ 331,107	$ 161,069	$ 43,000	$ 43,000	$ 43,000
499100	AAO Carryover	255,223	547,547	-	-	-
Total Fund Raising Activities		**$ 586,330**	**$ 708,616**	**$ 43,000**	**$ 43,000**	**$ 43,000**
112 - CA Housing Finance Agency						
499100	AAO Carryover	$ 111,418	$ 111,418	$ -	$ -	$ -
Total CA Housing Finance Agency		**$ 111,418**	**$ 111,418**	**$ -**	**$ -**	**$ -**
113 - Gilman Sport Field						
445120	Playground Fees	$ 324,049	$ 295,844	$ 335,000	$ 391,500	$ 399,331
491354	Transfer From Fund 354	196,000	-	196,000	196,000	196,000
499100	AAO Carryover	124,128	165,313	-	-	-
Total Gilman Sport Field		**$ 644,177**	**$ 461,157**	**$ 531,000**	**$ 587,500**	**$ 595,331**
114 - Gilman Fields Reserve						
437120	Shared Cost Reimbursements	$ 75,000	$ 75,000	$ 60,000	$ 60,000	$ 60,000
491113	Transfer From Fund 113	175,000	75,000	100,000	75,000	75,000
491138	Transfer From Fund 138	-	-	15,000	15,000	15,000
499100	AAO Carryover	567,277	817,277	-	-	-
Total Gilman Fields Reserve		**$ 817,277**	**$ 967,277**	**$ 175,000**	**$ 150,000**	**$ 150,000**
115 - Animal Shelter						
481110	Misc Rev - Donations Received	$ 45,331	$ 38,955	$ 45,000	$ 45,000	$ 45,000
499100	AAO Carryover	90,780	105,645	-	-	-
Total Animal Shelter		**$ 136,111**	**$ 144,600**	**$ 45,000**	**$ 45,000**	**$ 45,000**
116 - Paramedic Assessment District						
412110	Special Assessment Tax	$ 3,430,607	$ 3,607,795	$ 3,742,618	$ 3,808,503	$ 3,884,673
491164	Transfer From Fund 164	757,925	757,925	757,925	757,925	757,925
491354	Transfer From Fund 354	-	2,614,331	-	-	-
499100	AAO Carryover	(1,512,106)	(2,726,813)	-	-	-
Total Paramedic Assessment District		**$ 2,676,426**	**$ 4,253,238**	**$ 4,500,543**	**$ 4,566,428**	**$ 4,642,598**
117 - CA Energy Commission						
499100	AAO Carryover	$ (87)	$ (87)	$ -	$ -	$ -
Total CA Energy Commission		**$ (87)**	**$ (87)**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
118 - Tieback Mitigation R-O-W						
441310	Mitigation Fees	$ 435,225	$ 61,425	$ -	$ -	$ -
499100	AAO Carryover	822,079	1,257,304	-	-	-
Total Tieback Mitigation R-O-W		**$ 1,257,304**	**$ 1,318,729**	**$ -**	**$ -**	**$ -**
119 - Domestic Violence Prevention						
444110	Vital Statistics Charges	$ 21,627	$ 20,170	$ 25,000	$ 25,000	$ 25,000
499100	AAO Carryover	29,661	28,692	-	-	-
Total Domestic Violence Prevention		**$ 51,288**	**$ 48,862**	**$ 25,000**	**$ 25,000**	**$ 25,000**
120 - Affordable Housing Mitigation						
441310	Mitigation Fees	$ -	$ 160,000	$ -	$ -	$ -
446230	Housing Mitigation Fee	16,208,329	14,063,521	-	6,086,371	6,086,371
499100	AAO Carryover	11,876,141	26,936,781	-	-	-
Total Affordable Housing Mitigation		**$ 28,084,470**	**$ 41,160,302**	**$ -**	**$ 6,086,371**	**$ 6,086,371**
121 - Affordable Child Care						
441310	Mitigation Fees	$ 185,256	$ 62,519	$ 11,851	$ 11,851	$ 11,851
499100	AAO Carryover	247,140	425,758	-	-	-
Total Affordable Child Care		**$ 432,396**	**$ 488,277**	**$ 11,851**	**$ 11,851**	**$ 11,851**
122 - Inclusionary Housing Program						
446120	Condo Conversion Fee	$ 38	$ -	$ -	$ -	$ -
446220	Incl Housing In Lieu	183,398	237,596	-	220,809	220,809
499100	AAO Carryover	1,033,204	656,243	-	-	-
Total Inclusionary Housing Program		**$ 1,216,640**	**$ 893,839**	**$ -**	**$ 220,809**	**$ 220,809**
123 - Condo Conversion Program						
446120	Condo Conversion Fee	$ 361,675	$ 128,211	$ 196,000	$ 313,220	$ 313,220
499100	AAO Carryover	2,070,181	1,336,716	-	-	-
Total Condo Conversion Program		**$ 2,431,856**	**$ 1,464,927**	**$ 196,000**	**$ 313,220**	**$ 313,220**
124 - Parking In-Lieu Fee						
441310	Mitigation Fees	$ 645,000	$ -	$ -	$ -	$ -
499100	AAO Carryover	727,010	1,290,000	-	-	-
Total Parking In-Lieu Fee		**$ 1,372,010**	**$ 1,290,000**	**$ -**	**$ -**	**$ -**
125 - Playground Camp						
432390	Others - State	$ 115,821	$ -	$ -	$ -	$ -
445140	Athletic Fees	-	-	184,125	-	-
445150	Camp Fees	2,075,174	2,115,127	2,591,417	2,467,500	2,549,925
445170	Camp Store Sales	-	30,804	38,250	40,250	41,055
445190	Other Recreation Fees	-	460,675	247,270	525,000	537,700
461130	Leases - Camp and Park	-	47,741	-	-	-
461230	Rentals - Oth Short Term	49,852	102,045	48,223	124,187	150,171

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
481110	Misc Rev - Donations Received	533,598	15,371	-	9,000	9,000
483110	Misc Rev - Over/Short	1	(9)	-	-	-
483120	Misc Rev - Insurance Claims	6,876,076	676,479	-	-	-
491099	Transfer From Fund 099	2,700,000	-	-	-	-
491354	Transfer From Fund 354	1,035,000	-	-	-	-
499100	AAO Carryover	13,648,383	4,024,465	-	-	-
Total Playground Camp		**$ 27,033,905**	**$ 7,472,698**	**$ 3,109,285**	**$ 3,165,937**	**$ 3,287,851**
126 - State Propostion 172						
432310	Gen Sales and Use Tax - State	$ 1,180,452	$ 1,207,848	$ 931,227	$ 931,227	$ 931,227
499100	AAO Carryover	1,003,007	1,268,252	-	-	-
Total State Propostion 172		**$ 2,183,459**	**$ 2,476,100**	**$ 931,227**	**$ 931,227**	**$ 931,227**
127 - State Transportation Tax						
432310	Gen Sales and Use Tax - State	$ 5,130,141	$ 5,957,947	$ 6,696,569	$ 6,684,448	$ 6,684,448
441990	Miscellaneous Charges	578	-	-	-	-
443110	Street & Road Maintenance	-	1,500	-	-	-
471110	Interest - Investment Pool	8,224	135,356	-	-	-
499100	AAO Carryover	5,369,769	4,960,178	-	-	-
Total State Transportation Tax		**$ 10,508,712**	**$ 11,054,981**	**$ 6,696,569**	**$ 6,684,448**	**$ 6,684,448**
128 - CDBG						
431110	Operating Grants - Fed	$ 2,240,912	$ 2,056,991	$ 3,595,558	$ 3,595,558	$ 3,595,558
461110	Leases - General Building	496,671	-	-	-	-
471120	Interest - From Loans	137,258	-	-	-	-
483990	Misc Rev - Other	-	-	400,518	400,518	400,518
498110	Principal Received On Loans	-	-	441,667	441,667	441,667
499100	AAO Carryover	(1,475,655)	(2,830,921)	-	-	-
Total CDBG		**$ 1,399,186**	**$ (773,930)**	**$ 4,437,743**	**$ 4,437,743**	**$ 4,437,743**
129 - Rental Housing Safety Prog						
441990	Miscellaneous Charges	$ 336	$ 1,265	$ 2,000	$ 2,000	$ 2,000
446210	Rhsp Fees	348,666	515,217	250,000	250,000	250,000
446211	Rhsp Flat Fee Per Unit	1,449,349	1,470,788	1,200,000	1,200,000	1,200,000
446212	Rhsp Flat Fee Per Room	38,599	37,580	45,000	45,000	45,000
446213	Rhsp Inspect Fee - Responsive	194,264	171,630	200,000	200,000	200,000
451910	Rhsp Citation Fines	42,790	7,500	20,000	20,000	20,000
453990	Misc Penalties	171,270	128,250	66,780	66,780	66,780
499100	AAO Carryover	2,159,671	2,912,194	-	-	-
Total Rental Housing Safety Prog		**$ 4,404,945**	**$ 5,244,424**	**$ 1,783,780**	**$ 1,783,780**	**$ 1,783,780**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
130 - Meas B - Local Streets and RDS						
433310	Gen Sales and Use Tax - Cntylc	$ 2,994,792	$ -	$ -	$ -	$ -
443110	Street & Road Maintenance	-	6,194	-	-	-
471110	Interest - Investment Pool	6,771	112,559	-	-	-
499100	AAO Carryover	3,968,366	4,728,106	-	-	-
Total Meas B - Local Streets and RDS		**$ 6,969,929**	**$ 4,846,859**	**$ -**	**$ -**	**$ -**
131 - Meas B - Bike And Pedestrian						
433310	Gen Sales and Use Tax - Cntylc	$ 354,652	$ -	$ -	$ -	$ -
471110	Interest - Investment Pool	1,298	21,374	-	-	-
499100	AAO Carryover	606,639	863,773	-	-	-
Total Meas B - Bike And Pedestrian		**$ 962,589**	**$ 885,147**	**$ -**	**$ -**	**$ -**
132 - Meas B - Paratransit						
433310	Gen Sales and Use Tax - Cntylc	$ 282,015	$ -	$ -	$ -	$ -
471110	Interest - Investment Pool	(196)	-	-	-	-
491136	Transfer From Fund 136	-	84,569	-	-	-
499100	AAO Carryover	(64,577)	(88,590)	-	-	-
Total Meas B - Paratransit		**$ 217,242**	**$ (4,021)**	**$ -**	**$ -**	**$ -**
133 - Meas F - ALA CT VRF ST and RD						
433390	Other - County and Local	$ 454,252	$ 505,898	$ 457,637	$ 505,898	$ 505,898
471110	Interest - Investment Pool	1,571	27,330	-	-	-
499100	AAO Carryover	1,119,000	998,927	-	-	-
Total Meas F - ALA CT VRF ST and RD		**$ 1,574,823**	**$ 1,532,155**	**$ 457,637**	**$ 505,898**	**$ 505,898**
134 - Meas BB - Local Streets and RD						
433310	Gen Sales and Use Tax - Cntylc	$ 5,228,727	$ 6,239,858	$ 6,750,147	$ 7,990,480	$ 7,990,480
443110	Street & Road Maintenance	-	9,806	-	-	-
471110	Interest - Investment Pool	12,488	194,744	-	-	-
499100	AAO Carryover	9,448,516	7,812,146	-	-	-
Total Meas BB - Local Streets and RD		**$ 14,689,731**	**$ 14,256,554**	**$ 6,750,147**	**$ 7,990,480**	**$ 7,990,480**
135 - Meas BB - Bike and Pedestrian						
433310	Gen Sales and Use Tax - Cntylc	$ 485,859	$ 858,766	$ 773,953	$ (864,497)	$ 864,497
471110	Interest - Investment Pool	17	4,132	-	-	-
499100	AAO Carryover	117,806	(7,282)	-	-	-
Total Meas BB - Bike and Pedestrian		**$ 603,682**	**$ 855,616**	**$ 773,953**	**$ (864,497)**	**$ 864,497**
136 - Meas BB - Paratransit						
433310	Gen Sales and Use Tax - Cntylc	$ 475,888	$ 798,857	$ 969,418	$ 969,418	$ 969,418
471110	Interest - Investment Pool	1,285	15,943	-	-	-
499100	AAO Carryover	704,723	759,007	-	-	-
Total Meas BB - Paratransit		**$ 1,181,896**	**$ 1,573,807**	**$ 969,418**	**$ 969,418**	**$ 969,418**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
137 - One Time Funding						
453990	Misc Penalties	$ 22,076	$ 5,805	$ -	$ -	$ -
499100	AAO Carryover	1,137,954	1,160,030	-	-	-
Total One Time Funding		**$ 1,160,030**	**$ 1,165,835**	**$ -**	**$ -**	**$ -**
138 - Park Tax						
412110	Special Assessment Tax	$ 15,752,595	$ 16,942,877	$ 17,664,146	$ 18,017,429	$ 18,377,778
429990	Other Permits	191,092	197,322	127,500	187,425	191,174
441990	Miscellaneous Charges	-	490	-	-	-
443110	Street & Road Maintenance	-	2,000	-	-	-
449990	Misc Charges	4,000	-	-	-	-
461230	Rentals - Oth Short Term	29,432	24,749	20,000	20,000	20,000
471110	Interest - Investment Pool	9,743	123,673	2,000	2,000	2,000
481110	Misc Rev - Donations Received	71,042	16,405	-	-	-
483120	Misc Rev - Insurance Claims	-	138,116	-	-	-
483990	Misc Rev - Other	616	4,563	-	-	-
493110	Gain/Loss On Sale Of Asset	922	-	-	-	-
499100	AAO Carryover	4,394,403	4,864,504	-	-	-
Total Park Tax		**$ 20,453,845**	**$ 22,314,699**	**$ 17,813,646**	**$ 18,226,854**	**$ 18,590,952**
139 - Street And Open Space Impr						
422110	Building Permit - Structures	$ 74,160	$ 138,572	$ -	$ -	$ -
441310	Mitigation Fees	492,833	827,167	-	-	-
499100	AAO Carryover	910,762	1,476,053	-	-	-
Total Street And Open Space Impr		**$ 1,477,755**	**$ 2,441,792**	**$ -**	**$ -**	**$ -**
140 - Meas GG - Fire Preparation Tax						
412110	Special Assessment Tax	$ 5,420,451	$ 5,428,505	$ 5,631,795	$ 5,722,810	$ 5,837,267
437110	Mutual Aid Reimbursement	-	24,078	-	-	-
437120	Shared Cost Reimbursements	-	-	46,000	46,000	46,000
499100	AAO Carryover	2,799,525	3,003,860	-	-	-
Total Meas GG - Fire Preparation Tax		**$ 8,219,976**	**$ 8,456,443**	**$ 5,677,795**	**$ 5,768,810**	**$ 5,883,267**
141 - 1st Response Adv Life Supp						
499100	AAO Carryover	$ (5,998)	$ (5,998)	$ -	$ -	$ -
Total 1st Response Adv Life Supp		**$ (5,998)**	**$ (5,998)**	**$ -**	**$ -**	**$ -**
142 - Street Lighting						
412110	Special Assessment Tax	$ 2,038,726	$ 2,089,268	$ 2,240,939	$ 2,240,939	$ 2,240,939
443120	Street Light Inspection	459	306	-	-	-
471110	Interest - Investment Pool	3,997	57,010	-	-	-
483120	Misc Rev - Insurance Claims	-	9,523	-	-	-
499100	AAO Carryover	2,069,532	2,381,943	-	-	-
Total Street Lighting		**$ 4,112,714**	**$ 4,538,050**	**$ 2,240,939**	**$ 2,240,939**	**$ 2,240,939**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
143 - Business Economic Development						
434110	Operating Grants - Other	$ 551,168	$ 222,302	$ -	$ -	$ -
471110	Interest - Investment Pool	1,933	7,694	-	-	-
471120	Interest - From Loans	6,819	8,601	-	-	-
498110	Principal Received On Loans	-	-	150,000	150,000	150,000
499100	AAO Carryover	1,001,387	605,697	-	-	-
Total Business Economic Development		**$ 1,561,307**	**$ 844,294**	**$ 150,000**	**$ 150,000**	**$ 150,000**
144 - Citywide RLF						
471120	Interest - From Loans	$ -	$ 27	$ -	$ -	$ -
471130	Interest - Other	1,251	320	-	-	-
499100	AAO Carryover	610,302	628,302	-	-	-
Total Citywide RLF		**$ 611,553**	**$ 628,649**	**$ -**	**$ -**	**$ -**
145 - Miles Lab						
434110	Operating Grants - Other	$ -	$ 385,000	$ 9,000	$ -	$ -
499100	AAO Carryover	73,742	73,229	-	-	-
Total Miles Lab		**$ 73,742**	**$ 458,229**	**$ 9,000**	**$ -**	**$ -**
146 - Employee Training						
491013	Transfer From Fund 013	$ 750,000	$ 750,000	$ 750,000	$ 750,000	$ 750,000
499100	AAO Carryover	93,700	192,898	-	-	-
Total Employee Training		**$ 843,700**	**$ 942,898**	**$ 750,000**	**$ 750,000**	**$ 750,000**
147 - UC Settlement						
435120	Tax In-Lieu - Uc Lrdp Agmt	$ 4,561,283	$ 4,223,000	$ -	$ -	$ -
441310	Mitigation Fees	-	120,786	-	-	-
499100	AAO Carryover	454,002	4,172,565	-	-	-
Total UC Settlement		**$ 5,015,285**	**$ 8,516,351**	**$ -**	**$ -**	**$ -**
148 - Cultural Trust						
422110	Building Permit - Structures	$ 2,392,160	$ 835,612	$ -	$ -	$ -
441310	Mitigation Fees	-	60,000	-	-	-
499100	AAO Carryover	822,480	2,971,481	-	-	-
Total Cultural Trust		**$ 3,214,640**	**$ 3,867,093**	**$ -**	**$ -**	**$ -**
149 - Private Party Sidewalks						
443130	Wrk For Prvt Parties - Street	$ 106,984	$ 732,028	$ 100,000	$ 100,000	$ 100,000
499100	AAO Carryover	849,870	803,940	-	-	-
Total Private Party Sidewalks		**$ 956,854**	**$ 1,535,968**	**$ 100,000**	**$ 100,000**	**$ 100,000**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
150 - Public Art						
491138	Transfer From Fund 138	$ 21,140	$ 11,681	$ 197	$ 6,234	$ 6,563
491501	Transfer From Fund 501	40,414	52,400	52,400	52,355	52,355
491608	Transfer From Fund 608	2,813	4,594	4,594	3,281	3,281
499100	AAO Carryover	82,794	132,361	-	-	-
Total Public Art		**$ 147,161**	**$ 201,036**	**$ 57,191**	**$ 61,870**	**$ 62,199**
151 - Lillie B. Wall Memorial						
481110	Misc Rev - Donations Received	$ 566	$ 591	$ -	$ -	$ -
499100	AAO Carryover	13,455	14,021	-	-	-
Total Lillie B. Wall Memorial		**$ 14,021**	**$ 14,612**	**$ -**	**$ -**	**$ -**
152 - Vital And Health Statistic						
444110	Vital Statistics Charges	$ 20,668	$ 22,520	$ 30,000	$ 30,000	$ 30,000
499100	AAO Carryover	251,185	262,097	-	-	-
Total Vital And Health Statistic		**$ 271,853**	**$ 284,617**	**$ 30,000**	**$ 30,000**	**$ 30,000**
153 - East Bay Public Utilities Comm						
471110	Interest - Investment Pool	$ 6	$ 94	$ -	$ -	$ -
499100	AAO Carryover	3,775	3,781	-	-	-
Total East Bay Public Utilities Comm		**$ 3,781**	**$ 3,875**	**$ -**	**$ -**	**$ -**
154 - PERS Savings						
471130	Interest - Other	$ (2,003,624)	$ 467,869	$ -	$ -	$ -
491011	Transfer From Fund 011	2,000,000	2,000,000	2,000,000	-	-
491013	Transfer From Fund 013	1,479,360	1,634,103	-	-	-
491501	Transfer From Fund 501	151,632	151,632	151,632	-	-
491558	Transfer From Fund 558	-	494,336	-	-	-
499100	AAO Carryover	12,494,757	16,563,101	-	-	-
Total PERS Savings		**$ 14,122,125**	**$ 21,311,041**	**$ 2,151,632**	**$ -**	**$ -**
156 - Health State Aid Realignment						
432310	Gen Sales and Use Tax - State	$ 2,087,918	$ 2,175,825	$ 1,750,000	$ 1,750,000	$ 1,750,000
491011	Transfer From Fund 011	1,953,018	1,953,018	1,953,018	1,953,018	1,953,018
499100	AAO Carryover	3,708,922	4,579,437	-	-	-
Total Health State Aid Realignment		**$ 7,749,858**	**$ 8,708,280**	**$ 3,703,018**	**$ 3,703,018**	**$ 3,703,018**
157 - Tobacco Control						
432310	Gen Sales and Use Tax - State	$ 450,000	$ 304,667	$ 300,000	$ 300,000	$ 300,000
471110	Interest - Investment Pool	111	1,581	-	-	-
499100	AAO Carryover	(38,462)	52,639	-	-	-
Total Tobacco Control		**$ 411,649**	**$ 358,887**	**$ 300,000**	**$ 300,000**	**$ 300,000**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
158 - Mental Health State Aid Realig						
432310	Gen Sales and Use Tax - State	$ 2,928,252	$ 3,356,546	$ 2,710,000	$ 2,710,000	$ 2,710,000
453990	Misc Penalties	-	130,015	-	-	-
499100	AAO Carryover	5,741,290	5,925,383	-	-	-
Total Mental Health State Aid Realig		**$ 8,669,542**	**$ 9,411,944**	**$ 2,710,000**	**$ 2,710,000**	**$ 2,710,000**
159 - City Optional Public Safety						
432110	Operating Grants - State	$ 292,991	$ 309,139	$ 250,000	$ 250,000	$ 250,000
471110	Interest - Investment Pool	1,260	23,534	-	-	-
499100	AAO Carryover	603,464	760,276	-	-	-
Total City Optional Public Safety		**$ 897,715**	**$ 1,092,949**	**$ 250,000**	**$ 250,000**	**$ 250,000**
160 - Impounded And Unneutered						
444310	Animal Services Charges	$ 505	$ 788	$ -	$ -	$ -
499100	AAO Carryover	5,985	6,490	-	-	-
Total Impounded And Unneutered		**$ 6,490**	**$ 7,278**	**$ -**	**$ -**	**$ -**
161 - ALA CT Abandoned Veh Abt Auth						
444410	Abandoned Vehicle Removal	$ 78,282	$ 92,951	$ 103,000	$ 103,000	$ 103,000
499100	AAO Carryover	256,860	273,560	-	-	-
Total ALA CT Abandoned Veh Abt Auth		**$ 335,142**	**$ 366,511**	**$ 103,000**	**$ 103,000**	**$ 103,000**
162 - Shelter Operations						
481110	Misc Rev - Donations Received	$ 160,000	$ -	$ -	$ -	$ -
499100	AAO Carryover	92,304	81,351	-	-	-
Total Shelter Operations		**$ 252,304**	**$ 81,351**	**$ -**	**$ -**	**$ -**
163 - Traffic Congestion Relief						
432310	Gen Sales and Use Tax - State	$ 12	$ -	$ -	$ -	$ -
499100	AAO Carryover	-	12	-	-	-
Total Traffic Congestion Relief		**$ 12**	**$ 12**	**$ -**	**$ -**	**$ -**
164 - Measure FF - Public Safety						
412110	Special Assessment Tax	$ 12,804,113	$ 9,333,611	$ 9,770,233	$ 9,930,546	$ 10,129,157
499100	AAO Carryover	-	8,711,844	-	-	-
Total Measure FF - Public Safety		**$ 12,804,113**	**$ 18,045,455**	**$ 9,770,233**	**$ 9,930,546**	**$ 10,129,157**
165 - Fair Elections						
491011	Transfer From Fund 011	$ 505,002	$ 505,002	$ 612,210	$ 612,210	$ 612,210
499100	AAO Carryover	579,182	917,098	-	-	-
Total Fair Elections		**$ 1,084,184**	**$ 1,422,100**	**$ 612,210**	**$ 612,210**	**$ 612,210**

Other Funds Revenue (continued)
Five-Year Summary

	2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail					
Grants Funds					
301 - Operating Grants - Federal					
431110 Operating Grants - Fed	$ -	$ -	$ -	$ 35,162	$ 36,362
Total Operating Grants - Federal	**$ -**	**$ -**	**$ -**	**$ 35,162**	**$ 36,362**
302 - Operating Grants - State					
432110 Operating Grants - State	$ 1,021,405	$ 5,106,803	$ 63,475	$ 975,688	$ 975,688
499100 AAO Carryover	(1,021,405)	(1,107,544)	-	-	-
Total Operating Grants - State	**$ -**	**$ 3,999,259**	**$ 63,475**	**$ 975,688**	**$ 975,688**
305 - Capital Grants - Federal					
499100 AAO Carryover	$ (4,376)	$ (176,961)	$ -	$ -	$ -
Total Capital Grants - Federal	**$ (4,376)**	**$ (176,961)**	**$ -**	**$ -**	**$ -**
306 - Capital Grants - State					
432210 Capital Grants - State	$ -	$ 3,147,029	$ 562,500	$ 562,500	$ 562,500
499100 AAO Carryover	(694,093)	(3,836,881)	-	-	-
Total Capital Grants - State	**$ (694,093)**	**$ (689,852)**	**$ 562,500**	**$ 562,500**	**$ 562,500**
307 - Capital Grants - Local					
433210 Capital Grants - County	$ 48,526	$ 149,875	$ 75,000	$ 75,000	$ 75,000
433820 Other - County and Local	-	613,000	-	-	-
499100 AAO Carryover	(113,513)	(675,522)	-	-	-
Total Capital Grants - Local	**$ (64,987)**	**$ 87,353**	**$ 75,000**	**$ 75,000**	**$ 75,000**
309 - OTS DUI Enforsmt Educ Prg					
431110 Operating Grants - Fed	$ 87,797	$ 190,840	$ 150,000	$ 150,000	$ 150,000
499100 AAO Carryover	(22,811)	(23,914)	-	-	-
Total OTS DUI Enforsmt Educ Prg	**$ 64,986**	**$ 166,926**	**$ 150,000**	**$ 150,000**	**$ 150,000**
310 - HUD					
431110 Operating Grants - Fed	$ 1,570,118	$ 1,423,894	$ -	$ -	$ 605,000
471120 Interest - From Loans	305,719	13,398	-	-	-
499100 AAO Carryover	(1,848,150)	358,713	-	-	-
Total HUD	**$ 27,687**	**$ 1,796,005**	**$ -**	**$ -**	**$ 605,000**
311 - ESGP					
431110 Operating Grants - Fed	$ 4,354,728	$ -	$ -	$ -	$ 207,000
499100 AAO Carryover	(2,184,655)	(2,580,720)	-	-	-
Total ESGP	**$ 2,170,073**	**$ (2,580,720)**	**$ -**	**$ -**	**$ 207,000**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
312 - Health (General)						
432110	Operating Grants - State	$ 2,342,654	$ 1,793,016	$ 1,994,586	$ 2,107,834	$ 2,113,978
432390	Others - State	189,640	168,229	-	-	-
499100	AAO Carryover	(239,277)	(442,189)	-	-	-
Total Health (General)		**$ 2,293,017**	**$ 1,519,056**	**$ 1,994,586**	**$ 2,107,834**	**$ 2,113,978**
313 - Target Case Mgmt/Linkages						
432390	Others - State	$ 704,132	$ 280,811	$ 350,000	$ -	$ -
499100	AAO Carryover	2,970,030	2,925,344	-	-	-
Total Target Case Mgmt/Linkages		**$ 3,674,162**	**$ 3,206,155**	**$ 350,000**	**$ -**	**$ -**
314 - Alameda County Tay Tip						
499100	AAO Carryover	$ (354,800)	$ (367,792)	$ -	$ -	$ -
Total Alameda County Tay Tip		**$ (354,800)**	**$ (367,792)**	**$ -**	**$ -**	**$ -**
315 - Mental Health Service Act						
432390	Others - State	$ 9,337,779	$ 6,736,742	$ 12,240,360	$ 12,240,360	$ 12,240,360
437120	Shared Cost Reimbursements	1,574,791	800,464	-	-	-
471110	Interest - Investment Pool	20,748	385,027	-	-	-
499100	AAO Carryover	10,984,332	14,448,878	-	-	-
Total Mental Health Service Act		**$ 21,917,650**	**$ 22,371,111**	**$ 12,240,360**	**$ 12,240,360**	**$ 12,240,360**
316 - Health (Short/Doyle)						
432390	Others - State	$ 4,548,037	$ 7,594,068	$ 6,398,336	$ 6,398,336	$ 6,398,336
433390	Other - County and Local	20,208	26,228	18,314	18,314	18,314
444210	Health Inspection Fees	5,703	4,235	6,050	6,050	6,050
499100	AAO Carryover	3,761,927	4,908,798	-	-	-
Total Health (Short/Doyle)		**$ 8,335,875**	**$ 12,533,329**	**$ 6,422,700**	**$ 6,422,700**	**$ 6,422,700**
317 - Epsdt Expansion Proposal						
433390	Other - County and Local	$ 297,519	$ 379,205	$ 6,422,700	$ 6,422,700	$ 6,422,700
499100	AAO Carryover	1,368,977	1,221,449	-	-	-
Total Epsdt Expansion Proposal		**$ 1,666,496**	**$ 1,600,654**	**$ 6,422,700**	**$ 6,422,700**	**$ 6,422,700**
318 - Alcoholic Bev Ctr Ots/Uc						
432110	Operating Grants - State	$ 37,261	$ 41,702	$ 50,000	$ 50,000	$ 50,000
499100	AAO Carryover	(19,576)	(4,181)	-	-	-
Total Alcoholic Bev Ctr Ots/Uc		**$ 17,685**	**$ 37,521**	**$ 50,000**	**$ 50,000**	**$ 50,000**
319 - Youth Lunch						
431810	Fees For Services - Fed	$ 49,519	$ 51,618	$ 53,683	$ 64,000	$ 65,500
499100	AAO Carryover	57,588	49,209	-	-	-
Total Youth Lunch		**$ 107,107**	**$ 100,827**	**$ 53,683**	**$ 64,000**	**$ 65,500**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
320 - Sr. Nutrition (Title Iii)						
433110	Operating Grants - County	$ 153,459	$ 95,222	$ 124,000	$ 213,573	$ 213,573
499100	AAO Carryover	(27,970)	(15,583)	-	-	-
Total Sr. Nutrition (Title Iii)		**$ 125,489**	**$ 79,639**	**$ 124,000**	**$ 213,573**	**$ 213,573**
321 - C.F.P. Title X						
431110	Operating Grants - Fed	$ 89,257	$ 269,548	$ 200,000	$ 200,000	$ 200,000
499100	AAO Carryover	73,386	20,968	-	-	-
Total C.F.P. Title X		**$ 162,643**	**$ 290,516**	**$ 200,000**	**$ 200,000**	**$ 200,000**
322 - Early Head Start						
499100	AAO Carryover	$ 10,025	$ 10,025	$ -	$ -	$ -
Total Early Head Start		**$ 10,025**	**$ 10,025**	**$ -**	**$ -**	**$ -**
323 - S.F. Foundation						
499100	AAO Carryover	$ 344	$ 344	$ -	$ -	$ -
Total S.F. Foundation		**$ 344**	**$ 344**	**$ -**	**$ -**	**$ -**
324 - Berk Unif Sch Dist Grant						
433390	Other - County and Local	$ 85,853	$ 42,036	$ 363,548	$ 363,548	$ 363,548
433810	Fees For Services - Cnty/Lcl	61,982	101,518	122,640	144,600	144,600
499100	AAO Carryover	894,328	654,301	-	-	-
Total Berk Unif Sch Dist Grant		**$ 1,042,163**	**$ 797,855**	**$ 486,188**	**$ 508,148**	**$ 508,148**
325 - Vector Control						
433110	Operating Grants - County	$ -	$ -	$ 350,000	$ 350,000	$ 350,000
499100	AAO Carryover	17,169	(167,995)	-	-	-
Total Vector Control		**$ 17,169**	**$ (167,995)**	**$ 350,000**	**$ 350,000**	**$ 350,000**
326 - Alameda County Grants						
431110	Operating Grants - Fed	$ 57,972	$ 64,323	$ 224,393	$ 224,393	$ 224,393
432110	Operating Grants - State	200,011	200,011	300,011	300,011	300,011
433110	Operating Grants - County	402,859	194,413	291,867	302,680	308,430
499100	AAO Carryover	(42,513)	18,478	-	-	-
Total Alameda County Grants		**$ 618,329**	**$ 477,225**	**$ 816,271**	**$ 827,084**	**$ 832,834**
327 - Sr Supportive Social Serv						
433110	Operating Grants - County	$ 54,691	$ 60,197	$ 100,000	$ 156,803	$ 156,803
499100	AAO Carryover	(15,852)	(4,261)	-	-	-
Total Sr Supportive Social Serv		**$ 38,839**	**$ 55,936**	**$ 100,000**	**$ 156,803**	**$ 156,803**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
328 - Family Care Support Prog						
431110	Operating Grants - Fed	$ 28,350	$ 22,097	$ 30,000	$ 47,363	$ 47,363
433110	Operating Grants - County	39,643	34,599	82,766	140,911	140,911
499100	AAO Carryover	(30,403)	(12,588)	-	-	-
Total Family Care Support Prog		**$ 37,590**	**$ 44,108**	**$ 112,766**	**$ 188,274**	**$ 188,274**
329 - CA Integrated Waste Mgmt						
432110	Operating Grants - State	$ 8,039	$ 14,785	$ 3,933	$ 3,933	$ 3,933
471110	Interest - Investment Pool	39	494	-	-	-
499100	AAO Carryover	17,909	23,623	-	-	-
Total CA Integrated Waste Mgmt		**$ 25,987**	**$ 38,902**	**$ 3,933**	**$ 3,933**	**$ 3,933**
330 - Ala Ct Wst Mgt Auth Grant						
499100	AAO Carryover	$ 21,846	$ 21,846	$ -	$ -	$ -
Total Ala Ct Wst Mgt Auth Grant		**$ 21,846**	**$ 21,846**	**$ -**	**$ -**	**$ -**
331 - Housing Mitigation						
441310	Mitigation Fees	$ 836,785	$ 172,201	$ -	$ -	$ -
471120	Interest - From Loans	469	4,605	-	-	-
483110	Misc Rev - Over/Short	17,529	-	-	-	-
499100	AAO Carryover	1,274,190	1,481,330	-	-	-
Total Housing Mitigation		**$ 2,128,973**	**$ 1,658,136**	**$ -**	**$ -**	**$ -**
332 - Climate Protection Campaign						
499100	AAO Carryover	$ 19,477	$ 19,477	$ -	$ -	$ -
Total Climate Protection Campaign		**$ 19,477**	**$ 19,477**	**$ -**	**$ -**	**$ -**
333 - Calhome Program						
498110	Principal Received On Loans	$ -	$ 30	$ -	$ -	$ -
499100	AAO Carryover	534,191	804,418	-	-	-
Total Calhome Program		**$ 534,191**	**$ 804,448**	**$ -**	**$ -**	**$ -**
334 - Community Action Program						
431110	Operating Grants - Fed	$ 523,030	$ 241,087	$ 281,777	$ 281,777	$ 281,777
499100	AAO Carryover	(80,761)	(16,942)	-	-	-
Total Community Action Program		**$ 442,269**	**$ 224,145**	**$ 281,777**	**$ 281,777**	**$ 281,777**
335 - PG&E						
499100	AAO Carryover	$ 118,603	$ 118,603	$ -	$ -	$ -
Total PG&E		**$ 118,603**	**$ 118,603**	**$ -**	**$ -**	**$ -**
336 - One-Time Grant:No Cap Exp						
431110	Operating Grants - Fed	$ 67,867	$ 5,630,945	$ 2,374,916	$ 1,878,410	$ 1,878,410
432110	Operating Grants - State	747,737	6,739,031	776,000	1,557,107	1,492,250
432210	Capital Grants - State	28,230	-	-	-	-

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
432390	Others - State	390,168	(216,812)	-	-	-
433120	Operating Grants - Other Local	34,271	-	-	-	-
433220	Capital Grants - Other Local	20,000	-	-	-	-
434110	Operating Grants - Other	2,612,630	96,900	1,294,994	1,294,994	1,294,994
499100	AAO Carryover	561,183	(20,718)	-	-	-
Total One-Time Grant:No Cap Exp		**$ 4,462,086**	**$ 12,229,346**	**$ 4,445,910**	**$ 4,730,511**	**$ 4,665,654**
338 - Bay Area Air Quality Mgmt						
499100	AAO Carryover	$ (16,088)	$ (16,088)	$ -	$ -	$ -
Total Bay Area Air Quality Mgmt		**$ (16,088)**	**$ (16,088)**	**$ -**	**$ -**	**$ -**
339 - MTC						
431110	Operating Grants - Fed	$ -	$ 103,946	$ -	$ -	$ -
431210	Capital Grants - Fed	231,204	964,114	-	-	-
432210	Capital Grants - State	-	-	564,620	564,620	564,620
433210	Capital Grants - County	-	78,627	-	-	-
499100	AAO Carryover	(469,395)	(499,641)	-	-	-
Total MTC		**$ (238,191)**	**$ 647,046**	**$ 564,620**	**$ 564,620**	**$ 564,620**
340 - FEMA						
431110	Operating Grants - Fed	$ 232,221	$ (145,095)	$ -	$ -	$ -
431210	Capital Grants - Fed	1,052,133	1,053,580	1,306,400	1,306,400	1,306,400
499100	AAO Carryover	(797,199)	(545,907)	-	-	-
Total FEMA		**$ 487,155**	**$ 362,578**	**$ 1,306,400**	**$ 1,306,400**	**$ 1,306,400**
341 - Alameda County Waste Mgmt						
433390	Other - County and Local	$ 273,220	$ 362,501	$ 360,000	$ 360,000	$ 360,000
499100	AAO Carryover	851,127	1,062,357	-	-	-
Total Alameda County Waste Mgmt		**$ 1,124,347**	**$ 1,424,858**	**$ 360,000**	**$ 360,000**	**$ 360,000**
342 - Alameda County Recycling BRD						
499100	AAO Carryover	$ 1,688	$ 1,688	$ -	$ -	$ -
Total Alameda County Recycling BRD		**$ 1,688**	**$ 1,688**	**$ -**	**$ -**	**$ -**
343 - State Dept Conserv/Recycling						
432110	Operating Grants - State	$ 30,401	$ 21,615	$ 32,000	$ 32,000	$ 32,000
499100	AAO Carryover	215,196	213,910	-	-	-
Total State Dept Conserv/Recycling		**$ 245,597**	**$ 235,525**	**$ 32,000**	**$ 32,000**	**$ 32,000**
344 - Caltrans Grant						
432210	Capital Grants - State	$ 624,231	$ 46,364	$ -	$ -	$ -
499100	AAO Carryover	(253,028)	(243,819)	-	-	-
Total Caltrans Grant		**$ 371,203**	**$ (197,455)**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
345 - Meas WW - Park Bond - Grant						
433220	Capital Grants - Other Local	$ 2,755,475	$ -	$ -	$ -	$ -
499100	AAO Carryover	(2,861,485)	(107,230)	-	-	-
Total Meas WW - Park Bond - Grant		**$ (106,010)**	**$ (107,230)**	**$ -**	**$ -**	**$ -**
346 - Caltrans Safe Routes 2 Schools						
499100	AAO Carryover	$ (41,038)	$ (41,038)	$ -	$ -	$ -
Total Caltrans Safe Routes 2 Schools		**$ (41,038)**	**$ (41,038)**	**$ -**	**$ -**	**$ -**
347 - Shelter+Care HUD						
431110	Operating Grants - Fed	$ 4,300,534	$ 7,516,160	$ 6,461,774	$ 6,461,774	$ 6,461,774
499100	AAO Carryover	(2,950,587)	(1,762,655)	-	-	-
Total Shelter+Care HUD		**$ 1,349,947**	**$ 5,753,505**	**$ 6,461,774**	**$ 6,461,774**	**$ 6,461,774**
348 - Shelter+Care County						
431110	Operating Grants - Fed	$ 775,911	$ 881,045	$ 906,212	$ 906,212	$ 906,212
499100	AAO Carryover	(76,422)	(183,558)	-	-	-
Total Shelter+Care County		**$ 699,489**	**$ 697,487**	**$ 906,212**	**$ 906,212**	**$ 906,212**
349 - JAG Grant						
431110	Operating Grants - Fed	$ -	$ 73,983	$ 50,000	$ 50,000	$ 50,000
471110	Interest - Investment Pool	(22)	(1,748)	-	-	-
499100	AAO Carryover	(13,812)	(13,834)	-	-	-
Total JAG Grant		**$ (13,834)**	**$ 58,401**	**$ 50,000**	**$ 50,000**	**$ 50,000**
350 - Bio-Terrorism Grant						
431110	Operating Grants - Fed	$ 15,849	$ 174,656	$ 18,709	$ 35,000	$ 38,000
432110	Operating Grants - State	293,822	217,815	221,415	243,000	251,000
499100	AAO Carryover	167,495	264,455	-	-	-
Total Bio-Terrorism Grant		**$ 477,166**	**$ 656,926**	**$ 240,124**	**$ 278,000**	**$ 289,000**
351 - UASI Regional Fund						
431110	Operating Grants - Fed	$ 26,567	$ 28,236	$ -	$ -	$ -
499100	AAO Carryover	(7,453)	(41,810)	-	-	-
Total UASI Regional Fund		**$ 19,114**	**$ (13,574)**	**$ -**	**$ -**	**$ -**
352 - Brownfield Eco Dev Initiative						
499100	AAO Carryover	$ 16,268	$ 16,268	$ -	$ -	$ -
Total Brownfield Eco Dev Initiative		**$ 16,268**	**$ 16,268**	**$ -**	**$ -**	**$ -**
353 - Local Housing Trust Fund						
471120	Interest - From Loans	$ -	$ 13,225	$ -	$ -	$ -
499100	AAO Carryover	90,610	90,610	-	-	-
Total Local Housing Trust Fund		**$ 90,610**	**$ 103,835**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
354 - ARPA - Local FIscal Recovery						
431310	Entitle/Subven/Shrdrev - Fed	$ 36,686,105	$ 20,311,542	$ -	$ -	$ -
499100	AAO Carryover	-	29,960,184	-	-	-
Total ARPA - Local FIscal Recovery		**$ 36,686,105**	**$ 50,271,726**	**$ -**	**$ -**	**$ -**
Capital Projects Funds						
501 - Capital Improvements						
441110	Wrk For Prvt Parties - Gn Govt	$ 15,794	$ -	$ -	$ -	$ -
471120	Interest - From Loans	10,486	9,518	-	-	-
483120	Misc Rev - Insurance Claims	28,900	-	-	-	-
483990	Misc Rev - Other	4,946	-	-	-	-
491011	Transfer From Fund 011	4,950,904	19,000,905	18,370,905	12,950,905	12,950,905
499100	AAO Carryover	10,194,522	8,165,916	-	-	-
Total Capital Improvements		**$ 15,205,552**	**$ 27,176,339**	**$ 18,370,905**	**$ 12,950,905**	**$ 12,950,905**
502 - Phone System Replacement						
491011	Transfer From Fund 011	$ 449,408	$ 449,408	$ 449,408	$ -	$ -
499100	AAO Carryover	542,179	867,369	-	-	-
Total Phone System Replacement		**$ 991,587**	**$ 1,316,777**	**$ 449,408**	**$ -**	**$ -**
503 - Fund$ Replacement						
499100	AAO Carryover	$ 4,028,518	$ 1,949,976	$ -	$ -	$ -
Total Fund$ Replacement		**$ 4,028,518**	**$ 1,949,976**	**$ -**	**$ -**	**$ -**
504 - Peg Access Facilities						
425410	Franchise Fees - Peg Fee	$ 131,310	$ 251,039	$ -	$ -	$ -
499100	AAO Carryover	2,101,844	2,236,388	-	-	-
Total Peg Access Facilities		**$ 2,233,154**	**$ 2,487,427**	**$ -**	**$ -**	**$ -**
505 - Meas G - Fire Seismic Projects						
499100	AAO Carryover	$ 58	$ 58	$ -	$ -	$ -
Total Meas G - Fire Seismic Projects		**$ 58**	**$ 58**	**$ -**	**$ -**	**$ -**
506 - Meas M - ST and WTRSHD Imprv						
471110	Interest - Investment Pool	$ 1,447	$ 23,062	$ -	$ -	$ -
499100	AAO Carryover	839,206	925,634	-	-	-
Total Meas M - ST and WTRSHD Imprv		**$ 840,653**	**$ 948,696**	**$ -**	**$ -**	**$ -**
507 - Meas G - Public Safety Bldg						
471110	Interest - Investment Pool	$ 10	$ 153	$ -	$ -	$ -
499100	AAO Carryover	6,105	6,115	-	-	-
Total Meas G - Public Safety Bldg		**$ 6,115**	**$ 6,268**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
508 - Street Improvement						
471110	Interest - Investment Pool	$ 135	$ 2,175	$ -	$ -	$ -
499100	AAO Carryover	87,005	87,140	-	-	-
Total Street Improvement		**$ 87,140**	**$ 89,315**	**$ -**	**$ -**	**$ -**
509 - Park Acquisition Development						
453990	Misc Penalties	$ -	$ -	$ 192	$ 192	$ 192
461230	Rentals - Oth Short Term	1,201	1,201	-	-	-
471110	Interest - Investment Pool	55	894	-	-	-
499100	AAO Carryover	34,152	35,232	-	-	-
Total Park Acquisition Development		**$ 35,408**	**$ 37,327**	**$ 192**	**$ 192**	**$ 192**
510 - Income Housing Fund Wbip						
471110	Interest - Investment Pool	$ -	$ 12,559	$ -	$ -	$ -
499100	AAO Carryover	(11,386)	(11,386)	-	-	-
Total Income Housing Fund Wbip		**$ (11,386)**	**$ 1,173**	**$ -**	**$ -**	**$ -**
511 - Meas T1 - Infrstr And Fac						
471110	Interest - Investment Pool	$ 79,644	$ 813,932	$ 500,000	$ 500,000	$ 500,000
492110	Bonds Issued	-	-	20,000,000	20,000,000	20,000,000
499100	AAO Carryover	44,205,758	37,098,843	-	-	-
Total Meas T1 - Infrstr And Fac		**$ 44,285,402**	**$ 37,912,775**	**$ 20,500,000**	**$ 20,500,000**	**$ 20,500,000**
512 - Meas O - Affordable Housing						
471110	Interest - Investment Pool	$ 63,448	$ 1,074,667	$ -	$ -	$ -
492110	Bonds Issued	40,000,000	-	-	-	-
492120	Premium On Bonds Issued	432,800	-	-	-	-
499100	AAO Carryover	22,674,510	51,752,602	-	-	-
Total Meas O - Affordable Housing		**$ 63,170,758**	**$ 52,827,269**	**$ -**	**$ -**	**$ -**
Debt Service Funds						
551 - Pension Refunding Bonds						
499100	AAO Carryover	$ 128,660	$ 128,660	$ -	$ -	$ -
Total Pension Refunding Bonds		**$ 128,660**	**$ 128,660**	**$ -**	**$ -**	**$ -**
552 - Meas FF - Library						
411310	Property Tax For Debt Services	$ 1,426,499	$ 1,593,046	$ -	$ -	$ -
492110	Bonds Issued	-	-	1,604,969	1,604,969	1,604,969
499100	AAO Carryover	1,323,592	1,415,984	-	-	-
Total Meas FF - Library		**$ 2,750,091**	**$ 3,009,030**	**$ 1,604,969**	**$ 1,604,969**	**$ 1,604,969**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
553 - 2015 GORBS for 2007 GORBS						
411310	Property Tax For Debt Services	$ 2,200,193	$ 2,389,569	$ 3,309,864	$ 3,309,864	$ 3,309,864
499100	AAO Carryover	1,928,566	2,081,977	-	-	-
Total 2015 GORBS for 2007 GORBS		**$ 4,128,759**	**$ 4,471,546**	**$ 3,309,864**	**$ 3,309,864**	**$ 3,309,864**
554 - Berkeley Repertory Theatre						
491501	Transfer From Fund 501	$ 499,802	$ 499,803	$ 499,802	$ 499,802	$ 499,802
492110	Bonds Issued	2	252	-	-	-
499100	AAO Carryover	(8,845)	(10,378)	-	-	-
Total Berkeley Repertory Theatre		**$ 490,959**	**$ 489,677**	**$ 499,802**	**$ 499,802**	**$ 499,802**
555 - 2015 GORBS for 2002 GORBS						
411310	Property Tax For Debt Services	$ 411,025	$ 445,335	$ 1,463,321	$ 1,463,321	$ 1,463,321
499100	AAO Carryover	1,212,724	1,245,848	-	-	-
Total 2015 GORBS for 2002 GORBS		**$ 1,623,749**	**$ 1,691,183**	**$ 1,463,321**	**$ 1,463,321**	**$ 1,463,321**
556 - 2015 GORBS for 2007 GORBS SERA						
411310	Property Tax For Debt Services	$ 145,068	$ 164,797	$ 256,987	$ 256,987	$ 256,987
499100	AAO Carryover	436,779	440,329	-	-	-
Total 2015 GORBS for 2007 GORBS SERA		**$ 581,847**	**$ 605,126**	**$ 256,987**	**$ 256,987**	**$ 256,987**
557 - 2015 GORBS for 2008 Anml Shltr						
411310	Property Tax For Debt Services	$ 507,737	$ 549,326	$ -	$ -	$ -
499100	AAO Carryover	382,614	411,042	-	-	-
Total 2015 GORBS for 2008 Anml Shltr		**$ 890,351**	**$ 960,368**	**$ -**	**$ -**	**$ -**
558 - 2010 COP Animal Shelter						
491501	Transfer From Fund 501	$ 402,613	$ 402,613	$ 402,613	$ 402,613	$ 402,613
499100	AAO Carryover	(8,977)	288,408	-	-	-
Total 2010 COP Animal Shelter		**$ 393,636**	**$ 691,021**	**$ 402,613**	**$ 402,613**	**$ 402,613**
559 - Meas M - St And Wtrshd Imprv						
411310	Property Tax For Debt Services	$ 1,861,702	$ 2,059,973	$ -	$ -	$ -
499100	AAO Carryover	2,170,934	2,400,190	-	-	-
Total Meas M - St And Wtrshd Imprv		**$ 4,032,636**	**$ 4,460,163**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
560 - Meas T1 - Infrstr And Fac						
411310	Property Tax For Debt Services	$ 4,110,251	$ 4,394,609	$ -	$ -	$ -
499100	AAO Carryover	5,856,693	7,252,053	-	-	-
Total Meas T1 - Infrstr And Fac		**$ 9,966,944**	**$ 11,646,662**	**$ -**	**$ -**	**$ -**
561 - Measure O - Housing Bonds						
411310	Property Tax For Debt Services	$ 2,131,612	$ 5,457,645	$ -	$ -	$ -
481110	Misc Rev - Donations Received	(3,953)	35,616	-	-	-
492120	Premium On Bonds Issued	833,479	-	-	-	-
499100	AAO Carryover	2,317,294	3,271,995	-	-	-
Total Measure O - Housing Bonds		**$ 5,278,432**	**$ 8,765,256**	**$ -**	**$ -**	**$ -**
Enterprise Funds						
601 - Zero Waste						
425510	Franchise Fees - Refuse	$ 364,227	$ 619,712	$ 337,644	$ 425,000	$ 425,000
441990	Miscellaneous Charges	56,811	21,951	10,677	10,677	10,677
443210	Refuse - Commercial	17,341,398	17,577,031	16,122,306	20,332,589	22,162,529
443220	Refuse - Residential	19,690,068	19,535,202	19,267,509	22,924,792	24,986,995
443230	Refuse - Exempt Agencies	335,703	436,492	412,211	503,227	548,518
443240	Refuse - Internal - Cob	1,357,972	1,119,893	1,144,732	1,397,489	1,523,263
443250	Refuse - Recycling Fee	322,540	229,397	133,447	141,476	150,226
443310	Transfer Station - Direct	6,916,798	7,609,021	6,272,467	7,604,581	7,832,719
443320	Transfer Station - Billed	2,761,620	3,163,840	2,221,604	2,693,417	2,774,219
453310	Refuse Penalties	409,972	573,785	318,605	333,315	349,348
471110	Interest - Investment Pool	(1,547,642)	252,528	526,061	526,061	526,061
483110	Misc Rev - Over/Short	443	1,406	-	-	-
493110	Gain/Loss On Sale Of Asset	19,981	20,604	-	-	-
493111	Gain/Loss Asset Proceeds	(22,462)	(18,757)	-	-	-
499100	AAO Carryover	25,068,985	26,025,170	-	-	-
Total Zero Waste		**$ 73,076,414**	**$ 77,167,275**	**$ 46,767,263**	**$ 56,892,624**	**$ 61,289,555**
606 - Mar - Coastal Conservancy						
499100	AAO Carryover	$ (48,533)	$ (56,401)	$ -	$ -	$ -
Total Mar - Coastal Conservancy		**$ (48,533)**	**$ (56,401)**	**$ -**	**$ -**	**$ -**
607 - Mar - Dept Of Boating & Wtrwy						
432210	Capital Grants - State	$ 36,875	$ 61,750	$ -	$ -	$ -
471110	Interest - Investment Pool	(32,093)	(9,796)	-	-	-
499100	AAO Carryover	497,713	529,089	-	-	-
Total Mar - Dept Of Boating & Wtrwy		**$ 502,495**	**$ 581,043**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
608 - Marina Operations/Maint						
443240	Refuse - Internal - Cob	$ 3,974	$ 3,876	$ 4,146	$ 4,072	$ 4,174
445120	Playground Fees	(105)	28,411	35,000	35,000	35,000
445190	Other Recreation Fees	-	14,071	15,000	15,000	15,000
445210	Live-Aboard Fees	266,631	252,017	269,110	268,004	274,704
445220	Launch Ramp Fees	95,360	98,150	82,000	83,021	85,097
445230	Dry Storage Charges	109,737	114,704	111,021	170,460	174,722
445240	Charter Boat Fees	98,469	98,179	84,050	108,187	110,892
445290	Misc Fees - Marina	39,802	(31,508)	81,109	156,673	157,521
453510	Marina Penalties	66,758	61,298	64,319	86,150	86,150
461120	Leases - Waterfront Concess	1,183,667	1,465,777	2,214,337	2,168,149	2,559,875
463110	Rentals - Marina Berths	3,493,497	3,615,881	3,529,781	4,059,020	4,369,929
471110	Interest - Investment Pool	(290,145)	12,911	2,000	2,000	2,000
471140	Interest - Lease	691,248	742,234	-	-	-
481110	Misc Rev - Donations Received	27,200	20,400	8,338	6,800	6,800
483110	Misc Rev - Over/Short	(20)	-	-	-	-
483120	Misc Rev - Insurance Claims	-	15,977	-	-	-
491354	Transfer From Fund 354	1,400,000	1,150,000	-	-	-
499100	AAO Carryover	5,461,419	4,520,155	-	-	-
Total Marina Operations/Maint		**$ 12,647,492**	**$ 12,182,533**	**$ 6,500,211**	**$ 7,162,536**	**$ 7,881,864**
611 - Sanitary Sewer Operation						
441990	Miscellaneous Charges	$ 1,239	$ 619	$ -	$ -	$ -
443410	Sewer Charges	25,556,854	23,673,532	24,724,000	24,724,000	24,724,000
446140	Plan Check Fees	-	-	5,000	5,000	5,000
471110	Interest - Investment Pool	(1,699,710)	242,108	257,977	257,977	257,977
483990	Misc Rev - Other	-	166,617	-	-	-
499100	AAO Carryover	34,858,702	34,662,327	-	-	-
Total Sanitary Sewer Operation		**$ 58,717,085**	**$ 58,745,203**	**$ 24,986,977**	**$ 24,986,977**	**$ 24,986,977**
612 - Private Sewer Lateral						
443410	Sewer Charges	$ -	$ -	$ 150,000	$ 150,000	$ 150,000
453310	Refuse Penalties	-	545,109	-	-	-
491611	Transfer From Fund 611	90,501	90,501	90,501	90,501	90,501
499100	AAO Carryover	(459,192)	(415,613)	-	-	-
Total Private Sewer Lateral		**$ (368,691)**	**$ 219,997**	**$ 240,501**	**$ 240,501**	**$ 240,501**
616 - Clean Storm Water						
443130	Wrk For Prvt Parties - Street	$ 15,950	$ -	$ -	$ -	$ -
443420	Clean Storm Water	4,312,850	4,421,484	4,551,890	4,551,890	4,551,890
471110	Interest - Investment Pool	(478,960)	24,148	-	-	-
491127	Transfer From Fund 127	(22,500)	-	-	-	-
491336	Transfer From Fund 336	107,700	-	-	-	-

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
491501	Transfer From Fund 501	13,125	-	-	-	-
491506	Transfer From Fund 506	(85,200)	-	-	-	-
491511	Transfer From Fund 511	71,749	423,291	-	-	-
499100	AAO Carryover	7,545,023	9,426,996	-	-	-
Total Clean Storm Water		**$ 11,479,737**	**$ 14,295,919**	**$ 4,551,890**	**$ 4,551,890**	**$ 4,551,890**
621 - Permit Service Center						
422110	Building Permit - Structures	$ 9,408,989	$ 10,458,750	$ 7,315,686	$ 7,315,686	$ 7,315,686
422210	Building Permit - Electrical	572,267	690,226	405,042	405,042	405,042
422310	Building Permit - Plumbing	365,357	409,334	268,930	268,930	268,930
422410	Building Permit - Mechanical	282,739	254,351	220,472	220,472	220,472
423210	Zoning Cert - Misc	1,001,868	1,280,836	649,595	649,595	649,595
423310	Beso Fees	133,094	89,816	57,680	57,680	57,680
424110	Excavation Permit	495,691	418,824	288,400	288,400	288,400
424210	Street Use Permit	701,047	461,546	296,640	296,640	296,640
424310	Land Use Variance	628,925	941,475	772,500	772,500	772,500
424410	No Parking Signs	70,320	58,841	97,850	97,850	97,850
432110	Operating Grants - State	-	158,506	-	-	-
441110	Wrk For Prvt Parties - Gn Govt	6,600	1,920	25,350	25,350	25,350
441210	Appeals - Appeals Board	800	3,500	1,545	1,545	1,545
441990	Miscellaneous Charges	9,047	(874,404)	29,576	29,576	29,576
442120	Protective Inspection Fees	136,507	105,885	62,500	62,500	62,500
442130	Fire Inspection Fees	918,974	590,230	435,736	435,736	435,736
442150	Code Enforcement	2,299,253	2,547,644	1,536,758	1,536,758	1,536,758
446110	Planning Mitigation Fees	49,002	35,692	51,920	51,920	51,920
446120	Condo Conversion Fee	-	16,560	31,827	31,827	31,827
446130	Engineering Fees	510,325	525,673	350,200	350,200	350,200
446140	Plan Check Fees	11,417,792	8,053,950	6,496,247	6,496,247	6,496,247
446150	Admin/Penalty Review Fees	1,212	612	-	-	-
446160	Technology Fee	607,891	638,901	311,240	311,240	311,240
471110	Interest - Investment Pool	(1,377,070)	(929,603)	-	-	-
481110	Misc Rev - Donations Received	2,927	1,820	3,576	3,576	3,576
483110	Misc Rev - Over/Short	-	4	-	-	-
483990	Misc Rev - Other	429	9,826	-	-	-
499100	AAO Carryover	18,721,458	30,256,341	-	-	-
Total Permit Service Center		**$ 46,965,444**	**$ 56,207,056**	**$ 19,709,270**	**$ 19,709,270**	**$ 19,709,270**
622 - Unified Program (CUPA)						
432110	Operating Grants - State	$ 4,935	$ 5,145	$ -	$ -	$ -
442120	Protective Inspection Fees	907,977	949,816	946,950	946,950	946,950
453710	Hazmat Violation Penalties	10,894	20,745	17,500	17,500	17,500

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
471110	Interest - Investment Pool	(92,240)	(34,048)	-	-	-
499100	AAO Carryover	1,428,923	1,640,733	-	-	-
Total Unified Program (CUPA)		**$ 2,260,489**	**$ 2,582,391**	**$ 964,450**	**$ 964,450**	**$ 964,450**
626 - BJPFA Lease Revenue Bonds						
499100	AAO Carryover	$ 1	$ 1	$ -	$ -	$ -
Total BJPFA Lease Revenue Bonds		**$ 1**	**$ 1**	**$ -**	**$ -**	**$ -**
627 - Off Street Parking Fund						
453990	Misc Penalties	$ -	$ -	$ 100	$ 100	$ 100
461110	Leases - General Building	269,231	291,833	185,369	185,369	185,369
462110	Parking - Off-Street	3,199,271	4,313,209	4,897,126	4,897,126	4,897,126
471110	Interest - Investment Pool	-	(1,215)	-	-	-
471140	Interest - Lease	17,561	15,569	-	-	-
483990	Misc Rev - Other	28,960	58,617	9,300	9,300	9,300
491354	Transfer From Fund 354	3,940,000	200,000	-	-	-
499100	AAO Carryover	(2,357,645)	(1,064,784)	-	-	-
Total Off Street Parking Fund		**$ 5,097,378**	**$ 3,813,229**	**$ 5,091,895**	**$ 5,091,895**	**$ 5,091,895**
628 - Off St Parking Rate Stabl						
471110	Interest - Investment Pool	$ (120,510)	$ (29,824)	$ -	$ -	$ -
499100	AAO Carryover	1,915,050	1,915,050	-	-	-
Total Off St Parking Rate Stabl		**$ 1,794,540**	**$ 1,885,226**	**$ -**	**$ -**	**$ -**
631 - Parking Meter Fund						
426210	Ptp Car Share Permit	$ -	$ 154,084	$ 344,991	$ 344,991	$ 344,991
441990	Miscellaneous Charges	1,438	(3,029)	-	-	-
462120	Parking - Metered	7,502,175	8,342,490	9,367,781	9,367,781	9,367,781
471110	Interest - Investment Pool	(166,901)	(167,723)	-	-	-
483110	Misc Rev - Over/Short	(1)	186	17	17	17
483990	Misc Rev - Other	15,979	10,234	-	-	-
491354	Transfer From Fund 354	4,340,000	2,700,000	-	-	-
499100	AAO Carryover	1,852,652	3,776,013	-	-	-
Total Parking Meter Fund		**$ 13,545,342**	**$ 14,812,255**	**$ 9,712,789**	**$ 9,712,789**	**$ 9,712,789**
636 - Bldg Purchases & Mgmt						
448130	Int Svc - Building Maintenance	$ 2,722,371	$ 2,411,881	$ 2,439,264	$ 2,439,264	$ 2,439,264
461110	Leases - General Building	119,645	130,526	529,903	529,903	529,903
471110	Interest - Investment Pool	(9,907)	(529)	650	650	650
471140	Interest - Lease	18,843	17,133	-	-	-
499100	AAO Carryover	(180,094)	(308,774)	-	-	-
Total Bldg Purchases & Mgmt		**$ 2,670,858**	**$ 2,250,237**	**$ 2,969,817**	**$ 2,969,817**	**$ 2,969,817**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
Internal Service Funds						
671 - Equipment Replacement						
448310	Int Svc - Vehicle Replacement	$ 7,662,841	$ 8,810,381	$ 4,754,926	$ 4,754,926	$ 4,754,926
471110	Interest - Investment Pool	(914,865)	(361,430)	-	-	-
491011	Transfer From Fund 011	1,081,700	1,081,699	-	-	-
493110	Gain/Loss On Sale Of Asset	841,434	256,680	-	-	-
493111	Gain/Loss Asset Proceeds	(606,076)	(163,934)	-	-	-
499100	AAO Carryover	14,809,959	13,488,842	-	-	-
Total Equipment Replacement		**$ 22,874,993**	**$ 23,112,238**	**$ 4,754,926**	**$ 4,754,926**	**$ 4,754,926**
672 - Equipment Maintenance						
441990	Miscellaneous Charges	$ 351	$ -	$ -	$ -	$ -
448110	Int Svc - Vehicle Maintenance	7,984,295	9,267,534	6,369,898	6,369,898	6,369,898
448140	Int Svc - Fuel Charges	37,531	87,656	91,115	91,115	91,115
471110	Interest - Investment Pool	(2,819)	(9,624)	-	-	-
483120	Misc Rev - Insurance Claims	-	1,749	-	-	-
483990	Misc Rev - Other	-	29,088	-	-	-
493110	Gain/Loss On Sale Of Asset	49,672	43,351	-	-	-
493111	Gain/Loss Asset Proceeds	(34,250)	(26,716)	-	-	-
499100	AAO Carryover	(17,859)	(318,301)	-	-	-
Total Equipment Maintenance		**$ 8,016,921**	**$ 9,074,737**	**$ 6,461,013**	**$ 6,461,013**	**$ 6,461,013**
673 - Building Maintenance						
441990	Miscellaneous Charges	$ 3,781	$ 3,453	$ 10,000	$ 10,000	$ 10,000
448130	Int Svc - Building Maintenance	3,893,508	3,349,285	3,811,039	3,811,039	3,811,039
471110	Interest - Investment Pool	(190,916)	(39,425)	-	-	-
499100	AAO Carryover	3,018,434	3,348,106	-	-	-
Total Building Maintenance		**$ 6,724,807**	**$ 6,661,419**	**$ 3,821,039**	**$ 3,821,039**	**$ 3,821,039**
674 - Central Services						
448210	Int Svc - Postage	$ 302,068	$ 317,827	$ 225,000	$ 225,000	$ 225,000
499100	AAO Carryover	170,164	160,383	-	-	-
Total Central Services		**$ 472,232**	**$ 478,210**	**$ 225,000**	**$ 225,000**	**$ 225,000**
675 - Computer Replacement Fund						
471110	Interest - Investment Pool	$ (41)	$ (10)	$ -	$ -	$ -
499100	AAO Carryover	643	647	-	-	-
Total Computer Replacement Fund		**$ 602**	**$ 637**	**$ -**	**$ -**	**$ -**
676 - Worker'S Compensation						
471110	Interest - Investment Pool	$ (3,012,947)	$ (1,037,820)	$ -	$ -	$ -
491013	Transfer From Fund 013	10,225,778	11,340,652	9,569,358	9,569,358	9,569,358
499100	AAO Carryover	47,304,214	51,696,189	-	-	-
Total Worker'S Compensation		**$ 54,517,045**	**$ 61,999,021**	**$ 9,569,358**	**$ 9,569,358**	**$ 9,569,358**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
677 - Sick And Vacation Payouts						
448410	Fb Recvry - Term Payout Misc	$ 1,938,666	$ 2,184,110	$ -	$ -	$ -
448420	Fb Recvry - Term Payout Police	813,131	840,972	-	-	-
448430	Fb Recvry - Term Payout Fire	663,824	739,862	-	-	-
471110	Interest - Investment Pool	(429,965)	(155,104)	-	-	-
499100	AAO Carryover	6,701,657	7,479,315	-	-	-
Total Sick And Vacation Payouts		**$ 9,687,313**	**$ 11,089,155**	**$ -**	**$ -**	**$ -**
678 - Public Liability						
471110	Interest - Investment Pool	$ (31,137)	$ (57,213)	$ -	$ -	$ -
483130	Settlement - Agreement	-	1,654,217	-	-	-
491011	Transfer From Fund 011	3,895,888	3,895,888	3,895,888	3,450,111	3,446,161
499100	AAO Carryover	353,225	696,664	-	-	-
Total Public Liability		**$ 4,217,976**	**$ 6,189,556**	**$ 3,895,888**	**$ 3,450,111**	**$ 3,446,161**
679 - Catastrophic Loss						
471110	Interest - Investment Pool	$ (7,061)	$ -	$ -	$ -	$ -
491011	Transfer From Fund 011	3,129,120	5,025,184	6,278,457	6,278,457	6,278,457
491116	Transfer From Fund 116	10,712	10,716	10,712	10,712	10,712
491125	Transfer From Fund 125	3,000	3,000	4,600	4,600	4,600
491138	Transfer From Fund 138	43,430	43,440	43,430	43,430	43,430
491142	Transfer From Fund 142	12,120	12,120	12,120	12,120	12,120
491601	Transfer From Fund 601	110,870	110,880	110,870	110,870	110,870
491608	Transfer From Fund 608	16,890	16,896	16,890	16,890	16,890
491611	Transfer From Fund 611	102,522	102,516	102,522	102,522	102,522
491616	Transfer From Fund 616	25,085	25,092	25,085	25,085	25,085
491621	Transfer From Fund 621	50,555	50,555	50,555	50,555	50,555
491622	Transfer From Fund 622	5,082	5,082	5,082	5,082	5,082
491627	Transfer From Fund 627	7,920	7,920	7,920	7,920	7,920
491631	Transfer From Fund 631	8,650	8,652	8,650	8,650	8,650
499100	AAO Carryover	205,013	(464,755)	-	-	-
Total Catastrophic Loss		**$ 3,723,908**	**$ 4,957,298**	**$ 6,676,893**	**$ 6,676,893**	**$ 6,676,893**
680 - It Cost Allocation						
448330	Int Svc - It Services	$ 14,654,320	$ 14,589,211	$ -	$ -	$ -
491011	Transfer From Fund 011	71,335	71,336	11,051,105	12,329,778	12,329,778
491101	Transfer From Fund 101	-	-	179,624	179,624	179,624
491125	Transfer From Fund 125	-	-	2,575	3,008	3,008
491127	Transfer From Fund 127	-	-	38,402	45,187	45,187
491128	Transfer From Fund 128	-	-	1,000	1,187	1,187
491129	Transfer From Fund 129	-	-	26,135	33,003	33,003
491138	Transfer From Fund 138	-	-	118,233	135,180	135,180
491142	Transfer From Fund 142	-	-	38,402	45,187	45,187

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
491157	Transfer From Fund 157	-	-	16,138	18,106	18,106
491159	Transfer From Fund 159	-	-	15,500	18,106	18,106
491314	Transfer From Fund 314	-	-	16,138	18,997	18,997
491317	Transfer From Fund 317	-	-	15,500	18,997	18,997
491601	Transfer From Fund 601	-	-	1,044,685	1,226,151	1,226,151
491608	Transfer From Fund 608	-	-	77,620	88,728	88,728
491611	Transfer From Fund 611	-	-	619,951	727,585	727,585
491616	Transfer From Fund 616	-	-	245,030	287,783	287,783
491621	Transfer From Fund 621	-	-	537,458	679,792	679,792
491622	Transfer From Fund 622	-	-	2,727	3,481	3,481
491627	Transfer From Fund 627	-	-	13,475	15,886	15,886
491631	Transfer From Fund 631	-	-	39,361	46,246	46,246
491672	Transfer From Fund 672	-	-	41,200	48,364	48,364
491673	Transfer From Fund 673	-	-	51,903	61,073	61,073
491680	Transfer From Fund 680	-	-	468,384	611,210	611,210
491801	Transfer From Fund 801	-	-	145,639	145,639	145,639
499100	AAO Carryover	5,263,546	7,505,592	-	-	-
Total It Cost Allocation		**$ 19,989,201**	**$ 22,166,139**	**$ 14,806,185**	**$ 16,788,298**	**$ 16,788,298**
Trust Funds						
701 - Safety Members Pension						
491011	Transfer From Fund 011	$ 493,937	$ 318,876	$ 551,804	$ 551,804	$ 551,804
Total Safety Members Pension		**$ 493,937**	**$ 318,876**	**$ 551,804**	**$ 551,804**	**$ 551,804**
702 - Safety Members Pension-Annuity						
471130	Interest - Other	$ -	$ -	$ 3,066	$ 3,066	$ 3,066
Total Safety Members Pension-Annuity		**$ -**	**$ -**	**$ 3,066**	**$ 3,066**	**$ 3,066**
706 - Police Medical Trust Fund						
471110	Interest - Investment Pool	$ (379,204)	$ 190,218	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	2,147,614	2,220,179	-	-	-
499100	AAO Carryover	5,383,420	4,873,677	-	-	-
Total Police Medical Trust Fund		**$ 7,151,830**	**$ 7,284,074**	**$ -**	**$ -**	**$ -**
721 - Retiree Med Fund - Bha						
471110	Interest - Investment Pool	$ (37,193)	$ 40,541	$ -	$ -	$ -
483990	Misc Rev - Other	45,592	43,433	-	-	-
499100	AAO Carryover	482,334	529,918	-	-	-
Total Retiree Med Fund - Bha		**$ 490,733**	**$ 613,892**	**$ -**	**$ -**	**$ -**

Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
722 - Retiree Med Ben - Ibew						
471110	Interest - Investment Pool	$ (13,801)	$ 3,573	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	15,811	16,335	-	-	-
499100	AAO Carryover	118,373	77,542	-	-	-
Total Retiree Med Ben - Ibew		**$ 120,383**	**$ 97,450**	**$ -**	**$ -**	**$ -**
723 - Retiree Med Bene - Local 1						
471110	Interest - Investment Pool	$ (686,166)	$ 646,162	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	1,052,051	1,215,542	-	-	-
499100	AAO Carryover	10,007,227	11,018,360	-	-	-
Total Retiree Med Bene - Local 1		**$ 10,373,112**	**$ 12,880,064**	**$ -**	**$ -**	**$ -**
724 - Retiree Med Bene - Z1 Mgmt						
471110	Interest - Investment Pool	$ (114,418)	$ 92,217	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	112,705	131,795	-	-	-
499100	AAO Carryover	1,920,211	1,906,355	-	-	-
Total Retiree Med Bene - Z1 Mgmt		**$ 1,918,498**	**$ 2,130,367**	**$ -**	**$ -**	**$ -**
725 - Retiree Med Ben - Z2 To Z6						
471110	Interest - Investment Pool	$ (174,547)	$ 148,936	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	169,875	192,393	-	-	-
499100	AAO Carryover	2,642,343	2,741,457	-	-	-
Total Retiree Med Ben - Z2 To Z6		**$ 2,637,671**	**$ 3,082,786**	**$ -**	**$ -**	**$ -**
726 - Retiree Med Ben - Local 535						
471110	Interest - Investment Pool	$ (551,455)	$ 531,311	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	611,133	684,781	-	-	-
499100	AAO Carryover	9,172,118	9,640,095	-	-	-
Total Retiree Med Ben - Local 535		**$ 9,231,796**	**$ 10,856,187**	**$ -**	**$ -**	**$ -**
727 - Retiree Med Ben - Local 790						
471110	Interest - Investment Pool	$ (445,926)	$ 400,440	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	340,871	374,150	-	-	-
499100	AAO Carryover	6,077,099	6,206,690	-	-	-
Total Retiree Med Ben - Local 790		**$ 5,972,044**	**$ 6,981,280**	**$ -**	**$ -**	**$ -**
731 - Pol Ee Retiree Hlt Ast Pl						
471110	Interest - Investment Pool	$ (228,216)	$ 98,273	$ -	$ -	$ -
491011	Transfer From Fund 011	400,136	400,136	400,136	400,136	400,136
499100	AAO Carryover	2,461,707	2,499,989	-	-	-
Total Pol Ee Retiree Hlt Ast Pl		**$ 2,633,627**	**$ 2,998,398**	**$ 400,136**	**$ 400,136**	**$ 400,136**

Other Funds Revenue (continued)
Five-Year Summary

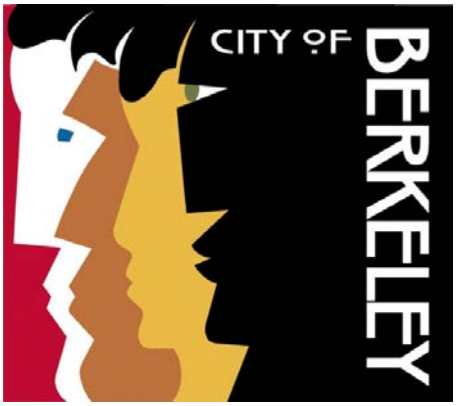
		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
736 - Fire Medical Trust Fund						
471110	Interest - Investment Pool	$ (937,466)	$ 566,015	$ -	$ -	$ -
483210	Contribution To Retiree Med Tr	817,508	911,240	-	-	-
499100	AAO Carryover	12,037,019	12,672,657	-	-	-
Total Fire Medical Trust Fund		**$ 11,917,061**	**$ 14,149,912**	**$ -**	**$ -**	**$ -**
Successor Agency						
761 - Successor Agency - WBIP						
411140	Base Prop Tax - Incr	$ 773,850	$ 1,056,023	$ -	$ -	$ -
499100	AAO Carryover	3,494,176	4,268,026	-	-	-
Total Successor Agency - WBIP		**$ 4,268,026**	**$ 5,324,049**	**$ -**	**$ -**	**$ -**
762 - Succ'Sor Acy - Savo Dsf						
411140	Base Prop Tax - Incr	$ 187,542	$ 147,481	$ -	$ -	$ -
499100	AAO Carryover	284,970	415,472	-	-	-
Total Succ'Sor Acy - Savo Dsf		**$ 472,512**	**$ 562,953**	**$ -**	**$ -**	**$ -**
Agency Funds						
771 - District 47 - Miller						
499100	AAO Carryover	$ (258,262)	$ (258,262)	$ -	$ -	$ -
Total District 47 - Miller		**$ (258,262)**	**$ (258,262)**	**$ -**	**$ -**	**$ -**
772 - District 47 - Undergrounding						
499100	AAO Carryover	$ 382,574	$ 382,574	$ -	$ -	$ -
Total District 47 - Undergrounding		**$ 382,574**	**$ 382,574**	**$ -**	**$ -**	**$ -**
774 - Sustainable Energy - 2						
412110	Special Assessment Tax	$ 23,293	$ 21,116	$ -	$ -	$ -
499100	AAO Carryover	8,757	7,673	-	-	-
Total Sustainable Energy - 2		**$ 32,050**	**$ 28,789**	**$ -**	**$ -**	**$ -**
775 - Thousand Oaks Heights Under						
499100	AAO Carryover	$ 1,405	$ 1,405	$ -	$ -	$ -
Total Thousand Oaks Heights Under		**$ 1,405**	**$ 1,405**	**$ -**	**$ -**	**$ -**
776 - Thousand Oaks Undergrounding						
412110	Special Assessment Tax	$ 109,914	$ 114,893	$ -	$ -	$ -
471110	Interest - Investment Pool	-	35	-	-	-
499100	AAO Carryover	287,779	296,588	-	-	-
Total Thousand Oaks Undergrounding		**$ 397,693**	**$ 411,516**	**$ -**	**$ -**	**$ -**
777 - Meas H - School Tax						
412110	Special Assessment Tax	$ 291,229	$ 291,221	$ 500,000	$ 500,000	$ 500,000
499100	AAO Carryover	-	43,133	-	-	-
Total Meas H - School Tax		**$ 291,229**	**$ 334,354**	**$ 500,000**	**$ 500,000**	**$ 500,000**

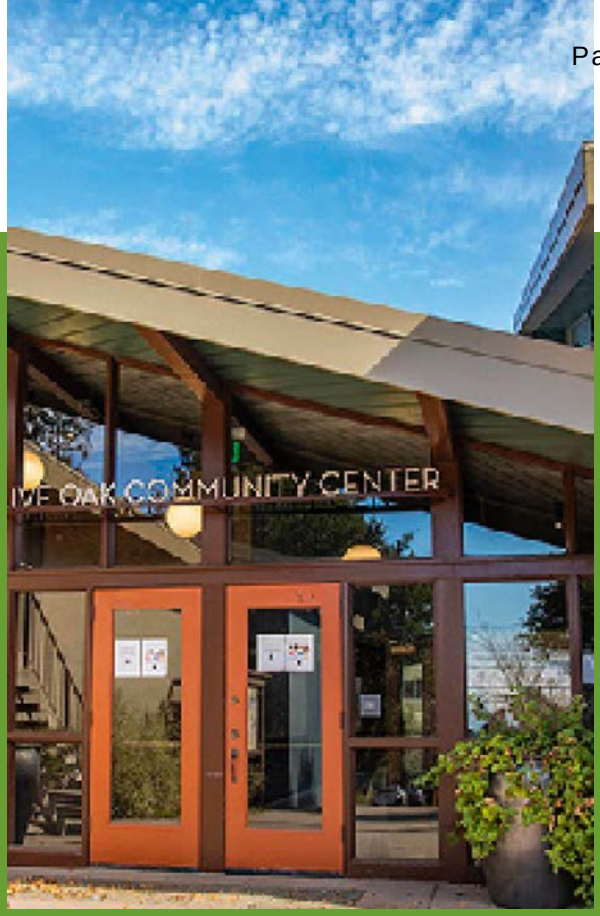
Other Funds Revenue (continued)
Five-Year Summary

		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
778 - CFD No. 1 Diaster Fire Prot						
491779	Transfer From Fund 779	$ 2,048,940	$ -	$ -	$ -	$ -
499100	AAO Carryover	1,518,610	3,135,241	-	-	-
Total CFD No. 1 Diaster Fire Prot		**$ 3,567,550**	**$ 3,135,241**	**$ -**	**$ -**	**$ -**
779 - CFD No. 1 Mello-Roos						
412110	Special Assessment Tax	$ 20,363	$ 7,461	$ -	$ -	$ -
471110	Interest - Investment Pool	87	-	-	-	-
491778	Transfer From Fund 778	-	320,651	-	-	-
499100	AAO Carryover	2,473,690	(320,651)	-	-	-
Total CFD No. 1 Mello-Roos		**$ 2,494,140**	**$ 7,461**	**$ -**	**$ -**	**$ -**
780 - Sick Leave Entitlement						
491011	Transfer From Fund 011	$ 201,501	$ 201,501	$ 201,501	$ 201,501	$ 201,501
499100	AAO Carryover	(85,478)	(157,831)	-	-	-
Total Sick Leave Entitlement		**$ 116,023**	**$ 43,670**	**$ 201,501**	**$ 201,501**	**$ 201,501**
781 - Berkeley Tourism Bus. Imp. Dst						
412110	Special Assessment Tax	$ 485,557	$ 747,830	$ 697,882	$ 697,882	$ 697,882
499100	AAO Carryover	63,600	216,037	-	-	-
Total Berkeley Tourism Bus. Imp. Dst		**$ 549,157**	**$ 963,867**	**$ 697,882**	**$ 697,882**	**$ 697,882**
782 - Elmwood Bus. Imp. Dist						
412110	Special Assessment Tax	$ 31,130	$ 28,918	$ 30,000	$ 30,000	$ 30,000
499100	AAO Carryover	32,388	33,518	-	-	-
Total Elmwood Bus. Imp. Dist		**$ 63,518**	**$ 62,436**	**$ 30,000**	**$ 30,000**	**$ 30,000**
783 - Solano Ave Bus. Imp. Dist						
412110	Special Assessment Tax	$ 30,790	$ 25,174	$ 25,000	$ 25,000	$ 25,000
499100	AAO Carryover	7,805	10,081	-	-	-
Total Solano Ave Bus. Imp. Dist		**$ 38,595**	**$ 35,255**	**$ 25,000**	**$ 25,000**	**$ 25,000**
784 - Telegraph Bus. Imp. Dist						
412110	Special Assessment Tax	$ 516,263	$ 539,643	$ 583,315	$ 583,315	$ 583,315
499100	AAO Carryover	238,438	(4,618)	-	-	-
Total Telegraph Bus. Imp. Dist		**$ 754,701**	**$ 535,025**	**$ 583,315**	**$ 583,315**	**$ 583,315**
785 - North Shattuck Bus. Imp. Dist						
412110	Special Assessment Tax	$ 103,661	$ 204,511	$ 210,363	$ 210,363	$ 210,363
499100	AAO Carryover	(106,009)	(3,469)	-	-	-
Total North Shattuck Bus. Imp. Dist		**$ (2,348)**	**$ 201,042**	**$ 210,363**	**$ 210,363**	**$ 210,363**

Other Funds Revenue (continued)
Five-Year Summary

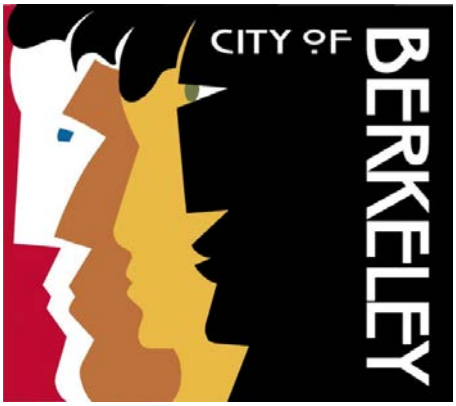
		2022 Actuals	2023 Actuals	2024 Current Budget	2025 Proposed	2026 Proposed
Other Funds Revenue Detail						
786 - Dwntwn Berk Prop And Impr Dist						
412110	Special Assessment Tax	$ 1,305,006	$ 1,380,398	$ 1,383,139	$ 1,383,139	$ 1,383,139
499100	AAO Carryover	195,787	235,057	-	-	-
Total Dwntwn Berk Prop And Impr Dist		**$ 1,500,793**	**$ 1,615,455**	**$ 1,383,139**	**$ 1,383,139**	**$ 1,383,139**
Other Funds						
801 - Rent Stabilization Board						
446310	Rent Board Registration	$ 6,198,591	$ 6,388,695	$ 6,671,600	$ 6,671,600	$ 6,671,600
449990	Misc Charges	-	-	2,000	2,000	2,000
453210	Fire Inspection Penalties	225,297	473,933	250,000	250,000	250,000
483990	Misc Rev - Other	-	-	41,575	41,575	41,575
499100	AAO Carryover	1,444,751	2,636,343	-	-	-
Total Rent Stabilization Board		**$ 7,868,639**	**$ 9,498,971**	**$ 6,965,175**	**$ 6,965,175**	**$ 6,965,175**
899 - BHA - Section 8 Voucher						
499100	AAO Carryover	$ (290)	$ (1,154)	$ -	$ -	$ -
Total BHA - Section 8 Voucher		**$ (290)**	**$ (1,154)**	**$ -**	**$ -**	**$ -**
Accounting Purposes Funds						
900 - Legacy Activity - Inactive						
411140	Base Prop Tax - Incr	$ 2,957	$ -	$ -	$ -	$ -
499100	AAO Carryover	76,337	79,294	-	-	-
Total Legacy Activity - Inactive		**$ 79,294**	**$ 79,294**	**$ -**	**$ -**	**$ -**


CITY OF
BERKELEY



Expenditure Sources




CITY OF
BERKELEY

Summary of Expenditures by Department – All Funds

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Mayor and Council	$ 2,708,845	$ 3,331,448	$ 3,856,658	$ 4,772,191	$ 5,923,940	$ 5,975,686
City Auditor	2,526,081	2,691,656	2,711,552	3,231,099	3,759,532	3,838,168
Rent Stabilization Board	5,517,190	5,803,126	6,765,158	8,056,460	8,489,208	8,597,595
Police Accountability [a]	3,251	808,594	900,571	1,142,593	1,484,847	1,524,120
City Manager's Office	14,156,797	15,700,173	17,473,576	16,889,185	17,759,455	17,981,507
Berkeley Public Library	20,255,196	18,468,559	19,846,624	25,024,424	29,196,378	29,606,293
City Attorney	6,214,369	6,200,456	7,880,612	8,106,984	9,290,707	9,425,305
City Clerk	3,194,206	2,398,903	2,876,230	3,159,486	3,518,483	3,576,397
Finance	8,146,013	8,734,617	8,831,448	10,607,144	12,206,714	12,346,936
Human Resources	4,078,091	3,565,745	4,582,477	5,442,688	5,993,013	6,198,864
Information Technology	4,545,442	16,367,249	15,454,602	22,237,720	23,471,574	23,651,297
Health, HSG & Community Svc	81,811,336	85,469,963	88,844,433	99,683,536	136,190,247	135,264,448
Parks, Recreation & Waterfront	60,795,049	63,350,321	44,194,577	53,739,243	47,637,759	47,373,714
Planning & Development	21,687,695	22,392,067	23,810,044	31,267,165	33,307,721	33,268,672
Public Works	126,068,022	140,478,887	131,965,376	188,326,169	192,342,984	182,649,730
Police	79,395,631	82,695,903	89,523,295	88,188,160	94,604,991	98,233,808
Fire & Emergency Services	49,891,699	57,600,744	61,308,444	62,316,808	72,896,781	74,740,323
Non-Departmental [b]	100,742,449	126,405,290	118,752,815	101,173,999	78,154,904	76,774,802
Total All Funds:	**$ 591,737,362**	**$ 662,463,701**	**$ 649,578,492**	**$ 733,365,054**	**$ 776,229,238**	**$ 771,027,665**

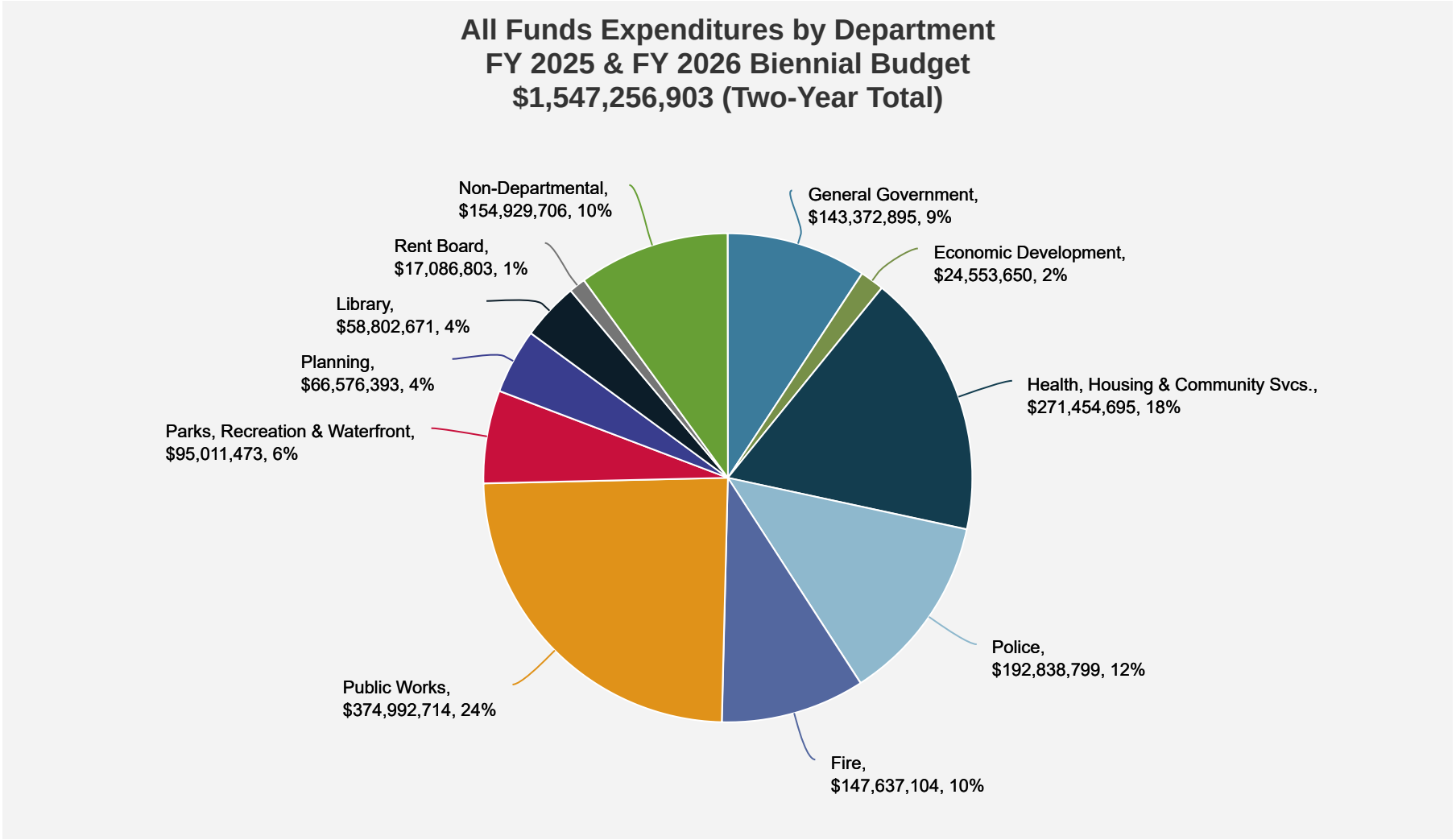
Notes:

* FY 2025 & FY 2026 General Fund numbers do not include proposed Tier 1 funding recommendations

[a] Police Review Commission has become the Office of the Director of Police Accountability in FY 23

[b] Non-Departmental consists of operational overhead costs such as Property Insurance and School Board Salaries, General Fund allocation for Community Based Organizations, Workers' Compensation costs, Debt Service, and Interfund Transfers.

FY 2025 and FY 2026 All Funds Expenditures by Department



Summary of Expenditures by Department – General Fund

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Mayor and Council	$ 2,701,345	$ 3,334,706	$ 3,939,049	$ 4,772,191	$ 5,923,940	$ 5,975,686
City Auditor	2,467,028	2,627,178	2,633,227	3,136,323	3,657,880	3,734,615
Rent Stabilization Board [a]	-	-	568,412	550,000	550,000	550,000
Police Accountability	3,251	808,594	909,307	1,142,593	1,484,847	1,524,120
City Manager's Office	11,102,637	12,034,751	13,385,432	13,150,235	14,309,805	14,527,225
City Attorney	2,760,049	2,648,008	3,701,943	4,304,039	5,612,249	5,662,267
City Clerk	2,832,554	2,231,818	2,550,697	2,547,276	2,867,551	2,918,529
Finance	6,682,935	6,827,434	7,075,971	8,179,371	9,685,629	9,798,627
Human Resources	2,318,029	2,052,893	2,971,640	3,467,541	3,928,242	4,073,809
Information Technology	1,330,730	1,446,933	882,432	1,526,760	1,580,760	1,580,760
Health, HSG & Community Svc	25,566,361	32,619,369	28,154,030	31,429,103	32,884,252	33,150,340
Parks, Recreation & Waterfront	7,304,226	8,757,651	9,693,628	9,359,348	9,785,501	9,880,201
Planning & Development	2,567,474	2,629,757	3,116,017	3,277,247	3,745,098	3,802,944
Public Works	5,499,278	6,859,822	7,066,623	6,558,530	7,068,390	7,231,648
Police	77,270,053	77,916,629	84,895,063	83,606,569	89,720,763	93,285,424
Fire & Emergency Services [b]	38,988,840	43,406,934	40,874,529	39,546,063	48,724,616	50,307,565
Non-Departmental	57,790,563	45,812,577	52,800,630	59,995,782	36,345,562	39,956,968
Total	**$ 247,185,353**	**$ 252,015,054**	**$ 265,218,630**	**$ 276,548,971**	**$ 277,875,085**	**$ 287,960,728**

Notes:

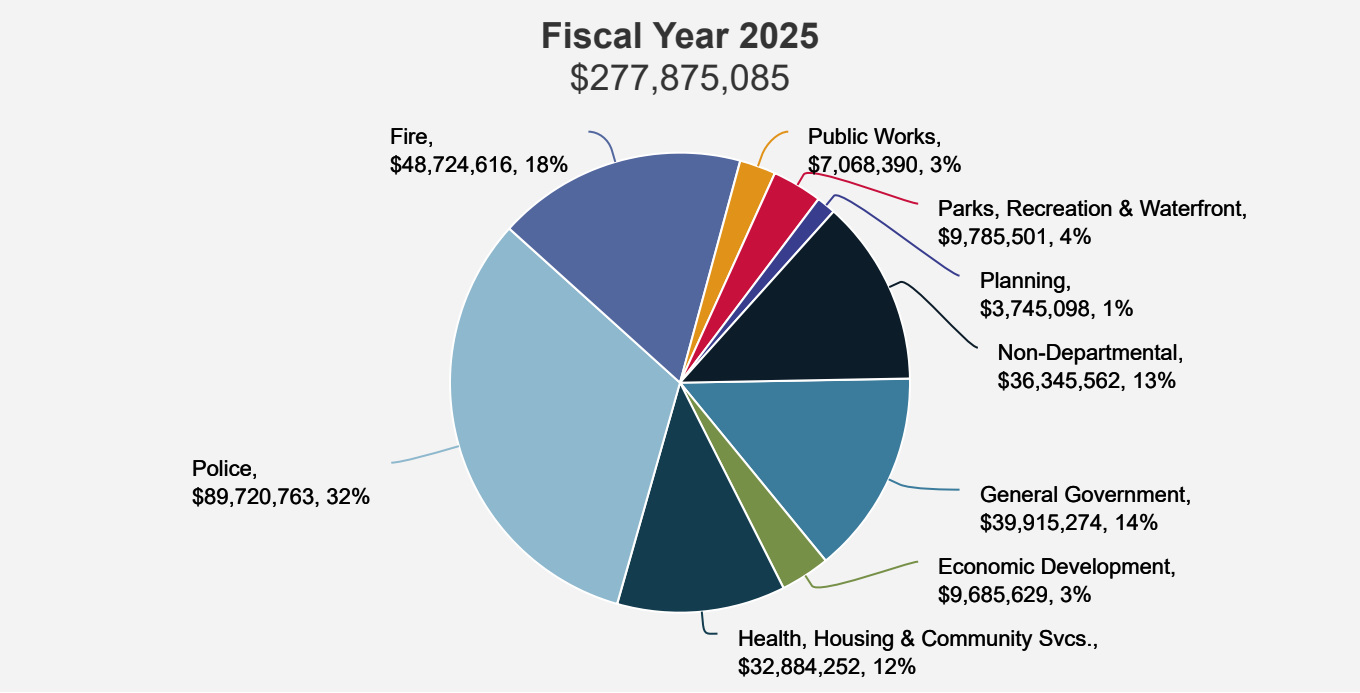
* GF total exclude Measure U1 (Fund 016).

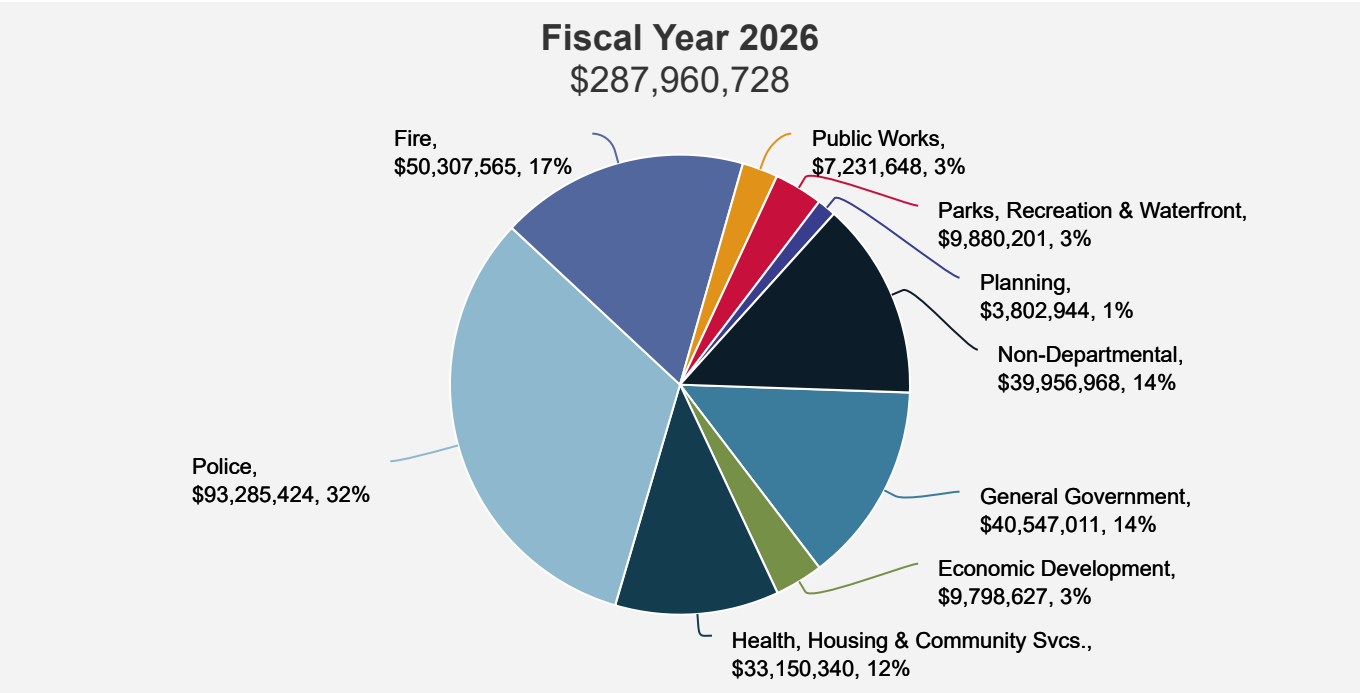
[a] Police Review Commission has become the Office of the Director of Police Accountability in FY 23.

[b] Non-Departmental consists of operational overhead costs such as Property Insurance and School Board Salaries, General Fund allocation for Community Based Organizations, Workers' Compensation costs, Debt Service, and Interfund Transfers.

General **Funds Expenditures**

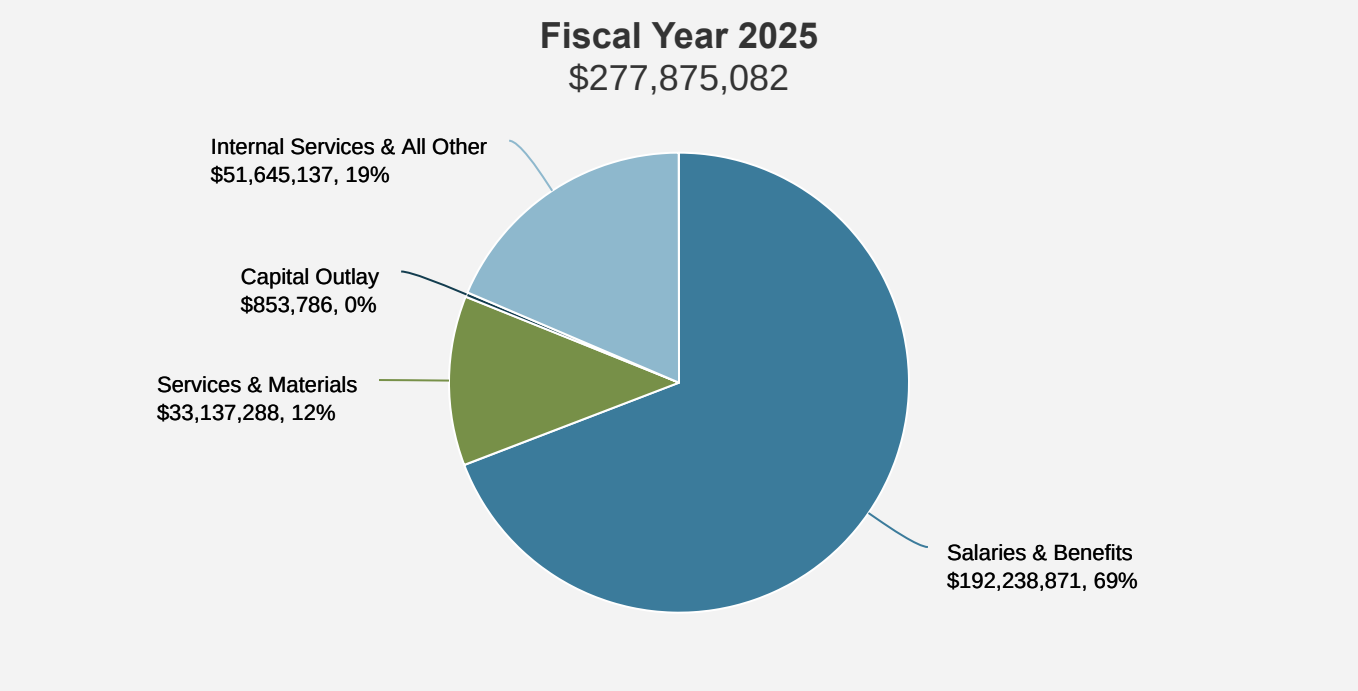
By Department

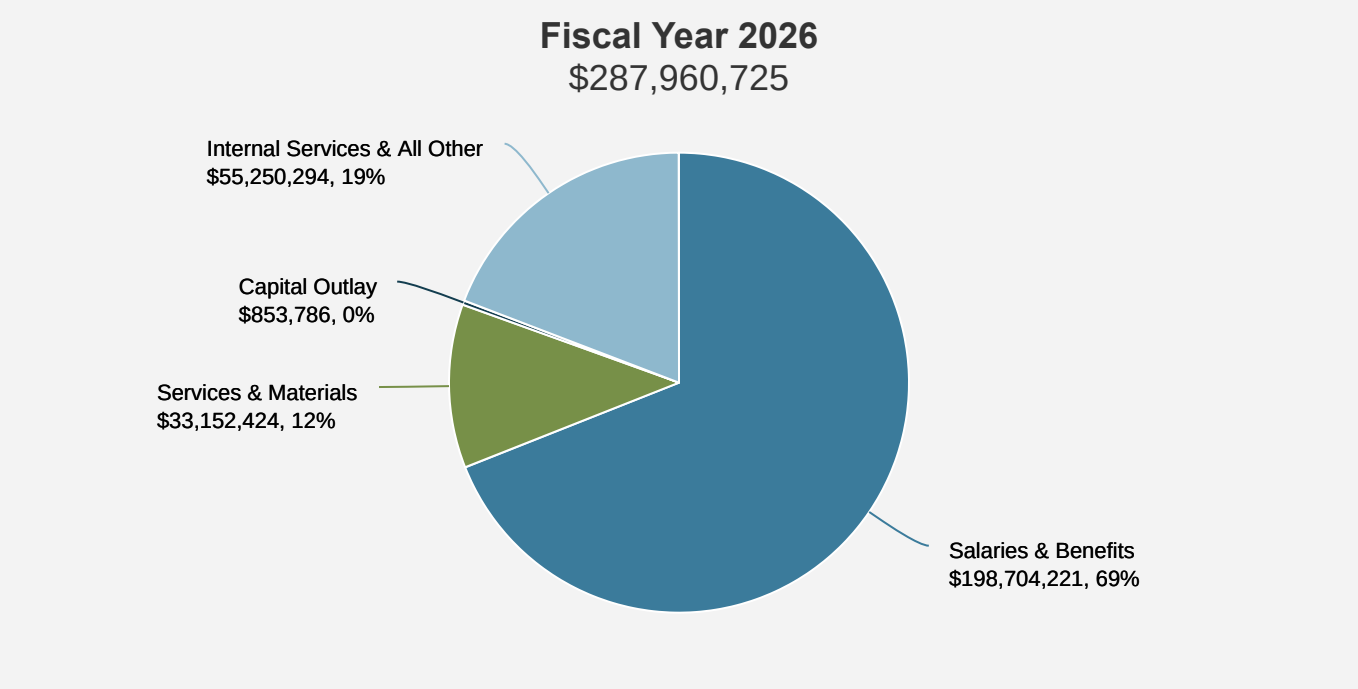




General Fund Expenditures

By Category





Expenditure Summary

Fund	2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
City of Berkeley	**638,586,296**	**649,747,936**	**733,365,054**	**776,229,244**	**5.84%**	**771,027,670**	**(0.67%)**
General Fund	**249,315,072**	**265,027,289**	**276,548,968**	**277,875,087**	**0.48%**	**287,960,729**	**3.63%**
Mayor and Council	**3,334,710**	**3,939,054**	**4,772,189**	**5,923,942**	**24.13%**	**5,975,688**	**0.87%**
Mayor	834,385	1,116,650	1,290,100	1,492,276	15.67%	1,535,075	2.87%
District 1	189,249	197,805	302,850	394,843	30.38%	394,843	0.00%
District 2	195,406	258,917	302,850	394,843	30.38%	394,843	0.00%
District 3	171,788	218,434	302,850	394,843	30.38%	394,843	0.00%
District 4	185,121	253,499	302,850	394,843	30.38%	394,843	0.00%
District 5	271,906	290,654	302,850	400,843	32.36%	394,843	(1.50%)
District 6	157,257	159,539	302,850	394,843	30.38%	394,843	0.00%
District 7	168,892	170,461	302,850	394,843	30.38%	394,843	0.00%
District 8	139,270	145,227	302,850	394,843	30.38%	394,843	0.00%
Council Offices	1,021,436	1,127,868	1,059,289	1,266,922	19.60%	1,281,869	1.18%
City Auditor	**2,627,179**	**2,633,228**	**3,136,323**	**3,657,880**	**16.63%**	**3,734,615**	**2.10%**
Office of the City Auditor	525,315	660,426	683,577	755,979	10.59%	760,257	0.57%
Performance Audit	976,647	659,445	1,038,646	1,134,234	9.20%	1,175,860	3.67%
Payroll Audit	1,125,217	1,313,357	1,414,100	1,767,667	25.00%	1,798,498	1.74%
Rent Stabilization Board	**-**	**568,412**	**550,000**	**550,000**	**0.00%**	**550,000**	**0.00%**
Office of the Director	-	568,412	550,000	550,000	0.00%	550,000	0.00%
Police Accountability	**808,594**	**909,307**	**1,142,593**	**1,484,847**	**29.95%**	**1,524,120**	**2.64%**
Undefined	808,594	909,307	1,142,593	1,484,847	29.95%	1,524,120	2.64%
City Manager's Office	**12,034,756**	**13,385,434**	**13,150,235**	**14,309,805**	**8.82%**	**14,527,225**	**1.52%**
Administration	3,708,596	3,870,112	3,910,477	4,633,331	18.49%	4,704,656	1.54%
Neighborhood Services	2,000,931	2,614,553	1,865,906	1,985,746	6.42%	2,030,711	2.26%
Animal Services	2,015,917	2,027,152	2,306,070	2,426,782	5.23%	2,474,032	1.95%
Police Review Commission	6,665	910	-	-	0.00%	-	0.00%
Budget & Fiscal Management	1,068,171	1,125,329	1,108,303	1,219,469	10.03%	1,237,320	1.46%

Expenditure Summary (continued)

Fund	2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
Economic Development 250 Econ Dev - Admin	3,004,243	3,542,608	3,716,643	3,777,076	1.63%	3,808,171	0.82%
2020 Vision	230,233	204,770	242,836	267,401	10.12%	272,335	1.85%
City Attorney	**2,648,007**	**3,701,943**	**4,304,039**	**5,612,249**	**30.39%**	**5,662,267**	**0.89%**
Administration	697,463	693,134	703,995	776,911	10.36%	778,621	0.22%
Legal Advice & Litigation	1,950,544	3,008,809	3,600,044	4,835,338	34.31%	4,883,646	1.00%
City Clerk	**2,231,819**	**2,550,697**	**2,547,276**	**2,867,551**	**12.57%**	**2,918,529**	**1.78%**
Administration	105	122	-	-	0.00%	-	0.00%
Operations	1,296,376	1,675,715	2,041,524	2,361,799	15.69%	2,412,777	2.16%
Record Management	390,389	136,453	133,600	133,600	0.00%	133,600	0.00%
Regular Elections	544,949	738,407	372,152	372,152	0.00%	372,152	0.00%
Finance	**6,827,438**	**7,075,972**	**8,179,371**	**9,685,629**	**18.42%**	**9,798,627**	**1.17%**
Office of Finance Director	2,139,044	2,120,947	1,550,530	1,830,269	18.04%	1,848,478	0.99%
Treasury	1,165,876	1,200,531	2,046,420	2,484,716	21.42%	2,491,442	0.27%
Accounting	1,679,819	1,766,267	1,866,549	2,077,591	11.31%	2,115,188	1.81%
Revenue Collection	1,079,181	1,166,091	1,770,733	1,983,467	12.01%	2,010,746	1.38%
General Services	763,518	822,136	945,139	1,309,586	38.56%	1,332,773	1.77%
Human Resources	**2,052,895**	**2,971,641**	**3,467,541**	**3,928,242**	**13.29%**	**4,073,809**	**3.71%**
Office of HR Director	621,561	834,192	483,262	682,508	41.23%	695,172	1.86%
Personnel and Admin Svcs	914,399	1,270,099	1,923,122	2,193,768	14.07%	2,277,629	3.82%
Employee Relations	387,582	673,624	788,567	761,503	(3.43%)	796,759	4.63%
Eeo & Diversity	125,608	161,806	237,590	255,463	7.52%	269,249	5.40%
Training & Development	3,745	31,579	35,000	35,000	0.00%	35,000	0.00%
Safety	-	341	-	-	0.00%	-	0.00%

Expenditure Summary (continued)

Fund	2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
Information Technology	**1,446,933**	**882,432**	**1,526,760**	**1,580,760**	**3.54%**	**1,580,760**	**0.00%**
Office of IT Director	306,814	48,317	93,800	93,800	0.00%	93,800	0.00%
Enterprise and Bus Solutions	321,893	382,741	330,750	330,750	0.00%	330,750	0.00%
Infrastructure and Security	818,226	451,374	1,102,210	1,156,210	4.90%	1,156,210	0.00%
Health, HSG & Community Svc	**32,619,368**	**28,154,032**	**31,429,103**	**32,884,252**	**4.63%**	**33,150,340**	**0.81%**
Office of HHCS Director	6,752,886	7,148,510	6,335,509	7,133,345	12.59%	7,219,739	1.21%
Environmental Health	1,454,166	1,561,950	1,505,569	1,590,189	5.62%	1,619,770	1.86%
Mental Health	1,082,163	1,150,395	1,456,472	1,713,532	17.65%	1,726,250	0.74%
Housing & Community Svc	11,696,665	9,085,526	10,320,122	10,202,609	(1.14%)	10,240,263	0.37%
Aging Services	2,348,790	2,640,937	3,499,569	3,604,191	2.99%	3,620,058	0.44%
Public Health	2,940,829	3,043,182	4,539,268	4,796,612	5.67%	4,880,486	1.75%
Community Funding	6,343,869	3,523,532	3,772,594	3,843,774	1.89%	3,843,774	0.00%
Parks, Recreation & Waterfront	**8,757,649**	**9,693,629**	**9,359,348**	**9,785,501**	**4.55%**	**9,880,201**	**0.97%**
PRW - Director	1,894,937	2,227,952	1,655,184	1,682,809	1.67%	1,683,760	0.06%
PRW - Parks	484,350	413,767	450,000	450,000	0.00%	450,000	0.00%
PRW - Recreation	5,952,857	6,555,728	7,254,164	7,652,692	5.49%	7,746,441	1.23%
PRW - Waterfront	-	10,000	-	-	0.00%	-	0.00%
PRW - Capital Improvement	425,505	486,182	-	-	0.00%	-	0.00%
Planning & Development	**2,629,758**	**2,924,669**	**3,277,247**	**3,745,099**	**14.28%**	**3,802,945**	**1.54%**
Office of Plan. & Dev Dir	706,505	760,568	559,531	681,093	21.73%	686,134	0.74%
Toxics Management	146,038	178,703	216,458	237,143	9.56%	242,721	2.35%
Energy & Sustainable Dev	814,803	887,164	933,673	1,008,549	8.02%	1,023,066	1.44%
Land Use Planning	962,412	988,233	1,438,914	1,683,040	16.97%	1,713,992	1.84%
Building & Safety	-	110,001	128,671	135,274	5.13%	137,032	1.30%

Expenditure Summary (continued)

Fund	2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
Public Works	**6,859,825**	**7,066,623**	**6,558,530**	**7,068,390**	**7.77%**	**7,231,648**	**2.31%**
PW - Office of PW Director	1,240,449	938,621	525,460	676,771	28.80%	665,298	(1.70%)
PW - Transportation	1,644,270	2,218,316	2,432,506	2,779,420	14.26%	2,820,332	1.47%
PW - General Engineering	692,822	759,215	595,380	673,887	13.19%	698,044	3.58%
PW - Facilities Mgmt	1,039,821	1,115,157	931,901	826,096	(11.35%)	828,845	0.33%
PW - Streets & Sanitation	2,242,463	2,035,314	2,073,283	2,112,216	1.88%	2,219,129	5.06%
Police	**77,916,631**	**84,895,063**	**83,606,569**	**89,720,763**	**7.31%**	**93,285,423**	**3.97%**
Office of the Police Chief	4,423,285	4,700,746	415,114	1,479,245	256.35%	1,361,781	(7.94%)
Police Operations	40,749,118	45,077,382	47,816,197	49,868,480	4.29%	52,715,497	5.71%
Police Investigations	13,369,206	14,373,916	13,467,154	16,228,796	20.51%	16,701,563	2.91%
Professional Standards	3,911,616	3,961,399	3,211,649	3,973,572	23.72%	4,009,183	0.90%
Support Services	15,463,406	16,781,620	18,696,455	18,170,670	(2.81%)	18,497,399	1.80%
Fire & Emergency Services	**43,406,933**	**40,874,523**	**39,546,062**	**48,724,615**	**23.21%**	**50,307,564**	**3.25%**
Office of the Fire Chief	2,848,347	2,001,418	3,185,942	3,638,263	14.20%	3,663,839	0.70%
Fire Operations	39,487,683	37,569,736	34,489,989	43,199,777	25.25%	44,689,439	3.45%
Fire Prevention	941,778	1,128,171	1,696,456	1,704,387	0.47%	1,764,091	3.50%
Special Operations / OES	129,125	175,198	173,675	182,188	4.90%	190,195	4.39%
Non-Departmental	**43,112,577**	**52,800,630**	**59,995,782**	**36,345,562**	**(39.42%)**	**39,956,968**	**9.94%**
Non-Departmental	43,020,518	52,791,854	59,995,782	36,345,562	(39.42%)	39,956,968	9.94%
Emergency Operations	92,059	8,776	-	-	0.00%	-	0.00%
Other General Fund	**6,427,087**	**2,728,202**	**7,777,248**	**5,639,337**	**(27.49%)**	**5,666,858**	**0.49%**
013 GF - Payroll Deduction Trust	1,170,828	1,175,866	750,000	750,000	0.00%	750,000	0.00%
014 GF - Catastrophic Leave	129,056	325,815	-	-	0.00%	-	0.00%
016 U1 - Housing	2,427,203	993,938	7,027,248	4,889,337	(30.42%)	4,916,858	0.56%
017 Climate Equity Action	-	232,583	-	-	0.00%	-	0.00%
099 GF - Catastrophic Reserves	2,700,000	-	-	-	0.00%	-	0.00%
Special Revenue Funds	**105,827,358**	**93,297,090**	**117,107,234**	**163,044,970**	**39.23%**	**154,827,590**	**(5.04%)**
101 Library - Tax	18,306,369	19,969,265	24,642,864	31,815,702	29.11%	27,226,616	(14.42%)

Expenditure Summary (continued)

Fund		2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
102	Library - trans Based Reimbur	-	-	-	2,000,000	0.00%	2,000,000	0.00%
103	Library - Grants	81,657	78,243	67,526	67,526	0.00%	67,526	0.00%
104	Library - Friends & Gifts	78,321	112,116	150,000	150,000	0.00%	150,000	0.00%
105	Library - Foundation	60,278	29,961	200,000	200,000	0.00%	200,000	0.00%
106	Asset Forfeiture	52,176	1,029	201,000	201,000	0.00%	201,000	0.00%
107	Special Tax for Disabled	1,502,250	1,590,133	1,673,845	1,704,183	1.81%	1,738,267	2.00%
108	Workforce Investment Act	3,321	3,321	57,676	58,311	1.10%	59,100	1.35%
110	SEC 108 HUD Loan Grant Asst	568,200	587,612	587,612	1,183,612	101.43%	1,183,612	0.00%
111	Fund Raising Activities	38,783	50,870	64,048	50,333	(21.41%)	51,222	1.77%
113	Gilman Sport Field	476,889	363,303	297,279	318,415	7.11%	327,550	2.87%
115	Animal Shelter	30,466	30,075	52,480	52,480	0.00%	52,480	0.00%
116	Paramedic Assessment District	5,411,267	4,198,575	4,981,166	4,486,586	(9.93%)	4,740,925	5.67%
119	Domestic Violence Prevention	22,596	16,269	26,635	29,065	9.12%	29,557	1.69%
120	Affordable Housing Mitigation	182,414	542,437	2,998,899	26,798,048	793.60%	26,811,950	0.05%
121	Affordable Child Care	6,638	3,319	13,275	13,275	0.00%	13,275	0.00%
122	Inclusionary Housing Program	169,382	181,503	610,282	712,265	16.71%	718,432	0.87%
123	Condo Conversion Program	25,517	35,085	122,348	509,478	316.42%	510,819	0.26%
124	Parking In-Lieu Fee	82,010	-	-	-	0.00%	-	0.00%
125	Playground Camp	22,677,748	3,719,741	3,614,269	3,911,261	8.22%	3,963,019	1.32%
126	State Proposition 172	908,527	985,270	442,387	446,693	0.97%	448,975	0.51%
127	State Transportation Tax	5,319,548	4,845,756	5,868,962	7,954,591	35.54%	7,764,859	(2.39%)
128	CDBG	3,360,716	2,829,156	4,792,214	4,566,152	(4.72%)	4,594,617	0.62%
129	Rental Housing Safety Prog	1,485,695	1,952,592	2,356,542	2,657,072	12.75%	2,627,557	(1.11%)
130	Meas B - Local Streets and RDS	2,596,514	530,463	21,958	2,007,551	9042.69%	7,551	(99.62%)
131	Meas B - Bike and Pedestrian	182,727	15,443	-	47,646	0.00%	-	(100.00%)
132	Meas B - Paratransit	370,307	-	36,797	36,797	0.00%	36,797	0.00%
133	Meas F - ALA CT VRF ST and RD	592,295	451,581	968,796	562,218	(41.97%)	512,375	(8.87%)
134	Meas BB - Local Streets and RD	5,701,414	5,584,603	10,085,614	9,586,869	(4.95%)	7,277,314	(24.09%)
135	Meas BB - Bike and Pedestrian	470,491	601,055	1,484,882	2,028,132	36.59%	2,044,674	0.82%

Expenditure Summary (continued)

Fund		2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
136	Meas BB - Paratransit	296,138	943,106	969,418	975,667	0.64%	977,750	0.21%
138	Park Tax	14,799,060	14,702,656	15,963,244	19,783,147	23.93%	19,982,665	1.01%
139	Street and Open Space Impr	1,702	-	200,000	200,000	0.00%	200,000	0.00%
140	Meas GG - Fire Preparation Tax	5,232,787	6,573,641	5,898,308	5,900,589	0.04%	6,008,296	1.83%
142	Street Lighting	1,917,826	1,644,816	3,217,318	3,252,909	1.11%	3,255,594	0.08%
143	Business Economic Development	6,168	169,094	156,387	156,387	0.00%	156,387	0.00%
145	Miles Lab	514	-	-	-	0.00%	-	0.00%
146	Employee Training	650,802	741,531	851,401	860,645	1.09%	875,334	1.71%
147	UC Settlement	842,720	3,449,687	4,931,696	5,111,175	3.64%	5,169,181	1.13%
148	Cultural Trust	232,946	360,496	110,372	116,780	5.81%	119,854	2.63%
149	Private Party Sidewalks	152,915	2,154	100,000	100,000	0.00%	100,000	0.00%
150	Public Art	14,800	52,178	118,718	121,001	1.92%	122,366	1.13%
152	Vital and Health Statistic	9,756	1,933	30,292	30,292	0.00%	30,292	0.00%
154	PERS Savings	35,466	42,085	-	-	0.00%	-	0.00%
156	Health State Aid Realignment	3,179,607	3,311,545	3,947,650	4,500,238	14.00%	4,355,074	(3.23%)
157	Tobacco Control	359,009	238,693	300,243	368,910	22.87%	360,036	(2.41%)
158	Mental Health State Aid Realig	2,767,579	2,879,909	4,031,749	5,276,500	30.87%	5,367,256	1.72%
159	City Optional Public Safety	137,440	40,992	272,292	272,394	0.04%	272,448	0.02%
161	ALA CT Abandoned Veh Abt Auth	61,582	76,072	128,168	121,233	(5.41%)	122,551	1.09%
162	Shelter Operations	170,953	-	-	-	0.00%	-	0.00%
164	Measure FF - Public Safety	4,025,987	8,432,193	8,848,412	11,090,910	25.34%	11,334,569	2.20%
165	Fair Elections	167,085	325,533	612,210	650,932	6.32%	657,868	1.07%
Grants Funds		**76,192,100**	**64,063,924**	**48,558,865**	**51,925,000**	**6.93%**	**50,686,369**	**(2.39%)**
301	Operating Grants - Federal	-	-	130,186	35,162	(72.99%)	36,362	3.41%
302	Operating Grants - State	1,000,000	446,555	976,688	8,260,364	745.75%	7,974,529	(3.46%)
305	Capital Grants - Federal	172,585	627,331	-	-	0.00%	-	0.00%
306	Capital Grants - State	2,891,023	226,214	750,000	750,000	0.00%	750,000	0.00%
307	Capital Grants - Local	588,463	313,446	100,000	100,000	0.00%	100,000	0.00%
309	OTS DUI Enforsmt Educ Prg	88,899	183,248	137,060	145,074	5.85%	149,321	2.93%

Expenditure Summary (continued)

Fund		2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
310	HUD	130,433	137,109	819,770	904,340	10.32%	907,322	0.33%
311	ESGP	4,690,982	572,446	273,659	235,744	(13.85%)	235,870	0.05%
312	Health (General)	2,528,495	2,137,348	2,216,057	2,753,296	24.24%	2,482,390	(9.84%)
313	Target Case Mgmt/Linkages	613,862	730,479	1,046,552	1,507,317	44.03%	1,521,661	0.95%
314	Alameda County Tay Tip	12,992	12,095	35,812	-	(100.00%)	-	0.00%
315	Mental Health Service Act	7,539,350	7,187,413	10,792,335	11,713,180	8.53%	11,581,045	(1.13%)
316	Health (Short/Doyle)	3,406,692	4,550,918	6,504,323	7,506,568	15.41%	7,552,479	0.61%
317	Epsdt Expansion Proposal	445,047	357,837	459,456	493,511	7.41%	494,992	0.30%
318	Alcoholic Bev Ctr Ots/Uc	21,866	41,468	55,639	58,644	5.40%	60,237	2.72%
319	Youth Lunch	57,897	64,530	69,820	111,153	59.20%	113,153	1.80%
320	Sr. Nutrition (Title III)	155,670	138,328	178,189	214,038	20.12%	220,843	3.18%
321	C.F.P. Title X	200,869	154,945	160,967	203,566	26.46%	206,432	1.41%
324	Berk Unif Sch Dist Grant	354,267	305,083	363,548	216,521	(40.44%)	222,045	2.55%
325	Vector Control	185,163	172,604	246,781	372,174	50.81%	378,735	1.76%
326	Alameda County Grants	521,567	421,936	777,675	908,861	16.87%	918,626	1.07%
327	Sr Supportive Social Serv	54,688	100,171	124,403	126,557	1.73%	127,211	0.52%
328	Family Care Support Prog	62,429	95,155	88,321	91,307	3.38%	92,441	1.24%
329	CA Integrated Waste Mgmt	10,131	15,467	5,244	5,244	0.00%	5,244	0.00%
331	Housing Mitigation	-	-	1,126,763	1,126,763	0.00%	1,126,763	0.00%
333	Calhome Program	-	-	363,100	200,000	(44.92%)	200,000	0.00%
334	Community Action Program	547,705	419,877	281,777	283,416	0.58%	284,776	0.48%
336	One-Time Grant:No Cap Exp	4,125,068	14,407,605	6,999,778	3,282,471	(53.11%)	2,555,441	(22.15%)
339	MTC	358,091	236,066	752,827	752,827	0.00%	752,827	0.00%
340	FEMA	800,841	814,796	959,326	657,133	(31.50%)	657,133	0.00%
341	Alameda County Waste Mgmt	151,804	1,060,350	345,000	345,000	0.00%	345,000	0.00%
343	State Dept Conserv/Recycling	30,400	21,615	32,000	32,000	0.00%	32,000	0.00%
344	Caltrans Grant	604,763	(22,788)	-	-	0.00%	-	0.00%
345	Meas WW - Park Bond - Grant	1,220	-	-	-	0.00%	-	0.00%
347	Shelter+Care HUD	5,924,765	6,260,172	6,461,774	6,644,440	2.83%	6,693,929	0.74%

Expenditure Summary (continued)

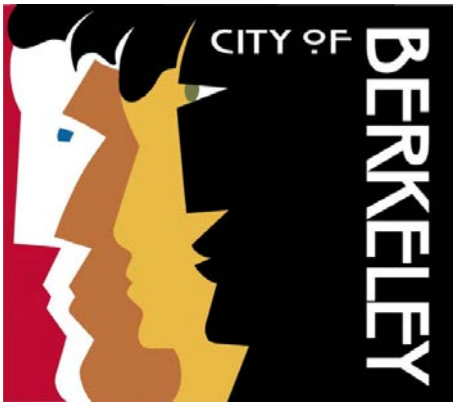
Fund		2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
348	Shelter+Care County	883,047	881,436	906,212	924,119	1.98%	929,430	0.57%
349	JAG Grant	-	97,166	55,650	58,989	6.00%	60,759	3.00%
350	Bio-Terrorism Grant	337,075	582,615	315,162	533,027	69.13%	544,062	2.07%
351	UASI Regional Fund	7,847	1,345	-	-	0.00%	-	0.00%
354	ARPA - Local FIscal Recovery	36,686,104	20,311,543	3,647,011	372,194	(89.79%)	373,311	0.30%
Capital Projects Funds		**16,513,923**	**17,708,042**	**51,452,605**	**31,658,527**	**(38.47%)**	**30,758,336**	**(2.84%)**
501	Capital Improvements	7,753,170	8,982,948	22,993,379	7,732,182	(66.37%)	7,682,481	(0.64%)
502	Phone System Replacement	124,218	145,687	449,408	449,408	0.00%	449,408	0.00%
503	Funds Replacement	1,790,426	2,293,528	3,372,446	2,807,857	(16.74%)	2,817,732	0.35%
504	Peg Access Facilities	-	60,215	100,000	100,000	0.00%	100,000	0.00%
506	Meas M - ST and WTRSHD Imprv	(84,981)	3,878	-	-	0.00%	-	0.00%
509	Park Acquisition Development	176	167	-	-	0.00%	-	0.00%
511	Meas T1 - Infrstr and Fac	6,498,114	6,205,162	18,091,805	14,123,513	(21.93%)	13,263,148	(6.09%)
512	Meas O - Affordable Housing	432,800	16,457	6,445,567	6,445,567	0.00%	6,445,567	0.00%
Enterprise Funds		**108,391,567**	**118,928,893**	**153,517,233**	**162,628,101**	**5.93%**	**159,155,834**	**(2.14%)**
601	Zero Waste	45,798,817	51,821,516	59,489,630	63,843,856	7.32%	60,948,736	(4.53%)
606	Mar - Coastal Conservancy	14,511	20,847	-	-	0.00%	-	0.00%
607	Mar - Dept of Boating & Wtrwy	384,429	335,871	-	-	0.00%	-	0.00%
608	Marina Operations/Maint	5,555,960	9,620,559	8,027,559	8,431,394	5.03%	8,689,864	3.07%
611	Sanitary Sewer Operation	17,402,696	15,542,221	32,561,256	32,682,155	0.37%	32,870,225	0.58%
612	Private Sewer Lateral	11,415	29,598	80,417	82,732	2.88%	83,243	0.62%
616	Clean Storm Water	2,970,408	3,903,028	6,111,869	9,085,788	48.66%	7,947,976	(12.52%)
621	Permit Service Center	16,826,330	18,543,660	25,508,238	26,739,103	4.83%	26,725,506	(0.05%)
622	Unified Program (CUPA)	637,578	721,344	849,669	967,783	13.90%	953,174	(1.51%)
626	BJPFA Lease Revenue Bonds	156,296	156,296	-	-	0.00%	-	0.00%
627	Off Street Parking Fund	6,737,834	6,957,769	6,940,920	7,112,934	2.48%	7,129,181	0.23%
631	Parking Meter Fund	9,396,694	8,471,967	10,250,256	9,812,437	(4.27%)	9,920,570	1.10%
636	Bldg Purchases & Mgmt	2,498,599	2,804,217	3,697,419	3,869,919	4.67%	3,887,359	0.45%

Expenditure Summary (continued)

Fund	2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
Internal Service Funds	**46,933,846**	**55,853,790**	**51,646,481**	**56,749,080**	**9.88%**	**55,553,956**	**(2.11%)**
671 Equipment Replacement	5,112,833	7,691,429	6,300,513	6,572,108	4.31%	6,633,967	0.94%
672 Equipment Maintenance	7,968,572	8,648,531	9,296,720	11,551,470	24.25%	10,134,910	(12.26%)
673 Building Maintenance	3,314,316	4,682,351	4,627,674	5,677,342	22.68%	5,535,588	(2.50%)
674 Central Services	299,842	331,349	392,741	399,519	1.73%	401,512	0.50%
675 Computer Replacement Fund	30,392	22,797	-	-	0.00%	-	0.00%
676 Worker's Compensation	7,210,486	9,036,657	6,467,536	6,620,627	2.37%	6,657,045	0.55%
677 Sick and Vacation Payouts	2,637,963	2,984,884	-	-	0.00%	-	0.00%
678 Public Liability	4,485,152	4,869,401	3,802,945	3,678,458	(3.27%)	3,763,038	2.30%
679 Catastrophic Loss	4,195,724	5,423,620	3,447,023	3,447,023	0.00%	3,447,023	0.00%
680 It Cost Allocation	11,678,566	12,162,771	17,311,329	18,802,533	8.61%	18,980,873	0.95%
Debt Service Funds	**11,363,448**	**15,266,213**	**13,363,356**	**13,363,356**	**0.00%**	**13,363,356**	**0.00%**
552 Meas FF - Library	1,339,327	1,343,763	1,337,638	1,337,638	0.00%	1,337,638	0.00%
553 2015 GORBS for 2007 GORBS	2,051,117	2,050,613	2,047,259	2,047,259	0.00%	2,047,259	0.00%
554 Berkeley Repertory Theatre	501,338	501,080	499,820	499,820	0.00%	499,820	0.00%
555 2015 GORBS for 2002 GORBS	378,562	377,719	378,696	378,696	0.00%	378,696	0.00%
556 2015 GORBS for 2007 GORBS SERA	142,017	141,982	142,540	142,540	0.00%	142,540	0.00%
557 2015 GORBS for 2008 Anml Shltr	480,391	480,273	480,184	480,184	0.00%	480,184	0.00%
558 2010 COP Animal Shelter	105,228	634,481	140,085	140,085	0.00%	140,085	0.00%
559 Meas M - St and Wtrshd Imprv	1,636,238	1,637,613	1,630,863	1,630,863	0.00%	1,630,863	0.00%
560 Meas T1 - Infrstr and Fac	2,718,840	4,490,381	4,699,006	4,699,006	0.00%	4,699,006	0.00%
561 Measure O - Housing Bonds	2,010,390	3,608,308	2,007,265	2,007,265	0.00%	2,007,265	0.00%
Successor Agency	**15,974**	**15,893**	**57,120**	**57,120**	**0.00%**	**57,120**	**0.00%**
762 Successor Acy - Savo Dsf	15,974	15,893	57,120	57,120	0.00%	57,120	0.00%
Agency Funds	**5,671,216**	**5,091,409**	**5,615,707**	**5,135,681**	**(8.55%)**	**4,736,150**	**(7.78%)**
774 Sustainable Energy - 2	36,384	21,509	-	-	0.00%	-	0.00%
776 Thousand Oaks Undergrounding	101,106	98,581	98,448	98,448	0.00%	98,448	0.00%
777 Meas H - School Tax	232,825	211,834	500,000	500,000	0.00%	500,000	0.00%

Expenditure Summary (continued)

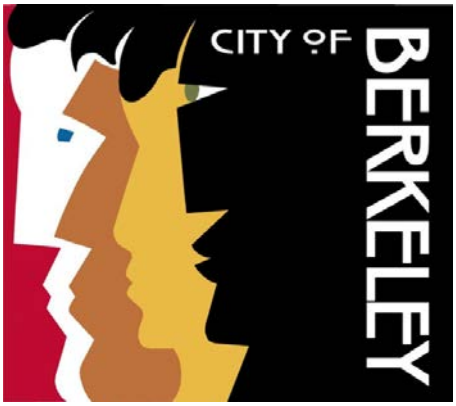
Fund		2022 Actuals	2023 Actuals	2024 Adopted Budget	2025 Proposed	% Change from Prior Year	2026 Proposed	% Change from Prior Year
778	CFD No. 1 Diaster Fire Prot	445,934	1,363,451	988,982	507,914	(48.64%)	107,914	(78.75%)
779	CFD No. 1 Mello-Roos	2,824,159	20,222	775,623	776,665	0.13%	777,134	0.06%
780	Sick Leave Entitlement	289,525	276,373	322,955	322,955	0.00%	322,955	0.00%
781	Berkeley Tourism Bus. Imp. Dst	429,024	947,961	697,882	697,882	0.00%	697,882	0.00%
782	Elmwood Bus. Imp. Dist	30,000	33,518	30,000	30,000	0.00%	30,000	0.00%
783	Solano Ave Bus. Imp. Dist	30,014	25,039	25,000	25,000	0.00%	25,000	0.00%
784	Telegraph Bus. Imp. Dist	562,129	370,065	583,315	583,315	0.00%	583,315	0.00%
785	North Shattuck Bus. Imp. Dist	-	102,539	210,363	210,363	0.00%	210,363	0.00%
786	Dwntwn Berk Prop and Impr Dist	690,116	1,620,317	1,383,139	1,383,139	0.00%	1,383,139	0.00%
Other Funds		**5,196,608**	**6,218,188**	**7,506,460**	**7,939,208**	**5.77%**	**8,047,595**	**1.37%**
801	Rent Stabilization Board	5,195,744	6,217,017	7,506,460	7,939,208	5.77%	8,047,595	1.37%
899	BHA - Section 8 Voucher	864	1,171	-	-	0.00%	-	0.00%
Trust Funds		**6,738,097**	**5,549,003**	**213,777**	**213,777**	**0.00%**	**213,777**	**0.00%**
701	Safety Members Pension	493,937	318,877	-	-	0.00%	-	0.00%
706	Police Medical Trust Fund	2,762,477	2,766,666	48,281	48,281	0.00%	48,281	0.00%
721	Retiree Med Fund - Bha	16,413	9,399	2,970	2,970	0.00%	2,970	0.00%
722	Retiree Med Ben - Ibew	92,282	91,124	2,563	2,563	0.00%	2,563	0.00%
723	Retiree Med Bene - Local 1	463,780	554,403	22,595	22,595	0.00%	22,595	0.00%
724	Retiree Med Bene - Z1 Mgmt	198,845	181,443	4,000	4,000	0.00%	4,000	0.00%
725	Retiree Med Ben - Z2 To Z6	199,120	105,634	12,000	12,000	0.00%	12,000	0.00%
726	Retiree Med Ben - Local 535	561,623	301,349	32,191	32,191	0.00%	32,191	0.00%
727	Retiree Med Ben - Local 790	576,433	174,111	37,106	37,106	0.00%	37,106	0.00%
731	Pol Ee Retiree Hlt Ast Pl	604,145	465,181	6,500	6,500	0.00%	6,500	0.00%
736	Fire Medical Trust Fund	769,042	580,816	45,571	45,571	0.00%	45,571	0.00%
Total All Fund Expenditures		**638,586,296**	**649,747,936**	**733,365,054**	**776,229,244**	**5.84%**	**771,027,670**	**(0.67%)**


CITY OF
BERKELEY

Department Budgets



This section contains a summary for various City departments and other public entities, including the Berkeley Public Library and the Rent Stabilization Board. Each narrative includes a mission statement; an overview of the organizational structure and core services provided by the department; a financial summary that includes expenditures by type, by division, and by funding source; strategic plan priorities, projects and programs; performance measures; anticipated challenges in the upcoming fiscal years; accomplishments achieved in the current fiscal year and highlights of significant changes in the budget compared to the prior year (FY 24 Adopted) budget.

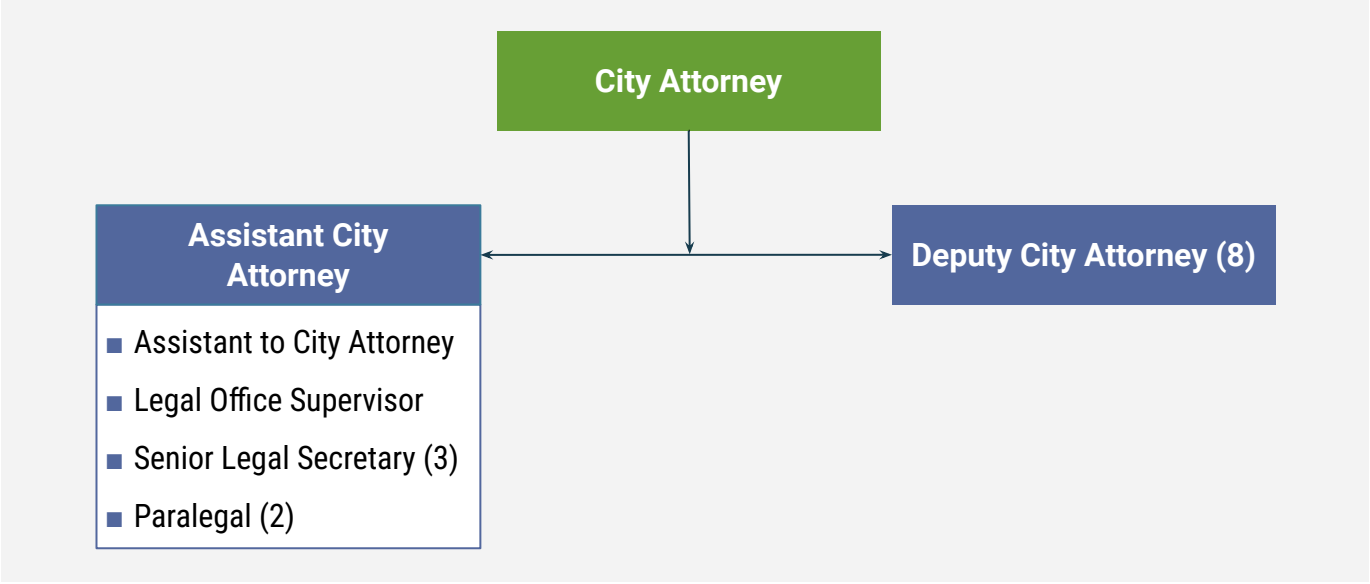

CITY OF
BERKELEY

City Attorney's Office

Mission Statement

The mission of the City Attorney's Office is to provide the City with the highest caliber legal services and advice and to protect and advance the interests of this dynamic City by all legal and ethical means.

Organizational Chart



City Attorney's Office Overview

The City Attorney's Office provides legal advice and support to the entire City, including the City Council, City Manager, all City Departments, as well as appointed City Boards and Commissions. In addition, the City Attorney's Office:

- Supports the City in its legislative and policy efforts;
- Responds to claims and represents the City in a wide array of litigation;
- Brings litigation on behalf of the City to protect the City's interests;
- Drafts and/or reviews contracts, leases, ordinances, and resolutions;
- Provides advice and legal analysis regarding ballot measures;
- Provides legal support to the City's response to the COVID-19 pandemic;
- Provides legal support to City affordable housing programs;
- Supports City staff in enforcement of the City's laws and regulations;
- Supports the City in land use and development efforts and modernizing its planning and zoning framework;
- Supports infrastructure projects and economic development efforts;
- Responds to Public Records Act (PRA) requests on behalf of the City Council, as well as coordinating responses to PRA requests that involve multiple departments;

- Staffs the Fair Campaign Practices Commission and the Open Government Commission;
- Provides support to the City's Independent Redistricting Commission;
- Provides support to the Police Accountability Board and the Reimagining Public Safety Task Force;
- Acts as the Risk Manager for the City; and
- Provides training to City staff, City Council, and City Boards and Commissions on a range of legal issues, including the Brown Act, the Public Records Act, California Environmental Quality Act (CEQA), and conflicts of interest.

Challenges

The City Attorney's Office's challenges/opportunities include:

- **Rapid Changes in State Land Use Laws**

  In recent years, California's housing crisis has been the primary focus of land use legislation, with over 100 substantial housing-related land use bills enacted since 2016. The 2023 legislative session continued this trend, with Governor Gavin Newsom signing a package of 56 housing-related bills on October 11, 2023, most of which address land use issues. This trend has increased the City Council's and the Mayor's reliance on advice from the CAO. With the housing crisis expected to continue unabated for the foreseeable future, we anticipate an ongoing need for extensive legal advice on the City's compliance with these and other new laws that encourage the production of housing.

- **Increased Need to Support New Policy Initiatives**

  The Council created a set of Policy Committee to help navigate new policy initiatives. The City Attorney staffs these meetings routinely and plays a central role in providing legal advice throughout the legislative process. The number and complexity of new ordinances and other policy initiatives by the City Council, or by City boards or commissions, require significant City Attorney staff time to assist with drafting legislation and navigating legal issues. The propensity of the City Council to pursue groundbreaking, innovative legislation requires significant research and analysis prior to the adoption of the legislation, and the City Attorney's Office is also responsible for defending legal challenges to the legislation.

- **Increasing Number of Complex Litigation Matters**

  An evolving legal landscape and the need to support City Council and staff priorities has resulted in an increasing number of complex litigation cases being handled by the City Attorney's Office. The City is also pursuing a number of initiatives proactively including affirmative lawsuits to protect the City's interests. The prosecution and defense of these lawsuits requires additional resources and time for the legal staff. In addition, City Attorney staff has been heavily involved in navigating the legal issues surrounding the new UC Berkeley Long Range Development Plan.

- **Substantially Increased Volume of Public Records Act Requests**

  The number and scope of Public Records Act requests fielded by the City Attorney's Office has generally increased over the past ten years with a substantial uptick originating in 2021 and 2022. Responding to these requests increasingly calls for the review and production of voluminous electronic records (e.g., emails and texts) – a new body of work that our office is supporting that did not exist previously attributable to the advent of new Police Record Disclosure Laws.

- **Significant Upcoming Development Projects**

  The City is either considering or actively pursuing a number of development projects, including: Transit Oriented Development at the North Berkeley and Ashby BART stations; a Marina- Specific Plan and Pier/Ferry Project; housing development at the West Berkeley Service Center property; Berkeley Forge / Gilman Gateway development; and renovation and redesign of the Civic Center area. These projects require support from the CAO in negotiating term sheets with developers and public agencies, complying with CEQA and NEPA, and reviewing a variety of transactional documents.

Accomplishments

Highlights of recent City Attorney's Office accomplishments include:

- **Continued to Support the City's Ramp-Down of its COVID-19 Response**

  At the March 21, 2023 City Council meeting, an ordinance was adopted to "transition" and then end the COVID-19 Emergency Response Ordinance, otherwise referred to as the Eviction Moratorium. The Transition Period, May 1, 2023 – August 31, 2023, allowed for property owners who own just one residential property in Berkeley to initiate Owner Move-In Evictions, in addition to permitting evictions to proceed for non-payment of rent after the "Covered Period" ended.

- **Supported Major Projects such as:**
  - Southside and Middle Housing Re-Zoning
  - North Berkeley BART Objective Design Standards Development
  - Ashby BART Transit Oriented Development term sheet
  - Development at the Marina (Waterfront-Specific Plan, Pier/Ferry Project)
  - Willard Park Clubhouse replacement
  - Wildfire Urban Interface Task Force
  - Defending the City's Natural Gas Ban Ordinance in the Ninth Circuit
  - Numerous Encampment Resolutions and defense of lawsuits related to the City's response to encampments

- **Drafting and Legal Review of the following noteworthy ordinances:**
  - Eviction Moratorium Amendments
  - Bird Safe
  - Berkeley Election Reform Act amendments
  - Accessory Dwelling Unit ordinance amendments

- Berkeley Businesses zoning code amendments
- Southside Zoning amendments
- Prevailing Wage Requirements in the Southside Plan Area

- **Supported the City's Efforts to Re-Imagine Public Safety**

  The City Attorney's Office's partnership with the City Manager's Office, the Police Advisory Board, and the Reimagining Public Safety Task Force, witnessed the evolution of the initiative from its planning phase in FY 2021 to the start of its implementation stage beginning in FY 2022, with plans for continued implementation and expansion through FY 2027. The CAO is working with the CMO to find effective ways to integrate the CAO into the implementation process to ensure that the roll-out of the RPS initiative benefits from the office's timely regulatory and legal review. The CAO also provides legal support to the Police Accountability Board and Office of Director of Police Accountability.

- **Public Records Act Modernization and Accountability**

  In 2023, the City Attorney's Office responded directly to over 390 Public Records Act (PRA)requests and provided support and training to City departments on a wide array of PRA issues, including a comprehensive update of the City's Public Records Act policy. The Office responded to and provided support to City departments for a variety of complex, high-profile requests, including requests from the Police Department and requests relating to the City's ramp-down of its COVID-19 response.

City Attorney Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	2,615,731	2,422,856	2,890,990	4,180,449	5,179,836	5,227,447
Services & Materials	2,241,140	2,811,754	2,231,852	1,895,679	1,890,713	1,977,700
Capital Outlay	-	-	-	4,790	5,024	5,024
Internal Services & All Other	1,357,498	965,845	2,757,770	2,026,066	2,215,134	2,215,134
	6,214,369	**6,200,455**	**7,880,612**	**8,106,984**	**9,290,707**	**9,425,305**
By Division:						
Administration	606,870	697,463	693,134	703,995	776,911	778,621
Legal Advice & Litigation	5,607,499	5,502,992	7,187,478	7,402,989	8,513,796	8,646,684
	6,214,369	**6,200,455**	**7,880,612**	**8,106,984**	**9,290,707**	**9,425,305**
By Fund:						
GF - Discreationary	2,760,049	2,648,007	3,701,943	4,304,039	5,612,249	5,662,267
Meas O - Affordable Housing	143,347	-	-	-	-	-
Public Liability	3,310,973	3,552,448	4,178,669	3,802,945	3,678,458	3,763,038
	6,214,369	**6,200,455**	**7,880,612**	**8,106,984**	**9,290,707**	**9,425,305**

City Attorney Financial Summary

All Funding Sources | **Division: Administration**

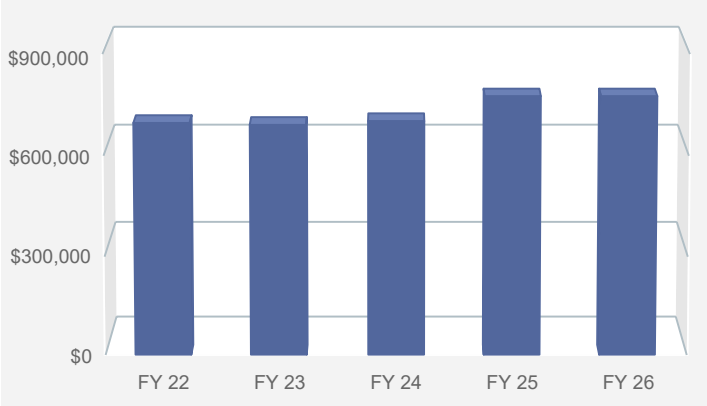
Mission Statement

The mission of the City Attorney's Office is to provide the City with the highest caliber legal services and advice and to protect and advance the interests of this dynamic City by all legal and ethical means.

Selected Service Objectives

- Supports the City in its legislative and policy efforts
- Provides training to City staff, City Council, and City Boards and Commissions on a range of legal issues, including the Brown Act, the Public Records Act, California Environmental Quality Act (CEQA), and conflicts of interest.
- Supports City staff in enforcement of the City's laws and regulations

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 469,446	$ 465,117	$ 475,978	$ 525,554	10.42%	$ 527,264	0.33%
Internal Services & All Other	228,017	228,017	228,017	251,357	10.24%	251,357	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 697,463**	**$ 693,134**	**$ 703,995**	**$ 776,911**	**10.36%**	**$ 778,621**	**0.22%**
Annual Percentage Change		(0.62%)	1.57%	10.36%		0.22%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

City Attorney Financial Summary

All Funding Sources

Division: Legal Advice & Litigation

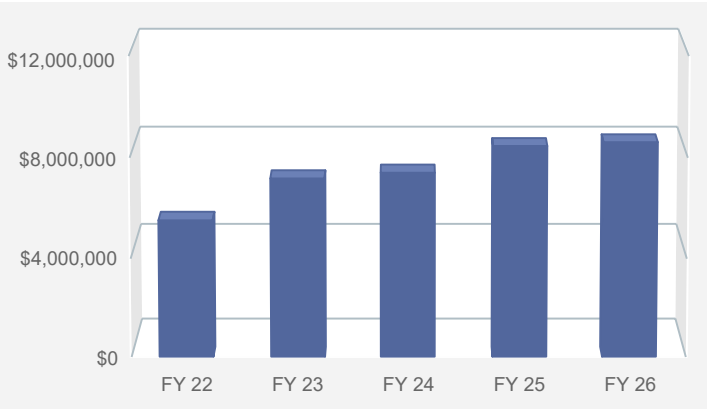
Mission Statement

The mission of the City Attorney's Office is to provide the City with the highest caliber legal services and advice and to protect and advance the interests of this dynamic City by all legal and ethical means.

Selected Service Objectives

- Supports the City in its legislative and policy efforts
- Provides training to City staff, City Council, and City Boards and Commissions on a range of legal issues, including the Brown Act, the Public Records Act, California Environmental Quality Act (CEQA), and conflicts of interest.
- Supports City staff in enforcement of the City's laws and regulations

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,953,410	$ 2,425,873	$ 3,704,471	$ 4,654,282	25.64%	$ 4,700,183	0.99%
Services & Materials	2,811,754	2,231,852	1,895,679	1,890,713	(0.26%)	1,977,700	4.60%
Capital Outlay	-	-	4,790	5,024	4.89%	5,024	0.00%
Internal Services & All Other	737,828	2,529,753	1,798,049	1,963,777	9.22%	1,963,777	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 5,502,992**	**$ 7,187,478**	**$ 7,402,989**	**$ 8,513,796**	**15.00%**	**$ 8,646,684**	**1.56%**
Annual Percentage Change		30.61%	3.00%	15.00%		1.56%	

City Auditor's Office

Mission Statement

The mission of the City Auditor's Office is to promote transparency and accountability in Berkeley government. Integrity, independence, impact, and inclusion are core tenets of our operations. Those values ensure the Office conducts its audits with the interest of the Berkeley community in mind to provide a fair, balanced, and objective opinion on the status of the City operations being audited.

Organizational Chart



City Auditor's Office Overview

The City Auditor is an elected official who serves the residents of Berkeley. The City Charter and Berkeley Municipal Code provide the City Auditor's Office the authority and responsibility for conducting performance, financial, and compliance audits, and monitoring citywide payroll operations to ensure payroll transactions are processed accurately and timely. The City Auditor's Office plays a vital role in ensuring taxpayer money is spent efficiently, economically, effectively, and equitably, and for examining payroll for compliance with employee compensation policies, laws, and regulations.

The City of Berkeley Auditor's Office is divided into three divisions, performance audit, whistleblower program, and payroll audit:

- **Performance Audit Division:** The performance audit division focuses on assessing City activities and making recommendations to the City Council and City Manager on how to improve program performance. Other services include publicly reporting audit results and reporting on management's progress implementing audit recommendations or any hindrances to implementation.
- **Whistleblower Program Division:** The whistleblower program division focuses on receiving and investigating allegations of fraud, waste, and abuse of city resources, and making recommendations to the City Council and City Manager on how to improve internal controls.

- **Payroll Audit Division:** The payroll audit division coordinates and monitors certain portions of the Citywide payroll operations, including assisting management with compliance on federal, state, and local tax and labor laws. While decisions about pay are not within the purview of this office, consistent review of various parts of the City payroll system helps prevent fraud and address incorrect payments.

Challenges

The City Auditor's Office challenges include:

- **Citywide Retention:** The City's challenges with retention and short-staffing have made it difficult for departments to provide information for ongoing audits, implement audit recommendations, and report on the status of their implementation to Council. This has limited the Auditor's ability to conduct and follow up on audits to ensure the City is aware of and addressing the risks identified in audit reports. The increased staff turnover in other City departments has also impacted the workload in Payroll Audit. Departments rely on Payroll Audit staff to assist their new hires in their payroll tasks and in fulfilling their payroll responsibilities. Additionally, when information is not entered correctly, adjusting the information on the back end requires even more time, resulting in increased workload for Payroll Audit staff.
- **Employee Self Service and ExecuTime:** The Payroll Audit Division is committed to helping the City implement Employee Self Service (ESS). ESS will provide employees immediate access to certain information in the payroll system and also lets them make changes to their voluntary deductions. ExecuTime, the electronic time and attendance system, will replace the current timecards and empowers employees to enter their own working hours. This will allow payroll clerks to spend more time on other departmental tasks. These two projects will require many hours of knowledgeable staff time to set up and test the system before they are placed into production.
- **FLSA Compliance:** Payroll Audit is working with the Fair Labor Standards Act (FLSA) attorneys to determine if the new payroll system is following the proper calculation of overtime pay. Due to the complexity of our memorandum of understanding (MOU) contracts, this project will be time-consuming and may require recalculation of previously paid overtime hours. Payroll Audit may need additional staff to help with FLSA compliance.
- **Staff Retirement:** A number of Payroll Audit staff with over 25 years of payroll audit experience will be retiring in the next two years. Replacing these individuals will be a challenging task for the department as these future retirees play a major role in paying employees accurately, and in compliance with the MOUs, and federal, state, and local tax laws.
- **Payroll System Requirements:** In 2021, the City implemented the Tyler Munis payroll system to provide a more automated system with reduced errors and easier access to the payroll data required by federal and state agencies. Payroll Audit played a major role in assisting the City to set up and test the system for accuracy. The demand on Payroll Audit staff has increased since the implementation as the payroll system must be updated frequently to comply with changes in labor law, MOUs and taxation policies. This additional workload is no longer achievable through overtime. Payroll Audit will need additional staff in order to continue to provide employees accurate paychecks and comply with all federal and state reporting requirements.

Accomplishments

Highlights of the City Auditor's Office accomplishments include:

- **Performance Audit Division:** The Performance Audit Division won the 2022 Exemplary Knighton Award in the Medium Shop Category from the Association of Local Government Auditors (ALGA) Awards Program Committee for the audit titled Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities. This was awarded on April 11, 2023.

  To further our mission to promote transparency and accountability in Berkeley government, the Auditor's office launched a public dashboard to track the status of audit recommendations. Following up on audit recommendations is an important part of the audit process that helps hold departments accountable for implementing agreed-upon audit recommendations. The dashboard provides up-to-date information about the status of implementation across departments.

- **Whistleblower Program Division:** The Whistleblower Program Division has made strides in securing a confidential third-party hotline for receiving reports of fraud, waste, and abuse of city resources. When fully implemented, the hotline will be available to city employees, contractors, vendors, and the general public. The Whistleblower Program has the potential to result in significant cost savings for the City through fraud detection and accountability. The division will continue to scale up this program and adequately train staff to ensure the program is successful.
- **Payroll Audit Division:** The City received a number of grievances regarding the payroll system implementation in 2021 on overtime calculations. Payroll Audit, with the help of an FLSA attorney, worked with HR and the City Attorney's Office to identify the errors and revised the calculations to comply with the laws. This complex project took two years and staff worked tirelessly outside of their regular time to complete this.

  With the passage of Measure FF in November 2020, the Fire Department redesigned the way it provides emergency medical services and established a new classification of Single Function Paramedics. Payroll Audit assisted the Fire and Human Resources departments to create the classification in the payroll system and tested a complex work schedule that met the Fire Department's needs.

City Auditor Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	2,227,534	2,392,731	2,413,445	2,926,684	3,414,096	3,492,732
Services & Materials	68,948	51,691	70,329	72,385	72,385	72,385
Capital Outlay	-	19,256	-	4,051	4,051	4,051
Internal Services & All Other	229,599	227,979	227,979	227,979	269,000	269,000
	2,526,081	**2,691,657**	**2,711,753**	**3,231,099**	**3,759,532**	**3,838,168**
By Division:						
Office of the City Auditor	505,804	525,315	660,426	683,577	755,979	760,257
Performance Audit	997,583	976,647	659,445	1,038,646	1,134,234	1,175,860
Payroll Audit	1,022,694	1,189,695	1,391,882	1,508,876	1,869,319	1,902,051
	2,526,081	**2,691,657**	**2,711,753**	**3,231,099**	**3,759,532**	**3,838,168**
By Fund:						
GF - Discreationary	2,467,028	2,627,179	2,633,228	3,136,323	3,657,880	3,734,615
Worker's Compensation	59,053	64,478	78,525	94,776	101,652	103,553
	2,526,081	**2,691,657**	**2,711,753**	**3,231,099**	**3,759,532**	**3,838,168**

City Auditor Financial Summary

All Funding Sources

Division: Office of the City Auditor

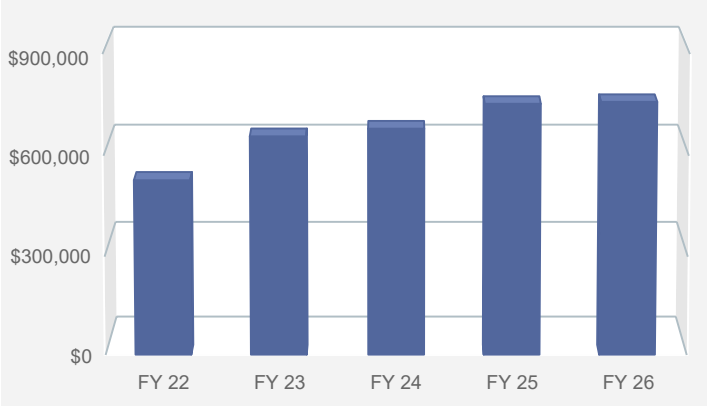
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Selected Service Objectives

- The City Auditor is an elected official who serves the residents of Berkeley. The City Charter and Berkeley Municipal Code provide the City Auditor's Office the authority and responsibility for conducting performance, financial, and compliance audits, and monitoring citywide payroll operations to ensure payroll transactions are processed accurately and timely.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 442,707	$ 442,503	$ 465,654	$ 497,035	6.74%	$ 501,313	0.86%
Internal Services & All Other Adopted Tier 1 Funding *	82,608	217,923	217,923	258,944	18.82%	258,944	0.00%
Total Expenditures	**$ 525,315**	**$ 660,426**	**$ 683,577**	**$ 755,979**	**10.59%**	**$ 760,257**	**0.57%**
Annual Percentage Change		25.72%	3.51%	10.59%		0.57%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

City Auditor Financial Summary

All Funding Sources

Division: Performance Audit

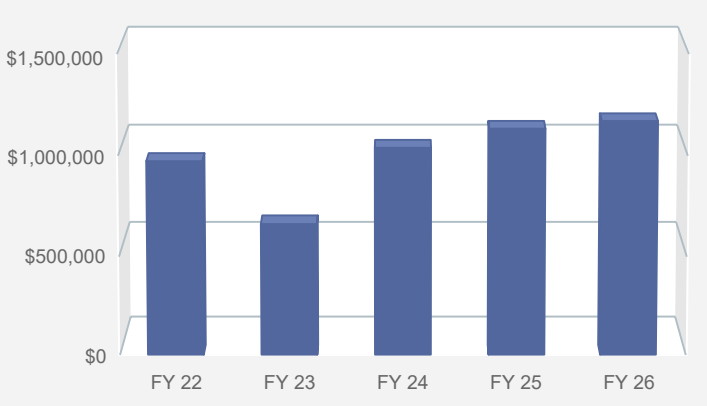
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Selected Service Objectives

- The performance audit division focuses on assessing City activities and making recommendations to the City Council and City Manager on how to improve program performance. Other services include publicly reporting audit results and reporting on management's progress implementing audit recommendations or any hindrances to implementation.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 808,110	$ 630,279	$ 994,348	$ 1,089,936	9.61%	$ 1,131,562	3.82%
Services & Materials	23,195	25,638	38,519	38,519	0.00%	38,519	0.00%
Capital Outlay	6,499	-	2,251	2,251	0.00%	2,251	0.00%
Internal Services & All Other	138,843	3,528	3,528	3,528	0.00%	3,528	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 976,647**	**$ 659,445**	**$ 1,038,646**	**$ 1,134,234**	**9.20%**	**$ 1,175,860**	**3.67%**
Annual Percentage Change		(32.48%)	57.50%	9.20%		3.67%	

City Auditor Financial Summary

All Funding Sources

Division: Payroll Audit

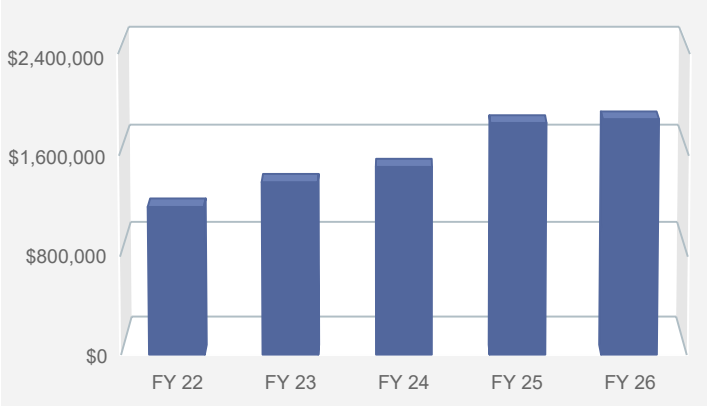
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Selected Service Objectives

- The payroll audit division coordinates and monitors certain portions of the Citywide payroll operations, including assisting management with compliance on federal, state, and local tax and labor laws. While decisions about pay are not within the purview of this office, consistent review of various parts of the City payroll system helps prevent fraud and address incorrect payments.

Five-Year Expenditures



Five Year History

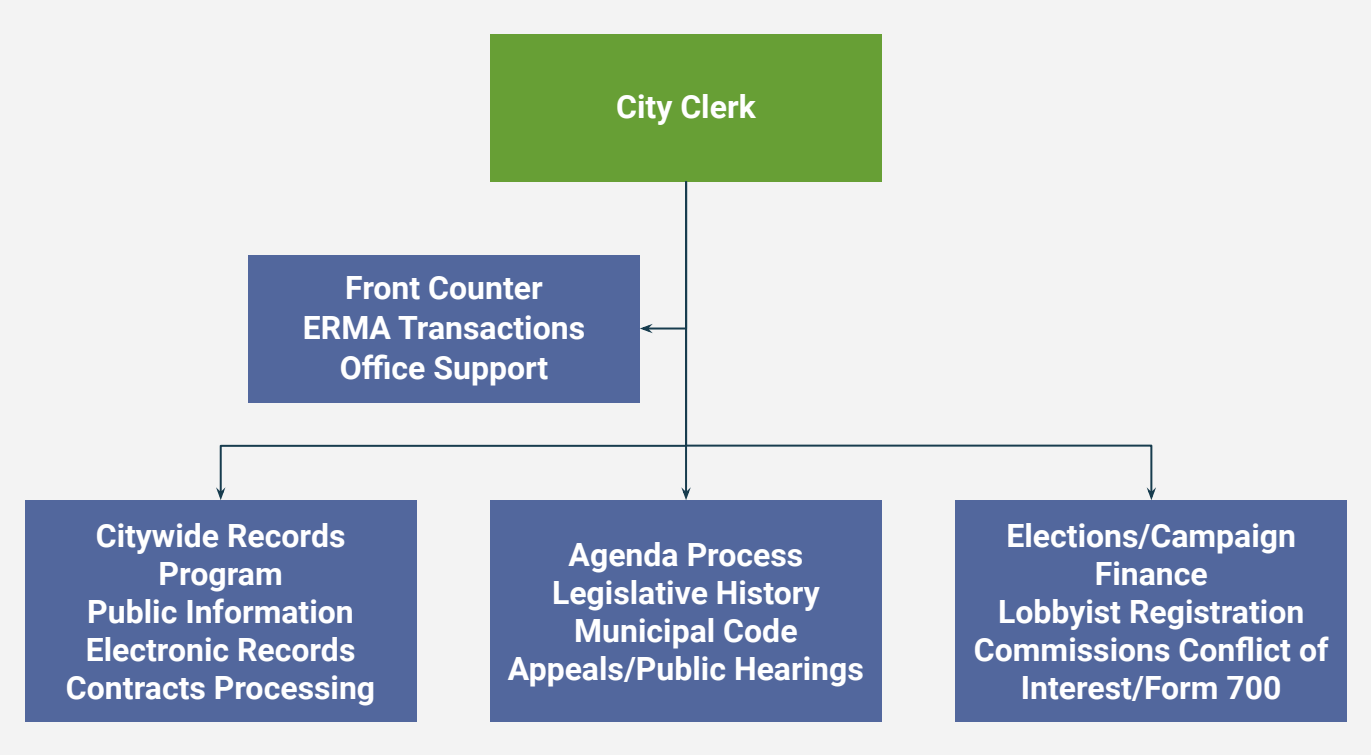
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,141,914	$ 1,340,663	$ 1,466,682	$ 1,827,125	24.58%	$ 1,859,857	1.79%
Services & Materials	28,496	44,691	33,866	33,866	0.00%	33,866	0.00%
Capital Outlay	12,757	-	1,800	1,800	0.00%	1,800	0.00%
Internal Services & All Other Adopted Tier 1 Funding *	6,528	6,528	6,528	6,528	0.00%	6,528	0.00%
Total Expenditures	**$ 1,189,695**	**$ 1,391,882**	**$ 1,508,876**	**$ 1,869,319**	**23.89%**	**$ 1,902,051**	**1.75%**
Annual Percentage Change		16.99%	8.41%	23.89%		1.75%	

City Clerk Department

Mission Statement

The City Clerk Department provides Citywide oversight for legislative proceedings of the City Council and its committees. As the Elections Official and Filing Officer, the City Clerk administers municipal elections, campaign finance, and conflict of interest regulations. As the Records Manager, the Department administers the Citywide Records Management Program to maintain the integrity of documented actions of the legislative bodies, and accessibility to the public. The Department performs all mandated functions under the United States Constitution, the Constitution of the State of California, State Codes, the Charter of the City of Berkeley, and the Berkeley Municipal Code

Organizational Chart



City Clerk Department Overview

The City Clerk Department delivers the following services:

- **City Council and Commission Support:** City Clerk staff prepares the agendas, agenda packets, minutes, and legal notices for the City Council, the Successor Agency to the Redevelopment Agency, and the Joint Powers Financing Authority, and provides for the captioning and indexing of meeting video streams. The City Clerk Department also provides support to all six City Council Policy Committees and completes the necessary arrangements to ensure an effective meeting. The City Clerk administers the commission appointment process, maintains the information regarding the commission rules and regulations, and serves as an advisor for commission secretaries.

- **Legislative History:** The City Clerk facilitates, manages, and supports the meetings of the City Council, the Successor Agency to the Redevelopment Agency, the Joint Powers Financing Authority, and Council Policy Committees, and maintains the legislative history of the City (i.e., ordinances, resolutions, minutes), including the Charter and the Municipal Code.
- **Public Information and Records:** The Department provides general information and services to the public including: 1) administration of the Domestic Partnership Registry; 2) codification of the Municipal Code; and 3) access to public information and records. Members of the public are welcome to visit the City Clerk Department to research and review legislative actions, candidate and ballot measure information, campaign and conflict of interest filings, registered lobbyists disclosure statements, and other public information. City Clerk staff maintains a broad range of information on the City's website at https://berkeleyca.gov/your-government/about- us/departments/city-clerk-department.

  The Department also maintains the Records Online public access portal. This portal provides the public with quick and easy access to vital City records such as minutes, ordinances, resolutions, staff reports, election information, and contracts.
- **Citywide Records Management:** The City Clerk is the Custodian of Records for the City and as such, administers the Citywide Records Program, prepares and maintains the City's Records Retention Schedule and provides education to departments on the principles of records management and industry best practices by providing trainings, guidance, and advice as needed. The City Clerk contracts with an off-site records storage facility where 11,000 boxes of City records are stored. The Department is responsible for managing the storage, retrieval, retention, and authorized destruction of all official City records.
- **Campaign and Conflict Law:** The City Clerk is the local Filing Officer for the State of California. The City Clerk maintains regulations and forms under the State's Political Reform Act, Berkeley's Election Reform Act and Lobbyist Registration Act, and the Berkeley public financing ordinance. All local campaign committees are required to file campaign statements with the City Clerk. All designated employees, elected officials and appointed commissioners are required to file conflict of interest statements with the City Clerk.
- **Elections:** The City Clerk is the Elections Official and administers the City's regular and special municipal elections in accordance with state and local laws including: 1) the nomination process for candidates for Mayor, Council, Auditor, Rent Board, and School Board; 2) processing and managing the initiative, referendum, and recall petitions; 3) ballot measure argument filing; 4) coordination with the Alameda County Registrar of Voters for regular and special elections services; and 5) ensuring transparency, accessibility, and equity in the public's engagement with the municipal election process.

  The City Clerk is the Charter-designated secretary for the Independent Redistricting Commission, a 13-member commission tasked with redrawing the Council district boundaries after each decennial census.

Challenges

City Clerk Department challenges include:

- Election Cost Uncertainty: The City relies on the Alameda County Registrar of Voters to provide regular and special election services as well as the additional services related to Ranked-Choice Voting. Election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. It is uncertain at this time if the change to an all-mail-ballot County and other new state mandates will affect election costs on an ongoing basis.
- Unplanned Elections: The two unplanned resignations and the resulting special elections have diverted a significant amount of staff resources originally planned for critical special projects such as the Records Retention Schedule Update, Commissioners Manual Update, and implementing new cost saving technology for broadcasting and captioning city council meetings.
- Continuous Demands for Increased Technology Services: The City Clerk Department relies heavily on external software to automate processes and also has a high demand for service from the Department of Information Technology. Maintaining existing software and implementing new software to increase efficiency require a significant amount of IT resources.

Accomplishments

Highlights of recent City Clerk Department accomplishments include:

- Full Implementation of Hybrid Meeting Procedures: The City Clerk Department researched, developed, tested, and refined procedures and technology needs for the conduct of "hybrid" meetings of legislative bodies. The City Council and its six policy committees now meet in a hybrid model for all regular and special meetings. This has increased civic participation and access to the local decision-making process for residents and stakeholders.
- Rebuilding Staffing Rates and Service to the Public: From April 2022 – August 2023, the City Clerk Department turned over 50% of its staff due to retirements and promotions. Leadership in the department, with assistance from Human Resources, has rebuilt the staffing levels and aggressively trained and onboarded new staff in order to maintain baseline services and properly serve internal and external customers.
- Major Software Update: In 2023 the Department completed a major upgrade to its agenda management software and digital records repository (OnBase). OnBase is a critical business system that is used to create agendas and agenda packets for the City council and the Policy Committees. It is also the digital records repository which stores the legislative history of the city and provides the back end to the Records Online public access portal. This upgrade will ensure reliability, integrity and efficiency for internal and external services.

City Clerk Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	1,672,456	1,569,166	1,499,916	1,655,522	2,006,064	2,063,978
Services & Materials	1,340,663	649,784	1,194,860	1,300,480	1,300,480	1,300,480
Capital Outlay	-	-	-	25,390	25,390	25,390
Internal Services & All Other	181,085	179,954	181,454	178,094	186,549	186,549
	3,194,204	**2,398,904**	**2,876,230**	**3,159,486**	**3,518,483**	**3,576,397**
By Division:						
Administration	75	105	122	-	-	-
Operations	1,242,530	1,296,376	1,675,715	2,041,524	2,361,799	2,412,777
Record Management	459,841	390,389	136,453	133,600	133,600	133,600
Regular Elections	1,491,758	712,034	1,063,940	984,362	1,023,084	1,030,020
	3,194,204	**2,398,904**	**2,876,230**	**3,159,486**	**3,518,483**	**3,576,397**
By Fund:						
GF - Discreationary	2,832,552	2,231,819	2,550,697	2,547,276	2,867,551	2,918,529
Fair Elections	361,652	167,085	325,533	612,210	650,932	657,868
	3,194,204	**2,398,904**	**2,876,230**	**3,159,486**	**3,518,483**	**3,576,397**

City Clerk Financial Summary

All Funding Sources | **Division: Administration**

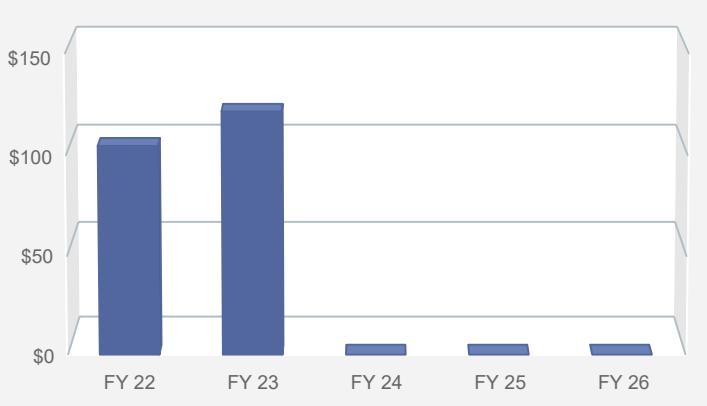
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Selected Service Objectives

- City Council and Commission Support
- Legislative History
- Public Information and Records
- Citywide Records Management:
- Elections
- Campaign and Conflict Law

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Services & Materials**	$ 105	$ 122	$ -	$ -	0.00%	$ -	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 105**	**$ 122**	**$ -**	**$ -**		**$ -**	
Annual Percentage Change		16.19%	(100.00%)	0.00%		0.00%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

City Clerk Financial Summary

All Funding Sources | **Division: Operations**

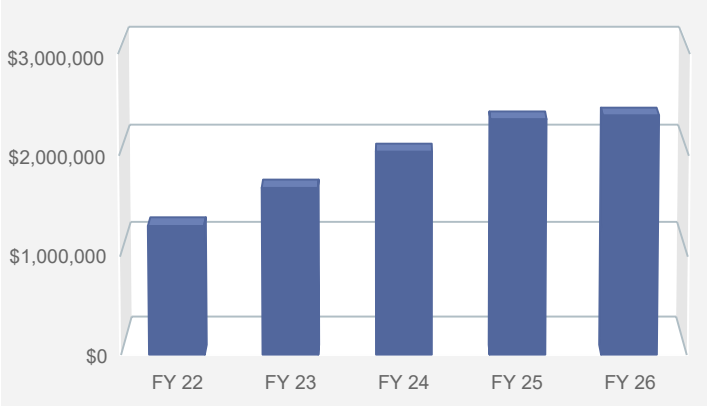
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Selected Service Objectives

- City Council and Commission Support
- Legislative History
- Public Information and Records
- Citywide Records Management:
- Elections

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 990,209	$ 1,414,962	$ 1,571,629	$ 1,883,449	19.84%	$ 1,934,427	2.71%
Services & Materials	126,213	79,299	266,411	266,411	0.00%	266,411	0.00%
Capital Outlay	-	-	25,390	25,390	0.00%	25,390	0.00%
Internal Services & All Other	179,954	181,454	178,094	186,549	4.75%	186,549	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,296,376**	**$ 1,675,715**	**$ 2,041,524**	**$ 2,361,799**	**15.69%**	**$ 2,412,777**	**2.16%**
Annual Percentage Change		29.26%	21.83%	15.69%		2.16%	

City Clerk Financial Summary

All Funding Sources

Division: Record Management

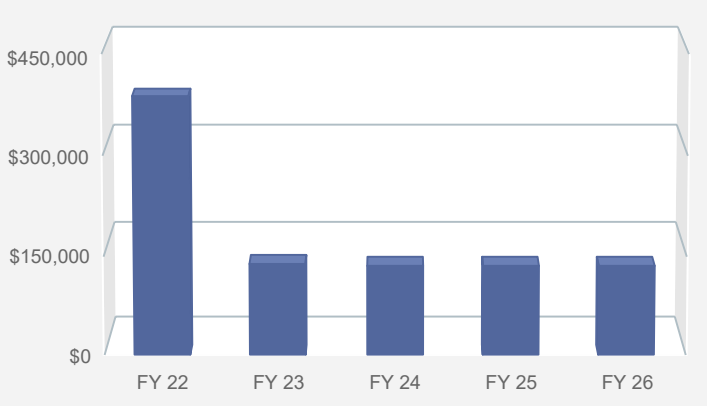
Mission Statement

The mission of the City Clerk's Office is to provide to provide Citywide oversight for legislative proceedings of the City Council and its committees.The Department performs all mandated functions under the United States Constitution, the Constitution of the State of California, State Codes, the Charter of the City of Berkeley, and the Berkeley Municipal Code.

Selected Service Objectives

- City Council and Commission Support
- Legislative History
- Public Information and Records
- Citywide Records Management:
- Elections

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 276,161	$ -	$ -	$ -	0.00%	$ -	0.00%
Services & Materials	114,228	136,453	133,600	133,600	0.00%	133,600	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 390,389**	**$ 136,453**	**$ 133,600**	**$ 133,600**	**0.00%**	**$ 133,600**	**0.00%**
Annual Percentage Change		(65.05%)	(2.09%)	0.00%		0.00%	

City Clerk Financial Summary

All Funding Sources

Division: Regular Elections

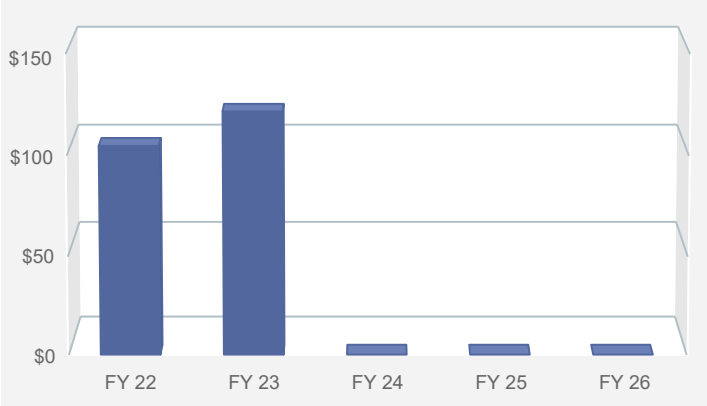
Mission Statement

The mission of the City Clerk's Office is to provide the City with the highest caliber legal services and advice and to protect and advance the interests of this dynamic City by all legal and ethical means.

Selected Service Objectives

- City Council and Commission Support
- Legislative History
- Public Information and Records
- Citywide Records Management:
- Elections

Five-Year Expenditures



Five Year History

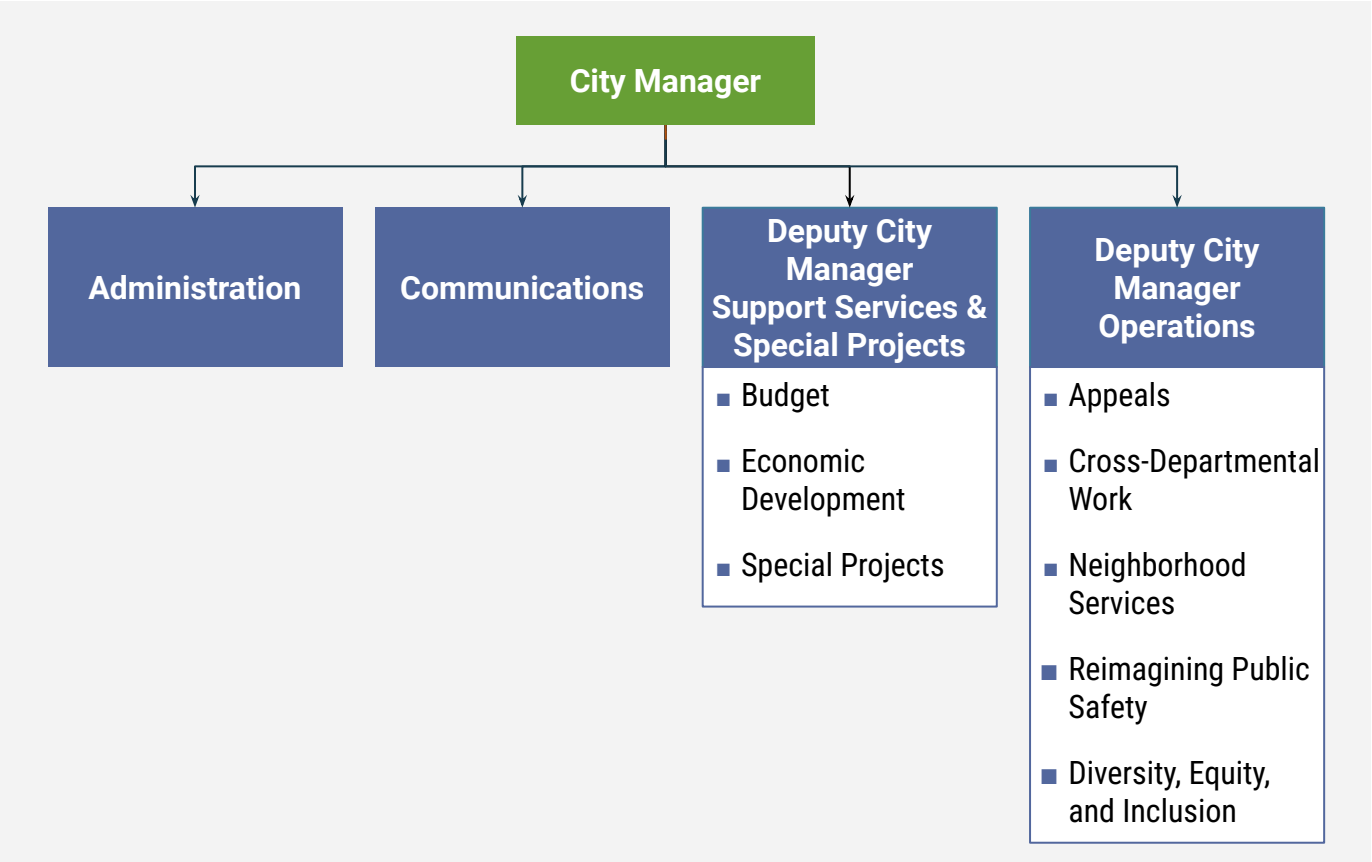
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 302,796	$ 84,954	$ 83,893	$ 122,615	46.16%	$ 129,551	5.66%
Services & Materials	409,238	978,986	900,469	900,469	0.00%	900,469	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 712,034**	**$ 1,063,940**	**$ 984,362**	**$ 1,023,084**	**3.93%**	**$ 1,030,020**	**0.68%**
Annual Percentage Change		49.42%	(7.48%)	3.93%		0.68%	

City Manager's Office

Mission Statement

The mission of the City Manager's Office is to build and maintain, through sound management principles and community participation, an effective City government organization; to ensure the effective delivery of services; to provide the management direction and support for the planning, implementation, and evaluation of all City programs; and to ensure coordination and consistency in implementing policies and programs approved by the City Council.

Organizational Chart



City Manager's Office Overview

As the Chief Executive Officer of the City of Berkeley, the City Manager is responsible for ensuring the overall effectiveness of the city organization, for acting as a conduit between the legislative and executive branches and presenting Council with a balanced budget. Within the City Manager's Office, the City Manager also directly oversees several divisions and major programs that deliver the following services

- **Appeals:** The Appeals Unit is responsible for administrative hearings. Administrative hearings are provided as a venue to appeal various violations or enforcement actions issued by the City before a hearing examiner. Although there are numerous types of appeals, the most common hearings are conducted for parking citation appeals,

business license tax appeals, administrative citation appeals, and nuisance abatement appeals.

- **Communications:** The Communications division elevates and coordinates the work of every department by using information designed for modern digital tools to efficiently align the public's needs with City services. The division builds and maintains a variety of complex tools that represent the City in the public sphere, most prominently in the overhaul and reinvention of the City's website, engaging use of social media and the management of citywide listservs for all departments. These roles are amplified in emergencies, when the rapid dissemination of coordinated information is critical to building trust and leading people to safety. Communications has led crisis communications efforts that require multi-agency coordination for public safety power shutoffs (PSPS), fire weather, protests, and, most prominently, for COVID-19
- **Diversity, Equity, and Inclusion Division (DEI)**: The City of Berkeley has a strong history of "pioneering efforts by leaders, advocates, and institutions" at the local level that reverberates across the country. On June 9, 2020, Councilmember Kesarwani and co-sponsors Councilmembers Wengraf, Droste, and Bartlett, submitted an urgency item to establish an Office of Racial Equity. In early 2021, Berkley City Council passed a resolution titled "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley". In 2022, after delay caused by the extended and ongoing impact of the COVID-19 pandemic, Berkeley City Council adopted and expanded the Diversity, Equity, and Inclusion Office.

  The Office of Equity manages both internal workforce development, in collaboration with the City's Human Resources department, as well as external programs and services related to DEI. The division coordinates activities with City departments and outside agencies while providing highly responsible and complex support to the City Manager and City Council. The division manages several high visibility projects related to diversity, equity, and inclusion and related city-wide and departmental initiatives. This Division also develops related training, ensures citywide reporting on projects, and effectively manages the activities and operations of the DEI division of the City Manager's Office. The Division also leads initiatives to assess and prioritize needs related to DEI, anti-racism and specifically by addressing and meeting regularly with staff across the organization to determine departmental needs and generate ideas for improvement.

- **Neighborhood Services Division:** The Division consists of four units described below.
  - **Animal Care Services:** Animal Care Services provides field services for the cities of Berkeley, Emeryville, and Albany, and shelters animals from Berkeley, Albany, Piedmont, and Emeryville. The services include the enforcement of city ordinances related to animals, removal of killed or injured wildlife, impoundment of stray pets, and investigation of animal-related neglect, cruelty, nuisance and bite cases. The City's animal shelter houses domestic animals from the cities of Berkeley, Albany, Emeryville, and Piedmont and provides not only a safe haven for these homeless pets, but also adoption services, advice on animal-related topics, lost and found pet reports, and free or low-cost spay/neuter services for Berkeley residents' dogs and cats. The shelter houses a highly successful adoption program and consistently maintains a live release rate in excess of 90%. Animal Care Services also supports homeless and low-income pet owners by providing free pet food and other pet supplies daily on a walk-in basis. With field services available daily and the shelter open seven days a week, Animal Care Services is easily accessible and user friendly.

- **Code Enforcement Unit:** The Code Enforcement Unit is responsible for the enforcement of violations of the Berkeley Municipal Code including graffiti, blight, unauthorized signage, illegal dumping, the Group Living Accommodations ordinance, and more. The Unit works in conjunction with a Planning Code Enforcement Officer to address land use and zoning complaints, such as illegal business, unpermitted living units, and accessory units. Additionally, the Unit coordinates multi-departmental Code Enforcement responses to properties with multiple or complex violations and issues.
- **Special Events:** The Special Events Unit coordinates staff from multiple departments to safely and efficiently support a variety of street and park events that make life in Berkeley vibrant and exciting, including the Berkeley Half Marathon, Solano Stroll, Telegraph Holiday Fair, and many more.
- **Homeless Response Team:** The Homeless Response Team is the inter-departmental team that responds to homeless encampments in Berkeley, performing sustained outreach to move people indoors, while simultaneously reducing the impact of encampments on the City through interventions that reduce health and safety threats while avoiding citation and arrest.

- **Office of Budget and Fiscal Management:** The division is primarily responsible for the preparation, development and management of the City's budget. The division provides financial analysis and support to the City Council and the Budget and Finance Policy Committee in particular; reviews Council agenda items and contracts; assists with special projects and processes payroll for the City Manager's Office, the Mayor and Council, the City Attorney's Office, the City Clerk's Office, the Human Resources Department, the Office of Police Accountability, and for the Berkeley Unified School District (BUSD) Board of Education.
- **Office of Economic Development:** The division is composed of two service lines, Business Services and Civic Arts. Business Services supports Berkeley's commercial sectors, provides technical assistance, expands economic opportunities, and helps maintain a healthy business climate by providing the following services:
  - Direct Assistance to Businesses, Property Owners and Community Organizations
  - Support for Berkeley's ~10 Commercial District and Business Associations and Visit Berkeley,
  - Management of Industry Cluster Programs,
  - Revolving Loan Program and Resiliency Loan Program,
  - Sustainable Business Practices (including green business certification) and other programs including support for transition to Worker Cooperatives, and guidance on Outdoor Commerce and Parklets
  - Marketing Campaigns and Promotions
  - Research and Data Analysis on local economic conditions

The Business Services team is at its base a customer service department, interacting with individuals, businesses, organizations, council and community members, and other city departments. The team helps with individual technical assistance, offers resources, and provides economic data and analysis and support to Berkeley commercial sectors. Staff in this team serve as secretaries to three commissions, including two Business Improvement Districts (BID) boards (Elmwood and Solano) and the Loan Administration Board. OED

business service staff also hold board seats in three property-based BIDs (Telegraph, Downtown, and North Shattuck) in Berkeley.

The Civic Arts service line promotes and furthers arts and cultural activities in Berkeley by providing the following services:

- Direct Assistance to Artists and Community Organizations
- Civic Arts Grants (including Festival Grants, Organization Grants and Individual Artists Grant Programs)
- Maintains the Public Art Collection
- Implements Public Art Programs
- Oversees City-Managed Galleries

The Civic Arts service line provides direct grants to Berkeley's art and cultural organizations, individual artists, and festivals, and manages the City's Public art collection which has nearly 100 works of art in its care. The service line also manages the gallery spaces in the city buildings including the Cube Space Gallery in the Center Street Garage. Civic Arts staff also serve the secretary to the Civic Arts Commission, and active group which has many subcommittees and an ambitious work plan.

- **Reimagining Public Safety:** Reimagining Public Safety in the City of Berkeley aims to foster an equitable, holistic, and community-centered approach to public safety, transforming traditional models to prioritize health, wellness, and economic security for all residents. Through a collaborative, multidisciplinary strategy, it seeks to reshape the scope of policing, address systemic inequities, and enhance community trust and well-being. By reinvesting in health, education, and social services, and introducing alternatives to traditional enforcement, the initiative aspires to establish a sustainable, inclusive public safety system that effectively serves the diverse needs of the community.

This initiative involves a comprehensive and inclusive process that unfolds in three main phases:

- **Phase 1 (2020-2022) Community Process and Research**. Phase 1 of the City of Berkeley's Reimagining Public Safety initiative, the City Council adopted critical resolutions to transform public safety through extensive community engagement and research, guided by the expertise of the National Institute for Criminal Justice Reform and the input of the Reimagining Public Safety Task Force. This phase was characterized by partnerships and collaborations aimed at developing a new paradigm of community-centered safety, with a focus on equity and inclusivity, and informed by comprehensive community dialogue and expert analysis. The culmination of these efforts was presented in a series of reports and recommendations that laid the groundwork for transforming Berkeley's approach to public safety, emphasizing the principles of reimagine, improve, and reinvest to address the community's diverse needs.
- **Phase 2 (2022-2024) Continued Analysis and Implementation.** Phase 2 focused on putting the conceptual framework developed during Phase 1 into practice, marked by the continuation of analytical work and the beginning of implementation efforts. This phase involves significant staffing investments across various city departments, consulting for critical assessments, and community investments aimed at strengthening resilience through various support and engagement programs. An integrated and interdepartmental approach ensures that all efforts are cohesive and

aligned with the City Council's directives, leveraging partnerships and collaborations to inform and guide the work towards a community-centric safety model.

- **Phase 3 (2024-2026) Continued Implementation and Expansion.** Phase 3 of the Reimagining Public Safety initiative in Berkeley is set to focus on the expansion and further implementation of the strategies developed in earlier phases, aiming to solidify a comprehensive and responsive public safety model. This final phase is dedicated to broadening the scope of the initiatives to more thoroughly incorporate and address the varied needs of the Berkeley community. The objective is to establish a public safety framework that is both effective and reflective of the community's diversity, ensuring resilience and inclusivity in its approach to safety and well-being. Prior direction is incorporated, but also amended, as needed to align with current fiscal circumstances.

- **Special Projects Division (SPD):** This division leads citywide efforts to improve efficiency, transparency and consistency; reports on the status of strategic plan initiatives and implements the Employer of Choice initiative to improve the employee experience. To this end the team serves 5 main functions: (1) implements citywide programs that focus on improvement, streamlining, increasing efficiency or require significant multi-department collaboration; (2) develops systems to ensure changes are maintained, evaluated and improved over time; (3) supports the City Manager's Office by delivering citywide reporting (Employer of Choice, Strategic plan, performance measures) and support departments in delivering quality data; (4) engages with staff across the city to assess current issues and identify areas of improvement and present those to the City Manager; and (5) leads projects where there is shared authority across Departments.

Challenges

The City Manager's Office challenges include:

- **Diversity, Equity, and Inclusions (DEI):**
  - *Staff capacity around regulatory compliance.* The number and complexity of new ordinances and other policy initiatives by the City Council or by City Boards or Commissions require significant time investment by staff in city departments and the City Attorney's Office. Many formerly settled areas of DEI (like minority and women's contracting) may require significant research and analysis prior to the adoption of practices to advance these areas. The AFG Programmatic Monitoring Corrective Action Plan highlights the necessity of compliance with regulatory standards across federal grants. Adherence to federal mandates from organizations such as the Federal Emergency Management Agency make clear the need to establish a comprehensive compliance framework. The City Manager's Office actively works in partnership with the City Attorney's Office to navigate these complex legal environments, ensuring that all initiatives meet regulatory requirements.
  - *Data Collection***.** Collaboration has just begun regarding a shared approach between Human Resources and the DEI division for regularly collecting data on employee satisfaction and on Diversity, Equity, Inclusion, and Disability and Language Accessibility. Additionally, the Special Projects team on the Employer of Choice initiative will also be collaborating on regular assessment of employee satisfaction, which could help the City uncover Diversity, Equity, Inclusion, Accessibility concerns that impact retention. Workforce data provided annually to the Equal Employment

Opportunity Commission (EEOC), which is required for all Federal Agencies and private employers with (a) 100 or more employees, or (b) 50 or more employees and a federal contract), could be used to establish DEI specific retention goals, conduct an analysis of staff needed for city DEI functions within operations and services, and be used for consideration of staff capacity needs around new DEI initiatives. So, while not yet in place, these various efforts will ultimately increase efficiency, as well as improve communication and transparency.

- *Ongoing Funding*: Much of the DEI and anti-racism work has been carried out on a volunteer basis. Many staff responsible for truly innovative work have transitioned out of the City. As a consequence, infrastructure needs to be addressed to re-engage the work sustainably. This volunteer work must be articulated in scopes that are able to coordinate, record and activate recommendations from the various work groups, committees and task forces. In response, Berkeley is focusing on the judicious use of available resources to ensure financial stability and continuity for the initiative. Additionally, the DEI division is currently working to craft a strategic plan that will help identify the necessary resources to move the City's overall program forward.
- *Implementation Timeline*: It is estimated that the standup of the Office of Equity will take a total of 2-3 years. Legislative progress and unforeseen factors may extend this period, emphasizing the need for regular analysis and sufficient time for initiatives to demonstrate their effectiveness

- **Neighborhood Services**
  - **Animal Care Services:** Along with many municipal shelters around the country, Berkeley Animal Care Services (BACS) has struggled with a sharp increase in animal intakes alongside a decrease in options for positive outcomes. In 2023, BACS saw a 17% increase in the intake of animals to the shelter, the most intakes since 2017 and significantly outpacing the national average, which saw a 0.2% increase from 2022 to 2023. Areas of concern are the major drops in our animals adopted (Adoptions), animals going to a rescue group (Rescues), and animals Returned To Owner (RTO). Nationally, 2023 saw a 0.2% increase in Adoptions from 2022, but sadly, BACS saw a 14.66% decrease in Adoptions from the past year. We have also seen a sharp decrease in Rescues, and despite an increase over 2022, we are still more than 49% below the 20-year average for Rescues. In addition, 2023 had the lowest RTO percentage since tracking these figures and 24.46% lower than the 20-year average. Ultimately, this means that more animals are entering our shelter, and staying for longer, increasing the need for spay/neuter and other medical services. Unfortunately, all of this comes amidst sharp increases in veterinary costs, which increased nearly 11% from July 2022 to July 2023. Since BACS lacks a full-time veterinarian, these costs have created direct hits to the BACS budget. And all this comes at a time when BACS is being called upon to do more for Berkeley and the surrounding cities, including new and revised contracts for animal services in the cities of Emeryville and Piedmont.
  - **Code Enforcement Unit:** Although the overall workload for the unit has decreased since the height of the COVID pandemic, when COVID-related complaints surged and became the Unit's priority, the Unit is still addressing a number of long-standing and challenging cases that command significant staff time and resources. The 2018 City Auditor's report on the Code Enforcement Unit identified staffing shortages as a constraint to performance; though the Unit's staffing has not grown, overall expectations on the Unit have grown, including the re-initiation of the

inter-departmental Properties Collaborative Review (formerly Problem Properties) team, which coordinates unified city responses to complex, multi-departmental and/or politically-sensitive cases and looks to the Unit for leadership, case management, and administrative training.

- **Special Events:** Major events such as the Book Festival, Juneteenth, Berkeley Half Marathon, Solano Stroll, Berkeley Streets Criterium, Freight Fest, Gilman District Street Fair require a level of detail, technical expertise and countless hours of coordination with organizers that we are finding more and more difficult to provide. None of the team members with the exception of the 1 FTE from Neighborhood Services are dedicated to this team. In 2017, prior to the creation of the Festival Grant administered by Civic Arts, approximately 75 events were permitted annually thru Special Events. By 2022, that number ballooned to 252 permitted events citywide, but there has been no growth in staffing to actually permit and administer these events. With grant recipients having to be prioritized in addition to long-standing events such as Indigenous People's Day Powwow, Solano Stroll, Juneteenth, and Himalayan Fair, the special event coordinator had to strategically juggle events in an effort to accommodate record numbers of event requests. Limited staffing to close and reopen streets in addition to competing for staff from Police and Traffic Enforcement present significant challenges and additional concern for liability and burnout.
- **Homeless Response Team:** The Homeless Response Team has struggled to find indoor shelter options for people living in encampments, who tend to decline congregate shelter beds more frequently than they accept them. A lack of available shelter not only constrains the team's primary mission, which is to reduce unsheltered homelessness, but also constrains the ability to meaningfully address and resolve encampments posing health and safety risks to the community. Additionally, because the Homeless Response Team's operations rely not just on Neighborhood Services staff, but on staffing from a number of departments across the city, the city's persistent staffing challenges have limited the time we can spend actually cleaning up at encampments. Finally, the team has faced a growing number and intensity of legal challenges, including restraining orders and federal lawsuits, which not only delay or prevent important work in the field, but also create huge time burdens to Neighborhood Services staff, keeping us from working in the field.

- **Office of Economic Development**

  Balancing New Initiatives & Baseline Services: The challenge for OED will be to balance new initiatives and continue to deliver excellent baseline services. In past budget cycles OED was successful in leveraging special arts funds to get talented staff in place in the Civic Arts service line to deploy high quality program delivery; including centering equity in grant making activities and accelerating public art installation work. In FY25 and FY26, OED has a number of large priority projects that will require additional staff time from the Business Services team.

Large Projects:

- Civic Center Phase III (a Strategic Plan project)
- Local Business Marketing - Discovered in Berkeley Campaign (a Strategic Plan project)
- Diversity Equity and Inclusion – Berkeley Ventures Berkeley Values (a Strategic Plan project)

- Commercial District Revitalization Plan (Solano Ave)
- Small Business Support Initiatives, including:
- Continuing Succession Planning – Worker Owned Cooperatives
- Renewal of Downtown Property Based Business Improvement District (2026)

The Civic Arts service line will also be working hard on implementing two new Civic Arts Grants Programs in FY 25 and FY26 - the capital grants and arts & cultural programing awards

- **Reimagining Public Safety:**
  - Staffing*: T*he initiative faces a challenge common across the Bay Area: high turnover rates in city government positions, which can obstruct the development of a stable and effective workforce. In response, Berkeley has introduced the "Employer of Choice" initiative, designed to enhance the city's appeal as a workplace capable of retaining and attracting dedicated professionals. This effort is centered on cultivating a supportive work environment and providing competitive benefits, aimed at reducing staff attrition and filling vacancies with qualified individuals.
  - Regulatory Compliance: The creation of new departments, such as the Berkeley Department of Transportation (BerkDOT), highlights the necessity of compliance with regulatory standards across local, state, and federal levels. This includes adherence to local ordinances, state legislation, and federal mandates from organizations such as the United States Department of Transportation, which together establish a comprehensive compliance framework. The City Manager's Office actively works in partnership with the City Attorney's Office to navigate these complex legal environments, ensuring that all initiatives meet regulatory requirements.
  - Implementation Timeline: The initiative's ambitious goals necessitate a realistic acknowledgement of the timeline required for full realization, estimated at 3-5 years. Legislative progress and unforeseen factors may extend this period, emphasizing the need for regular analysis and sufficient time for initiatives to demonstrate their effectiveness. This phased approach requires flexible and informed project management to adapt to evolving circumstances and ensure the initiative's objectives are met.

Accomplishments

The City Manager's Office accomplishments include:

- **Appeals:** The Appeals Unit's made improvements to Parking Management Software by:
  - Coordinating with the City's contracted parking management vendor to add telephonic hearings as an option for Appellants to contest their citations
  - Assessing appeal notice inconsistencies and working with the vendor to provide more information for appellants to be properly prepared for hearings.
- **Diversity, Equity, and Inclusion:**
  - Strategic Leadership Positions: The hiring of the Diversity, Equity, and Inclusion (DEI) Officer and DEI Administrative Assistant has been central to driving this initiative forward. These positions enhance leadership and support for cross-departmental collaboration and help to embed equity and justice within the City's operations.

- Enhanced Grant Strategy: With a $100,000 allocation for fiscal years 2023 and 2024, the City has improved its grant application process through a partnership with California Consulting, LLC targeting both state and federal grants focused on DEI.
- Formal engagement with the Race and Equity and Equity Committees to address contract and procurement equity and equity through workforce training is well underway.

- **Neighborhood Services**
  - **Animal Care Services:** In April, 2023, the Animal Care Services team welcomed a new Manager, who has taken strides to address some of the post-pandemic challenges facing the team. For example, in 2023 BACS hired a new Volunteer Coordinator, who has revamped the shelter's volunteer engagement, cleared a new volunteer waitlist backlog dating back to 2022, and has increased new volunteer orientations. BACS has negotiated new revenue contracts with the Cities of Emeryville and Piedmont, bringing in enough new revenue to increase a part-time Animal Services Assistant to a full-time position. Importantly, BACS has managed to maintain a live release rate of 94.71% for cats and dogs, the highest percentage in over 20 years, and a low euthanasia rate of 4.65%, which primarily reflected animals that sustained life-threatening injuries or displayed insurmountable behavioral issues. Over 60% of cats and over 55% of dogs were adopted or rescued in 2023, despite receiving a larger number of very challenging animals.

    And despite having the most intakes since 2017, BACS' 2023 Live Release Rate for cats and dogs was 94.71%, the highest in over 20 years. This is at a time when the community needs more from us, and we were able to step up last year, providing care to over 250 cats and dogs, nearly doubling the previous year's total. With the closure of Contra Costa Animal Services' shelter in Pinole, and the common incorrect assumption that BACS does not euthanize for space, we saw more than a 40% increase in animals claimed to have been found in our jurisdictions while the finder lives outside of it. Even with the increase in out-of-jurisdiction animals, BACS had a euthanasia rate of 4.65%, more than 26% lower than in 2022 and over 41% lower than the 20-year average.

  - **Code Enforcement Unit:** The Code Enforcement Unit has made some significant progress in addressing outstanding recommendations from a 2018 City Auditor's report. Specifically, in January 2024, Neighborhood Services contracted with a consultant to perform a division-wide staffing analysis, the scope of which will be to analyze the division's workload relative to staffing structure and capacity, and compare the staffing in key functions of the division to peer cities in the Bay Area. NSCEU, as a unit within the Neighborhood Services Division, is included in this analysis. In May, 2023, the City Council approved a contract with Data Ticket, a third-party code enforcement citations processing service that will enable code enforcement officers to outsource some purely administrative aspects of the enforcement process, thereby freeing up staff time to perform other work. Both of these accomplishments are consistent with the Auditor's recommendations. Additionally, NSCEU has implemented a metrics goal of addressing complaints received into the Unit within 10 business days of receiving the complaint. At the end of 2023, we were, for the first time, able to achieve this goal—a significant milestone in our quest to provide timely customer service to the Berkeley public.

- **Special Events:** Despite severe understaffing, over 173 events were permitted citywide in 2023. This is consistent with an overall trend in which the number of annual events in the city has tripled since the COVID pandemic started. The ever-increasing volume of events directly correlates to consistent annual increases in grant funding. Safety is the second most impactful factor increasing the number of event requests annually. Most new customers share their primary reason for wanting to host an event in Berkeley is due to safety, immaculate parks and fields, a general sense of comfort and familiarity of Berkeley overall. With increasing crime, shuttering of businesses, and unease in neighboring cities, Berkeley continues and will continue to draw more and more events from across the Bay Area.
- **Homeless Response Team:** Over the past two years, the Homeless Response Team has successfully brought in roughly $10 million in State Encampment Resolution Funding grant funds, which have enabled the City to master lease two motels (a third has been leased as well with Measure P during this time period), all of which have been used to make substantial progress in resolving and reducing the health and safety impacts at Berkeley's largest encampments, including those in People's Park and in the Gilman District. The HRT has applied to the State for a third round of ERF funding to master lease a fourth motel, and is awaiting the State's determination. Since September 2021, the HRT has conducted 58 encampment closures across the city, 38 deep cleaning operations, and 11 RV closures, for a total of 107 interventions. 79% of all closures and cleanings have been centered in West and South Berkeley, reflecting the team's commitment to serving those areas of the City that are historically socioeconomically disadvantaged and thus more likely to experience street homelessness. Additionally, the team has removed over 1 million total pounds of trash and debris from our streets, and has offered nearly 650 people shelter, with a total shelter acceptance rate of 46%. Overall, and though challenges do indeed remain, as a direct result of the HRT's work, the City has fewer encampments and is less impacted by street homelessness than before the team launched in 2021.

- **Office of the Budget and Fiscal Management:**
  - Recipient of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the FY 2023 & FY 2024 Adopted Budget Book.
- **Office of Economic Development**

  OED is a relatively small Division (8 FTE) with a unique role in directly assisting Berkeley's business, artistic and cultural communities and sectors. In FY24, OED completed the implementation of a suite of recovery programs from a variety of funding sources including the American Rescue Plan Act (ARPA). In addition, OED also advanced and/or completed a number of high-profile revenue-generating projects in FY 23-24, that were indicated as goals in the last budget cycle, including:

  - Facilitating Catalytic Development at West Berkeley Opportunity Sites (e.g. Pacific Steel)
  - Civic Center Phase II – Design Concept Adoption
  - Establishing Parking Benefit Districts (Gilman and Lorin)
  - IKE Kiosk – Location Selection Phase 2
  - Additional Zoning Ordinance Modifications to Support Small Business
  - Outdoor Commerce (Transition to Permanence) Support & Implementation

- Bayer Health Care Development Agreement Implementation
- Succession Planning – Worker Owned Cooperatives
- Developing a Capital funding program for Cultural Arts/Artist space
- Development of Poet Laureate Program

OED publishes two frequent, resource-rich newsletters (Civic Arts and OED Updates) and other baseline programs include:

- Revolving Loan Fund (RLF) – The City of Berkeley's Revolving Loan Fund (RLF) is federally funded by the Economic Development Administration (EDA) and provides access to capital for businesses that don't qualify for traditional commercial loans. COVID-19 Resiliency Loan Program (RLP) - In July of 2020, The City was awarded a $814,000 federal CARES Act grant to provide additional funding to existing businesses. Using the grant, OED launched the COVID-19 Resiliency Loan Program (RLP) for Berkeley businesses that are at least two years old and have less than 50 employees. This program streamlines the approval of 0%-1% interest loans for businesses in need of working capital, to provide additional assistance and support for Berkeley's entrepreneurs. To date, 18 loans have been executed (totaling $793,000) and the program is now serviced by Working Solutions, a certified Community Development Financial Institution.
- Grants for artists and cultural practitioners – In 2023 the City of Berkeley Civic Arts program provided grants to support a vibrant arts ecosystem, strengthen diverse cultural expressions, and ensure equitable access to arts and culture throughout Berkeley. Civic Arts Grants Awarded in 2023 included: 11 individual arts project grants ($44,000), 31 community festivals ($199,983) and 55 arts organizations ($454,799). The City also leveraged a matching grant from the National Endowment for the Arts to create a new Civic Arts grant program with $60,000 to distribute in grants (up to $5,000 each) for: Berkeley nonprofit (not-art specific) organizations producing arts and cultural programming in partnership with an arts organization or teaching artist; or Greater Bay Area arts nonprofit organizations producing arts and cultural programming in Berkeley. A new program, the Capital Projects Grants, was funded with $300,000 in December of 2023 and established to retain and sustain the vitality of Berkeley's arts sector through real estate and capital project support. In 2024 grants of up to $150,000 each will be awarded to Berkeley-based nonprofit arts and cultural organizations to help them stay in Berkeley.
- Business Outreach and Technical Assistance – In calendar year 2023, the Office of Economic Development (OED) conducted outreach and technical assistance activities, including fielded thousands of direct business inquiries by phone & email, and partnered with the Berkeley Chamber to organize Berkeley Business District Network (BBDN) Forums for the business community at large to gain information, ask questions and share resources related to ongoing commercial district management and special events.
- Equity-focused programming for the innovation sector – Berkeley Ventures, Berkeley Values was launched in 2019 to align the growth of Berkeley's innovation sector with the community values of diversity, equity and inclusion. Berkeley Ventures Berkeley Values programming includes activities that engage Berkeley startup founders, funders, and STEM industry professionals to build a local economy that benefits our entire community. Programs include: STEM CareerX Day tours for Berkeley High School students at local startups and innovation companies, developing a community

of practice for Berkeley investors focused on implementing diversity, equity and inclusion (DEI) best practices. In 2023, dozens of Berkeley High School students saw how their science, technology, engineering and math (STEM) skills apply in Berkeley's workplaces during the 8 STEM CareerX Tours that took place at a total of 11 companies in 2023.

- Business success planning for worker owned cooperatives – Beginning in 2018, OED partnered with Project Equity to meet the local demand for business succession planning; and provide technical assistance to Berkeley's businesses wishing to transition to employee ownership. Special funds (ARPA dollars) were leveraged to support a multi-year engagement with Project Equity. The funds enable Project Equity to stay as an on-call advisor to businesses in Berkeley that want to transition to worker ownership. Project Equity's work also implements strategies to measure business retention risk in Berkeley on an ongoing basis.
- OED participated in the National League of Cities (NLC) Cities for Inclusive Entrepreneurship (CIE) cohort program. In late 2022, the City of Berkeley was awarded a grant to join a cohort led by the National League of Cities' Cities for Inclusive Entrepreneurship program to explore ways to work with local business network partners to strengthen relationships with Berkeley's Latinx and Black-owned businesses and support their scale-up, expansion, and continuity. Outdoor Commerce - Berkeley's City Council authorized a "Path to Permanence" ordinance in June 2021 to permanently permit outdoor dining and commerce and commerce in the public right of way, which the Office of Economic Development was instrumental in coordinating. OED also provided technical assistance to interested businesses, and developed a grant program for outdoor commerce applicants. As of December 2023, there are 40 installations of outdoor commerce in Berkeley. In 2024, with the ending of the state of emergency, Berkeley's outdoor commerce participants will begin to contribute outdoor commerce use fees to the city's parking fund.
- #BerkeleyHolidays Gift Fair, Berkeley Bucks Marketing Campaign – Local Shopping - A partnership between OED, the Berkeley Chamber, Visit Berkeley and business districts citywide, the #BerkeleyHolidays Gift Guide, local scrip Berkeley Bucks, and marketing campaign promoted local shopping during the holiday season and featured an in-person holiday fair in Downtown Berkeley in December of 2023.
- Discovered in Berkeley – Local Business Marketing and advertising - The #DiscoveredinBerkeley business marketing campaign was launched in 2019 to, "inspire pride among Berkeley residents and business owners alike about the amazing commercial activity happening in the neighborhoods where they live and work, encourage local shopping, raise awareness of the business services offered by the City's Office of Economic Development and enhance Berkeley's reputation as a good place to do business." The 'Discovered in Berkeley' local marketing campaign featured a thoughtful roster of unique local-serving storefront businesses and the business districts in which they reside, by highlighting Berkeley businesses that fall into the categories of "Food Forward," "The Upcycle," "Dare to Share", and "Local Love."
- Business Improvement Districts – The City facilitates five business improvement districts (BIDs) in the Downtown, Telegraph, Elmwood, North Shattuck, and Solano commercial districts that generate funds through a self-assessment to help promote and maintain their districts. There is also a city-wide Tourism BID which is funded by the self-assessment of Berkeley's hotels and motels and directly supports Visit

Berkeley, the City's Convention and Visitor's Bureau. Over the past year, the City has continued to provide technical assistance to each of the BIDs, with particular focus on bolstering the wider Berkeley Business District Network (BBDN) (an organization which all commercial districts participate in), increasing the frequency of meetings to allow for improved communication and sharing across district networks. Establishment of two new parking business improvement districts are underway in the Lorin and Gilman districts for 2024, and an expansion of the Elmwood BID will become operational in 2025.

- **Reimagining Public Safety:**
  - Strategic Leadership Positions: The hiring of key Reimagining Public Safety roles, including the Assistant to the City Manager serving as the Reimagining Public Safety Project Coordinator and the Diversity, Equity, and Inclusion (DEI) Officer, has been central to driving the initiative. These positions enhance leadership and support for cross-departmental collaboration and embed equity and justice within the City's operations.
  - Enhanced Grant Strategy: With a $100,000 allocation for fiscal years 2023 and 2024 ($200,000 total), the City has improved its grant application process through partnerships with skilled consultants. This effort aims to secure funding for safety and community well-being initiatives, targeting both state and federal grants focused on resilience, equity, and community enhancement.

City Manager's Office Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	8,422,200	8,691,591	8,955,596	10,217,503	11,075,330	11,297,382
Services & Materials	4,853,341	8,420,108	9,724,758	5,694,999	5,688,999	5,688,999
Capital Outlay	30,737	37,039	46,997	-	-	-
Internal Services & All Other	850,519	1,268,277	1,099,577	976,683	995,126	995,126
	14,156,797	**18,417,015**	**19,826,928**	**16,889,185**	**17,759,455**	**17,981,507**
By Division:						
Administration	3,416,611	4,018,720	4,369,155	4,209,458	4,633,331	4,704,656
Neighborhood Services	1,416,390	2,369,795	4,621,160	1,914,506	2,034,346	2,079,311
Animal Services	2,081,601	2,046,383	2,057,227	2,358,550	2,479,262	2,526,512
Code Enforcement	113	-	-	-	-	-
Police Review Commission	741,701	6,665	910	-	-	-
Budget & Fiscal Management	875,027	1,068,171	1,125,329	1,108,303	1,219,469	1,237,320
Economic Development 250 Econ Dev - Admin	4,982,525	8,677,048	7,448,377	7,055,532	7,125,646	7,161,373
2020 Vision	642,829	230,233	204,770	242,836	267,401	272,335
	14,156,797	**18,417,015**	**19,826,928**	**16,889,185**	**17,759,455**	**17,981,507**
By Fund:						
GF - Discreationary	11,102,637	12,034,756	13,385,434	13,150,235	14,309,805	14,527,225
Animal Shelter	20,682	30,466	30,075	52,480	52,480	52,480
Business Economic Development	23,122	551,168	371,594	156,387	156,387	156,387
Cultural Trust	110,292	243,159	360,496	110,372	116,780	119,854
Public Art	16,406	14,800	52,178	118,718	121,001	122,366
Shelter Operations	-	20,953	-	-	-	-
Mental Health Service Act	233,059	-	-	-	-	-
One-Time Grant:No Cap Exp	8,400	336,377	2,049,080	-	-	-
FEMA	-	22,000	-	-	-	-
ARPA - Local FIscal Recovery	-	2,364,846	87,500	-	-	-
Capital Improvements	7,213	168	191,783	-	-	-
Funds Replacement	275,857	288,124	289,143	298,981	-	-
Meas T1 - Infrstr and Fac	267,670	29,668	358	-	-	-
Zero Waste	47,890	42,424	29,890	72,313	73,303	73,496
Berkeley Tourism Bus. Imp. Dst	219,032	333,119	847,770	697,882	697,882	697,882
Elmwood Bus. Imp. Dist	30,000	30,000	33,518	30,000	30,000	30,000
Solano Ave Bus. Imp. Dist	25,005	30,014	25,039	25,000	25,000	25,000
Telegraph Bus. Imp. Dist	493,029	761,808	370,065	583,315	583,315	583,315
North Shattuck Bus. Imp. Dist	-	-	102,539	210,363	210,363	210,363
Dwntwn Berk Prop and Impr Dist	1,276,503	1,283,165	1,600,466	1,383,139	1,383,139	1,383,139
	14,156,797	**18,417,015**	**19,826,928**	**16,889,185**	**17,759,455**	**17,981,507**

City Manager's Office Financial Summary

All Funding Sources | **Division: Administration**

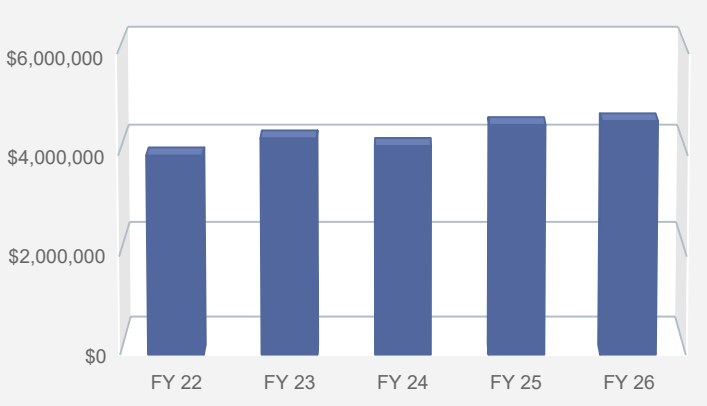
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The mission of the City Manager's Office is to build and maintain, through sound management principles and community participation, an effective City government organization; to ensure the effective delivery of services; to provide the management direction and support for the planning, implementation, and evaluation of all City programs; and to ensure coordination and consistency in implementing policies and programs approved by the City Council.

Selected Service Objectives

- Appeals
- Communications
- Diversity, Equity, and Inclusion Division (DEI)
- Reimagining Public Safety
- Special Projects Division

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 3,163,722	$ 3,114,530	$ 3,569,430	$ 3,987,961	11.73%	$ 4,059,286	1.79%
Services & Materials	434,016	817,306	96,731	96,731	0.00%	96,731	0.00%
Capital Outlay	-	13,872	-	-	0.00%	-	0.00%
Internal Services & All Other	420,982	423,447	543,297	548,639	0.98%	548,639	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 4,018,720**	**$ 4,369,155**	**$ 4,209,458**	**$ 4,633,331**	**10.07%**	**$ 4,704,656**	**1.54%**
Annual Percentage Change		8.72%	(3.66%)	10.07%		1.54%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

City Manager's Office Financial Summary

All Funding Sources

Division: Neighborhood Services

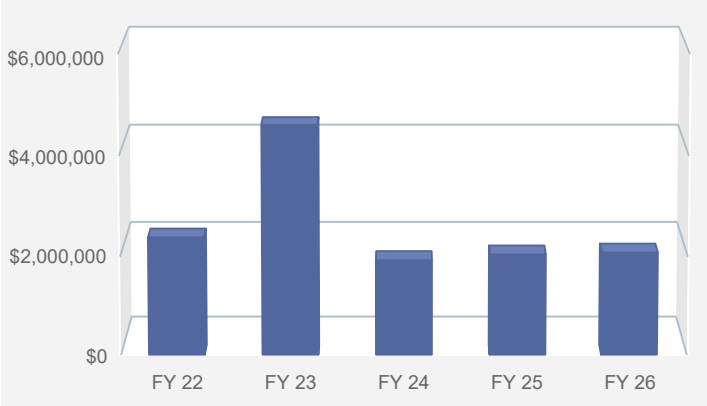
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Selected Service Objectives

- Code Enforcement Unit
- Special Events
- Animal Services
- Homeless Response Team

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,598,469	$ 1,616,074	$ 1,756,841	$ 1,876,681	6.82%	$ 1,921,646	2.40%
Services & Materials	717,267	2,918,089	126,267	126,267	0.00%	126,267	0.00%
Capital Outlay	-	33,125	-	-	0.00%	-	0.00%
Internal Services & All Other	54,059	53,872	31,398	31,398	0.00%	31,398	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 2,369,795**	**$ 4,621,160**	**$ 1,914,506**	**$ 2,034,346**	**6.26%**	**$ 2,079,311**	**2.21%**
Annual Percentage Change		95.00%	(58.57%)	6.26%		2.21%	

City Manager's Office Financial Summary

All Funding Sources | **Division: Animal Services**

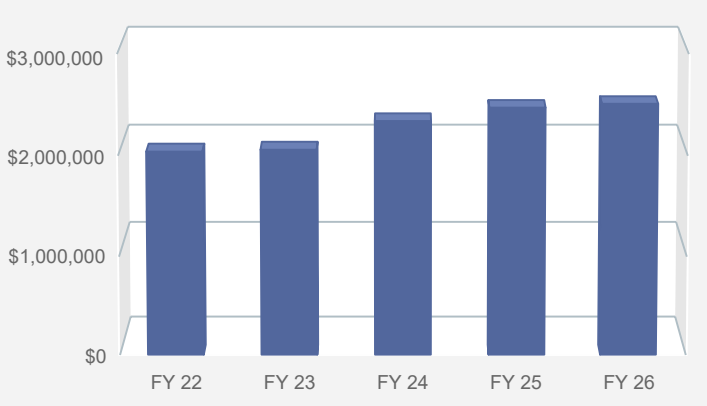
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Selected Service Objectives

- Animal Care Services provides field services for the cities of Berkeley, Emeryville, and Albany, and shelters animals from Berkeley, Albany, Piedmont, and Emeryville.
- Services include the enforcement of city ordinances related to animals, removal of killed or injured wildlife, impoundment of stray pets, and investigation of animal-related neglect, cruelty, nuisance and bite cases.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,488,897	$ 1,473,672	$ 1,812,103	$ 1,932,815	6.66%	$ 1,980,065	2.44%
Services & Materials	358,637	416,051	377,189	377,189	0.00%	377,189	0.00%
Capital Outlay	37,039	-	-	-	0.00%	-	0.00%
Internal Services & All Other	161,810	167,504	169,258	169,258	0.00%	169,258	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 2,046,383**	**$ 2,057,227**	**$ 2,358,550**	**$ 2,479,262**	**5.12%**	**$ 2,526,512**	**1.91%**
Annual Percentage Change		0.53%	14.65%	5.12%		1.91%	

City Manager's Office Financial Summary

All Funding Sources

Division: Budget & Fiscal Management

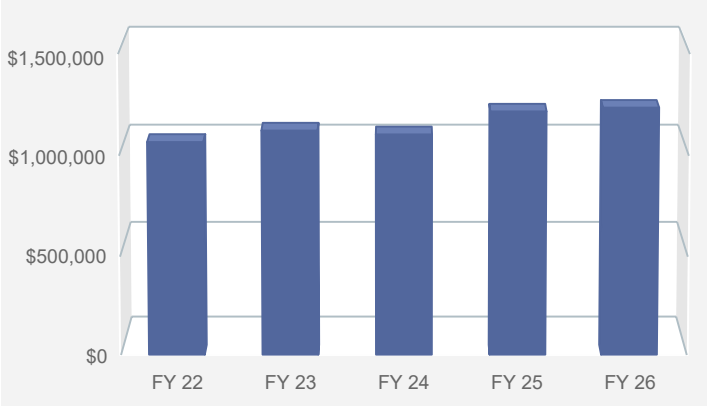
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Selected Service Objectives

- Responsible for the preparation, development and management of the City's budget.
- Provides financial analysis and support to the City Council and the Budget and Finance

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,051,022	$ 1,100,991	$ 1,088,794	$ 1,199,960	10.21%	$ 1,217,811	1.49%
Services & Materials	5,215	12,404	10,575	10,575	0.00%	10,575	0.00%
Internal Services & All Other	11,934	11,934	8,934	8,934	0.00%	8,934	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,068,171**	**$ 1,125,329**	**$ 1,108,303**	**$ 1,219,469**	**10.03%**	**$ 1,237,320**	**1.46%**
Annual Percentage Change		5.35%	(1.51%)	10.03%		1.46%	

City Manager's Office Financial Summary

All Funding Sources

Division: Economic Development 250 Econ Dev - Admin

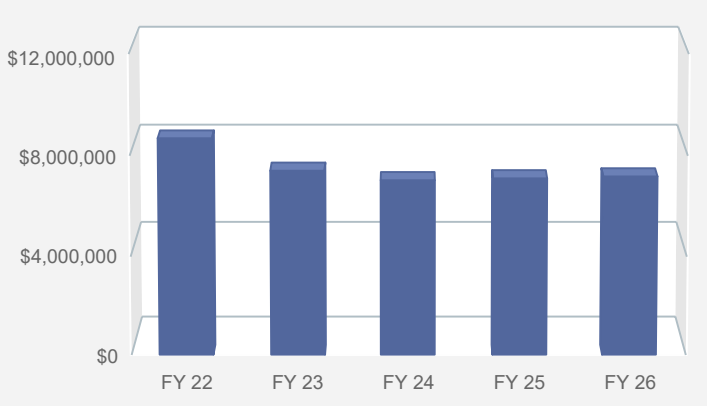
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Selected Service Objectives

- Direct Assistance to Businesses, Property Owners and Community Organizations
- Revolving Loan Program and Resiliency Loan Program.
- Research and Data Analysis on local economic conditions
- Direct Assistance to Artists and Community Organizations
- Implements Public Art Programs
- Maintains the Public Art Collection

Five-Year Expenditures



Five Year History

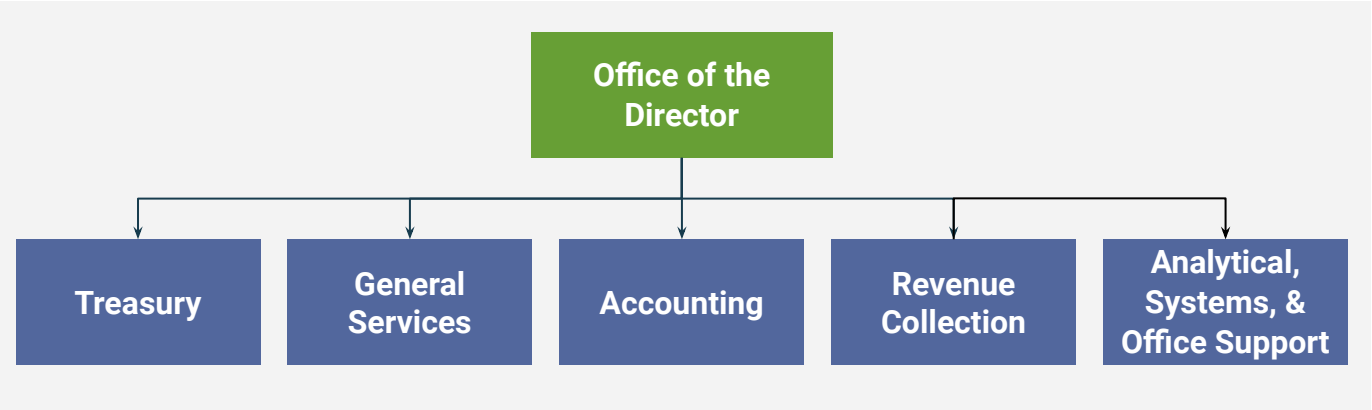
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,156,635	$ 1,446,059	$ 1,755,499	$ 1,818,512	3.59%	$ 1,854,239	1.96%
Services & Materials	6,901,421	5,559,998	5,076,237	5,070,237	(0.12%)	5,070,237	0.00%
Internal Services & All Other	618,992	442,320	223,796	236,897	5.85%	236,897	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 8,677,048**	**$ 7,448,377**	**$ 7,055,532**	**$ 7,125,646**	**0.99%**	**$ 7,161,373**	**0.50%**
Annual Percentage Change		(14.16%)	(5.27%)	0.99%		0.50%	

Finance

Mission Statement

To conduct all of our responsibilities with integrity, warrant and receive the trust of colleagues and constituents, and to positively support the delivery of quality services to fulfill the City's mission and citywide priorities. Within the framework of full disclosure and quality customer service, our principal obligations are to safeguard City assets, maximize revenues, manage the business of City programs, and provide accurate, timely, and complete financial information.

Organizational Chart



Finance Overview

The Finance Department supports all City departments and provides services for the entire Berkeley community. In addition to the Office of the Director and Finance Administration, the department is organized into four divisions: Treasury, General Services, Accounting, and Revenue Collection.

The Finance Department is organized into five divisions to deliver the following baseline services:

- **Office of the Direct and Finance Administration:** The Finance Director serves as the City's Chief Financial Officer, Investment Manager, and City Treasurer. The Director's Office provides expert, professional assistance to City management and City Departments on financial, accounting, and related matters; provides business administration and technical assistance to City departments; administers the annual budget and directs day-to-day financial operations; provides revenue and economic forecasting to City policymakers and stakeholders; manages the City and retiree medical plan investment portfolios; designs and implements an automated and integrated financial accounting system; makes presentations of the City's financial status and operations to the City Council and other regulatory agencies; monitors developments related to finance and accounting matters and evaluates their impact on City operations and financial programs; and serves as the lead for citywide PCI compliance.
- **Treasury:** The Treasury Division is responsible for receipt recordation, deposits, and investments of City monies. It also assists the Finance Director in investing both short and long term investments of surplus City funds; maintains fiscal accountability for all

City monies; manages the City's banking relationship; and coordinates implementation of the City's online payment programs.

The Treasury Division also acts as the City's centralized cashiering operation and accepts deposits from all City cash acceptance locations and departments. In addition, it acts as the main payment processing center for mail-in payments for Citywide billing and other revenue sources. It is responsible for revenue development, audits, and collection on delinquent accounts.

- **General Services:** The General Services Division manages a centralized Purchasing function. This division identifies equipment, goods, and services that will meet the City's needs; creates cost effective purchasing and maintenance agreements; issues and awards all non-construction bids and Request for Proposals; and opens all construction bids to obtaining the best competitive pricing for purchases while adhering to the City's purchasing policies. It also enforces compliance of all City procurement and contracting policies. This division maintains the Purchasing information on the City's website and assures that customers and vendors have online access to needed information and forms. The division is also responsible for mail services.
- **Accounting:** The Accounting Division serves as advisor, consultant, and an information source to other departments on financial management items and Finance Department policies and procedures. It directs the maintenance of the City's automated accounting system, including the general ledger and all required subsidiary ledgers. The Accounting Division reviews and ensures adequate internal controls throughout the City, performs bank reconciliations, and manages all external financial audits on behalf of the City. It is responsible for the preparation of various financial and accounting reports, including the Annual Comprehensive Financial Report (ACFR), State Controller's reports, quarterly grants report, sales tax returns, payroll, and the city's indirect cost allocation plans.

  Accounting has an Accounts Payable unit which controls disbursements made from City funds, excluding those for investments, payroll, payroll liability, and the workers' compensation administrator. This unit ensures that all disbursements are timely, accurate, and are made in compliance with all internal controls and established City policies and procedures.

- **Revenue Collection:** The Revenue Collection Division provides billing services for refuse and most other City services; prepares the City's and Berkeley Unified School District's special property tax rolls for inclusion on the annual property tax bill; processes transfer tax, seismic retrofit, very low-income, and private sewer lateral refunds; prepares and processes annual business licenses and residential parking permits; schedules business license appeals; administers and issues street vendor, massage, and food vendor permits; and maintains the City's land management database. It confers with City staff and management in analyzing proposed rate structures of various City revenues.

  The Customer Service Counter is a unit within the Revenue Collection Division. It provides counter service to the Berkeley community and processes walk-in/drop-off payments for various Citywide billings, business licenses, residential parking permits, parking citations, and assists customers in the community service program for Project 22. This unit prepares and submits all payments received from customers to Treasury for posting in the City's financial system. The staff provides support for updating customers' records in the City's parking system, maintains records of community service agreements, and processes tow and boot releases and account maintenance for parking related payment inquiries.

Challenges

Finance Department challenges include:

- **Recruitment and Retention of Qualified Staff:** The inability to find new personnel to replace retiring employees and fill long-vacant positions has led to increased workload and decreased effectiveness.
- **Limited Payment Options for Customers:** In order to give the public more options to pay taxes and fees, we must invest in technology and infrastructure improvements.
- **Issuance and Administration of Measure T1, Measure O, & General Obligation Bonds:** The ability to administer and manage the large spending plans for these initiatives requires continuing Finance resources.
- **ERMA (Enterprise Resource Management Application):** Finance will commence work on Phase 3 of the City's Munis Financial System (Accounts Receivable/General Billing modules) in FY 2025. We have limited staff capacity, and implementing a new revenue and cash receipting system requires near full-time commitment of subject matter experts that are already at capacity with current operations.
- **P-card: Implementation and Administration of a Citywide P-card program.** The challenges with transitioning to a p-card program involve defining any procedural changes, creating new users in the p-card system (including structural reporting changes), training staff and p-card program administrators, and the complexities of rolling out new cards to the existing group of cardholders.
- **Aging and Inadequate Financial Systems:** Working with older systems from previous decades causes process inefficiencies, requires additional staff resources to conduct City business, and offers limited functionality to our external customers.

Accomplishments

Highlights of recent Finance Department accomplishments include:

- **Business License Taxes**: In FY 2024, the Revenue Collection Division increased the efficiency of the business license program, by:
  - Further expanding online renewals and payments (50% increase)
  - Continuing the audit program of non-compliant businesses
  - Improving system processes for increased effectiveness
- **Marina Fees Online Payment Portal:** The Treasury Division and Financial Systems Group implemented a new payment portal for customers, so they are able to pay for Marina berth rentals and other associated fees online. This increases convenience for City Marina customers and the efficiency of City operations.
- **Revenue Enhancement:** For 2024, the Finance Department conducted audits on rental properties, both commercial and residential. These efforts combined to produce an increase in revenue.
- **Procurement Award: In 2024, the City won the Award for Excellence in Procurement**. The AEP award shows the City meeting or exceeding stringent best practices in public procurement as defined and awarded by the National Procurement Institute.

- **Amendment of Formal Competitive Threshold**: Based on both regional and statewide research, amended the competitive threshold to align with City Manager signing authority. Increasing efficiency for departments in terms of going to market to compete for goods, non-construction services, and low value trade services.
- **Implementation of GASB Statements:** In accordance with GASB 96, the Accounting division changed the way we account for the costs associated with subscription-based software arrangements.

Finance Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	6,492,503	6,771,576	6,908,318	8,601,056	10,105,785	10,245,871
Services & Materials	688,243	974,685	965,075	985,496	985,496	985,496
Capital Outlay	-	-	5,480	33	33	33
Internal Services & All Other	965,266	992,328	993,476	1,020,559	1,115,400	1,115,536
	8,146,012	**8,738,589**	**8,872,349**	**10,607,144**	**12,206,714**	**12,346,936**
By Division:						
Office of Finance Director	1,984,584	2,218,687	2,120,947	1,749,773	2,029,512	2,047,721
Treasury	1,427,652	1,364,967	1,404,324	2,303,128	2,752,235	2,763,875
Accounting	1,652,158	1,679,819	1,766,267	1,866,549	2,077,591	2,115,188
Revenue Collection	2,094,049	2,228,410	2,206,751	3,175,177	3,457,027	3,502,518
General Services	987,569	1,246,706	1,374,060	1,512,517	1,890,349	1,917,634
	8,146,012	**8,738,589**	**8,872,349**	**10,607,144**	**12,206,714**	**12,346,936**
By Fund:						
GF - Discreationary	6,682,934	6,827,438	7,075,972	8,179,371	9,685,629	9,798,627
U1 - Housing	83,327	277,789	203,793	406,541	417,352	422,266
Library - Tax	19,503	20,240	20,223	20,521	21,568	22,036
Special Tax for Disabled	19,503	20,239	20,222	20,585	21,627	22,096
Paramedic Assessment District	19,503	20,239	20,222	20,585	21,627	22,096
Park Tax	19,503	20,239	20,222	20,585	21,627	22,096
Meas GG - Fire Preparation Tax	19,503	20,239	20,222	20,585	21,627	22,096
Street Lighting	21,712	22,213	22,731	23,112	23,793	24,262
Park Acquisition Development	157	176	167	-	-	-
Zero Waste	831,211	984,112	873,698	1,215,832	1,277,329	1,291,790
Private Sewer Lateral	-	-	-	28,352	28,352	28,352
Clean Storm Water	21,710	22,213	22,731	23,112	23,793	24,262
Parking Meter Fund	-	-	-	40,000	40,000	40,000
Equipment Replacement	166,533	171,338	172,237	174,637	181,244	183,349
Central Services	221,410	311,850	379,687	392,741	399,519	401,512
CFD No. 1 Mello-Roos	19,503	20,264	20,222	20,585	21,627	22,096
	8,146,012	**8,738,589**	**8,872,349**	**10,607,144**	**12,206,714**	**12,346,936**

Finance Financial Summary

All Funding Sources

Division: Office of Finance Director

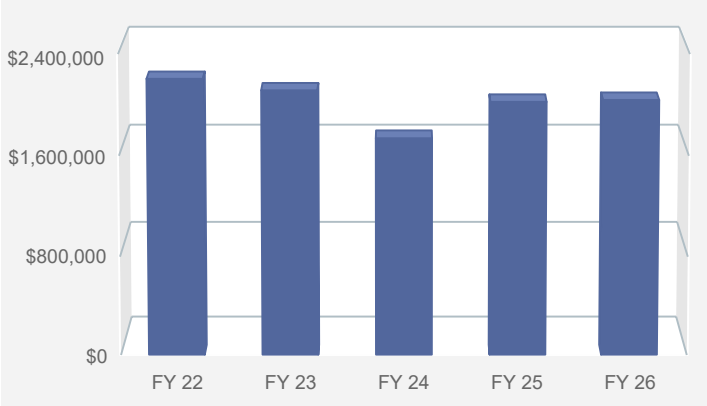
Mission Statement

The mission of the Finance Department is to safeguard City assets, maximize revenues, manage the business of City programs, and provide accurate, timely, and complete financial information.

Selected Service Objectives

- Serves as the City's Chief Financial Officer, Investment Manager, and City Treasurer.
- Provides expert, professional assistance to City management and City Departments on financial, accounting
- Administers the annual budget and directs day-to-day financial operations
- Provides revenue and economic forecasting to City policymakers and stakeholders

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 1,147,498	$ 1,166,499	$ 824,347	$ 992,743	20.43%	$ 1,010,952	1.83%
Services & Materials	508,362	396,121	367,099	367,099	0.00%	367,099	0.00%
Internal Services & All Other	562,827	558,327	558,327	669,670	19.94%	669,670	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 2,218,687**	**$ 2,120,947**	**$ 1,749,773**	**$ 2,029,512**	**15.99%**	**$ 2,047,721**	**0.90%**
Annual Percentage Change		(4.41%)	(17.50%)	15.99%		0.90%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Finance Financial Summary

All Funding Sources | **Division: Treasury**

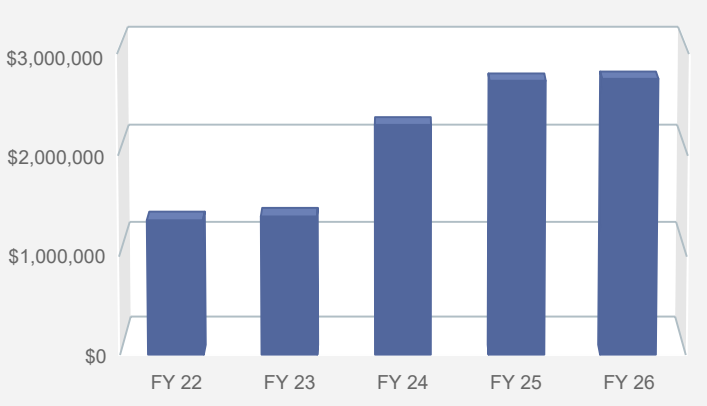
Mission Statement

The mission of the Finance Department is to safeguard City assets, maximize revenues, manage the business of City programs, and provide accurate, timely, and complete financial information.

Selected Service Objectives

- Responsible for receipt recordation, deposits, and investments of City monies.
- Assists the Finance Director in investing both short and long term investments of surplus City funds
- Manages the City's banking relationship
- Coordinates implementation of the City's online payment programs.
- Responsible for revenue development, audits, and collection on delinquent accounts.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,325,806	$ 1,354,102	$ 2,222,223	$ 2,671,330	20.21%	$ 2,682,970	0.44%
Services & Materials	39,161	44,742	80,905	80,905	0.00%	80,905	0.00%
Capital Outlay	-	5,480	-	-	0.00%	-	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,364,967**	**$ 1,404,324**	**$ 2,303,128**	**$ 2,752,235**	**19.50%**	**$ 2,763,875**	**0.42%**
Annual Percentage Change		2.88%	64.00%	19.50%		0.42%	

Finance Financial Summary

All Funding Sources | **Division: Accounting**

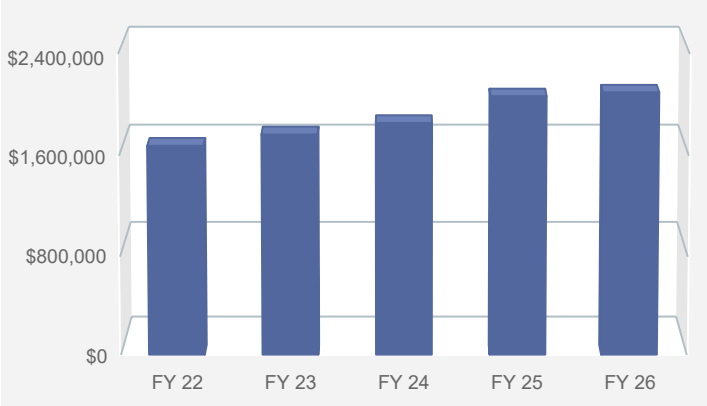
Mission Statement

The mission of the Finance Department is to safeguard City assets, maximize revenues, manage the business of City programs, and provide accurate, timely, and complete financial information.

Selected Service Objectives

- Responsible for the preparation of various financial and accounting reports, including the Annual Comprehensive Financial Report (ACFR), State Controller's reports, quarterly grants report, sales tax returns, payroll, and the city's indirect cost allocation plans.
- Performs bank reconciliations, and manages all external financial audits on behalf of the City.
- Directs the maintenance of the City's automated accounting system, including the general ledger and all required subsidiary ledgers.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,607,152	$ 1,685,380	$ 1,841,784	$ 2,052,826	11.46%	$ 2,090,423	1.83%
Services & Materials	69,139	77,359	21,237	21,237	0.00%	21,237	0.00%
Internal Services & All Other	3,528	3,528	3,528	3,528	0.00%	3,528	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,679,819**	**$ 1,766,267**	**$ 1,866,549**	**$ 2,077,591**	**11.31%**	**$ 2,115,188**	**1.81%**
Annual Percentage Change		5.15%	5.68%	11.31%		1.81%	

Finance Financial Summary

All Funding Sources

Division: Revenue Collection

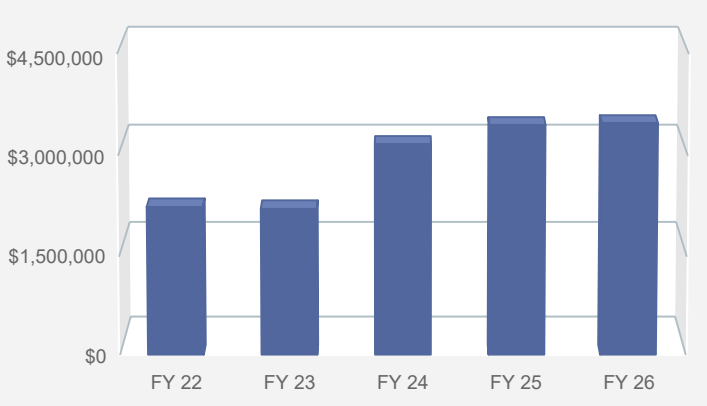
Mission Statement

The mission of the Finance Department is to safeguard City assets, maximize revenues, manage the business of City programs, and provide accurate, timely, and complete financial information.

Selected Service Objectives

- Provides billing services for refuse and most other City services
- Prepares the City's and Berkeley Unified School District's special property tax rolls for inclusion on the annual property tax bill.
- Prepares and processes annual business licenses and residential parking permits.
- Customer Service Counter is a unit within the Revenue Collection Division which provides counter service to the Berkeley community and processes walk-in/drop-off payments for various Citywide billings,

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,661,213	$ 1,613,546	$ 2,493,088	$ 2,791,440	11.97%	$ 2,836,795	1.62%
Services & Materials	165,878	185,154	242,620	242,620	0.00%	242,620	0.00%
Capital Outlay	-	-	33	33	0.00%	33	0.00%
Internal Services & All Other Adopted Tier 1 Funding *	401,319	408,051	439,436	422,934	(3.76%)	423,070	0.03%
Total Expenditures	**$ 2,228,410**	**$ 2,206,751**	**$ 3,175,177**	**$ 3,457,027**	**8.88%**	**$ 3,502,518**	**1.32%**
Annual Percentage Change		(0.97%)	43.88%	8.88%		1.32%	

Finance Financial Summary

All Funding Sources

Division: General Services

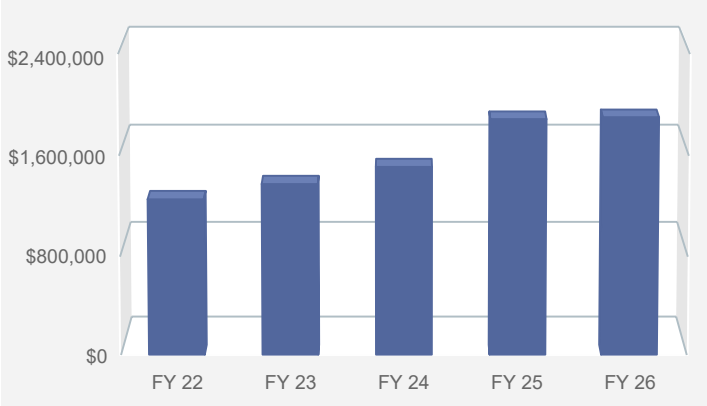
Mission Statement

The mission of the Finance Department is to safeguard City assets, maximize revenues, manage the business of City programs, and provide accurate, timely, and complete financial information.

Selected Service Objectives

- Manages a centralized Purchasing function.
- Creates cost effective purchasing and maintenance agreements.
- Issues and awards all non-construction bids and Request for Proposals.
- Opens all construction bids to obtaining the best competitive pricing for purchases while adhering to the City's purchasing policies.
- Enforces compliance of all City procurement and contracting policies.

Five-Year Expenditures



Five Year History

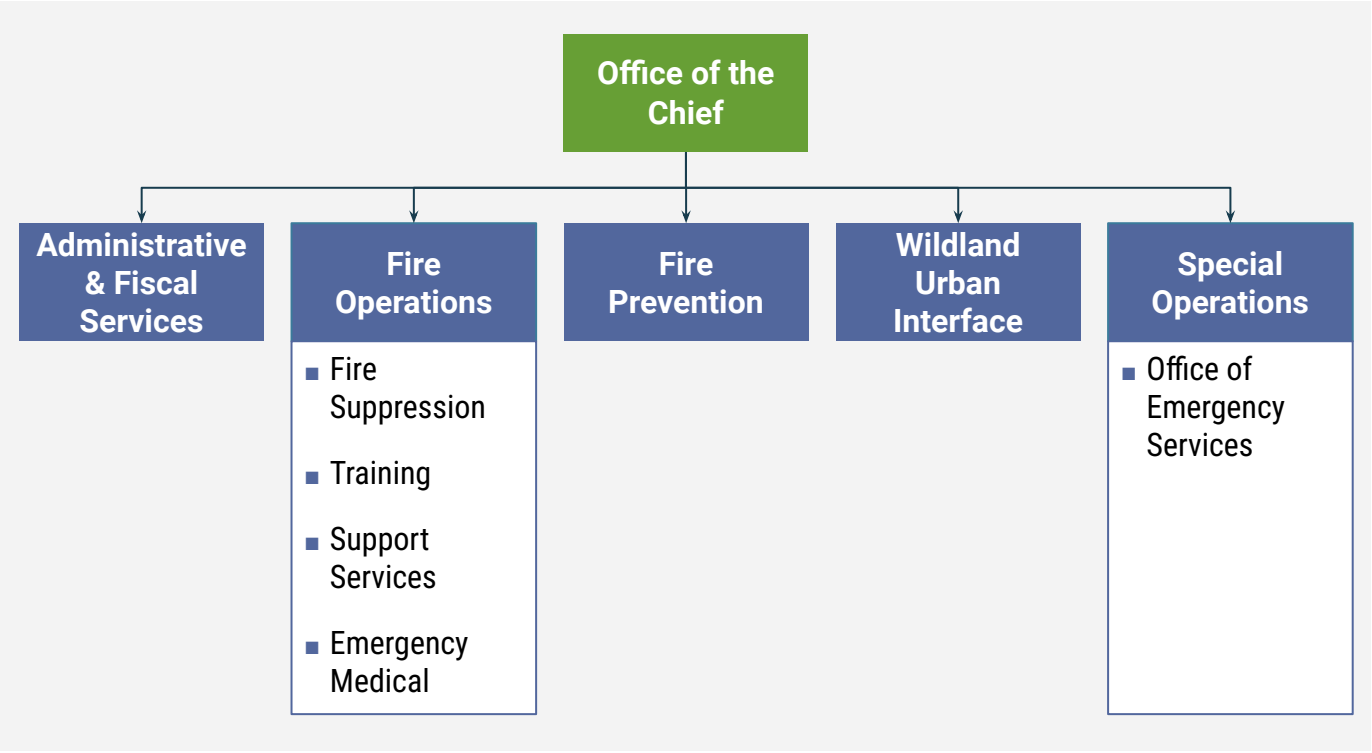
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,029,907	$ 1,088,791	$ 1,219,614	$ 1,597,446	30.98%	$ 1,624,731	1.71%
Services & Materials	192,145	261,699	273,635	273,635	0.00%	273,635	0.00%
Internal Services & All Other	24,654	23,570	19,268	19,268	0.00%	19,268	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,246,706**	**$ 1,374,060**	**$ 1,512,517**	**$ 1,890,349**	**24.98%**	**$ 1,917,634**	**1.44%**
Annual Percentage Change		10.22%	10.08%	24.98%		1.44%	

Fire Department

Mission Statement

The Berkeley Fire Department protects life, property, and the environment through emergency response, prevention, and community preparedness.

Organizational Chart



Fire Department Overview

The Berkeley Fire Department is committed to providing comprehensive fire protection, emergency medical, disaster preparedness, rescue, and other related services in an efficient, effective and caring manner to the diverse Berkeley community. The Fire Department is organized five divisions which report to the Office of the Fire Chief and deliver the following services:

- **Office of the Fire Chief:** Organizes, coordinates, and directs the City's fire disaster preparedness efforts, fire prevention, suppression, and emergency medical service programs. The Office also assists City management, fosters cooperative working relationships with community groups and allied agencies, and maintains labor and management relationships.
- **Administrative and Fiscal Services Division:** Provides budget and fiscal policy, payroll, purchasing, administrative systems, record retention compliance, employee training and development, and the labor and management relationship. Oversees strategic planning, grant writing, public record act request responses, performance tracking, and reporting.

- **Operations Division:** Represents four distinct sub-divisions in the Fire Department and handles the operations side of the organization which includes emergency response, logistics, training and emergency medical services.
  - **Fire Suppression** provides emergency response to the community inclusive of UC Berkeley property. These services include but are not limited to fire suppression, emergency medical, technical rescue, hazardous materials, water rescue, This Division also conducts fire prevention inspections and public education.
  - **Training and Safety** is focused on providing training and education to the members of the Fire Department. The Training sub-division runs a California State Fire Training (SFT) Accredited Local Academy where new firefighters attain their SFT Firefighter I and II certifications. This sub-division also provides ongoing education and development to all members of the organization.
  - **Support Services** coordinates logistical support for emergency and non-emergency operations. This includes design and construction of apparatus; procurement and distribution of tools, equipment, and supplies; and providing subject matter expertise for information technology and radio communications programs.
  - **Emergency Medical Services (EMS)** oversees the Fire Department's pre-hospital emergency medical services program which includes EMS program management, prospective and retrospective quality improvement, management of EMS billing, management of the emergency health records program, and coordination with regional stakeholders including the Alameda County EMS Agency. .
- **Fire Prevention Division:** Plans, organizes, implements prevention and inspection programs, fire and arson investigations, vegetation management, hazard abatement, code enforcement, public fire safety education, plan checks, and development of codes and ordinances.
- **Wildland Urban Interface (WUI) Division:** Addresses the wildland fire threat that faces the Berkeley community by performing vegetation management inspections, enforcement, and delivering education to the community.
- **Office of the Emergency Services Division:** Coordinates a suite of programs to build disaster resilience to the whole Berkeley community. These programs support personal preparedness, community connections, and government efforts that will help Berkeley respond to and recover from our next earthquake, fire, or other disaster.

Challenges

The Fire Department's challenges include increasing expectations for service delivery, managing a rapid expansion of the organization, and the need for adequate facility space. Additional challenges include; creating long-term plans that account for changing the mission of the organization and the replacement of predictable capital assets and infrastructure.

- **Service Delivery:** The Fire Department's basic structure has remained unchanged since the 1980s, but the demand and need for services has greatly increased. The organization is reorganizing itself to better respond to the needs of the community using the results from the Standards of Coverage and Community Risk Assessment (SOC), the Community Wildfire Protection Plan (CWPP), Dispatch Needs Analysis (DNA), and the Facilities Master Plan (FMP).
- **Rapid Expansion:** Capital infrastructure, including fire stations, office space, and training grounds are too often in poor condition, undersized, and in need of significant maintenance or replacement. The Department has partnered with Public Works to begin work on a landmark Fire Facilities Master Plan that will provide the leaders of today and tomorrow with a clear needs assessment and plan for the next 20 years.
- **Capital Assets:** The organization needs more space. Staff are working to secure a location for a Fire Department Headquarters and Ambulance Deployment Center within the City. Staff are coordinating with other agencies in the area to develop a shared regional fire training center. The Fire Department has also been working with Finance and the Budget Office to better project and begin to save for predictable capital assets that will need to be replaced.
- **Long Term Plans:** For the past two years the organization has been keenly focused on the analysis of the current situation balanced against the current and future expected needs of the community. Major planning processes concluded with documents that will provide clear pathways for successive leadership teams to work from. These include the Standards of Coverage and Community Risk Assessment (SOC), the Community Wildfire Protection Plan (CWPP), Dispatch Needs Analysis (DNA), and the Facilities Master Plan (FMP).

Accomplishments

The Fire Department's accomplishments include:

- **Facilities Master Plan (FMP):** The purpose of the FMP is to provide City leaders with a long-term strategic approach for addressing the City's aging, undersized, and outdated essential facilities to meet today's needs and anticipated demands on Berkeley's fire and emergency services. The FMP recommends a series of facility improvements necessary to support the Department's mission, comply with building codes and industry standards, and align with best practices in ways that are fiscally responsible in fulfilling the forward-looking mission of the Department.
- **Standards of Coverage and Community Risk Assessment (SOC:** The SOC is the national standard used to define appropriate levels of service and is based on a comprehensive analysis of historical performance; expectations; and existing and projected community risk factors, hazards, population growth and aging, topography, and the density and vertical growth of the build environment. Deployment strategies are then proposed as indicated by the analysis. The SOC will assist the City in determining whether the current

levels of service are appropriate for the risks to be protected and with Council and community expectations.

- **Community Wildfire Protection Plan (CWPP):** The intent of the City of Berkeley CWPP, which was developed collaboratively by citizens and state and local management agencies in consultation with Federal agencies, are to:
  - Align with the County, CAL FIRE, and Federal cohesive pre-fire strategies, which include educating homeowners and building an understanding of wildland fire, ensuring defensible space and structure ignition resistance, safeguarding communities through fuels treatment, and protecting evacuation corridors.
  - Identify and prioritize areas for hazardous fuel-reduction treatment.
  - Recommend the types and methods of treatment that will reduce damages from wildfire.
  - Recommend measures to reduce the ignitability of structures throughout the City.

Fire & Emergency Services Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	41,987,524	47,866,653	47,345,350	45,401,065	54,807,985	57,051,223
Services & Materials	3,977,712	5,964,677	8,362,548	9,517,836	10,256,148	10,256,148
Capital Outlay	323,404	359,012	2,723,772	1,466,827	1,437,510	1,037,510
Internal Services & All Other	3,603,063	3,823,855	4,440,702	5,931,080	6,395,137	6,395,441
	49,891,703	**58,014,197**	**62,872,372**	**62,316,808**	**72,896,780**	**74,740,322**
By Division:						
Office of the Fire Chief	2,450,217	2,848,347	2,218,789	3,825,239	5,915,097	5,971,099
Fire Operations	45,431,197	51,192,331	55,548,972	51,576,502	59,334,502	60,922,000
Fire Prevention	814,282	1,294,389	1,834,253	2,857,684	2,720,823	2,832,658
Special Operations / OES	1,196,007	1,149,115	709,578	1,305,042	1,287,985	1,314,900
Wildland Urban Interface	-	1,530,015	2,560,780	2,752,341	3,638,373	3,699,665
	49,891,703	**58,014,197**	**62,872,372**	**62,316,808**	**72,896,780**	**74,740,322**
By Fund:						
GF - Discreationary	38,988,843	43,406,933	40,874,523	39,546,062	48,724,615	50,307,564
Paramedic Assessment District	5,018,644	5,391,028	4,178,353	4,960,581	4,464,959	4,718,829
Meas GG - Fire Preparation Tax	4,949,072	4,508,316	5,995,712	5,258,051	5,202,963	5,303,675
UC Settlement	-	819,048	3,001,438	3,381,696	3,561,175	3,619,181
Measure FF - Public Safety	-	3,268,062	7,634,268	8,090,487	10,332,985	10,576,644
One-Time Grant:No Cap Exp	130,385	-	-	-	-	-
FEMA	-	53,356	42,498	-	-	-
UASI Regional Fund	19,100	34,357	1,345	-	-	-
Permit Service Center	86,004	100,788	87,810	90,949	102,169	106,515
CFD No. 1 Diaster Fire Prot	699,655	432,309	1,056,425	988,982	507,914	107,914
	49,891,703	**58,014,197**	**62,872,372**	**62,316,808**	**72,896,780**	**74,740,322**

Fire & Emergency Services Financial Summary

All Funding Sources

Division: Office of the Fire Chief

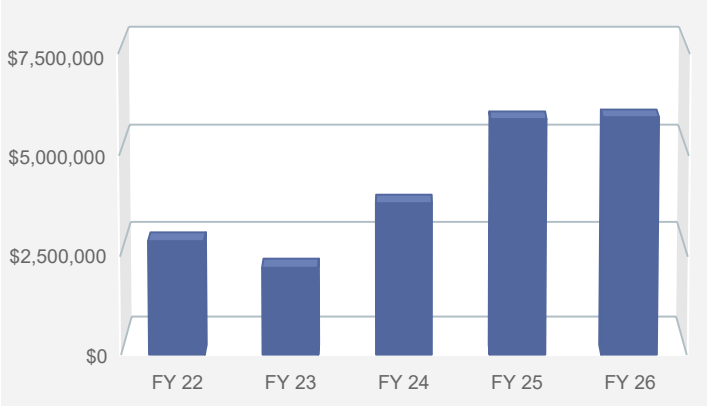
Mission Statement

The mission of the Fire & Emergency Services is to protect life, property, and the environment through emergency response, prevention, and community preparedness.

Selected Service Objectives

- Organizes, coordinates, and directs the City's fire disaster preparedness efforts, fire prevention, suppression, and emergency medical service programs.
- Assists City management, fosters cooperative working relationships with community groups and allied agencies, and maintains labor and management relationships.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 1,271,778	$ 1,262,004	$ 1,703,261	$ 2,110,946	23.94%	$ 2,166,948	2.65%
Services & Materials	100,904	(479,749)	80,855	1,105,855	1267.70%	1,105,855	0.00%
Internal Services & All Other	1,475,665	1,436,534	2,041,123	2,698,296	32.20%	2,698,296	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 2,848,347**	**$ 2,218,789**	**$ 3,825,239**	**$ 5,915,097**	**54.63%**	**$ 5,971,099**	**0.95%**
Annual Percentage Change		(22.10%)	72.40%	54.63%		0.95%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

DEPARTMENT BUDGETS

Fire & Emergency Services Financial Summary

All Funding Sources

Division: Fire Operations

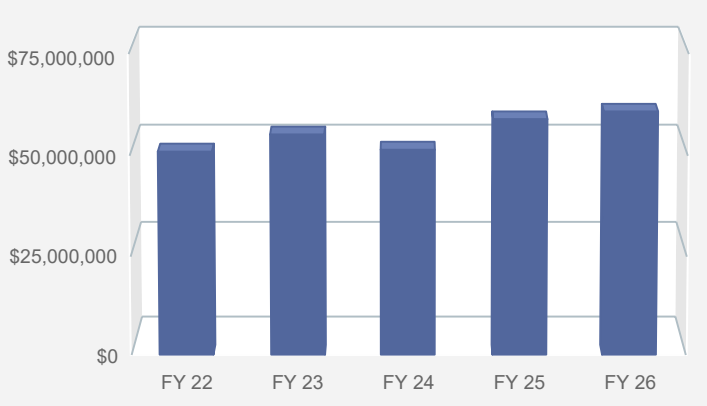
Mission Statement

The mission of the Fire & Emergency Services is to protect life, property, and the environment through emergency response, prevention, and community preparedness.

Selected Service Objectives

- Fire Suppression
- Training and Safety
- Support Services
- Emergency Medical Services (EMS)

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 43,695,525	$ 42,659,744	$39,585,302	$48,047,731	21.38%	$50,035,229	4.14%
Services & Materials	4,961,597	7,567,618	7,259,609	6,743,905	(7.10%)	6,743,905	0.00%
Capital Outlay	243,371	2,507,166	858,088	863,223	0.60%	463,223	(46.34%)
Internal Services & All Other	2,291,838	2,814,444	3,873,503	3,679,643	(5.00%)	3,679,643	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 51,192,331**	**$ 55,548,972**	**$51,576,502**	**$59,334,502**	**15.04%**	**$60,922,000**	**2.68%**
Annual Percentage Change		8.51%	(7.15%)	15.04%		2.68%	

Fire & Emergency Services Financial Summary

All Funding Sources

Division: Fire Prevention

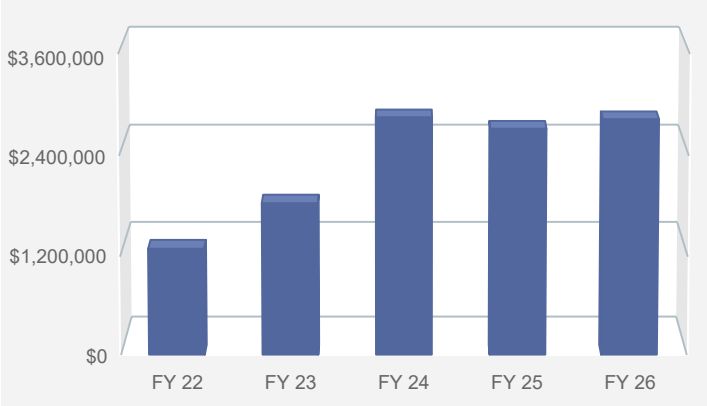
Mission Statement

The mission of the Fire & Emergency Services is to protect life, property, and the environment through emergency response, prevention, and community preparedness.

Selected Service Objectives

- Plans, organizes, implements prevention and inspection programs.
- Fire and arson investigations.
- Vegetation management and hazard abatement.
- Code enforcement, public fire safety education, and plan checks.
- Development of codes and ordinances.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,109,064	$ 1,536,451	$ 2,270,725	$ 2,133,120	(6.06%)	$ 2,244,651	5.23%
Services & Materials	64,217	85,371	345,535	345,535	0.00%	345,535	0.00%
Capital Outlay	89,131	57,083	224,970	224,970	0.00%	224,970	0.00%
Internal Services & All Other	31,977	155,348	16,454	17,198	4.52%	17,502	1.77%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,294,389**	**$ 1,834,253**	**$ 2,857,684**	**$ 2,720,823**	**(4.79%)**	**$ 2,832,658**	**4.11%**
Annual Percentage Change		41.71%	55.80%	(4.79%)		4.11%	

Fire & Emergency Services Financial Summary

All Funding Sources

Division: Special Operations / OES

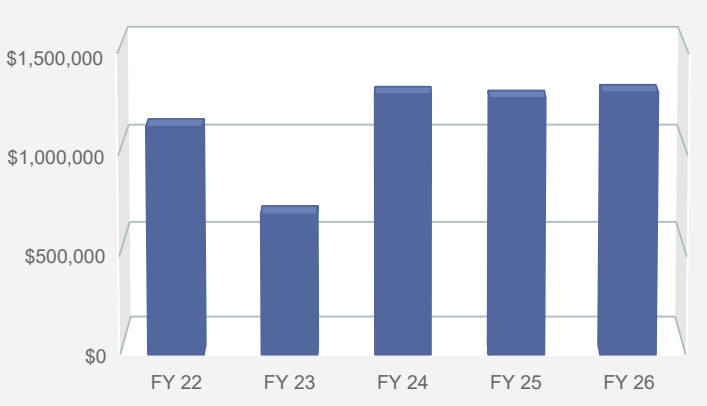
Mission Statement

The mission of the Fire & Emergency Services is to protect life, property, and the environment through emergency response, prevention, and community preparedness.

Selected Service Objectives

- Coordinates a suite of programs to build disaster resilience to the whole Berkeley community.
- Support personal preparedness, community connections, and government efforts that will help Berkeley respond to and recover from our next earthquake, fire, or other disaster.

Five-Year Expenditures



Five Year History

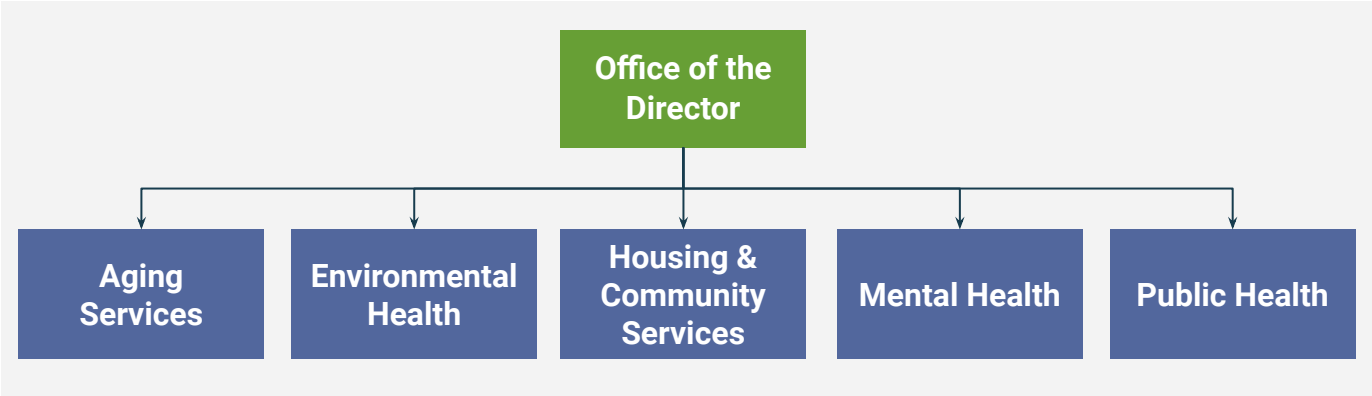
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,042,571	$ 628,214	$ 1,081,392	$ 1,064,335	(1.58%)	$ 1,091,250	2.53%
Services & Materials	80,034	81,364	206,650	206,650	0.00%	206,650	0.00%
Capital Outlay	26,510	-	17,000	17,000	0.00%	17,000	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,149,115**	**$ 709,578**	**$ 1,305,042**	**$ 1,287,985**	**(1.31%)**	**$ 1,314,900**	**2.09%**
Annual Percentage Change		(38.25%)	83.92%	(1.31%)		2.09%	

Health, Housing and Community Services

Mission Statement

The Mission of the Health, Housing, and Community Services Department is to enhance community life and support housing, health, and wellness for all.

Organizational Chart



Health, Housing and Community Services Overview

The Department of Health, Housing and Community Services is organized in an Office of the Director (which includes the Public Health Officer Unit, the Administrative and Fiscal Unit, and special projects such as the Youth Empowerment Project and Specialized Care Unit) along with five divisions which support the Department's mission: Aging Services, Housing and Community Services, Environmental Health, Mental Health, and Public Health. Together these divisions provide a wide array of services to the community, including Meals on Wheels for seniors, affordable housing development loans for nonprofit organizations and new policies to improve access to affordable housing, restaurant health inspections, mental health services for people with high level needs, health services at Berkeley High School, and mental health crisis response services. Together, the Department provides the following core services.

- **Office of the Director:** The Office of the Director provides overall leadership, strategic direction, policy development, management, and fiscal oversight that includes budgeting, accounting, payroll, purchasing, and billing external funding agencies. As part of their leadership role, Office of the Director staff work closely with HHCS divisions, community stakeholders, the seven commissions staffed by HHCS as well as the other commissions to prioritize projects that most directly impact the health and wellbeing of the Berkeley community. The Office of the Director also encompasses the Public Health Officer Unit, which identifies and responds to community health threats through communicable disease prevention and control, epidemiology, and vital statistics, and in collaboration with the Public Health Division, develops the Community Health Assessment and develops and implements the Community Health Improvement Plan. The Office of the Director also manages several strategic projects, such as the Specialized Care Unit, the Youth Empowerment Project, and the Department's new Strategic Plan for Health Equity.

- **Aging Services:** The Aging Services Division enhances the well-being and independence of older adults by offering social connections, activities, and lifelong learning. The division operates two vibrant senior centers that offer thousands of classes, events, workshops and day trips as well as a nutritious weekday lunch for older community members. The Meals on Wheels program provides nutritious meals to home-bound seniors. Case managers provide consultation, referral and linkage to community resources. Aging Services provides taxi and van trips for older adults and disabled Berkeley residents to improve quality of life and access to community resources.
- **Environmental Health:** The Environmental Health Division (EH) protects public health and prevents disease by providing education and enforcing state and local health laws at more than 1,200 businesses and facilities across the city. Regulated and permitted programs include all retail food businesses, food service operations at public and private schools, public swimming pools and spas, body art facilities, tobacco retailers and cannabis dispensaries. Further, EH investigates complaints of unhealthy conditions in buildings and neighborhood environments and eliminates nuisance conditions to prevent the spread of disease in the community. Examples include investigation of foodborne illness, responding to and resolving noise complaints, addressing abandoned automobiles, providing vector control services, such as addressing health issues related to encampments due to animal vectors for human disease.
- **Housing and Community Services:** The Housing and Community Services Division (HCS) produces, preserves, and supports affordable housing by working with community partners to help meet the housing needs of Berkeley residents who are low-income, homeless, seniors, disabled, or have special needs. HCS also provides funding and collaborates with community-based organizations to serve chronically unhoused people by providing shelter, coordinated entry to permanent housing, food, hygiene services, and other basic needs support. HCS coordinates the City's community agency funding process and administers Berkeley's Shelter + Care program. HCS also develops innovative housing policies such as the Housing Preference Policy to address historic harms and displacement in Berkeley.
- **Mental Health:** The Mental Health Division (MH) provides intensive services to adults, youth, and children who have high level mental health needs and are eligible for Medi-Cal. It is also the "front door" to the public mental health system, providing on-demand assessment and linkage to care and comprehensive treatment for low-income adults, children, and families with major mental health concerns. The division's Mobile Crisis Team and Crisis Phone Lines respond to mental health emergencies and crisis situations. MH also funds and supports a variety of community service providers and projects that result in culturally responsive services that reach a wide range of City residents, such as school age children, seniors, LGBTQI individuals, transition age youth, and underserved ethnic groups.
- **Public Health:** The Public Health Division (PH) strives to achieve health equity in Berkeley by creating environments that optimize health and well-being for all, and through community-based partnerships. PH provides health education and promotion for tobacco cessation, cardiovascular/heart health, childhood health and nutrition, oral health, and adolescent health. The division oversees and provides adolescent health services at the Berkeley High School and Berkeley Technology Academy Health Centers, and also provides maternal and child health services including prevention programs and targeted case management. The Division also addresses health policy work through the Healthy Berkeley Program and State Tobacco programs to enhance policy, systems, and environment changes to support healthy practices in our communities.

Challenges

The Health, Housing and Community Services (HHCS) Department's challenges include:

- **Staffing:** Across the Department, a key challenge and accomplishment in FY24 has been improving staffing levels across Divisions. At the end of FY24, HHCS had a vacancy rate of 25%. Due to close collaboration with the Human Resources Department, the current vacancy rate has dropped to 20% as of the end of Q2 of FY24. In just the first two quarters of FY24, 25 new staff members joined HHCS. Increased staffing levels have improved the functioning and morale in many work units.

  However, HHCS and HR remain challenged by recruiting for positions which require specialized health education, experience, and certifications, such as Mental Health Clinicians, Registered Environmental Health Specialists, and Public Health nurses. Across California there is a shortage of nurses and mental health clinicians, and across the United States, there are shortages of Registered Environmental Health Specialists. These overall workforce challenges for specialized health roles in many Divisions have contributed to the difficulty in fully staffing up the Department.

  In some Divisions, staffing shortfalls in client-serving positions contribute to burnout and overwhelm amongst existing staff. For example, in Aging Services, there are currently two Shelter + Care managers on the case management team who together serve 53 clients with mental health challenges, substance use issues, and other complex needs in addition to housing. Similarly, the City has added multiple, increasingly complex, labor enforcement ordinances which in combination exceed the capacity for staff to meet community needs in a proactive way.

- **Leadership Transition:** The departure of the Department Director and Deputy Director in the third quarter of FY24 will result in a leadership transition that will inevitably bring new challenges as it also brings new opportunities. The breadth and depth of complex subject matter in HHCS, as well as community scrutiny on its activities, require a high level of technical, operational, and political acumen. In order to scale HHCS's leadership up to meet these needs, HHCS is requesting to add two new Deputy Director positions on at least a temporary basis to help guide the Department through the leadership transition.
- **Additional Resource Needs:** A relatively large portion of HHCS's budget comes from special funds and grants from the local, state, and federal levels. These funds are almost all very limited in allowable activities and expected deliverables. This means that most HHCS funds cannot be moved between programs and that the General Fund plays a very important role in supporting local priorities. Significant City investments in new programs, services, and staff over the past few years, combined with a reduced vacancy rate, have resulted in some gaps for non-personnel costs. In some cases, staff need more resources to be as effective as possible. For this reason, HHCS is seeking funding for training programs to make YouthWorks as impactful as possible.

Accomplishments

Highlights of recent HHCS accomplishments include:

- **Expanded Programs:** Many Divisions in HHCS successfully expanded their services and regular activities in FY24**.**

  In FY24, Public Health Officer Unit (PHOU) pivoted from reporting only on COVID-19 data to more comprehensive reporting on infectious diseases, such as COVID-19, influenza, and Respiratory Syncytial Virus (RSV). The PHOU also partnered with a consultant to complete the first phase of a comprehensive Community Health Assessment and Community Health Improvement Process ("Berkeley Wellness Blueprint"), the landscape scan, and looks forward to completing the Community Health Assessment by the end of the current fiscal year.

  The Public Health Division has expanded services at the West Berkeley Family Wellness Center, including increasing the number of families receiving services from the Supplemental Nutrition Program for Women, Infant, and Children (WIC) by 312 since 2021. New services also include a free diaper drive for low-income WIC families and a mobile food pantry, and the resumption of regular Immunization Clinic operations (with 12 community pop-up Flu/ COVID clinics this season), and free community health classes, such as yoga, dance fitness, and mindfulness courses.

  The Aging Services Division achieved a 37% increase in average daily attendance of its senior centers compared to last year. The pandemic had previously decreased the number of daily participants. The transportation program is on track to exceed last year's number of taxi rides provided to seniors. Aging has also developed partnerships with community partners to provide older adults with access to food, counseling, and peer support.

- **Creative solutions for complex challenges:** HHCS has also recently launched programs and policies to help address complex challenges of concern to the community, such as displacement of long time Berkeley residents. The Housing and Community Services Division is implementing the Affordable Housing Preference Policy, which was developed in collaboration with Healthy Black Families. The Affordable Housing Preference Policy (HPP) established seven preferences designed to assist people who were displaced from Berkeley or are facing displacement in Berkeley to receive priority for new affordable housing units. This policy seeks to both address historical harms and ensure Berkeley is livable and diverse community for all.

  In partnership with Bonita House, HHCS also launched the Specialized Care Unit, which supports people experiencing mental health emergencies in Berkeley without police involvement. The Specialized Care Unit includes a peer support counselor, mental health clinician and EMT, who respond to calls in Berkeley 7 days a week, from 6am to 4pm. The team is able to provide immediate support and to connect clients to other services in the community.

- **Operational Strategies & Successes:** In addition to this programmatic work, emerging from the pandemic, HHCS has focused on strengthening the internal structure and culture to ensure the sustainable delivery of vital services.

  HHCS developed a departmental Health Equity Strategic Plan to build cohesion and shared understanding of work and mission and serve as a guiding vision for work. HHCS is currently working to implement the plan across its divisions and to build a shared

vision for health equity through an increased department-wide understanding of the Social Determinants of Health (SDOH) and how each individual's work connects to the SDOH.

The Department is also in the midst of expanding the use of a Results-Based Accountability framework. Both the Aging Services Division and the Public Health Division are currently implementing results-based accountability (RBA) for their programs and are in the process of robust staff training on RBA.

In FY24, HHCS also held department-wide events, such as off-site staff training and teambuilding events, which have encouraged connections across Divisions and helped staff build a shared understanding of the SDOH and the Department's mission and vision. The Office of the Director has also recently restarted a regular internal monthly newsletter, The Program Spotlight, which highlights a team and a staff person from a different Division each month. Finally, HHCS staff participate in a twice-yearly shadow program, which allows staff to spend a few hours shadowing a colleague whose work they would like to learn more about. The Shadow Program has received positive feedback from staff across the Department and helps staff build connections across roles and disciplines, and to learn more about each other's work.

Several divisions, such as Mental Health and Housing & Community Services, have also restructured their roles and duties recently and have found that these restructuring efforts were beneficial to the effectiveness of their work. HCS in particular added new positions that were authorized in the last budget process, which, among other efforts, enabled the division to provide robust support for the Local Preference Policy described above. Environmental Health is pleased to have recently hired a vector control technician, who will be 100% focused on addressing vectors for human disease, such as rats and yellowjackets.

In the past year, the Mental Health Division also completed restructuring its staffing. HHCS has been able to expand types and levels of services provided by the City as well as funded at community agencies due to the funding received through the California Mental Health Services Act. The restructuring was needed to update a structure which has been changing and growing incrementally.

In addition, the Mental Health Division was able to use California Future of Public Health funding to add a staff person for focus on workforce development for mental health clinicians. As described above, the City has challenges hiring qualified mental health clinicians, in part due to a national workforce shortage. The staff person has many initiatives to address these challenges, including working with multiple educational institutions to increase the number of interns at Berkeley Mental Health. Internship experience is mandatory for mental health clinicians, and increasing the number of skilled clinicians with Berkeley connections will hopefully improve the future hiring outlook.

Health, HSG & Community Svc Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	29,612,565	31,552,693	33,183,213	44,914,726	51,068,496	51,737,148
Services & Materials	30,081,780	34,361,825	39,496,432	33,697,847	35,526,745	33,983,794
Capital Outlay	20,652	63,054	208,189	247,062	470,834	470,834
Internal Services & All Other	22,096,344	25,802,445	29,171,818	20,823,901	49,124,172	49,072,672
	81,811,341	**91,780,017**	**102,059,652**	**99,683,536**	**136,190,247**	**135,264,448**
By Division:						
Office of HHCS Director	7,149,839	10,259,280	12,571,076	11,321,282	12,055,229	11,858,970
Environmental Health	1,845,027	1,980,207	1,917,796	2,484,294	2,737,340	2,781,188
Mental Health	15,441,650	14,945,356	15,747,979	22,828,074	26,824,425	26,118,767
Housing & Community Svc	39,861,368	46,486,929	55,737,134	42,931,280	72,120,693	72,315,123
Aging Services	3,935,410	4,149,996	5,031,648	6,057,901	6,427,495	6,476,695
Public Health	6,550,238	7,607,742	7,527,168	10,274,836	12,168,016	11,856,656
Community Funding	7,027,809	6,350,507	3,526,851	3,785,869	3,857,049	3,857,049
	81,811,341	**91,780,017**	**102,059,652**	**99,683,536**	**136,190,247**	**135,264,448**
By Fund:						
GF - Discreationary	25,566,364	32,619,368	28,154,032	31,429,103	32,884,252	33,150,340
U1 - Housing	1,181,981	2,558,137	2,519,882	5,795,465	4,099,985	4,122,592
Special Tax for Disabled	1,341,961	1,482,011	1,569,911	1,653,260	1,682,556	1,716,171
Workforce Investment Act	44,879	3,321	3,321	57,676	58,311	59,100
Fund Raising Activities	59,041	38,783	50,870	64,048	50,333	51,222
Domestic Violence Prevention	11,497	22,596	16,269	26,635	29,065	29,557
Affordable Housing Mitigation	122,134	1,147,689	1,725,823	2,998,899	26,798,048	26,811,950
Affordable Child Care	13,275	6,638	3,319	13,275	13,275	13,275
Inclusionary Housing Program	189,585	560,398	181,503	610,282	712,265	718,432
Condo Conversion Program	38,757	1,095,139	35,085	122,348	509,478	510,819
CDBG	3,053,464	3,453,159	3,325,388	4,616,020	4,389,958	4,418,423
Rental Housing Safety Prog	-	57	-	-	-	-
Meas B - Paratransit	527,845	370,307	(84,569)	36,797	36,797	36,797
Meas BB - Paratransit	49,074	296,138	943,106	969,418	975,667	977,750
Meas GG - Fire Preparation Tax	204,136	78,912	238,567	289,672	308,799	315,325
UC Settlement	-	-	250,000	250,000	250,000	250,000
Vital and Health Statistic	33,340	9,756	1,933	30,292	30,292	30,292
Health State Aid Realignment	391,850	536,327	668,265	1,304,370	1,856,958	1,711,794
Tobacco Control	383,227	359,009	238,693	300,243	368,910	360,036
Mental Health State Aid Realig	2,317,538	2,744,160	2,903,328	4,031,749	5,276,500	5,367,256
ALA CT Abandoned Veh Abt Auth	75,018	61,582	76,072	128,168	121,233	122,551
Shelter Operations	-	150,000	-	-	-	-
Operating Grants - Federal	-	-	-	130,186	35,162	36,362

Health, HSG & Community Svc Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Operating Grants - State	1,021,405	1,107,544	5,321,555	976,688	8,260,364	7,974,529
HUD	2,653,521	156,683	1,701,077	819,770	904,340	907,322
ESGP	2,362,313	4,088,704	572,446	273,659	235,744	235,870
Health (General)	1,738,722	2,528,495	2,137,348	2,216,057	2,753,296	2,482,390
Target Case Mgmt/Linkages	406,968	613,862	730,479	1,046,552	1,507,317	1,521,661
Alameda County Tay Tip	13,733	12,992	12,095	35,812	-	-
Mental Health Service Act	7,319,593	7,468,770	7,215,433	10,792,335	11,713,180	11,581,045
Health (Short/Doyle)	3,722,352	3,428,785	4,550,918	6,504,323	7,506,568	7,552,479
Epsdt Expansion Proposal	309,266	445,047	357,837	459,456	493,511	494,992
Sr. Nutrition (Title III)	114,417	155,670	138,328	178,189	214,038	220,843
C.F.P. Title X	364,119	200,869	154,945	160,967	203,566	206,432
Berk Unif Sch Dist Grant	194,101	354,267	305,083	363,548	216,521	222,045
Vector Control	149,459	185,163	172,604	246,781	372,174	378,735
Alameda County Grants	530,494	521,567	421,936	777,675	908,861	918,626
Sr Supportive Social Serv	54,763	54,688	100,171	124,403	126,557	127,211
Family Care Support Prog	78,006	62,429	95,155	88,321	91,307	92,441
Housing Mitigation	-	647,643	159,241	1,126,763	1,126,763	1,126,763
Calhome Program	57,334	(2,209)	-	363,100	200,000	200,000
Community Action Program	485,121	457,373	470,057	281,777	283,416	284,776
One-Time Grant:No Cap Exp	2,910,434	2,874,905	10,820,885	2,922,875	3,067,302	2,335,379
Shelter+Care HUD	5,565,560	5,924,765	6,260,172	6,461,774	6,644,440	6,693,929
Shelter+Care County	650,507	883,047	881,436	906,212	924,119	929,430
Bio-Terrorism Grant	576,922	337,075	582,615	315,162	533,027	544,062
ARPA - Local FIscal Recovery	-	375,808	1,464,932	391,268	372,194	373,311
Capital Improvements	80,888	80,769	81,691	82,596	84,353	84,880
Meas O - Affordable Housing	14,502,309	10,985,356	14,442,925	6,445,567	6,445,567	6,445,567
Sanitary Sewer Operation	343,796	235,599	86,319	464,000	513,878	519,686
BHA - Section 8 Voucher	272	864	1,171	-	-	-
	81,811,341	**91,780,017**	**102,059,652**	**99,683,536**	**136,190,247**	**135,264,448**

Health, HSG & Community Svc Financial Summary

All Funding Sources

Division: Office of HHCS Director

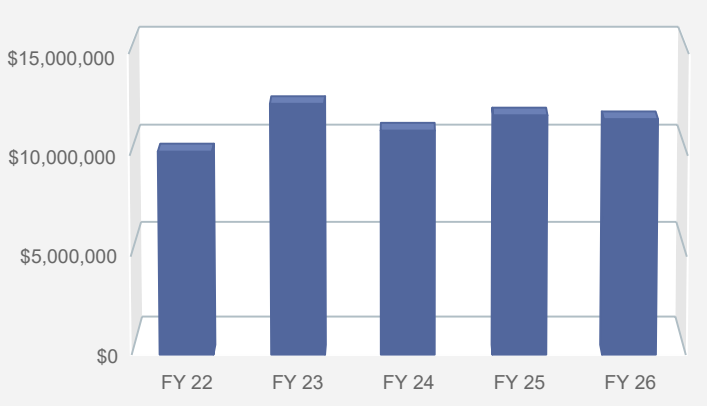
Mission Statement

The mission of the Health, HSG & Community Svc is to enhance community life and support housing, health, and wellness for all.

Selected Service Objectives

- Provides overall leadership, strategic direction, policy development, management, and fiscal oversight that includes budgeting, accounting, payroll, purchasing, and billing external funding agencies
- Work closely with HHCS divisions, community stakeholders, the seven commissions staffed by HHCS as well as the other commissions to prioritize projects that most directly impact the health and wellbeing of the Berkeley community.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 5,283,571	$ 5,813,791	$ 5,551,429	$ 5,613,787	1.12%	$ 5,763,161	2.66%
Services & Materials	1,700,597	3,407,110	2,266,088	2,348,419	3.63%	2,004,286	(14.65%)
Capital Outlay	5,459	4,979	114,236	338,008	195.89%	338,008	0.00%
Internal Services & All Other	3,269,653	3,345,196	3,389,529	3,755,015	10.78%	3,753,515	(0.04%)
Adopted Tier 1 Funding *							
Total Expenditures	**$ 10,259,280**	**$12,571,076**	**$ 11,321,282**	**$12,055,229**	**6.48%**	**$ 11,858,970**	**(1.63%)**
Annual Percentage Change		22.53%	(9.94%)	6.48%		(1.63%)	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Health, HSG & Community Svc Financial Summary

All Funding Sources | **Division: Environmental Health**

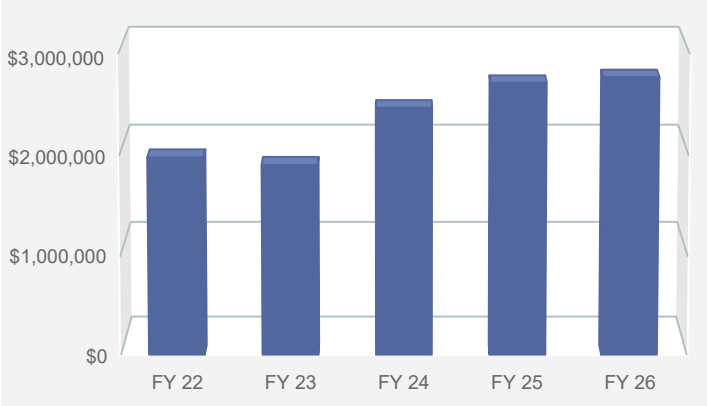
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Selected Service Objectives

- Protects public health and prevents disease by providing education and enforcing state and local health laws at more than 1,200 businesses and facilities across the city.
- Investigates complaints of unhealthy conditions in buildings and neighborhood environments and eliminates nuisance conditions to prevent the spread of disease in the community.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,781,321	$ 1,751,753	$ 2,247,454	$ 2,450,682	9.04%	$ 2,488,050	1.52%
Services & Materials	118,822	80,835	136,047	186,525	37.10%	193,005	3.47%
Internal Services & All Other	80,064	85,208	100,793	100,133	(0.65%)	100,133	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,980,207**	**$ 1,917,796**	**$ 2,484,294**	**$ 2,737,340**	**10.19%**	**$ 2,781,188**	**1.60%**
Annual Percentage Change		(3.15%)	29.54%	10.19%		1.60%	

Health, HSG & Community Svc Financial Summary

All Funding Sources

Division: Mental Health

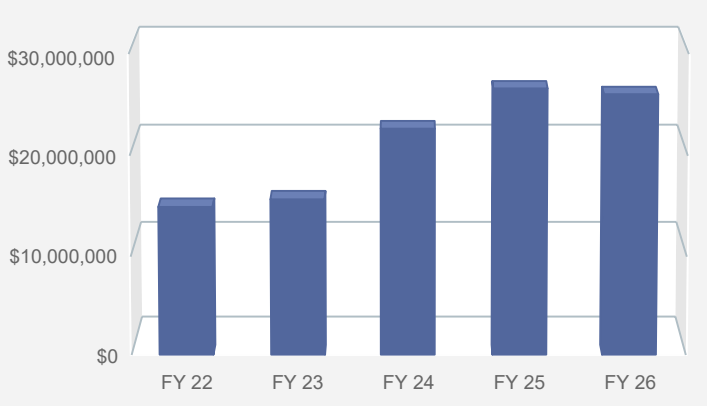
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Selected Service Objectives

- Provides intensive services to adults, youth, and children who have high level mental health needs and are eligible for Medi-Cal.
- The "front door" to the public mental health system, providing on-demand assessment and linkage to care and comprehensive treatment for low-income adults, children, and families with major mental health concerns.
- Mobile Crisis Team and Crisis Phone Lines respond to mental health emergencies and crisis situations.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 11,375,472	$11,215,922	$17,262,931	$20,494,501	18.72%	$ 20,584,373	0.44%
Services & Materials	3,328,959	4,082,836	5,257,723	6,027,465	14.64%	5,231,935	(13.20%)
Capital Outlay	-	149,744	130,000	130,000	0.00%	130,000	0.00%
Internal Services & All Other	240,925	299,477	177,420	172,459	(2.80%)	172,459	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 14,945,356**	**$15,747,979**	**$22,828,074**	**$26,824,425**	**17.51%**	**$ 26,118,767**	**(2.63%)**
Annual Percentage Change		5.37%	44.96%	17.51%		(2.63%)	

Health, HSG & Community Svc Financial Summary

All Funding Sources | **Division: Housing & Community Svc**

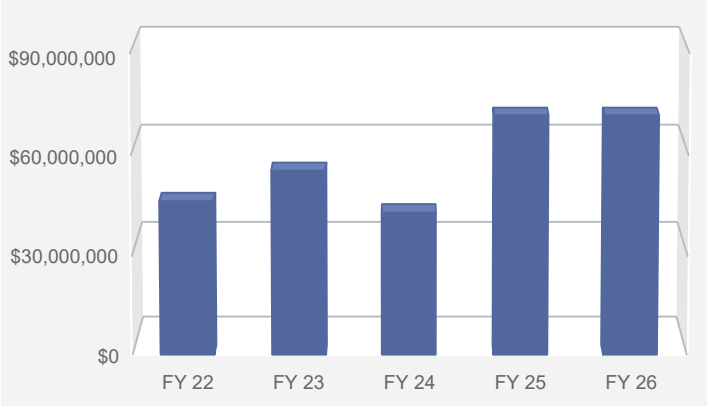
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Selected Service Objectives

- Produces, preserves, and supports affordable housing by working with community partners to help meet the housing needs of Berkeley residents who are low-income, homeless, seniors, disabled, or have special needs.
- Provides funding and collaborates with community-based organizations to serve chronically unhoused people by providing shelter, coordinated entry to permanent housing, food, hygiene services, and other basic needs support.
- Coordinates the City's community agency funding process and administers Berkeley's Shelter + Care program.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 4,290,114	$ 4,880,517	$ 5,961,371	$ 7,644,153	28.23%	$ 7,804,968	2.10%
Services & Materials	20,349,058	25,800,875	20,190,170	19,792,551	(1.97%)	19,826,166	0.17%
Internal Services & All Other	21,847,757	25,055,742	16,779,739	44,683,989	166.30%	44,683,989	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$46,486,929**	**$55,737,134**	**$ 42,931,280**	**$ 72,120,693**	**67.99%**	**$72,315,123**	**0.27%**
Annual Percentage Change		19.90%	(22.98%)	67.99%		0.27%	

Health, HSG & Community Svc Financial Summary

All Funding Sources | **Division: Aging Services**

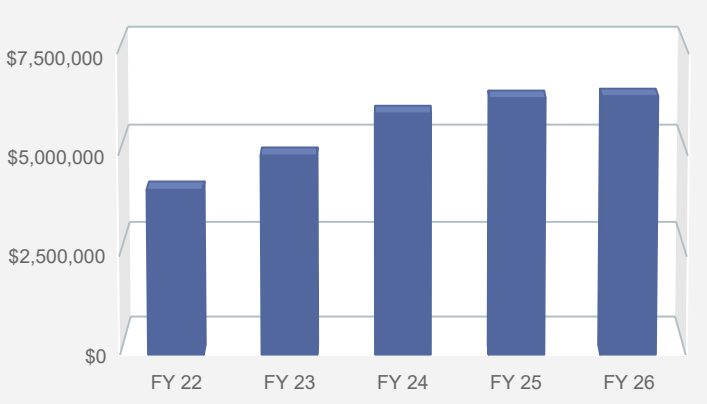
Mission Statement

The mission of the Health, HSG & Community Svc is to enhance community life and support housing, health, and wellness for all.

Selected Service Objectives

- Enhances the well-being and independence of older adults by offering social connections, activities, and lifelong learning.
- Division operates two vibrant senior centers that offer thousands of classes, events, workshops and day trips as well as a nutritious weekday lunch for older community members
- Meals on Wheels program provides nutritious meals to home-bound seniors.
- Case managers provide consultation, referral and linkage to community resources.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 3,103,724	$ 3,630,315	$ 4,896,466	$ 5,126,173	4.69%	$ 5,183,473	1.12%
Services & Materials	939,954	1,252,957	1,070,569	1,199,456	12.04%	1,201,356	0.16%
Capital Outlay	31,349	53,466	2,626	2,626	0.00%	2,626	0.00%
Internal Services & All Other	74,969	94,910	88,240	99,240	12.47%	89,240	(10.08%)
Adopted Tier 1 Funding *							
Total Expenditures	**$ 4,149,996**	**$ 5,031,648**	**$ 6,057,901**	**$ 6,427,495**	**6.10%**	**$ 6,476,695**	**0.77%**
Annual Percentage Change		21.24%	20.40%	6.10%		0.77%	

Health, HSG & Community Svc Financial Summary

All Funding Sources **Division: Public Health**

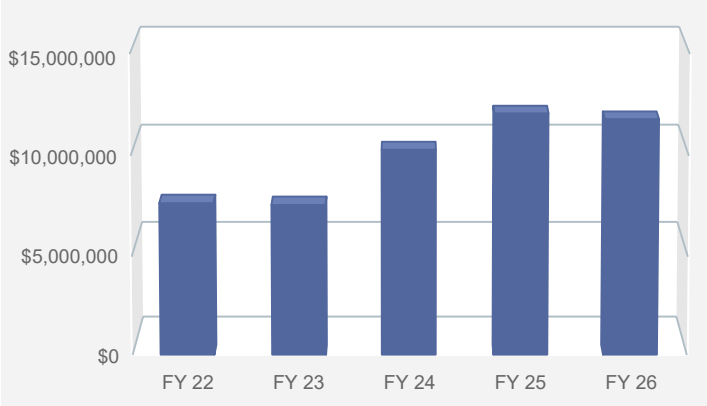
Mission Statement

The mission of the Health, HSG & Community Svc is to enhance community life and support housing, health, and wellness for all.

Selected Service Objectives

- Strives to achieve health equity in Berkeley by creating environments that optimize health and well-being for all, and through community-based partnerships.
- Provides health education and promotion for tobacco cessation, cardiovascular/heart health, childhood health and nutrition, oral health, and adolescent health.
- Oversees and provides adolescent health services at the Berkeley High School and Berkeley Technology Academy Health Centers, and also provides maternal and child health services including prevention programs and targeted case management.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 5,718,491	$ 5,890,915	$ 8,995,075	$ 9,739,200	8.27%	$ 9,913,123	1.79%
Services & Materials	1,573,928	1,344,968	991,381	2,115,280	113.37%	1,669,997	(21.05%)
Capital Outlay	26,246	-	200	200	0.00%	200	0.00%
Internal Services & All Other	289,077	291,285	288,180	313,336	8.73%	273,336	(12.77%)
Adopted Tier 1 Funding *							
Total Expenditures	**$ 7,607,742**	**$ 7,527,168**	**$10,274,836**	**$12,168,016**	**18.43%**	**$ 11,856,656**	**(2.56%)**
Annual Percentage Change		(1.06%)	36.50%	18.43%		(2.56%)	

Health, HSG & Community Svc Financial Summary

All Funding Sources

Division: Community Funding

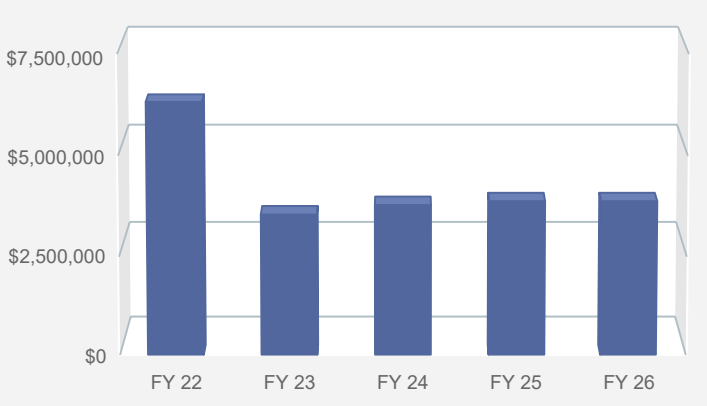
Mission Statement

The mission of the Health, HSG & Community Svc is to enhance community life and support housing, health, and wellness for all.

Selected Service Objectives

- Administer and process Community Agency contracts for the City and multiple non-profit and community organizations providing a wide array of services to the citizens of Berkeley.

Five-Year Expenditures



Five Year History

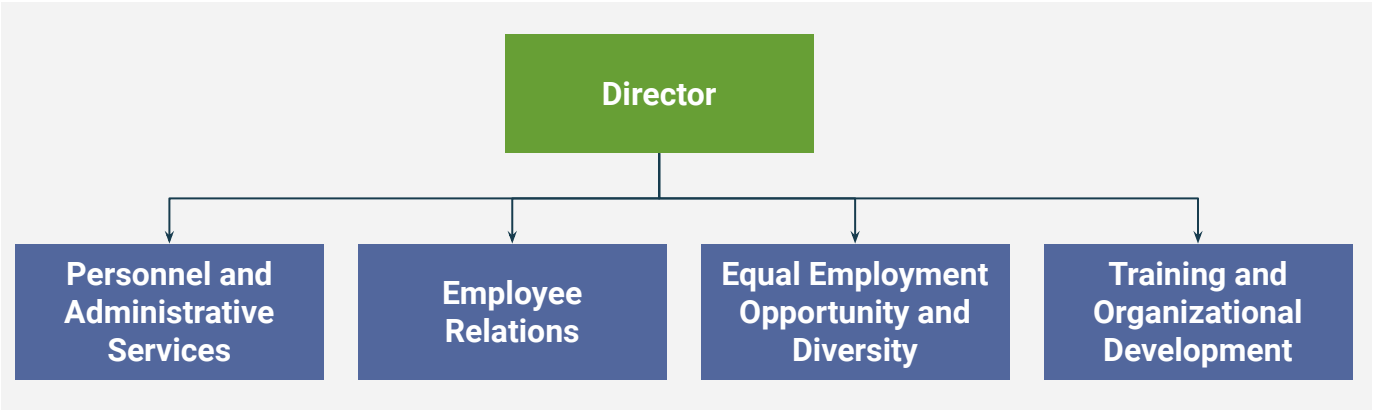
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Services & Materials	$ 6,350,507	$ 3,526,851	$ 3,785,869	$ 3,857,049	1.88%	$ 3,857,049	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 6,350,507**	**$ 3,526,851**	**$ 3,785,869**	**$ 3,857,049**	**1.88%**	**$ 3,857,049**	**0.00%**
Annual Percentage Change		(44.46%)	7.34%	1.88%		0.00%	

Human Resources

Mission Statement

Partner with all City departments to hire and retain a diverse and highly qualified workforce that support the mission of the City of Berkeley. The Human Resources Department is committed to delivering excellent customer service, responding to and facilitating staff access to needed resources and tools. Working together in a spirit of continuous improvement and collaboration, the Human Resources team contributes to a progressive, productive, and safe work environment that meets the needs of our diverse community.

Organizational Chart



Human Resources Overview

As a strategic business partner to City leadership and departments, Human Resources provides services along 11 distinct functions:

1. Classification and Compensation
2. Recruitment
3. Selection (Exams)
4. Onboarding and Transactions
5. Workforce Development (Training)
6. Labor Relations
7. Employee Relations
8. Benefits
9. Workers' Compensation
10. Occupational Health and Safety
11. EEO and Diversity

Human Resources underwent nearly full turnover during the pandemic and has essentially been rebuilt as a department during the last 18 months. The department's foremost priorities over the recent past were stabilizing hiring operations, reversing the trajectory of a shrinking workforce, and gaining a net-positive number of employees; building the infrastructure for digital recruitment and launching a wide-scale recruitment campaign; effectuating robust onboarding processes and orientation programs; achieving compliance with mandatory trainings and reimagining workforce development along career paths; and negotiating new contracts with the City's labor groups.

Through the next budget cycle, HR will shift its focus from Stabilization to Elevation. Along with hiring, the department is undertaking major initiatives in Training and Organizational Development (including the launch of LEARN, a learning platform); Benefits, where it hopes to launch a Wellness program; Safety, with the creation of a Workplace Violence Prevention Policy and the establishment of a Threat Assessment Team; and Equal Employment Opportunity, with the effectuation of a holistic Workplace Equity Policy.

Challenges

The department suffered a huge vacancy rate during the pandemic, and while it has made considerable staffing gains, the new hires – albeit talented – will need time to gain experience within City operations and to acquire institutional history. Challenges remain with fully staffing the department's Employee Relations team and administering the disproportionate number of contracts and invoices – with Citywide reach – that the department manages (e.g., Benefits or Workers' Comp) while absorbing new large-scale initiatives, such as implementation of the Fair Workweek Ordinance and Hero Pay, without commensurate resources.

In the broader hiring realm, HR continues to develop resilient and agile responses to a changing employment landscape – from recruiting for hard-to-fill classifications (e.g., public safety and mental health) to navigating the shifts in hybrid and remote work arrangements.

Accomplishments

Highlights of recent Human Resources Department accomplishments include:

- **Hiring Over Attrition:** For more than three consecutive years, the City's hiring efforts had been unable to keep up with attrition, leading to reductions in workforce numbers and a growing vacancy rate. That trajectory was reversed in January 2023, and since that time, hiring new employees into the City has outpaced separations (due to retirements, resignations, or terminations) by more than 12%!
- **Recruitment Campaign:** Thanks to supportive funding via the Employer of Choice initiative, HR engaged a full-service marketing firm, Sensis Agency, to develop the City's infrastructure and campaign for digital recruitment. The first-ever unique landing page touting City jobs (www.berkeley.careers) went live earlier this year and features actual City employees and stunning images of Berkeley captured through aerial videography.

- **Exam Process Improvements:** Hiring successes materialized, in great part, due to changes in exam processes. These include understanding departmental priorities through regular check-in meetings, the preparation of exam plans in concert with departments, as well as
  - Continuous exams which eliminate waiting times for filing;
  - Online exams (with remote proctoring) which widen the geographic pool of candidates and promote equity by eliminating the need to take time off work or child care in order to travel to Berkeley;
  - Evening and weekend exam slots;
  - The use of interns as exam proctors to free up HR analyst time;
  - Automation through NeoGov, which has allowed for e-offers and e-reference checks, as well as candidate self-scheduling.
- **Onboarding and Orientation:** After turning on the Onboard module in NeoGov, which allows new hires to submit their paperwork online, HR launched the "Welcome to Berkeley" New Employee Orientation Program, which is being offered the first Monday of every pay period and provides new hires with an introduction to the City, its structures, and its resources; expectations of new employees; an overview of employee benefits; and meeting time with unions, followed by an afternoon of mandatory trainings.
- **Electronic Personnel Records:** Personnel records for all new hires are henceforth electronic, eliminating the reliance on paper and the need for physical storage.
- **Mandatory Trainings:** Following years of being out of compliance with mandatory trainings, HR devoted considerable effort to promoting awareness of this obligation and, by year's end, was able to achieve over 95% compliance in all departments, with several reaching 100%.
- **Skilled Worker Academy:** Streamlined scheduling – without sacrificing any training time – allowed three cohorts (from Public Works and Parks, Recreation, and Waterfront) to complete this innovative program that teaches an array of skills to prepare front-line workers for promotion into supervisory classes.
- **Webinars:** A new program, "Employee Enrichment Webinars," is providing monthly trainings via Zoom on topics of practical interest to employees, such as finances (e.g., deferred compensation), career advancement (e.g., interviewing skills); benefits (e.g., Employee Assistance Program); and wellness (e.g., nutrition and stress management). Webinars to date have included "$mart $avings: Deferred Compensation," "Interviewing Skills to Advance Your Career," and "Maintaining a Work-Life Balance."
- **Labor:** Newly-negotiated public safety MOUs effectuated milestone revisions to retiree health benefits that will cap the City's unfunded OPEB liabilities and will save the City millions in the future. Moreover, the BPA contract pioneered the first-ever KIND (Constitutional Humane Impartial Neighborhood-Oriented and DEI-Centered) policing differential, which institutionalizes the City's policing values while helping the department remain competitive in its recruitment and retention efforts.
- **Benefits:** The in-person Benefits Fair was revived following the COVID hiatus, as was the Investment Plan Committee, which met twice to make modifications to SRIP offerings pursuant to plan administrator recommendations.

Human Resources Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	3,131,801	2,848,346	3,377,209	4,237,099	4,902,447	5,107,146
Services & Materials	520,277	295,308	784,029	598,260	598,260	598,260
Capital Outlay	131	-	-	-	-	-
Internal Services & All Other	425,884	430,636	426,979	607,329	492,306	493,458
	4,078,093	**3,574,290**	**4,588,217**	**5,442,688**	**5,993,013**	**6,198,864**
By Division:						
Office of HR Director	801,033	649,945	867,047	525,688	719,610	734,137
Personnel and Admin Svcs	959,377	1,176,461	1,447,496	2,207,555	2,413,644	2,509,240
Employee Relations	1,624,704	1,148,045	1,547,370	1,828,987	1,948,138	2,017,911
Eeo & Diversity	182,750	125,608	161,806	237,590	255,463	269,249
Training & Development	510,229	474,231	564,157	642,868	656,158	668,327
Safety	-	-	341	-	-	-
	4,078,093	**3,574,290**	**4,588,217**	**5,442,688**	**5,993,013**	**6,198,864**
By Fund:						
GF - Discreationary	2,318,031	2,052,895	2,971,641	3,467,541	3,928,242	4,073,809
Employee Training	555,538	502,428	573,607	663,027	672,271	686,960
Funds Replacement	145,200	-	-	-	-	-
Permit Service Center	257,221	258,504	169,223	271,700	205,865	216,943
Worker's Compensation	802,103	760,463	873,746	1,040,420	1,186,635	1,221,152
	4,078,093	**3,574,290**	**4,588,217**	**5,442,688**	**5,993,013**	**6,198,864**

Human Resources Financial Summary

All Funding Sources

Division: Office of HR Director

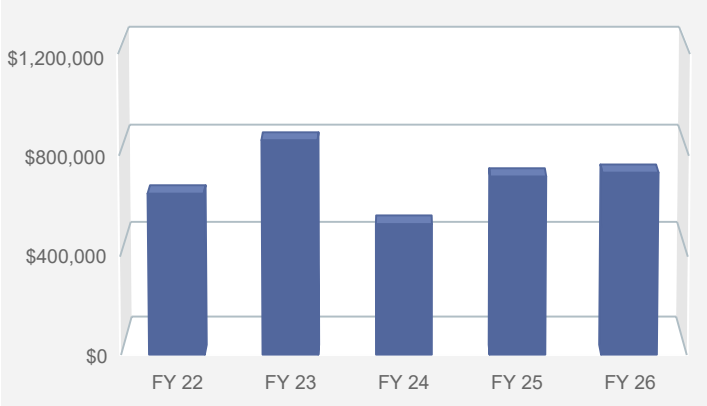
Mission Statement

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Selected Service Objectives

- Provides overall leadership and administrative direction for all Human Resources Department activities.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 330,385	$ 468,285	$ 148,206	$ 280,670	89.38%	$ 295,197	5.18%
Services & Materials	47,122	126,324	104,544	104,544	0.00%	104,544	0.00%
Internal Services & All Other	272,438	272,438	272,938	334,396	22.52%	334,396	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 649,945**	**$ 867,047**	**$ 525,688**	**$ 719,610**	**36.89%**	**$ 734,137**	**2.02%**
Annual Percentage Change		33.40%	(39.37%)	36.89%		2.02%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Human Resources Financial Summary

All Funding Sources | **Division: Personnel and Admin Svcs**

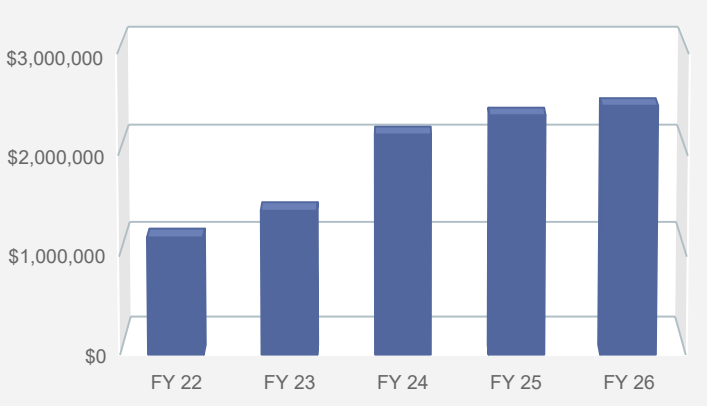
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Selected Service Objectives

- Conducts all merit-based recruitment and examination activities in accordance with the City's Personnel Rules and Regulations, federal and state laws, and other Ordinances and Resolutions adopted by City Council.
- Classification and Compensation
- Recruitment and Selections (Exams)

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,089,012	$ 1,248,555	$ 1,907,287	$ 2,289,857	20.06%	$ 2,384,301	4.12%
Services & Materials	62,654	177,803	99,780	99,780	0.00%	99,780	0.00%
Internal Services & All Other	24,795	21,138	200,488	24,007	(88.03%)	25,159	4.80%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,176,461**	**$ 1,447,496**	**$ 2,207,555**	**$ 2,413,644**	**9.34%**	**$ 2,509,240**	**3.96%**
Annual Percentage Change		23.04%	52.51%	9.34%		3.96%	

Human Resources Financial Summary

All Funding Sources

Division: Employee Relations

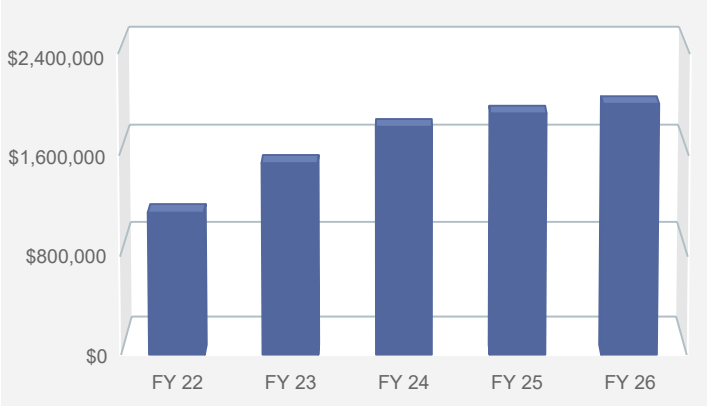
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Selected Service Objectives

- Conducts all labor relations activities with the City's seven labor organizations and represents the City Manager on employee relations matters;
- Administers and assists departments with the City's benefits, Workers' Compensation, and Occupational Health and Safety programs.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 982,348	$ 1,220,183	$ 1,609,895	$ 1,729,046	7.40%	$ 1,798,819	4.04%
Services & Materials	165,697	327,187	218,592	218,592	0.00%	218,592	0.00%
Internal Services & All Other	-	-	500	500	0.00%	500	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,148,045**	**$ 1,547,370**	**$ 1,828,987**	**$ 1,948,138**	**6.51%**	**$ 2,017,911**	**3.58%**
Annual Percentage Change		34.78%	18.20%	6.51%		3.58%	

Human Resources Financial Summary

All Funding Sources | **Division: Eeo & Diversity**

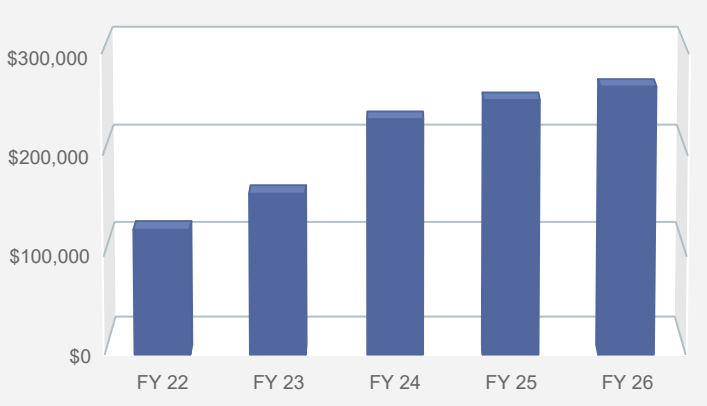
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Selected Service Objectives

- Enforces diversity efforts pertaining to recruitment and retention; administers the City's Harassment Prevention Policy and discrimination complaint process
- Conducts internal investigations of complaints filed,and assesses reasonable accommodation requests in compliance with the provisions of the Americans with Disabilities Act (ADA) and the CA Fair Employment and Housing Act (FEHA)

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 124,008	$ 125,241	$ 204,583	$ 222,456	8.74%	$ 236,242	6.20%
Services & Materials	1,600	36,565	33,007	33,007	0.00%	33,007	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 125,608**	**$ 161,806**	**$ 237,590**	**$ 255,463**	**7.52%**	**$ 269,249**	**5.40%**
Annual Percentage Change		28.82%	46.84%	7.52%		5.40%	

Human Resources Financial Summary

All Funding Sources

Division: Training & Development

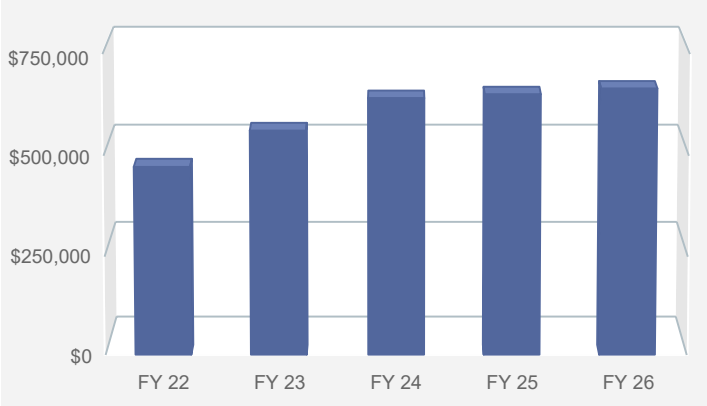
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Selected Service Objectives

- Administers and oversees the Citywide Training Program, which is designed to provide ongoing training and development to employees in skills that are fundamental to successfully achieving the City's mission.
- Oversees the Leadership Development, Management Skills, and Tuition Reimbursement programs, and provides organizational development services.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 322,593	$ 314,945	$ 367,128	$ 380,418	3.62%	$ 392,587	3.20%
Services & Materials	18,235	115,809	142,337	142,337	0.00%	142,337	0.00%
Internal Services & All Other	133,403	133,403	133,403	133,403	0.00%	133,403	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 474,231**	**$ 564,157**	**$ 642,868**	**$ 656,158**	**2.07%**	**$ 668,327**	**1.85%**
Annual Percentage Change		18.96%	13.95%	2.07%		1.85%	

Human Resources Financial Summary

All Funding Sources | **Division: Safety**

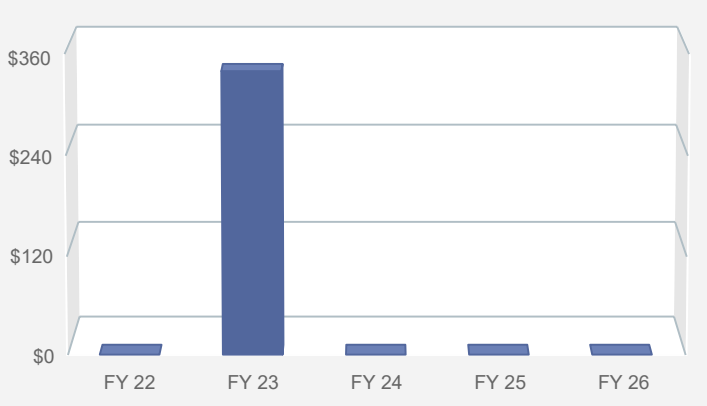
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Selected Service Objectives

- Administers the job-injury insurance program paid for by the City for the care of injured employees who have suffered a work-related injury or illness.

Five-Year Expenditures



Five Year History

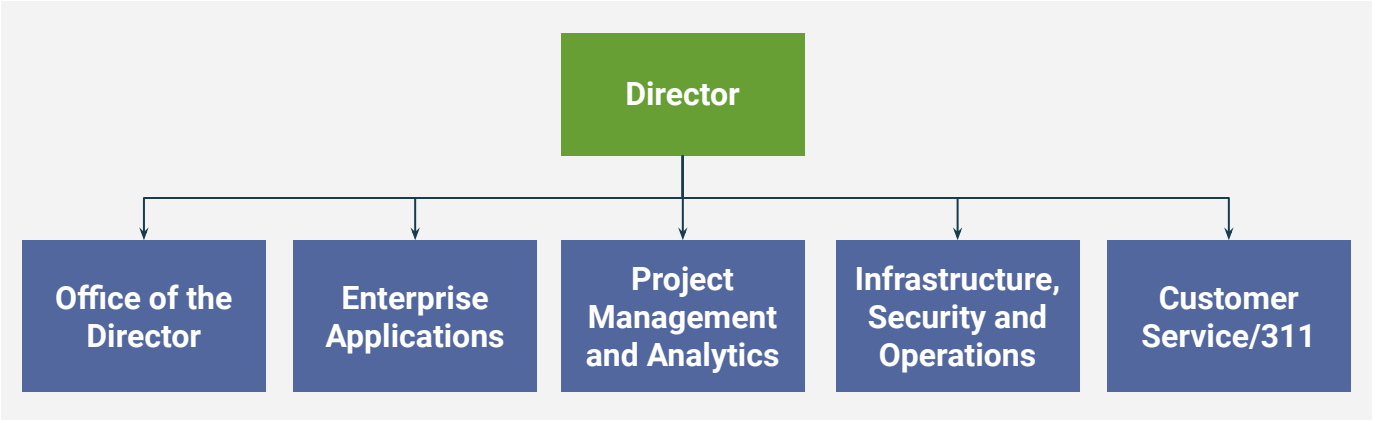
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Services & Materials	$ -	$ 341	$ -	$ -	0.00%	$ -	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ -**	**$ 341**	**$ -**	**$ -**		**$ -**	
Annual Percentage Change		0.00%	(100.00%)	0.00%		0.00%	

Information Technology

Mission Statement

The City of Berkeley's Department of Information Technology mission is to enrich the quality of life in Berkeley through innovation, collaboration, and engagement by providing, through a diverse workforce with integrity and commitment to excellence, cost-effective, smart technology solutions to our business partners and community.

Organizational Chart



Information Technology Overview

The Department of Information Technology (IT) provides the framework and innovative technology solutions to all City departments, enhancing City operations, facilitating the effective delivery of City services and connecting the Community through the following six operational divisions:

- **Finance and Administration**: Manages IT budget, forecasting, reporting, financial operations, sets administrative policies and ensures IT business practices are aligned with City policies and compliant with local, state, and federal regulations. Responsibilities include oversight of digital strategic planning, technology governance, policy and procedures, budget, technology procurement and contracts, vendor management, Council matters, performance management and metrics, leadership and team building.
- **Enterprise Systems**: Serves a vital role in supporting the City's mission critical business operations. Its comprehensive portfolio encompasses a wide array of applications, integrations, and infrastructure, spanning from its Enterprise Resource Planning (ERP) system, to the public facing 311 Customer Relationship Management (CRM) platform. It supports multi-variate systems, including financial, planning, public works, public safety, recreational, health systems, GIS and data platforms to name just a few.
- **Infrastructure**: IT Infrastructure architects and manages all data center, computing and communications assets and facilities, including all databases, networking, servers, storage, internet, voice communications, and related supporting technologies. This division also includes the customer service Helpdesk, providing 24x7 support for mission-critical systems, including 911 Computer Aided Dispatch (CAD), and Police/Fire

Mobile Data Computers (MDCs). The Helpdesk provides the first point of contact for City staff with computing and communications concerns and issues.

- **Project Management**: The Project Management Office (PMO) manages the IT Project Portfolio. It provides implementation services for new technology projects and support for existing technologies. The PMO is responsible for establishing, maintaining and supporting Project Management methods, processes, tools, standards and guidelines and acts as a liaison between client and IT.
- **Security**: The Information Security Office (ISO) orchestrates efforts and provides services to protect the City's information assets. The ISO team plans and deploys initiatives around cyber security and works closely with departments to maintain compliance with data standards and applicable laws around data privacy and security. Areas of focus include:
  - Detecting and responding to vulnerabilities and security incidents.
  - Assessing data and systems to align with policies.
  - Providing a centralized access, authentication and authorization system.
  - Educating our constituents about information security.
- **311 Customer Service**: 311 is the centralized customer service experience for the community and businesses, answering requests for services for Public Works, Finance Business License, Residential Parking Permits, Citations, Refuse services & payments, general City service requests and more. To support this objective, Berkeley's 311 uses Customer Relationship Management (CRM) software to manage, track, and categorize customer service requests.

Challenges

Challenges for Information Technology include:

Stability. The IT Department went through three IT Directors in the past eight (8) years and there was concern about maintaining stability for the organization. A lack of tenure and long-term strategic direction resulted in apprehension for department employees. To cope with this uncertainty, IT has been in a reactive mode, constantly putting out fires rather than focusing on the strategic needs for the future.

Vacancies. Throughout FY23 and FY24, Information Technology has experienced a vacancy rate of about 16%. Coupled with an already overwhelmed staff, it is difficult, if not impossible to align adequate resources to key projects or establish priorities. With these vacant positions, staff cannot absorb additional work and morale also degrades.

Workspace: With the ending of the pandemic and a return to the office strategy, IT must re-address its workspace issue that has loomed for several years. The current location that houses IT must be modernized to accommodate a modern hybrid workforce and options to how employees are scheduled, and their physical work locations need to be addressed to improve service levels.

Key Challenged Funds and Programs:

- **FUND$ Replacement:** FUND$ is one of two Enterprise Resource Planning (ERP) systems supporting City operations. FUND$ is the "older" system running on an AS400 platform while the new systems are modern solutions such as ERMA, Nexgen work order system

and Assetworks (fleet management). There are still several significant modules to migrate including Accounts Receivable, General Billing or ARGB, and Land Management and Property Taxes. Sufficient funding has been earmarked through the Finance Department and IT will partner with that department to address ARGB during FY25.

- To sustain the FUND$ system is becoming increasingly costly, as well as risky, since the talent necessary to maintain the system is retirement-eligible and replacement talent is difficult to find in the marketplace. While hardware and vendor support of the AS400 is still available, it too is at a premium.
- The FUND$ replacement fund (503) is currently in a deficit but will be offset from the IT Cost Allocation Fund balance as well as reimbursements from the General Fund for FY25. Additional funding from GF will need to occur in FY26 to ensure adequate funding for the remaining significant FUND$ migration (Land Management and Property Taxes).

- **The IT Internal Service Fund (ISF)/IT Cost Allocation:** Fund 680 has been consistently underfunded for at least two years and as a result, the IT Cost Allocation and General Fund combined are insufficient to fully recover all IT enterprise operational, hardware, software, consulting/contracting and licensing costs which will quickly deplete the Fund 680 fund balance. There has been no increase to the cost model for the ISF/ IT Cost Allocation Fund since 2021 inception and year-over-year inflation was not taken into consideration (for example, the Consumer Price Index (CPI) increased 3.9% for 2022-2023[1], and is forecasted to increase 1.8% for 2025[2]). To compensate for being flat in previous years, we are proposing a 4% increase for FY25 and apply the same "recovery" rate to FY26, yielding a funding increase to the ISF/IT Cost Allocation Fund total to be $17,785,362 for FY25 (a ~4%[3] increase over prior year) and another ~4% for FY26 for a total of $18,227,541. This 4%-4% split eases the impact on departments, and still allows IT to recover the shortfall over two fiscal years.
- **Capital Improvements (CIP):** Traditionally, IT is not considered as "infrastructure" when the reality is quite the contrary. For example, high-speed connectivity is an essential part of a modern City to deliver information necessary for various City services and the public. Fiber, and other means of interconnecting facilities and the public for communications and data transfer is equivalent to a roadway or sewer system providing flow. The costs are often overlooked and often, these projects are not well coordinated resulting in a disjointed network or lack of full accessibility or integration. Data Centers that host the City's core and vital computing systems are hosted in facilities that were not designed for high availability, and subject to power and HVAC issues. IT is seeking opportunities to leverage the benefits of participating in infrastructure and capital improvement opportunities, opening opportunities for more funding streams, such as bond measures and grants. As a start, IT is requesting $2.2 million from the CIP Fund for capital needs to downsize and relocate the on-premise data center to a high-availability solution such as a colocation facility (CoLo) or cloud solution (such as Amazon AWS or MS Azure). The footprint reduction accomplishes two objectives, it reduces administrative and support costs while improving system security and uptime, and frees up floor space desperately needed by IT. The on-premise data center constantly suffers from power (PG&E) as well as HVAC issues, which puts the City's compute infrastructure at risk. CIP infrastructure funding is new for IT starting in FY25.
- **Post-Covid Impacts on Computers:** Prior to Covid, computers were issued on a 1:1 ratio (one computer per employee). During Covid, an unplanned urgency resulted in a scramble to provide remote computing solutions to employees as they were forced to

work from home during and after California's Shelter-In-Place order. Post pandemic, we are now faced with an infrastructure where many personnel have more than two computers assigned to them and worse, they are of varied brands and models. *IT has essentially doubled its support footprint with no matching increase in resources*. For FY25 and FY26, IT is re-envisioning and establishing a "One person, One device" policy as well as evaluating support services and tools to reduce the redundancy yet meet the needs of a hybrid work environment.

- **Operations and Maintenance Costs:** Implementation of an Information Technology solution is more than a one-time charge. In addition to the setup and implementation costs, there are ongoing costs associated through the lifespan of the product. Such costs include support and maintenance, subscription and licensing, increased usage, space and storage requirements as well as increased bandwidth due to higher usage and adoption. A perfect example is the unexpected depletion of the FUND$ replacement fund due to the implementation of the first set of deliverables, but then ongoing annual costs which had to be paid, which did not have an operations and maintenance funding source.
- **Aging Infrastructure:** While the City invested in a fiber infrastructure, much of its existing infrastructure for voice still runs over older "copper" infrastructure that must be upgraded. In 2024, AT&T announced that it was discontinuing its support of analog phone lines, which the City still uses in some departments, requiring IT to quickly try to find an alternative solution. The City is also in need of expanding its existing fiber infrastructure to improve resiliency, as there are multiple points of failure that would put the City at risk in the event of a fiber cut. The City's data center is also located "on-premise" and it would be more cost beneficial and resilient to relocate the servers to the cloud or at least to a 24x7 colocation (co-lo) facility.
- **Lack of a Technology Governance Model.** Having a weak authoritative voice diminishes the effectiveness of the IT Department's influence on solutions and purpose for the City. The IT organizational structure historically lacked a central planning unit tasked with coordinating all planning endeavors. The IT department's relatively immature governance process for IT acquisitions does not ensure full stakeholder participation in IT planning or development of user-focused metrics to measure the department's contribution to its mission. The results are redundant solutions that place undue demand on already limited resources to support multiple products that essentially accomplish the same purpose. For example, the City currently supports multiple video conferencing platforms (e.g., Zoom and Microsoft Teams).
- **Backlog of Modernization Opportunities:** There are a suite of modern solutions that would reduce City support costs as well as improve employee productivity. Many of them are simply awaiting resources for implementation. Employee Self-Service and Time and Attendance are two prime examples that would empower employees with self-service capabilities to retrieve employee information (check stubs, W2's, balances, benefits status, etc.) and enter timecards in an automated fashion. These are cost and time saving benefits that would significantly reduce operational costs and provide self-service to our employees yet are on hold due to lack of resources to address them as IT focuses on higher priorities. As we plan for a future IT governance model and establish our new PMO office, we will have clearer priorities and can prioritize more effectively instead of being tied up with projects that may not carry the same level of urgency.

Accomplishments

The IT Department completed many innovative projects and achieved operational success while managing through its challenges. Highlights of recent IT operational changes and accomplishments include:

1. Identified opportunities that could be funded from cost savings through salary savings and project funds reconciliation efforts and addressed two key performance requirements:
   a) To address the Employer of Choice Initiative, implemented TEAMS/SharePoint collaboration suite.
   b) Addressed requirement to "Provide state-of-the-art, well-maintained infrastructure, amenities, and facilities" by deploying enterprise level, City-wide facilities Wi-Fi.
2. Accomplished several digital transformation initiatives:
   a) Authored new E-signature Administrative Regulation (A.R.).
   b) Streamlined workflow/business processes for vendor and contract cybersecurity requirements
3. Established a Program Management Office (PMO) to manage the IT project portfolio.
4. Established a Finance and Administrative Division to centrally manage contracts and compliance and procurement along with other administrative functions that were previously self-managed by department managers.

Additionally, our list of successful implementations include:

- FUND$ Server Split and software upgrade (v7.3 to v7.4)
- Provided reliable Wi-Fi access to the North Berkeley Senior Center using available assets and personnel resources (to be superseded with the City-wide Wi-Fi initiative).
- MS Teams Channel Rollout
- 311 Forms Online
- ServiceNow (SNow) Enhancements - SCCM Integration
- SNow Upgrade to version "Utah"
- Pipe Observation System Upgrade
- Marina Online Bill Payments
- Marina Security Gate System
- Neogov Onboard
- Accela Mobile Application
- Careware staffing and time keeping application for Police
- 2024 Updates for Police Department compliance tor AB 953: The Racial and Identity Profiling Act of 2015
- Call Narrative Application for Police
- Fire Department move to new facility on University Avenue
- Fire Department Wildland Urban Interface (WUI) Inspections
- Fire Inspections using new "Data Ticket" software solution

- Public safety's New World Server and Software Upgrade
- FUND$ - Property Tax FY22-23
- Upgrade Analytics Now FUND$ Web- based Reporting Tool
- SQL Server 2008 Upgrade/Migration Citywide
- New City of Berkeley Website Phase 2
- Accella Upgrades (the City's permitting software solution):
  - Accela - Workflow Enhancements and Online Payments for Public Works
  - Accela - Building Permit Online Application for Planning
  - Accela - Refund Bridge Overpayment and Refunds
- Mission Mark Auditing Software
- Form filing system for Police: Guardian Tracking
- Next Generation 911 (NG 911)
- Open Data Project – Berkeley Police (Audit Response)
- Migrate Evidence data from legacy system to current Evidence.com system
- Migrate Legacy Police Records to supportable platform
- Fire Aside software and mobile application
- Scheduling Software for Legal
- FUND$ Upgrade NetIQ Security Software
- Citywide UPS replacement completed at all remote sites
- GIS Portal Revamp – Retired on premise servers and redeveloped on the ArcGIS Online platform for seamless integration with the ArcGIS platform ecosystem.
- GeoEvent Server procurement and installation
- Implementation of GIS Geospatial Hub – Home of all things GIS for the City of Berkeley
- Implementation of Survey123 for RIPA project and Code Enforcement (Mini Dorm and GLA registration form)
- ArcGIS Server upgrade

Information Technology Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	8,474,262	8,356,896	8,411,094	9,538,061	10,575,089	10,754,812
Services & Materials	7,136,407	7,154,274	6,124,197	10,868,713	10,922,713	10,922,713
Capital Outlay	-	-	-	920,649	920,649	920,649
Internal Services & All Other	941,461	935,150	919,311	910,297	1,053,123	1,053,123
	16,552,130	**16,446,320**	**15,454,602**	**22,237,720**	**23,471,574**	**23,651,297**
By Division:						
Office of IT Director	2,423,010	2,470,287	2,237,406	2,042,685	2,939,919	2,980,812
Enterprise and Bus Solutions	6,364,829	5,618,977	5,738,289	8,262,143	8,524,109	8,576,062
Infrastructure and Security	5,942,014	6,360,849	5,608,123	9,607,221	9,568,513	9,600,743
311 Customer Service	1,822,277	1,996,207	1,870,784	2,325,671	2,439,033	2,493,680
	16,552,130	**16,446,320**	**15,454,602**	**22,237,720**	**23,471,574**	**23,651,297**
By Fund:						
GF - Discreationary	1,330,729	1,446,933	882,432	1,526,760	1,580,760	1,580,760
Playground Camp	770	-	-	-	-	-
Employee Training	160,712	148,374	167,924	188,374	188,374	188,374
Target Case Mgmt/Linkages	12,084	-	-	-	-	-
One-Time Grant:No Cap Exp	-	79,069	-	-	-	-
Capital Improvements	-	(890)	-	-	-	-
Phone System Replacement	82,521	124,218	145,687	449,408	449,408	449,408
Funds Replacement	2,508,753	1,790,418	1,984,231	3,073,465	2,807,857	2,817,732
Peg Access Facilities	-	-	60,215	100,000	100,000	100,000
Zero Waste	172,295	186,599	27,360	8,000	8,000	8,000
Marina Operations/Maint	3,814	3,890	6,468	-	-	-
Sanitary Sewer Operation	18,025	24,967	10,536	-	-	-
Permit Service Center	238,570	145,675	168,994	17,500	17,500	17,500
Unified Program (CUPA)	17,168	13,461	18,927	13,497	13,497	13,497
Computer Replacement Fund	-	(4)	-	-	-	-
It Cost Allocation	12,006,689	12,483,610	11,981,828	16,860,716	18,306,178	18,476,026
	16,552,130	**16,446,320**	**15,454,602**	**22,237,720**	**23,471,574**	**23,651,297**

Information Technology Financial Summary

All Funding Sources

Division: Office of IT Director

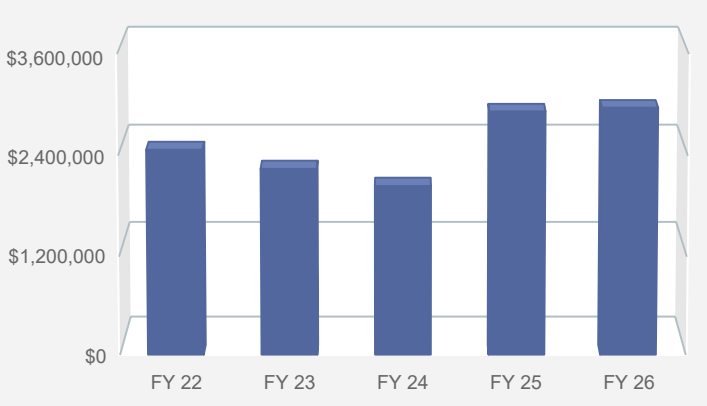
Mission Statement

The mission of the Information Technology is to provide the framework and innovate technological solutions to all City departments, enhance City operations, facilitate the effective delivery of City services, and connect and deliver quality solutions for the Community

Selected Service Objectives

- Manages IT budget, forecasting, reporting, financial operations, sets administrative policies and ensures IT business practices are aligned with City policies and compliant with local, state, and federal regulations. Responsibilities include oversight of digital strategic planning, technology governance, policy and procedures, budget, technology procurement and contracts, vendor management, Council matters, performance management and metrics, leadership and team building.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 1,032,884	$ 972,570	$ 749,628	$ 1,504,036	100.64%	$ 1,544,929	2.72%
Services & Materials	517,300	349,500	382,760	382,760	0.00%	382,760	0.00%
Internal Services & All Other	920,103	915,336	910,297	1,053,123	15.69%	1,053,123	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 2,470,287**	**$ 2,237,406**	**$ 2,042,685**	**$ 2,939,919**	**43.92%**	**$ 2,980,812**	**1.39%**
Annual Percentage Change		(9.43%)	(8.70%)	43.92%		1.39%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Information Technology Financial Summary

All Funding Sources

Division: Enterprise and Bus Solutions

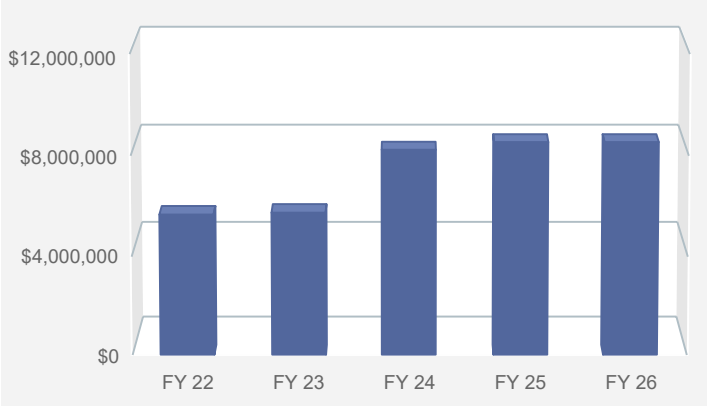
Mission Statement

The mission of the Information Technology is to provide the framework and innovate technological solutions to all City departments, enhance City operations, facilitate the effective delivery of City services, and connect and deliver quality solutions for the Community

Selected Service Objectives

- Serves a vital role in supporting the City's mission critical business operations. Its comprehensive portfolio encompasses a wide array of applications, integrations, and infrastructure, spanning from its Enterprise Resource Planning (ERP) system, to the public facing 311 Customer Relationship Management (CRM) platform. It supports multi-variate systems, including financial, planning, public works, public safety, recreational, health systems, GIS and data platforms .

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 3,849,228	$ 3,786,321	$ 4,280,418	$ 4,542,384	6.12%	$ 4,594,337	1.14%
Services & Materials	1,769,749	1,951,968	3,061,076	3,061,076	0.00%	3,061,076	0.00%
Capital Outlay	-	-	920,649	920,649	0.00%	920,649	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 5,618,977**	**$ 5,738,289**	**$ 8,262,143**	**$ 8,524,109**	**3.17%**	**$ 8,576,062**	**0.61%**
Annual Percentage Change		2.12%	43.98%	3.17%		0.61%	

Information Technology Financial Summary

All Funding Sources | **Division: Infrastructure and Security**

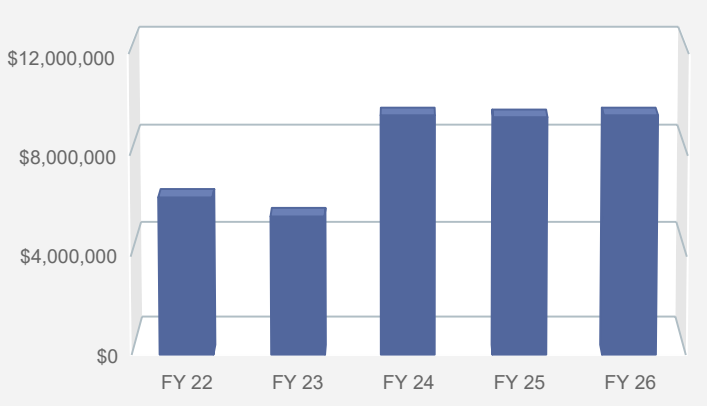
Mission Statement

The mission of the Information Technology is to provide the framework and innovate technological solutions to all City departments, enhance City operations, facilitate the effective delivery of City services, and connect and deliver quality solutions for the Community

Selected Service Objectives

- Architects and manages all data center, computing and communications assets and facilities, including all databases, networking, servers, storage, internet, voice communications, and related supporting technologies.
- Includes the customer service Helpdesk, providing 24x7 support for mission-critical systems, including 911 Computer Aided Dispatch (CAD), and Police/Fire Mobile Data Computers (MDCs).

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,604,536	$ 1,938,200	$ 2,361,994	$ 2,269,286	(3.92%)	$ 2,301,516	1.42%
Services & Materials	4,756,313	3,669,923	7,245,227	7,299,227	0.75%	7,299,227	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 6,360,849**	**$ 5,608,123**	**$ 9,607,221**	**$ 9,568,513**	**(0.40%)**	**$ 9,600,743**	**0.34%**
Annual Percentage Change		(11.83%)	71.31%	(0.40%)		0.34%	

Information Technology Financial Summary

All Funding Sources

Division: 311 Customer Service

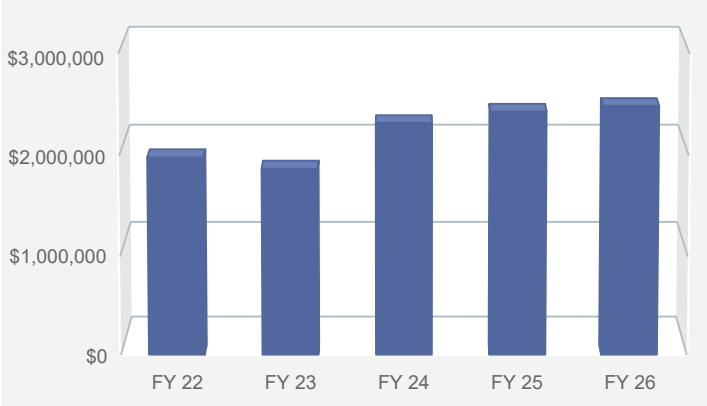
Mission Statement

The mission of the Information Technology is to provide the framework and innovate technological solutions to all City departments, enhance City operations, facilitate the effective delivery of City services, and connect and deliver quality solutions for the Community.

Selected Service Objectives

- 311 is the centralized customer service experience for the community and businesses, answering requests for services for Public Works, Finance Business License, Residential Parking Permits, Citations, Refuse services & payments, general City service requests and more.
- Berkeley's 311 uses Customer Relationship Management (CRM) software to manage, track, and categorize customer service requests.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,870,248	$ 1,714,003	$ 2,146,021	$ 2,259,383	5.28%	$ 2,314,030	2.42%
Services & Materials	110,912	152,806	179,650	179,650	0.00%	179,650	0.00%
Internal Services & All Other	15,047	3,975	-	-	0.00%	-	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,996,207**	**$ 1,870,784**	**$ 2,325,671**	**$ 2,439,033**	**4.87%**	**$ 2,493,680**	**2.24%**
Annual Percentage Change		(6.28%)	24.32%	4.87%		2.24%	

Mayor & Council

The Berkeley City Council consists of a Mayor and eight (8) Councilmembers. The City is divided into eight Council districts, which are used for the election of Councilmembers. The Mayor is elected citywide. The Mayor is the President of the Council and votes as an individual ninth member.

Following is a list of the current Council and office contact information.

Mayor Jesse Arreguín, (510) 981-7100

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

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

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

District 4 - Pending Election Result (510) 981-7140

District 5 - Councilmember Sophie Hahn, (510) 981-7150

District 6 - Councilmember Susan Wengraf, (510) 981-7160

District 7 - Councilmember Cecilia Lunaparra, (510) 981-7170

District 8 - Councilmember Mark Humbert, (510) 981-7180

Mayor and Council Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	2,220,693	2,951,125	3,483,049	4,399,098	5,560,059	5,611,805
Services & Materials	126,194	124,020	200,840	113,526	113,526	113,526
Internal Services & All Other	361,958	259,565	259,565	259,565	250,357	250,357
	2,708,845	**3,334,710**	**3,943,454**	**4,772,189**	**5,923,942**	**5,975,688**
By Division:						
Mayor	689,572	834,385	1,116,650	1,290,100	1,492,276	1,535,075
District 1	126,023	189,249	197,805	302,850	394,843	394,843
District 2	115,368	195,406	258,917	302,850	394,843	394,843
District 3	119,591	171,788	218,434	302,850	394,843	394,843
District 4	111,881	185,121	253,499	302,850	394,843	394,843
District 5	188,734	271,906	290,654	302,850	400,843	394,843
District 6	114,429	157,257	159,539	302,850	394,843	394,843
District 7	143,116	168,892	174,861	302,850	394,843	394,843
District 8	129,018	139,270	145,227	302,850	394,843	394,843
Council Offices	971,113	1,021,436	1,127,868	1,059,289	1,266,922	1,281,869
	2,708,845	**3,334,710**	**3,943,454**	**4,772,189**	**5,923,942**	**5,975,688**
By Fund:						
GF - Discreationary	2,701,345	3,334,710	3,939,054	4,772,189	5,923,942	5,975,688
One-Time Grant:No Cap Exp	7,500	-	4,400	-	-	-
	2,708,845	**3,334,710**	**3,943,454**	**4,772,189**	**5,923,942**	**5,975,688**

Mayor and Council Financial Summary

All Funding Sources | **Division: Mayor**

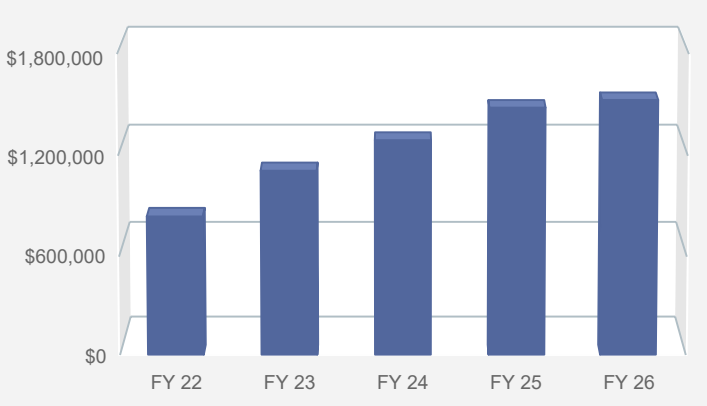
Mission Statement

The mission of the Mayor and Council is to provide excellent service to the Berkeley community; promote a diverse, accessible, affordable, safe, healthy, environmentally sound and culturally rich city; innovate; embrace respectful, democratic participation in local decision-making; respond efficiently and effectively to neighborhood and commercial concerns; and do so in a fiscally sound manner.

Selected Service Objectives

- Chairperson of the Council, and shall preside at the meetings of the Council and perform such other duties consistent with their office as may be imposed by the Council.
- Recognized as the official head of the City for all ceremonial purposes, by the courts for the purposes of serving civil processes, and by the Governor for military purpose
- Mayor to have City's books examined by a certified public accountant
- Mayor is appointed to a number of local committees and regional bodies.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 737,284	$ 966,843	$ 1,250,166	$ 1,452,342	16.17%	$ 1,495,141	2.95%
Services & Materials	93,573	146,279	36,406	36,406	0.00%	36,406	0.00%
Internal Services & All Other	3,528	3,528	3,528	3,528	0.00%	3,528	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 834,385**	**$ 1,116,650**	**$ 1,290,100**	**$ 1,492,276**	**15.67%**	**$ 1,535,075**	**2.87%**
Annual Percentage Change		33.83%	15.53%	15.67%		2.87%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Mayor and Council Financial Summary

All Funding Sources | **Division: District 1**

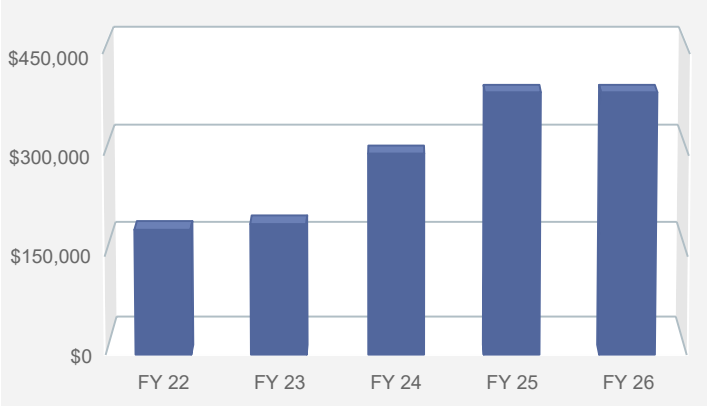
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Selected Service Objectives

- The governing body of the municipality.
- Makes decisions about local laws and policies for the city using input from the community.
- Councilmembers are appointed to a number of local committees and regional bodies.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 187,287	$ 192,673	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	1,962	5,132	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 189,249**	**$ 197,805**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		4.52%	53.11%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 2**

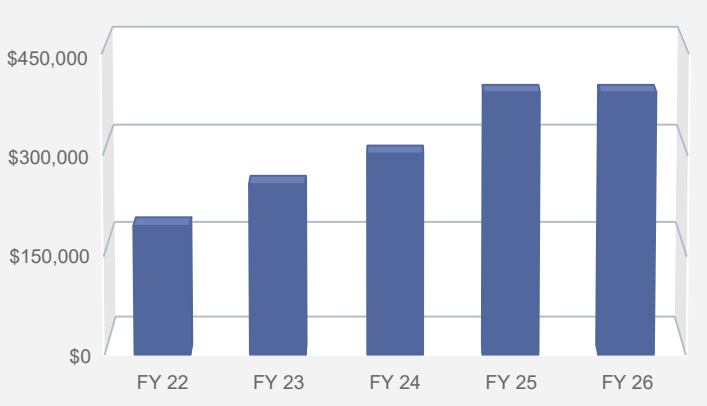
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 192,744	$ 255,995	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	2,662	2,922	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 195,406**	**$ 258,917**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		32.50%	16.97%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 3**

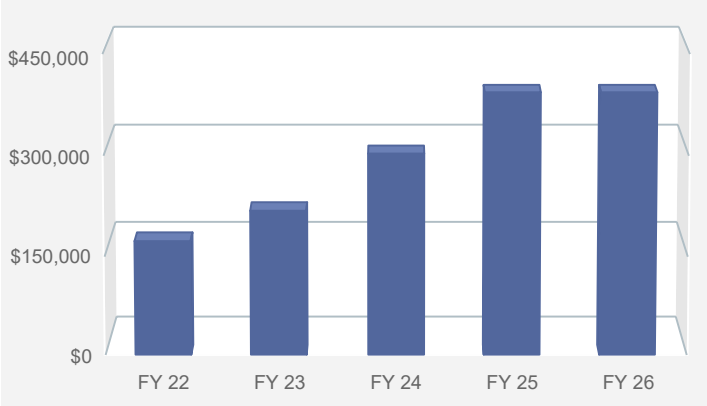
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 167,365	$ 212,339	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	4,423	6,095	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 171,788**	**$ 218,434**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		27.15%	38.65%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 4**

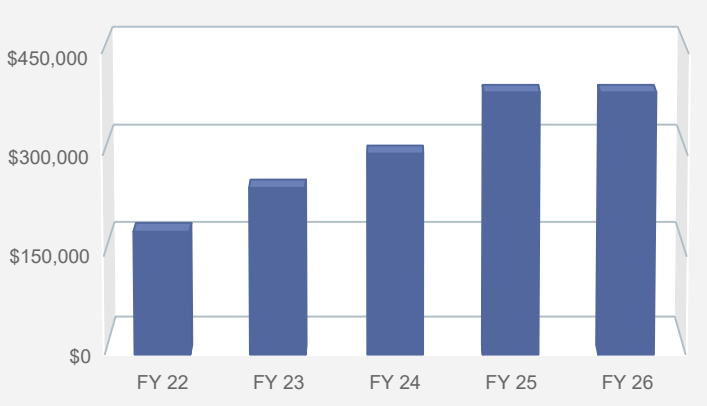
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 184,390	$ 234,056	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	731	19,443	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 185,121**	**$ 253,499**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		36.94%	19.47%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 5**

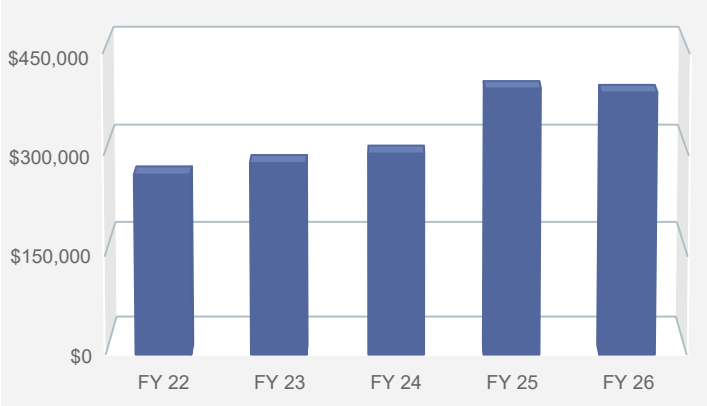
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 262,966	$ 281,082	$ 293,210	$ 391,203	33.42%	$ 385,203	(1.53%)
Services & Materials	8,940	9,572	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 271,906**	**$ 290,654**	**$ 302,850**	**$ 400,843**	**32.36%**	**$ 394,843**	**(1.50%)**
Annual Percentage Change		6.90%	4.20%	32.36%		(1.50%)	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 6**

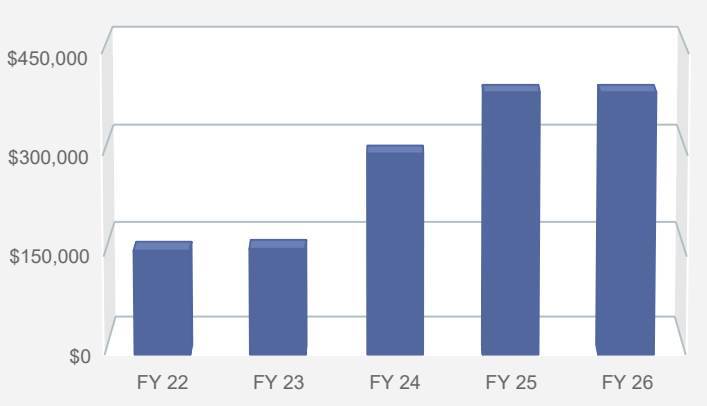
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 150,855	$ 153,530	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	6,402	6,009	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 157,257**	**$ 159,539**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		1.45%	89.83%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 7**

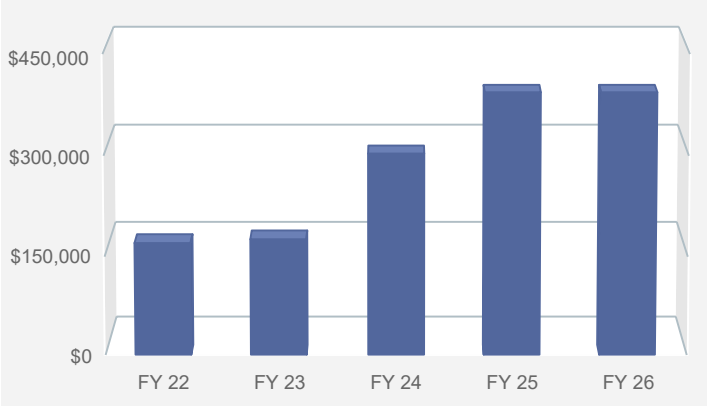
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 164,890	$ 170,431	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	4,002	4,430	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 168,892**	**$ 174,861**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		3.53%	73.19%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources | **Division: District 8**

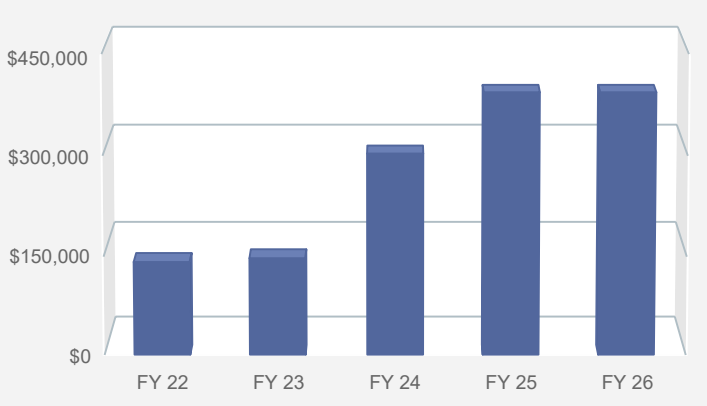
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Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 137,945	$ 144,269	$ 293,210	$ 385,203	31.37%	$ 385,203	0.00%
Services & Materials	1,325	958	9,640	9,640	0.00%	9,640	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 139,270**	**$ 145,227**	**$ 302,850**	**$ 394,843**	**30.38%**	**$ 394,843**	**0.00%**
Annual Percentage Change		4.28%	108.54%	30.38%		0.00%	

Mayor and Council Financial Summary

All Funding Sources

Division: Council Offices

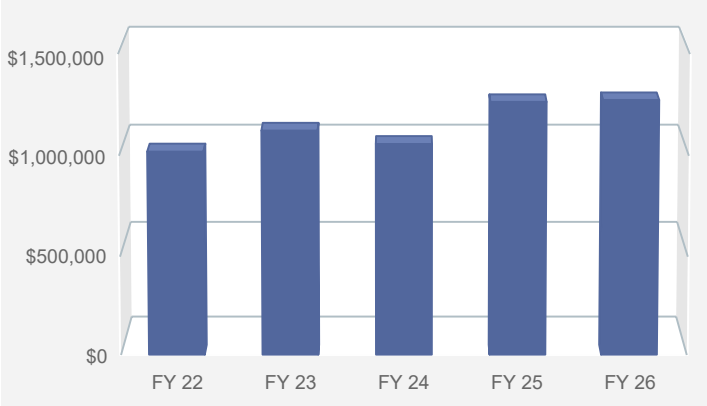
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Five Year History

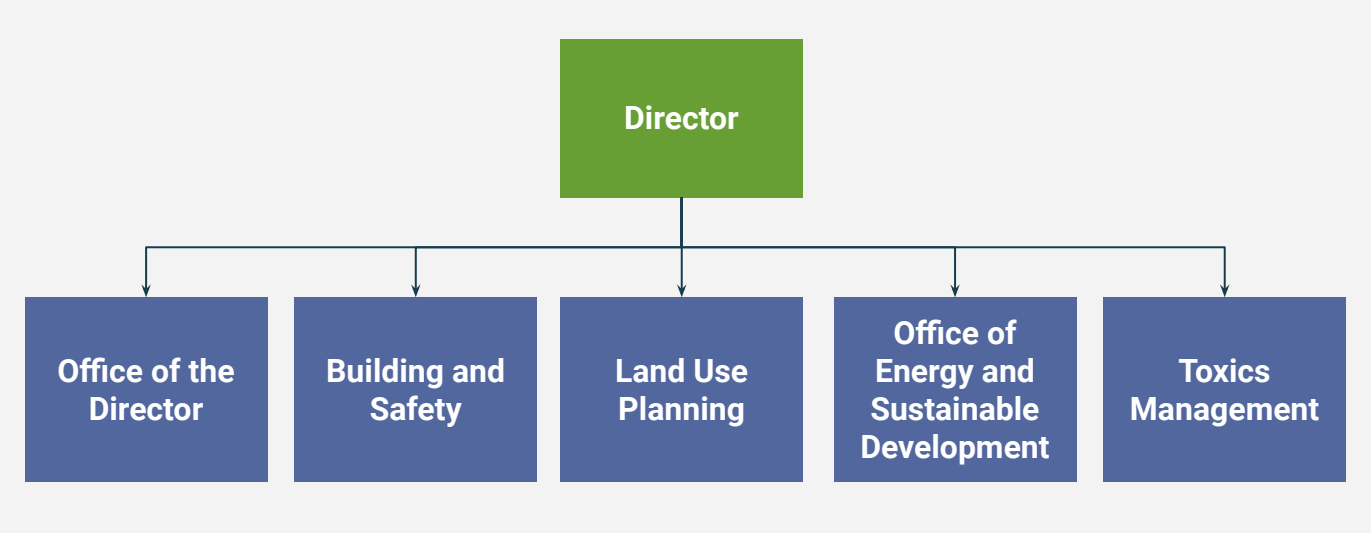
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 765,399	$ 871,831	$ 803,252	$ 1,020,093	27.00%	$ 1,035,040	1.47%
Internal Services & All Other	256,037	256,037	256,037	246,829	(3.60%)	246,829	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,021,436**	**$ 1,127,868**	**$ 1,059,289**	**$ 1,266,922**	**19.60%**	**$ 1,281,869**	**1.18%**
Annual Percentage Change		10.42%	(6.08%)	19.60%		1.18%	

Planning

Mission Statement

The Planning and Development Department's mission is to enhance safety, livability and resilience in the built environment and to work with the community to promote and protect Berkeley's distinctive neighborhoods, vibrant commercial areas, unique character and natural resources for current and future generations.

Organizational Chart



Planning and Development Department Overview

The Planning and Development Department consists of approximately 109 career full- and part-time staff, and is organized into five divisions, including the Office of the Director, which all work together to plan, implement and monitor the physical environment of Berkeley. The Department provides the following services:

- **Office of the Director**: The Office of the Director provides department-wide leadership, management oversight, and policy direction for overall operations and implementation. The office oversees information technology projects, special projects and research, budget and fiscal oversight, regulatory compliance and reporting, and purchasing, payroll and accounting services for the entire Department.
- **Building and Safety Division**: The Building and Safety Division (B&S) reviews proposed construction documents for conformance to the building code, energy code, and other applicable codes; approves building, plumbing, mechanical and electrical permits; inspects construction projects to ensure conformance with the approved plans and code provisions; investigates work done without permits; provides code information and interpretation to the public and other city agencies; ensures the safety of Berkeley's rental housing stock; and manages programs to mitigate seismic risk in existing buildings.
- **Land Use Planning Division**: The Land Use Planning Division (LUP) is responsible for researching and implementing land use policy and regulations for the City of Berkeley. The land use policy team prepares amendments to the Zoning Ordinance, the General

Plan, area plans, and other long-range planning documents that guide future development and preservation in Berkeley. The development projects team reviews and entitles proposed projects that conform with the Zoning Ordinance, the General Plan, and other applicable plans, policies and regulations.

- **Office of Energy and Sustainable Development**: The Office of Energy and Sustainable Development Division (OESD) develops policies and implements programs to promote resilience and sustainable practices, and to reduce energy and water use and the associated greenhouse gas emissions in both City operations and the Berkeley community.
- **Toxics Management Division**: The Toxics Management Division (TMD) is the City's regulatory agency and a State-Certified Unified Program Agency (CUPA), responsible for implementing, inspecting and enforcing California Environmental Protection Agency and hazardous materials codes associated with the Governor's Office of Emergency Services and State Fire Marshall within the City of Berkeley. TMD also responds to community complaints, assists the City with toxicological concerns, and inspects industrial sites for storm water pollution prevention.

Challenges

The Planning and Development Department faces the following challenges:

- **Implementing New Legislation.** The department must implement new local and state legislation in a timely manner, which sometimes requires additional staff resources, the development and deployment of new technology tools, and modifications to operations.
- **Ineffective Software.** Existing software (e.g., permitting, rental housing inspection, CUPA reporting, time tracking, file sharing, online payments, e-check functionality) is not effectively meeting department needs and is creating customer service and efficiency challenges, including delays in turnaround times for permit applications.
- **Staff Turnover.** Although the department's vacancy rate has decreased significantly over the past two years and our recruiting efforts have been very successful, we have experienced turnover of veteran staff in positions at all levels.
- **Macroeconomic Factors Impacting Development.** Following an 'up cycle' of high levels of construction and development activity that lasted for over a decade, macroeconomic factors—such as increased interest rates, increased costs of construction materials and labor, and softening rents—have led to a slowdown of new housing construction starts.
- **Overturned Natural Gas Ban.** In January 2024, the Ninth Circuit US Court of Appeals chose to uphold the decision in April to invalidate Berkeley's ban on natural gas infrastructure in new construction, denying the City's request for a re-hearing. This decision was a setback to efforts to meet the City's Climate Action Plan goals.

Accomplishments

Following are some of the highlights from the Planning and Development Department's numerous accomplishments:

- **New Housing Production.** In 2023, the Planning and Development Department issued certificates of occupancy for 715 new housing units, including 31 deed restricted affordable units.

- **Inspections Conducted and Permits Issued.** In 2023, the Toxics Management Division conducted 367 hazardous materials inspections and 148 stormwater inspections, the Building and Safety Division conducted 27,294 inspections and issued 3,865 building permits, the Permit Service Center received 27,127 applications (including revision and deferrals), completed 7,466 plan checks, and issued 867 "P" permits (for the Public Works Department), and the Rental Housing Team conducted 4,981 inspections.
- **Just Transition Pilot Program.** OESD initiated the $1.5 million Just Transition Pilot Program in 2023, which provides direct installation of building electrification measures in existing affordable housing buildings for low-to-moderate income households in Berkeley.
- **OPR Grant for General Plan Updates.** The Planning and Development Department, in partnership with the Ecology Center and the Berkeley Climate Equity Collaborative, was awarded a $497,492 grant from the Governor's Office of Planning and Research (OPR) Adaptation Planning Grant Program (APGP) in 2023 to update Berkeley's General Plan. Efforts are focused on updates to the Disaster Preparedness and Safety Element and development of an Environmental Justice Element.
- **Berkeley E-Bike Equity Project (BEEP).** In 2023, OESD launched the Berkeley E-Bike Equity Project (BEEP) which selected via lottery 56 income-qualified Berkeley households to receive free e-bikes, helmets, locks, training and quarterly safety/maintenance checks. The program is being administered in partnership with Waterside Workshops, a local non-profit program whose youth interns are learning valuable e-bike assembly and maintenance skills as part of the BEEP.
- **Adoption of new Affordable Housing Requirements.** In January 2023, City Council adopted new affordable housing requirements for housing development projects recommended by LUP. New requirements were designed to facilitate and support increased affordable housing production in Berkeley.
- **Response to Berkeley Mudslide:** In January 2023, B&S responded to an emergency mudslide in northeast Berkeley. As first responders, B&S protected residents from immediate danger and then worked with geotechnical and structural engineers to secure the safety of buildings prior to residents' return.
- **Housing Element Update.** In February 2023, the California State Department of Housing & Community Development found Berkeley's Housing Element to be in substantial compliance with State law. Berkeley was the seventh of 109 municipalities in the Bay Area region to achieve this critical milestone. The Housing Element is a product of over 18 months of community engagement, research, technical analysis, and collaboration with policymakers, and establishes an ambitious, 8-year agenda for the City's housing policy and programs.
- **Bird Safe Building Provisions.** In June 2023, City Council adopted bird safe building provisions into the Zoning Ordinance recommended by LUP. New regulations will reduce bird collision deaths by requiring qualifying construction projects to use bird safe glass products and external building fixtures.
- **Collaborative Planning Process.** In July 2023, the Office of the Director, in conjunction with UC Berkeley's Capital Strategies Team, introduced a Collaborative Planning Process for UC's capital projects in the City environs that addressed the terms of the 2021 Long Range Development Plan Settlement Agreement between the City and the University.

- **Accessory Dwelling Units (ADUs).** In October 2023, City Council adopted new zoning regulations for ADUs recommended by LUP. The amendments included new policies for parking, fire safety, and building height and ensured Berkeley's ordinance complied with new State law.
- **Adoption of the Southside Zoning Amendments.** In December 2023, City Council adopted updated zoning standards for the Southside recommended by LUP. Amendments wrapped up a six-year process that addressed multiple City Council referrals requesting increased capacity for student housing near UC Campus.
- **Approval of North Berkeley and Ashby BART station areas as part of the Metropolitan Transportation Commission (MTC) Priority Sites Program.** In November 2023, the City's application for the North Berkeley and Ashby BART sites for inclusion in MTC's Priority Sites Program was successful. Inclusion in the Priority Sites list makes these sites eligible for current and potential future funding and technical assistance and will be integrated into relevant Plan Bay Area 2050+ strategies.
- **Adoption of the North Berkeley BART Objective Design Standards.** In December 2023, City Council adopted Objective Design Standards (ODS) for the North Berkeley BART station area, concluding a year-long public process led by LUP in partnership with BART. An application for land use entitlements from the North Berkeley Housing Partners development team was received in February 2024 that will be evaluated for compliance with adopted ODS.
- **The Rental Housing Safety Program (RHSP)** increased the size of their staff and are now conducting an average of 415 inspections per month. That's a 51 percent increase in the number of inspections performed monthly. Additionally, RHSP staff rewrote the Berkeley Housing Code, which was adopted by Council in December 2022.
- **The Retrofit Grants** program disbursed 11 design grants and 19 construction grants for a total of $903,461 to Berkeley property owners between July 2022 and January 2024. The City also continued enforcement of the soft story ordinance and during this same period 16 buildings completed mandatory retrofits and were removed from the inventory of potentially hazardous buildings, and 8 additional properties were added to the inventory.
- **Solar APP+ real time PV permitting.** B&S, in collaboration with IT, implemented a third-party software program, SolarAPP+, which streamlines solar permit issuance in September 2023. Implementation was funded with an $80K grant and ensures compliance with Senate Bill 379.

Planning & Development Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	15,370,252	15,787,928	17,054,384	20,940,050	22,395,541	22,841,585
Services & Materials	3,051,661	3,128,762	3,355,273	6,360,585	6,484,236	6,172,285
Capital Outlay	-	-	116,023	-	195,000	10,000
Internal Services & All Other	3,265,777	3,516,950	3,622,698	3,966,530	4,232,946	4,244,804
	21,687,690	**22,433,640**	**24,148,378**	**31,267,165**	**33,307,723**	**33,268,674**
By Division:						
Office of Plan. & Dev Dir	2,385,602	3,083,181	3,036,064	5,126,290	5,980,879	5,786,868
Toxics Management	1,252,028	1,111,042	1,289,075	1,453,540	1,613,075	1,615,482
Energy & Sustainable Dev	1,248,888	1,364,763	1,753,950	1,914,842	2,087,915	2,120,268
Land Use Planning	6,231,031	5,459,645	6,459,873	8,341,497	8,521,189	8,655,834
Building & Safety	10,570,141	11,415,009	11,609,416	14,430,996	15,104,665	15,090,222
	21,687,690	**22,433,640**	**24,148,378**	**31,267,165**	**33,307,723**	**33,268,674**
By Fund:						
GF - Discreationary	2,567,473	2,629,758	2,924,669	3,277,247	3,745,099	3,802,945
Climate Equity Action	-	-	191,346	-	-	-
CA Energy Commission	-	-	-	-	-	-
Rental Housing Safety Prog	1,399,402	1,485,638	1,952,592	2,356,542	2,657,072	2,627,557
Park Tax	41,038	38,689	42,014	45,306	49,573	50,615
One-Time Grant:No Cap Exp	306,270	331,091	19,032	60,094	68,008	70,877
FEMA	787,884	721,935	718,437	959,326	657,133	657,133
Capital Improvements	21,364	22,295	22,993	28,106	30,707	31,181
Zero Waste	43,574	48,375	50,843	100,777	107,423	110,398
Sanitary Sewer Operation	46,105	42,465	47,205	50,738	54,494	55,559
Clean Storm Water	163,524	134,460	165,537	197,492	188,490	194,324
Permit Service Center	15,638,894	16,332,046	17,283,467	23,360,447	24,800,520	24,733,490
Unified Program (CUPA)	671,926	646,888	730,243	831,090	949,204	934,595
Parking Meter Fund	236	-	-	-	-	-
	21,687,690	**22,433,640**	**24,148,378**	**31,267,165**	**33,307,723**	**33,268,674**

Planning & Development Financial Summary

All Funding Sources

Division: Office of Plan. & Dev Dir

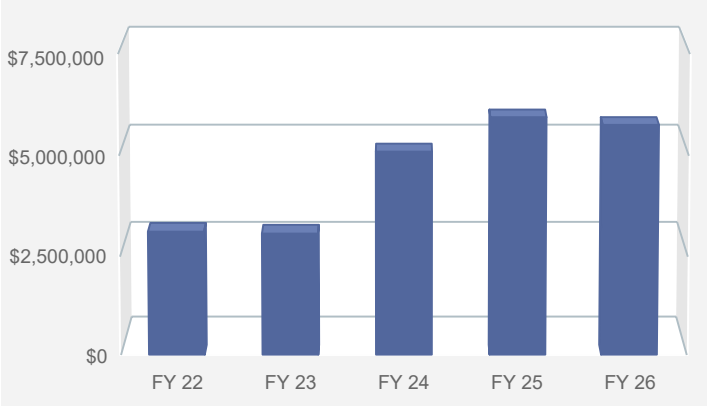
Mission Statement

The mission of the Planning & Development is to enhance safety, livability and resilience in the built environment and to work with the community to promote and protect Berkeley's distinctive neighborhoods, vibrant commercial areas, unique character and natural resources for current and future generations.

Selected Service Objectives

- Provides department-wide leadership, management oversight, and policy direction for overall operations and implementation. The office oversees information technology projects, special projects and research, budget and fiscal oversight, regulatory compliance and reporting, and purchasing, payroll and accounting services for the entire Department.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 1,048,943	$ 1,277,360	$ 1,325,097	$ 1,859,120	40.30%	$ 1,911,672	2.83%
Services & Materials	22,315	25,536	2,037,970	2,036,720	(0.06%)	1,786,720	(12.27%)
Internal Services & All Other	2,011,923	1,733,168	1,763,223	2,085,039	18.25%	2,088,476	0.16%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 3,083,181**	**$ 3,036,064**	**$ 5,126,290**	**$ 5,980,879**	**16.67%**	**$ 5,786,868**	**(3.24%)**
Annual Percentage Change		(1.53%)	68.85%	16.67%		(3.24%)	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Planning & Development Financial Summary

All Funding Sources | **Division: Toxics Management**

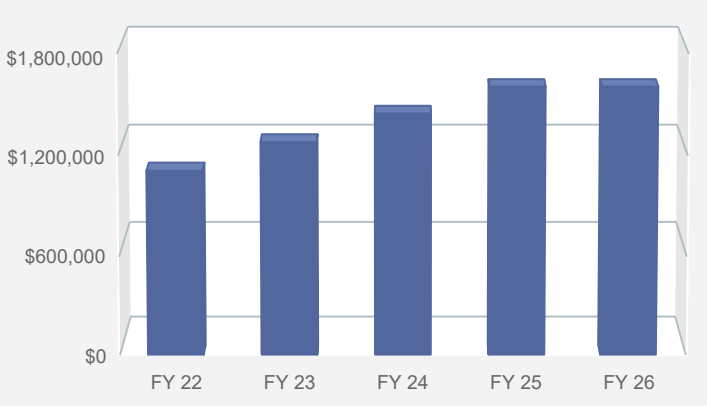
Mission Statement

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Selected Service Objectives

- Serves as City's regulatory agency and a State-Certified Unified Program Agency (CUPA), responsible for implementing, inspecting and enforcing California Environmental Protection Agency and hazardous materials codes associated with the Governor's Office of Emergency Services and State Fire Marshall within the City of Berkeley.
- Responds to community complaints, assists the City with toxicological concerns, and inspects industrial sites for storm water pollution prevention.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 952,803	$ 1,085,870	$ 1,221,724	$ 1,333,873	9.18%	$ 1,369,654	2.68%
Services & Materials	26,635	34,110	49,471	64,071	29.51%	64,071	0.00%
Capital Outlay	-	-	-	35,000	0.00%	-	(100.00%)
Internal Services & All Other Adopted Tier 1 Funding *	131,604	169,095	182,345	180,131	(1.21%)	181,757	0.90%
Total Expenditures	**$ 1,111,042**	**$ 1,289,075**	**$ 1,453,540**	**$ 1,613,075**	**10.98%**	**$ 1,615,482**	**0.15%**
Annual Percentage Change		16.02%	12.76%	10.98%		0.15%	

Planning & Development Financial Summary

All Funding Sources

Division: Energy & Sustainable Dev

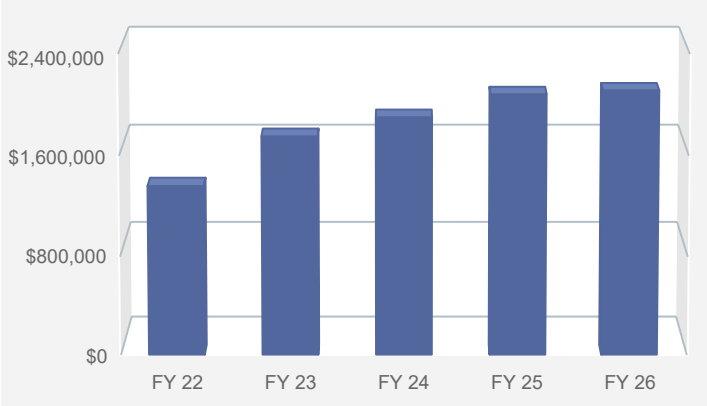
Mission Statement

The mission of the Planning & Development is to enhance safety, livability and resilience in the built environment and to work with the community to promote and protect Berkeley's distinctive neighborhoods, vibrant commercial areas, unique character and natural resources for current and future generations.

Selected Service Objectives

- Develops policies and implements programs to promote resilience and sustainable practices, and to reduce energy and water use and the associated greenhouse gas emissions in both City operations and the Berkeley community.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,269,757	$ 1,416,060	$ 1,574,704	$ 1,731,903	9.98%	$ 1,763,896	1.85%
Services & Materials	40,435	259,656	250,644	265,794	6.04%	265,794	0.00%
Internal Services & All Other	54,571	78,234	89,494	90,218	0.81%	90,578	0.40%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 1,364,763**	**$ 1,753,950**	**$ 1,914,842**	**$ 2,087,915**	**9.04%**	**$ 2,120,268**	**1.55%**
Annual Percentage Change		28.52%	9.17%	9.04%		1.55%	

Planning & Development Financial Summary

All Funding Sources | **Division: Land Use Planning**

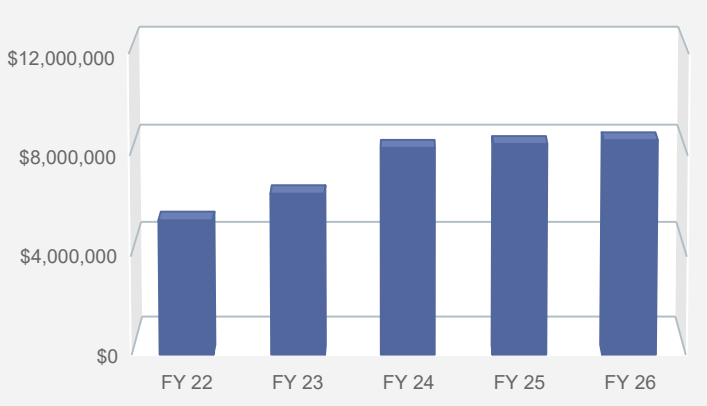
Mission Statement

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Selected Service Objectives

- Responsible for researching and implementing land use policy and regulations for the City of Berkeley. The land use policy team prepares amendments to the Zoning Ordinance, the General Plan, area plans, and other long-range planning documents that guide future development and preservation in Berkeley.
- Reviews and entitles proposed projects that conform with the Zoning Ordinance, the General Plan, and other applicable plans, policies and regulations.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 4,195,206	$ 4,750,393	$ 6,386,243	$ 6,582,352	3.07%	$ 6,744,324	2.46%
Services & Materials	881,320	1,184,152	1,259,900	1,259,900	0.00%	1,259,900	0.00%
Capital Outlay	-	-	-	35,000	0.00%	-	(100.00%)
Internal Services & All Other Adopted Tier 1 Funding *	383,119	525,328	695,354	643,937	(7.39%)	651,610	1.19%
Total Expenditures	**$ 5,459,645**	**$ 6,459,873**	**$ 8,341,497**	**$ 8,521,189**	**2.15%**	**$ 8,655,834**	**1.58%**
Annual Percentage Change		18.32%	29.13%	2.15%		1.58%	

Planning & Development Financial Summary

All Funding Sources

Division: Building & Safety

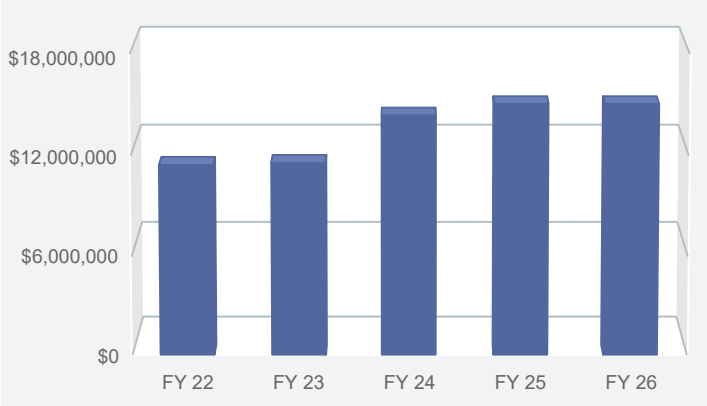
Mission Statement

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Selected Service Objectives

- Reviews proposed construction documents for conformance to the building code, energy code, and other applicable codes; approves building, plumbing, mechanical and electrical permits; inspects construction projects to ensure conformance with the approved plans and code provisions.
- Investigates work done without permits.
- Provides code information and interpretation to the public and other city agencies.
- Ensures the safety of Berkeley's rental housing stock
- Manages programs to mitigate seismic risk in existing buildings.

Five-Year Expenditures



Five Year History

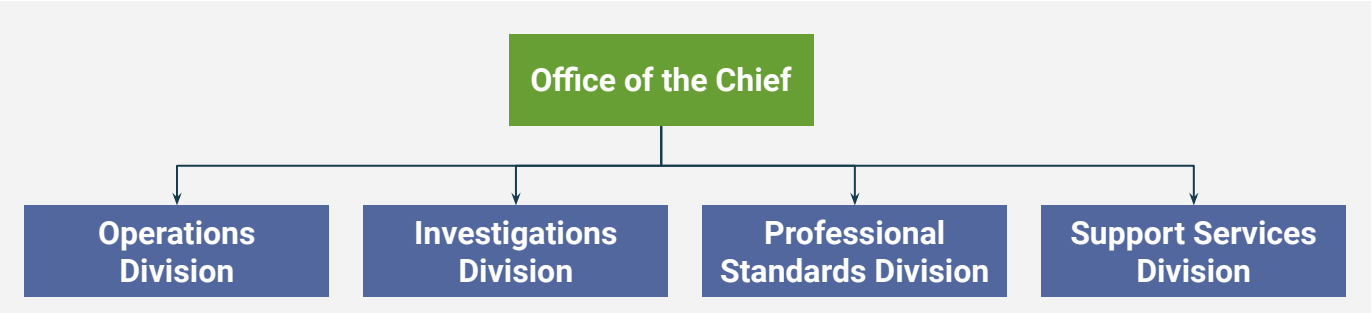
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 8,321,219	$ 8,524,701	$10,432,282	$10,888,293	4.37%	$ 11,052,039	1.50%
Services & Materials	2,158,057	1,851,819	2,762,600	2,857,751	3.44%	2,795,800	(2.17%)
Capital Outlay	-	116,023	-	125,000	0.00%	10,000	(92.00%)
Internal Services & All Other	935,733	1,116,873	1,236,114	1,233,621	(0.20%)	1,232,383	(0.10%)
Adopted Tier 1 Funding *							
Total Expenditures	**$ 11,415,009**	**$11,609,416**	**$14,430,996**	**$15,104,665**	**4.67%**	**$ 15,090,222**	**(0.10%)**
Annual Percentage Change		1.70%	24.30%	4.67%		(0.10%)	

Police

Mission Statement

Our mission is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Organizational Chart



Police Overview

The Police Department maintains law and order in the City, including laws of the United States, the State of California, and all City ordinances. There are limited exceptions when such enforcement is by law, ordinance, or the City Charter made the responsibility of another officer, department, or the responsibility of a state or federal agency. Additionally, the Police Department administers the City jail and the care, custody, and control of prisoners. The work of this department at times includes the performance of such other functions as may be assigned by the City Manager or prescribed by ordinance of the Council or by applicable state law.

The Berkeley Police Department is organized into three divisions, along with the Offices of the Chief and Deputy Chief, to deliver the following baseline services:

- **Office of the Chief:** The Office of the Chief provides overall leadership and administrative oversight for the Police Department. The Office includes the Chief of Police, Strategic Communications (Public Information Officer), Office of Strategic Planning & Accountability, and the Internal Affairs Bureau.
- **Office of the Deputy Chief:** The Office of the Deputy Chief oversees the Operations, Investigations, and Support Services Divisions, Fiscal Services, and the Policy & Training section. The Policy & Training section oversees the department's policies and training programs.
- **Operations Division:** The Division, led by a Captain, supports the department's mission by responding to calls for service, conducting initial criminal investigations, making arrests, issuing citations, and providing crime prevention services and proactive problem-solving efforts, all focused on safeguarding the community. The Operations Division includes Watch Commanders, Community Services Bureau (CSB) (i.e. the Area Coordinators, Police Reserve Program, Special Events Coordinator, and Crisis Intervention Training Coordinator), and the Bike Unit. Bicycle Officers supplement the beat officers in some of the city's most heavily populated areas, including downtown and south campus business districts, but also provide data-driven focused enforcement throughout the city.

- **Investigations Division:** The Division, led by a Captain, supports the Department's mission through the work of several Bureaus and Units. The Detective Bureau conducts follow-up investigations on felony crimes, including homicides, felony assaults, robberies, sexual assaults, domestic violence assaults, sexual assaults on children and minors, residential and commercial burglaries, identity theft, fraud, forgery, and elder abuse, among other offenses. The Traffic Bureau consists of the Traffic Unit's Motorcycle Officers who focus on community safety through enforcement of traffic laws, investigation of serious injury traffic collisions including fatalities, driving under the influence (DUI) enforcement, and coordinating grant-funded focused enforcement efforts. The Parking Enforcement Bureau's Parking Enforcement Officers (PEO) enforce applicable state and local codes which regulate parking in the City of Berkeley, and further provide traffic control and support as needed for other Department Divisions (e.g. through working on planned Special Events, or in assisting with major incident scene management). The Crime Scene Unit is responsible for properly identifying, seizing, and documenting forensic crime scene evidence. The Recruitment & Employee Relations section is responsible for recruiting new personnel and managing employee relations matters. As staffing increases, the division will expand to include a Flex Team, which will enhance our efficiency and effectiveness in addressing crime issues and problem solving.
- **Support Services Division:** The Division, led by a Captain, supports the Department's mission through a variety of essential operational and administrative activities. The Support Services Division comprises the Support Services Lieutenant, Communications Center Manager (who oversees the Public Safety Communications Center which receives, and dispatches calls for Police, Fire, and Medical Services), the Berkeley City Jail, Records, Property and Evidence Unit, Public Safety Technology Systems Unit, Warrant Unit, and Court Liaison Officer. The Division provides fundamental structural support across all Department Divisions.

Challenges

The Police Department's challenges include:

- **Staffing and Recruitment:** Staffing and recruitment continues to be a challenge. There is a tight labor market for police recruits. Additionally, the City of Berkeley has high eligibility requirements and both the background process and academy training take considerable time. The length of time from recruitment to someone working as a solo officer can translate to vacancies remaining open for over six months. Finding and hiring suitable qualified candidates in the highly competitive hiring atmosphere has presented a challenge for the Department. Our ongoing efforts to evaluate and improve how we attract and maintain connections with applicants have led us to recognize the need for enhanced strategies in today's competitive market resulting in an additional funding need of $300,000 over the next two years to support contracting with a public safety specific recruiting and marketing firm.
- **Officer Development Training Programs:** The nature of policing is rapidly transforming. To ensure Berkeley provides the expected level of service to our community, the Department must continue to analyze data to understand the nature and extent of disparities, ensure existing training is adequate and develop or complete new trainings in the areas of Fair and Impartial Policing, Procedural Justice, Implicit Bias, and Hate Crimes. Finding or developing expanded training can create a challenge, as does having

limited staff to backfill absences so that officers can attend training. This important work requires $100,000 in funding to support the training costs for both course instruction and staff attendance.

Accomplishments

Highlights of recent Police Department accomplishments include:

- **Transparency Hub:** In May 2022, the Department launched a new Transparency Hub, created to share information with the Berkeley community. Over the past several years, the Department has placed an increased emphasis on expanding its data and analysis capacity, recognizing that data transparency is a foundational piece to a police department's trust and legitimacy. The Department's Strategic Analysis Team worked to create this Transparency Hub, with the goal of building/increasing community engagement, trust, and legitimacy. In its initial design, the Transparency Hub included data on Calls for Service, Use of Force, as well as the information collected as part of the California Racial and Identity Profiling Act (RIPA). In 2023, the Department added a traffic safety page to the hub where community members can track collision data and submit traffic concerns for follow-up from the Traffic Bureau. Listening and collaborating with community partners, the Department will continue to expand this hub.
- **Annual Report:** The 2023 Berkeley Police Department Annual Report encapsulates our activities, accomplishments, and strategic developments over the past year, serving as a comprehensive document designed to communicate with various stakeholders—Council members, community residents, and department personnel—about our efforts to maintain safety and integrity within the community. The importance of this report lies in its role as a transparent and measurable account of how we manage public trust and resources, reflecting our commitment to the principles of data-driven, fair and impartial policing and aligning with the needs and concerns of the Council and community. This year's report is exceptionally detailed, featuring more comprehensive data and analytics than in previous editions, encompassing traditional crime statistics, calls for service, workload metrics, clearance rates, and use of force data alongside in-depth analyses of bias and impartiality measures. These additions reflect our ongoing commitment to transparency and accountability, allowing us to present a clearer picture of our daily operations and challenges, and enhancing our ability to assess the effectiveness of our policies and practices. By providing these detailed insights, the report supports our mission to maintain public trust and engage with the community on issues of safety, fairness, and policing standards, making it a crucial tool for informing policy decisions, shaping future strategies, and fostering a deeper understanding and collaboration with the community we serve.
- **Gun Violence Prevention:** The City of Berkeley has developed a comprehensive Gun Violence Intervention & Prevention program framework as a key component of its Reimagining Public Safety initiative. The Berkeley Police Department plays a crucial role as a key partner in this collaborative effort to significantly reduce gun violence incidents. The program employs a multifaceted approach that combines place-based interventions in critical areas, direct engagement with individuals at risk, street outreach, and the provision of robust social services. The Police Department works closely with multiple city departments, community-based organizations, and field experts to implement this strategy, which is grounded in empirical evidence and best practices. By leveraging their expertise and resources, the Police Department contributes to Berkeley's

holistic and proactive approach to fostering a safer community. The Department's active participation in addressing the proximate causes of gun violence and supporting those most at risk demonstrates its commitment to the well-being of Berkeley's residents. This comprehensive effort highlights the Police Department's dedication to working hand-in-hand with the community and its partners to tackle the issue of gun violence head-on and ensure a safer environment for all.

Police Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	71,508,797	73,681,456	79,711,391	79,017,736	85,933,799	89,562,615
Services & Materials	2,799,236	3,566,370	4,199,734	3,163,071	3,163,071	3,163,071
Capital Outlay	70,374	53,416	83,877	902,361	902,361	902,361
Internal Services & All Other	5,017,223	5,452,509	5,677,152	5,104,992	4,605,760	4,605,760
	79,395,630	**82,753,751**	**89,672,154**	**88,188,160**	**94,604,991**	**98,233,807**
By Division:						
Office of the Police Chief	4,091,604	4,423,285	4,700,746	415,114	1,479,245	1,361,781
Police Operations	40,517,577	41,679,511	46,205,688	48,430,965	50,493,898	53,346,560
Police Investigations	15,562,878	17,138,493	17,981,709	17,222,777	20,276,304	20,807,528
Professional Standards	3,533,953	3,911,616	3,961,399	3,240,616	4,002,539	4,038,150
Support Services	15,689,618	15,600,846	16,822,612	18,878,688	18,353,005	18,679,788
	79,395,630	**82,753,751**	**89,672,154**	**88,188,160**	**94,604,991**	**98,233,807**
By Fund:						
GF - Discreationary	77,270,052	77,916,631	84,895,063	83,606,569	89,720,763	93,285,423
Asset Forfeiture	23,649	52,176	1,029	201,000	201,000	201,000
State Proposition 172	1,244,424	908,527	974,520	442,387	446,693	448,975
City Optional Public Safety	700,649	137,440	40,992	272,292	272,394	272,448
OTS DUI Enforsmt Educ Prg	111,213	88,899	183,248	137,060	145,074	149,321
Alcoholic Bev Ctr Ots/Uc	37,291	21,866	41,468	55,639	58,644	60,237
One-Time Grant:No Cap Exp	8,352	110,773	244,162	-	-	-
JAG Grant	-	-	97,166	55,650	58,989	60,759
Parking Meter Fund	-	3,517,439	3,194,506	3,417,563	3,701,434	3,755,644
	79,395,630	**82,753,751**	**89,672,154**	**88,188,160**	**94,604,991**	**98,233,807**

Police Financial Summary

All Funding Sources

Division: Office of the Police Chief

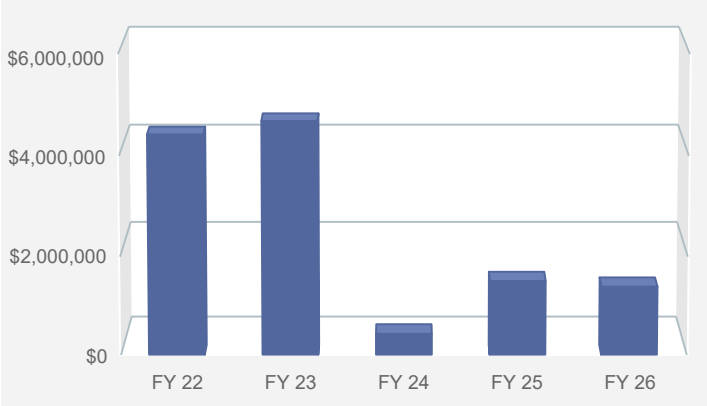
Mission Statement

The mission of the Police is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Selected Service Objectives

- Provides overall leadership and administrative oversight for the Police Department. The Office includes the Chief of Police, Strategic Communications (Public Information Officer), Office of Strategic Planning & Accountability, and the Internal Affairs Bureau.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 1,666,588	$ 1,882,646	$(2,695,950)	$ (1,132,587)	(57.99%)	$(1,250,051)	10.37%
Services & Materials	56,622	118,025	210,989	210,989	0.00%	210,989	0.00%
Internal Services & All Other	2,700,075	2,700,075	2,900,075	2,400,843	(17.21%)	2,400,843	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 4,423,285**	**$ 4,700,746**	**$ 415,114**	**$ 1,479,245**	**256.35%**	**$ 1,361,781**	**(7.94%)**
Annual Percentage Change		6.27%	(91.17%)	256.35%		(7.94%)	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Police Financial Summary

All Funding Sources

Division: Police Operations

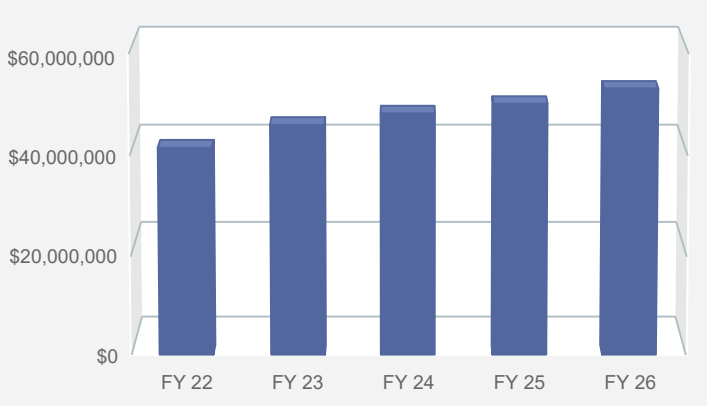
Mission Statement

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Selected Service Objectives

- Supports the department's mission by responding to calls for service, conducting initial criminal investigations, making arrests, issuing citations, and providing crime prevention services and proactive problem-solving efforts, all focused on safeguarding the community.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$40,686,854	$ 45,091,388	$ 48,026,003	$50,088,936	4.30%	$52,941,598	5.70%
Services & Materials	992,657	1,114,300	376,152	376,152	0.00%	376,152	0.00%
Capital Outlay	-	-	28,810	28,810	0.00%	28,810	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$41,679,511**	**$ 46,205,688**	**$ 48,430,965**	**$50,493,898**	**4.26%**	**$53,346,560**	**5.65%**
Annual Percentage Change		10.86%	4.82%	4.26%		5.65%	

Police Financial Summary

All Funding Sources

Division: Police Investigations

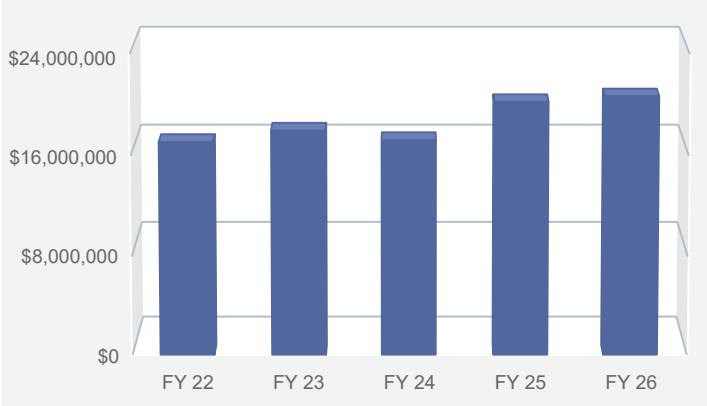
Mission Statement

The mission of the Police is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Selected Service Objectives

- Detective Bureau conducts follow-up investigations on felony crimes, including homicides, felony assaults, robberies, sexual assaults, domestic violence assaults, sexual assaults on children and minors, residential and commercial burglaries, identity theft, fraud, forgery, and elder abuse, among other offenses.
- Traffic Bureau consists of the Traffic Unit's Motorcycle Officers who focus on community safety through enforcement of traffic laws, investigation of serious injury traffic collisions including fatalities, driving under the influence (DUI) enforcement, and coordinating grant-funded focused enforcement efforts.
- Parking Enforcement Bureau's Parking Enforcement Officers (PEO) enforce applicable state and local codes which regulate parking in the City of Berkeley.
- Crime Scene Unit is responsible for properly identifying, seizing, and documenting forensic crime scene evidence.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$15,747,937	$16,456,646	$15,436,007	$ 18,489,534	19.78%	$19,020,758	2.87%
Services & Materials	897,573	967,163	1,265,665	1,265,665	0.00%	1,265,665	0.00%
Capital Outlay	53,416	83,877	115,350	115,350	0.00%	115,350	0.00%
Internal Services & All Other	439,567	474,023	405,755	405,755	0.00%	405,755	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$17,138,493**	**$17,981,709**	**$17,222,777**	**$ 20,276,304**	**17.73%**	**$20,807,528**	**2.62%**
Annual Percentage Change		4.92%	(4.22%)	17.73%		2.62%	

Police Financial Summary

All Funding Sources

Division: Professional Standards

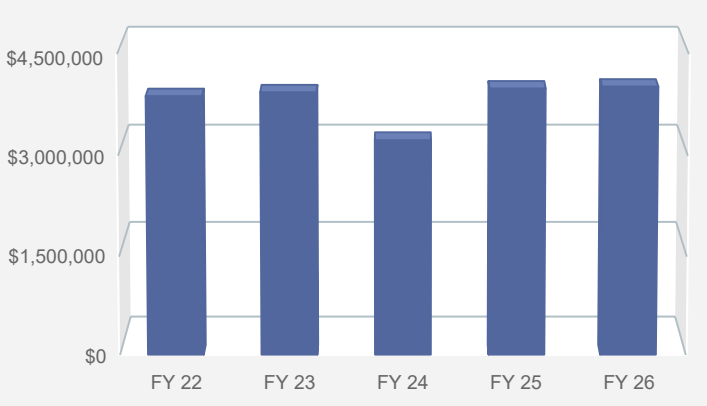
Mission Statement

The mission of the Police is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Selected Service Objectives

- Administration of its hiring and training efforts, policy review and maintenance, and systems review, auditing, and project coordination.
- Facilitates and coordinates all training needs for sworn and non-sworn staff.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 3,136,374	$ 3,288,885	$2,668,460	$ 3,430,383	28.55%	$ 3,465,994	1.04%
Services & Materials	775,242	672,514	568,603	568,603	0.00%	568,603	0.00%
Capital Outlay	-	-	3,553	3,553	0.00%	3,553	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 3,911,616**	**$ 3,961,399**	**$3,240,616**	**$ 4,002,539**	**23.51%**	**$ 4,038,150**	**0.89%**
Annual Percentage Change		1.27%	(18.20%)	23.51%		0.89%	

Police Financial Summary

All Funding Sources

Division: Support Services

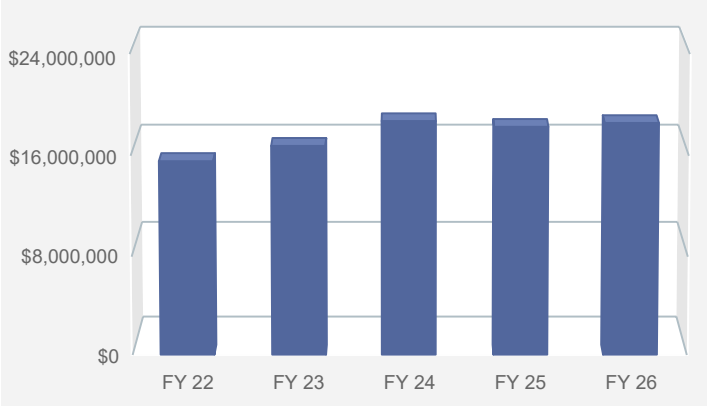
Mission Statement

The mission of the Police' is to safeguard our diverse community through proactive law enforcement and problem solving, treating all people with dignity and respect.

Selected Service Objectives

- Comprises the Support Services Lieutenant, Communications Center Manager (who oversees the Public Safety Communications Center which receives, and dispatches calls for Police, Fire, and Medical Services), the Berkeley City Jail, Records, Property and Evidence Unit, Public Safety Technology Systems Unit, Warrant Unit, and Court Liaison Officer.
- Provides fundamental structural support across all Department Divisions.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 12,443,703	$ 12,991,826	$ 15,583,216	$ 15,057,533	(3.37%)	$ 15,384,316	2.17%
Services & Materials	844,276	1,327,732	741,662	741,662	0.00%	741,662	0.00%
Capital Outlay	-	-	754,648	754,648	0.00%	754,648	0.00%
Internal Services & All Other	2,312,867	2,503,054	1,799,162	1,799,162	0.00%	1,799,162	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 15,600,846**	**$ 16,822,612**	**$ 18,878,688**	**$ 18,353,005**	**(2.78%)**	**$ 18,679,788**	**1.78%**
Annual Percentage Change		7.83%	12.22%	(2.78%)		1.78%	

Office of the Director of Police Accountability

Mission Statement

The purpose of the Director of Police Accountability is to investigate complaints filed against sworn employees of the Berkeley Police Department, to reach an independent finding as to the facts and recommend corrective action where warranted. The Director of Police Accountability may also serve as the Secretary to the Police Accountability Board and assist the Board in carrying out the duties prescribed herein.

Organizational Chart



Office of the Director of Police Accountability Overview

The Office of the Director of Police Accountability (ODPA), as outlined in Berkeley Charter Section 125(14), is charged with executing the duties of the Police Accountability Board (PAB) as specified. This includes overseeing the day-to-day operations of the Board office and staff, as well as conducting performance evaluations and disciplinary actions for all subordinate employees within the Board. All employees of the City of Berkeley under the ODPA's purview are subject to the personnel regulations governing Berkeley's municipal workforce.

The Director of Police Accountability plays a critical role in evaluating the conduct of sworn officers of the Berkeley Police Department in accordance with relevant laws, policies, and procedures. Investigative findings and recommendations are presented to the Police Accountability Board, which then advises the Chief of Police on specific complaints.

Additionally, the Director engages with various stakeholders, such as employee organizations, civil rights and liberties groups, and communities of color, to gather feedback on the work of both the PAB and the ODPA. This outreach ensures that diverse perspectives are considered in the oversight process.

Moreover, the ODPA is responsible for producing an annual public report, detailing the activities of the Board throughout the year. This report includes summaries of complaints received by both the Board and the Police Department, providing transparency regarding the oversight process and its outcomes.

Challenges

The Office of the Director of Police Accountability (ODPA) has encountered several challenges during its transition from being under the purview of the City Manager's Office to becoming a quasi-independent department. This shift has necessitated reliance on critical services from the City Manager's Office and the City Attorney's Office, leading to coordination challenges and adjustments in workflow.

The broader issue of recruitment and retention across the city has posed significant obstacles for the ODPA, as it struggles to fill vacancies. These challenges are not unique to the ODPA but reflect broader recruitment and retention issues faced by departments citywide.

Moreover, the complexities and multiple interpretations of the Charter language governing the ODPA's responsibilities have added layers of complexity to its operations. This has required careful navigation and ongoing interpretation to ensure alignment with legal mandates.

Vacancies within the department, coupled with turnover and vacancies in the Board, have further strained the ODPA's capacity to fulfill its duties effectively. The dual role of the ODPA, which encompasses both overseeing the investigatory duties of police accountability and providing secretarial/clerical support to the Police Accountability Board (PAB), adds an additional layer of complexity and workload.

Overall, these challenges highlight the ongoing efforts required to streamline operations, address staffing shortages, and ensure the effective functioning of the ODPA in its dual capacity. Collaboration with key city offices, careful interpretation of the Charter, and strategic recruitment and retention efforts will be essential in overcoming these obstacles and advancing the mission of police oversight in Berkeley.

Accomplishments

The Office of the Director of Police Accountability (ODPA) has achieved significant milestones in its efforts to enhance police oversight and community engagement. With the support of Council, the ODPA successfully added an additional investigator to its investigative division, ensuring parity with internal affairs and facilitating thorough and timely personnel investigations.

In line with its commitment to community engagement, the ODPA actively participated in various events, including the Juneteenth festival and Know Your Rights Workshop at the HOPE Center. Additionally, the office facilitated Introduction to Berkeley Oversight Workshops at UC Berkeley and Berkeley High School, fostering greater awareness and understanding of police accountability among students and community members.

The launch of an assisted animal intervention program (believed to be the first in the field of civilian oversight), specifically a therapy animal program, represents another noteworthy accomplishment by the ODPA. This initiative aims to provide emotional support and assistance to individuals impacted by police-related incidents, furthering the office's commitment to holistic support and intervention.

Furthermore, the ODPA has prioritized professional development by participating in various training opportunities, including those offered by National Association for Civilian Oversight of Law Enforcement (NACOLE), International City/County Management Association (ICMA), Canadian Association for Civilian Oversight of Law Enforcement (CACOLE), and the American Society of Criminology (ASC). These engagements have allowed staff to stay abreast of best practices and emerging trends in police oversight and accountability.

In addition to these achievements, the ODPA hosted the 50th anniversary celebration of civilian oversight in the City of Berkeley. This event served as a significant milestone in recognizing the contributions of past and current stakeholders to the oversight movement. It brought together individuals who have played pivotal roles in shaping and advancing police accountability in Berkeley, fostering dialogue and collaboration among diverse stakeholders committed to enhancing transparency and community engagement in law enforcement practices.

Police Accountability Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	3,251	652,028	555,947	926,442	1,245,033	1,284,306
Services & Materials	-	76,793	263,261	126,136	126,136	126,136
Internal Services & All Other	-	79,773	90,099	90,015	113,678	113,678
	3,251	**808,594**	**909,307**	**1,142,593**	**1,484,847**	**1,524,120**
By Division:						
Undefined	3,251	808,594	909,307	1,142,593	1,484,847	1,524,120
	3,251	**808,594**	**909,307**	**1,142,593**	**1,484,847**	**1,524,120**
By Fund:						
GF - Discreationary	3,251	808,594	909,307	1,142,593	1,484,847	1,524,120
	3,251	**808,594**	**909,307**	**1,142,593**	**1,484,847**	**1,524,120**

Police Accountability Financial Summary

All Funding Sources | **Division: Undefined**

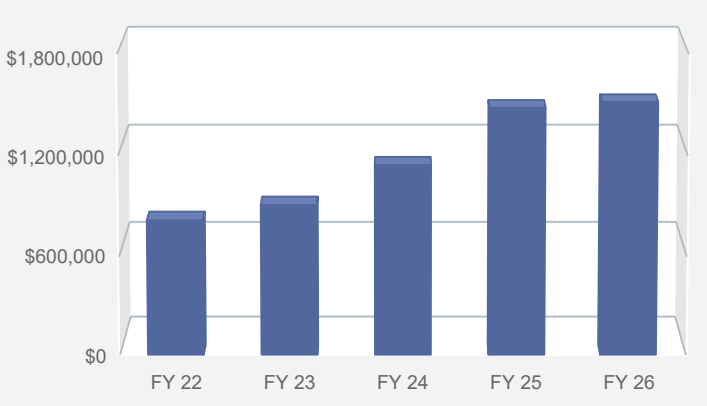
Mission Statement

The mission of the Police Accountability is to investigate complaints filed against sworn employees of the Berkeley Police Department, to reach an independent finding as to the facts and recommend corrective action where warranted. The Director of Police Accountability may also serve as the Secretary to the Police Accountability Board and assist the Board in carrying out the duties prescribed herein.

Selected Service Objectives

- Oversees the day-to-day operations of the Board office and staff, and conducts performance evaluations and disciplinary actions for all subordinate employees within the Board.
- Engages with various stakeholders, such as employee organizations, civil rights and liberties groups, and communities of color, to gather feedback on the work of both the PAB and the ODPA.
- Produces an annual public report, detailing the activities of the Board throughout the year.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 652,028	$ 555,947	$ 926,442	$ 1,245,033	34.39%	$ 1,284,306	3.15%
Services & Materials	76,793	263,261	126,136	126,136	0.00%	126,136	0.00%
Internal Services & All Other	79,773	90,099	90,015	113,678	26.29%	113,678	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 808,594**	**$ 909,307**	**$ 1,142,593**	**$ 1,484,847**	**29.95%**	**$ 1,524,120**	**2.64%**
Annual Percentage Change		12.46%	25.66%	29.95%		2.64%	

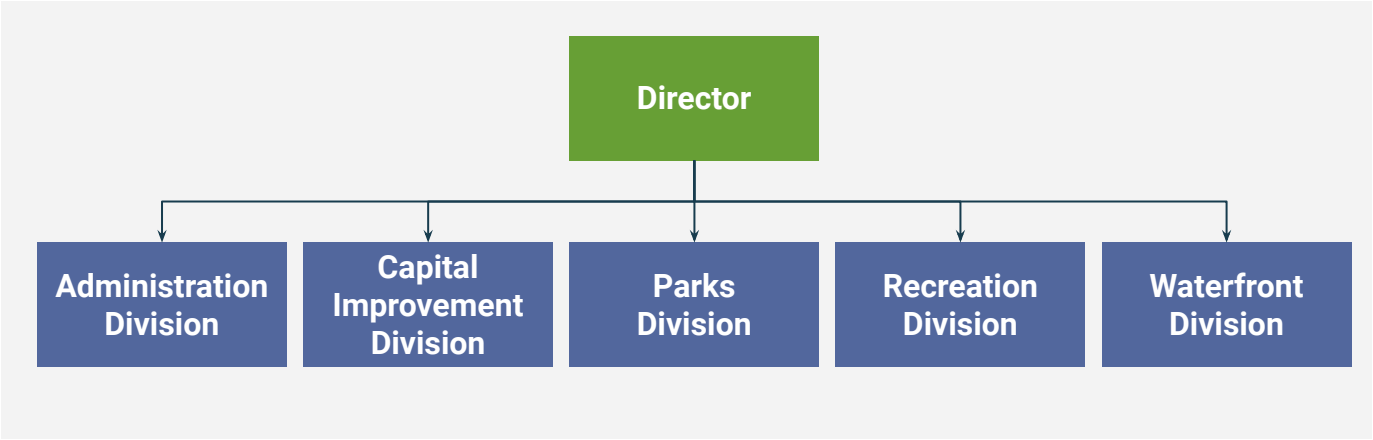
** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Parks, Recreation and Waterfront

Mission Statement

The Parks, Recreation and Waterfront Department is committed to administering excellent recreation programs at our community centers, camps, waterfront and parks; maintaining our trees and urban forest, landscaping and infrastructure; and developing capital projects with community input to improve and enhance residents' park and facility experience.

Organizational Chart



Parks, Recreation and Waterfront Overview

The Parks, Recreation & Waterfront (PRW) Department maintains the City's parks, playgrounds, pools, camps, community centers, and waterfront facilities; provides diverse recreation programs and special events throughout the year; delivers resident camps opportunities for youth, families and seniors; operates the largest public marina on the Bay; and plans, designs, and constructs capital improvements to Berkeley's parks, recreation, and waterfront facilities and infrastructure.

PRW is organized into five division to deliver the following baseline services:

- **Parks:** This Division maintains Berkeley's 55 parks, 63 play areas, 49 sports courts, 15 sports fields, 5 community centers, 2 clubhouses, 36 picnic areas, 35,000 street and park trees, 152 landscaped street medians and triangles, 263 irrigation systems, and 30 restrooms and out buildings. The Parks Division also organizes community volunteer days and participates in special events.
- **Recreation and Youth Services:** This Division provides a variety of programs and classes for all ages ranging from tots and pre-K to teens, youth, and adult sports, summer camps, therapeutic recreation, and adult fitness. The Division also operates the City's swimming pools, tennis courts, basketball courts, skate park, community centers, and resident camps near South Lake Tahoe and Yosemite. The Division hosts multiple large special events for the community throughout the year.
- **Waterfront:** This Division operates the Berkeley Marina and its related facilities, including the docks, pilings, streets, pathways, parking lots, buildings, trails, Adventure Playground, and 1,000 boat and berth rentals. The Division also manages agreements with Waterfront

businesses, maintains Waterfront parks and facilities including Cesar Chavez Park, Shorebird Park and Nature Center, and the Adventure Playground, and manages special events.

- **Capital Projects:** This Division plans and manages capital improvement projects at City parks, park buildings, community centers, pools, camps, and the Waterfront. This includes park and facility planning and community engagement, grant acquisition, permitting, environmental review, design, and construction management.
- **Administration:** The Office of the Director provides overall management of the Department; communications with Council, Commissions and the public; financial management, budgeting, payroll, purchasing, contracts and accounting; and grant and lease administration.

Challenges

PRW's current challenges include:

- **Marina Fund**: The Marina Fund applies revenue from berth rentals and leases toward costs for Waterfront maintenance, infrastructure, management, parks, and programs. The Fund is improving, bolstered by increasing slip occupancy, stronger restaurant and hotel performance, and historic investments in capital infrastructure. This would not have been possible without significant General Fund transfers to keep the Fund in the black over the last three years, including $2.55M in American Rescue Plan funds and $310k in personnel cost shifts; as well as a $265k one-time cost shift of Marina landscape staff to the Parks Tax. This was coupled with more than $7M in General Fund capital funding over the last two years to cover critical revenue-protecting Marina infrastructure projects including timber piling replacements and D&E dock replacement. The challenge for the next budget cycle will be to continue the momentum of increasing Marina berth occupancy and lease revenue and to close the structural deficit., Additional support will continue to be needed in FY25 and FY26 as there is an estimated need for $270k to cover operations over the two years; and an additional $3.075M in capital project needs.
- **Camps Fund**: The Camps Fund includes Berkeley Tuolumne Camp (BTC), Echo, Day Camp and Cazadero Camp. After 9 years of missing its leading revenue earner, BTC, and teetering on insolvency, the Fund is stabilizing. BTC struggled financially for the first 2 years, grossing just under $1M/year. However, this year, we've taken in just over $1M already, and we anticipate it growing to $1.2M before the end of the year, with new BTC marketing measures and programs. Revenue continues to be strong at Echo Lake Youth and Day Camp. While revenue overall is improving, there is still a structural deficit, and insufficient fund balance to cover the $550k in needed camp capital projects in FY25-26. In future years, as BTC grows and revenue increases, the Fund is expected to be in a better position to cover costs.
- **Scholarships and Diversity, Equity & Inclusion (DEI) Initiatives:** In the next budget cycle, PRW will continue to prioritize over 20 high-impact DEI initiatives, including increasing scholarships; increasing staff diversity; new and expanded programs for low socio-economic status (SES) residents; and focused improvements in south and west Berkeley. But funding for such programming is expensive and while staff have applied for a State Outdoor Equity grant to fund programs which provide low SES residents outdoor experiences, additional funding of $355k will be needed for camp scholarships and DEI initiatives, as the Camps Fund does not have the fund balance to cover these.

- **Capital Projects:** Despite significant investment in Parks, Camps and the Waterfront and related facilities from the General Fund, Parks Tax and Measure T1 Bond proceeds, the department has been faced with a number of existing and emergency capital projects and increased construction costs that have significantly outpaced inflation in recent years. While we have been successful at finding grant funds, there is a $4.485M funding gap for projects that need to be completed in FY25-26. We have 9 outstanding grant applications, some of which could offset these needs. An additional $360k is requested to offset the costs of staff management of PRW capital projects.
- **Grant Match:** There is a historic amount of grant funding available for infrastructure projects across the country. PRW has been successful in the last several years securing grants, leveraging nearly 15 times the amount of local investment in the last year alone. The challenge going forward will be to identify the source of local matches – not just for PRW, but for all City departments. Some of the biggest grants are likely to be for departments like Public Works that manage transportation and energy investments. Citywide, funding needs to be identified for the City to use as a local match so that we can compete effectively for these grants, and make the local dollars we spend go much further.

Accomplishments

Highlights of recent PRW accomplishments include:

- **Grants:** PRW received $18.889M in grants over the past year. Of the 23 grants we applied for, 11 were awarded, 11 are pending, and 1 was declined. Among the grants awarded were five State Coastal Conservancy grants totaling $15M for the Berkeley Waterfront for pier-ferry planning, main harbor dredging, dock replacement, trail improvements, and parking lot improvements; a $1M tree planting grant; and a $750K grant for the renovation of the Martin Luther King, Jr. Young Adult Program community center.

  The local match required by the awarded grants was $1.275M, meaning that PRW was able to raise nearly 15 times the amount of local investment in grants.

  Of the pending grants, three of them could offset PRW capital and operating budget requests in FY25 and 26. PRW applied for a $5.5M federal grant for the Santa Fe Right of Way project, a $3.6M State grant for the MLK YAP community center renovation; and a $511k State-funded Outdoor Equity grant.

  - **Staff Recruitment and Retention:** PRW is proud to have one of the lowest vacancy rates in the City, with 94% of our 113 career positions filled. This has been driven by amazing support from the Human Resources Department, as well as Department-wide efforts to improve staff retention, through all-staff meetings, trainings, programs and conferences. Additionally, the Recreation Division has been able to successfully recruit hundreds of part-time staff to operate its summer program offerings, while other local cities are struggling to find enough employees to offer basic programs.
  - **Equitable Recreation Programming:** PRW's focus on making existing programs more accessible has been very successful. PRW implemented 20 high-impact DEI initiatives, including increasing scholarships; increasing staff diversity in camps and aquatics; new and expanded programs for low socio-economic status (SES) residents in camps, swim lessons, community gardens, and the Waterfront; and focused park, tree canopy and capital improvements in south and west Berkeley. We continue

to identify ways to fund and expand these efforts, including collaborating with the Youthworks program to fund and expand the low SES internship program piloted last year; and applying for an Outdoor Equity grant to fund and expand programs like Fresh Adventures, which brings new Berkeley campers to experience BTC and Echo Lake Camps.

- **Trees Make Life Better Program:** With support from more than $2.2M in grant funding, PRW has established a "Trees Make Life Better" tree planting program, focused on expanding the tree canopy in South and West Berkeley. The grants cover staff costs, trees, planting materials, marketing, watering, and concrete cuts if needed, as well as to inform residents of the potential for new street trees. PRW has also engaged hundreds of volunteers at tree planting events, including at James Kenney Park, Ohlone Park, and Aquatic Park. At Aquatic Park, between volunteers and a contractor-led capital project to install irrigation and dig tree wells, more than 150 trees were planted between the highway and lagoon as part of an effort to create a nature-based separation between Interstate 80 and Aquatic Park, beautifying the Park with new tree canopy, and helping to increase the absorption of greenhouse gasses. Increasing the urban forest improves quality of life. Trees provide shade, produce oxygen, absorb carbon dioxide, stabilize temperatures, and reduce the cost of cooling.
- **Capital Projects:** PRW has been successful in completing capital projects and spending allocated capital funds, including, for example, the Marina Piling Replacement, Ohlone Playground and Mural Area, Aquatic Park Lagoon ADA Access, and Echo Tree Removal. Many more projects are under construction now, a sample of which includes the Grove Park playground and sports field; Berkeley Tuolumne Camp EV charging; 600 Addison-related Aquatic Park improvements; West Aquatic Park tree planting; Willard Park clubhouse and restroom; D&E dock replacement; Marina dredging; and Echo ADA. For the past two years, PRW won project of the year awards from the American Public Works Association (APWA) for the Marina Streets project and the Marina Piling Replacement project. In the last year, PRW has completed multiple capital projects and minor maintenance projects:
  - Camps: Echo Lake Tree Removal (General Fund)
  - Camps: Cazadero Riverbed Erosion – Phase 1 (Camps Fund)
  - Parks: Grove Park Play Structures (Parks Tax, Grants, T1)
  - Parks: Ohlone 2-5, 5-12 Play Structures and Mural Garden (Parks Tax, T1)
  - Parks: Solano-Peralta Play Structure- Phase 1 (Parks Tax)
  - Parks: John Hinkel Park Hut- Design Only (Parks Tax)
  - Parks: 63rd Mini- Park Community Garden (Parks Tax)
  - Parks: James Kenney Skate Spot – Design Only (Parks Tax)
  - Pools: King Pool Painting, Floors, Mechanical and Electrical Improvements (General Fund)
  - Waterfront: Bike Park - Design only (Parks Tax)
  - Waterfront: Misc. Piling Replacement (CIP, GF, Marina Fund, T1)
  - Waterfront: Finger Dock Replacement Phases 3 and 4 (Marina Fund)

Parks, Recreation & Waterfront Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	19,085,401	20,304,103	21,521,703	23,493,038	24,990,110	25,517,303
Services & Materials	11,279,417	11,831,966	12,174,317	10,237,574	10,176,014	10,353,626
Capital Outlay	27,400,589	27,808,132	7,996,311	13,442,005	4,147,369	3,188,802
Internal Services & All Other	3,029,643	3,590,276	3,885,693	6,566,625	8,324,266	8,313,983
	60,795,050	**63,534,477**	**45,578,024**	**53,739,242**	**47,637,759**	**47,373,714**
By Division:						
PRW - Director	2,925,368	3,268,788	3,518,715	3,848,174	3,712,067	3,864,664
PRW - Parks	11,386,587	11,999,569	11,864,854	12,674,058	14,048,007	14,639,694
PRW - Recreation	25,077,435	29,553,216	13,843,633	11,366,197	12,086,113	12,244,148
PRW - Waterfront	4,442,217	5,062,780	5,438,853	5,729,714	5,936,187	6,052,110
PRW - Capital Improvement	16,963,443	13,650,124	10,911,969	20,121,099	11,855,385	10,573,098
	60,795,050	**63,534,477**	**45,578,024**	**53,739,242**	**47,637,759**	**47,373,714**
By Fund:						
GF - Discreationary	7,304,227	8,757,649	9,693,629	9,359,348	9,785,501	9,880,201
Gilman Sport Field	113,685	303,864	288,303	297,279	318,415	327,550
Gilman Fields Reserve	(26,581)	-	-	-	-	-
Playground Camp	19,137,449	23,087,389	6,794,160	3,614,269	3,911,261	3,963,019
State Transportation Tax	-	1,000,000	-	-	-	-
Meas B - Local Streets and RDS	-	397,349	-	-	-	-
Meas BB - Local Streets and RD	-	927,934	-	-	-	-
Park Tax	16,539,554	15,535,040	14,694,064	15,857,357	19,671,951	19,869,958
Miles Lab	167,671	514	-	-	-	-
Measure FF - Public Safety	-	-	40,000	-	-	-
Youth Lunch	34,826	57,897	64,530	69,820	111,153	113,153
CA Integrated Waste Mgmt	5,975	2,392	682	-	-	-
Community Action Program	52,383	153	-	-	-	-
One-Time Grant:No Cap Exp	295,575	402,767	606,807	4,016,809	147,161	149,185
MTC	124,619	-	-	-	-	-
FEMA	-	-	53,756	-	-	-
Meas WW - Park Bond - Grant	551,598	1,220	-	-	-	-
Capital Improvements	1,463,966	323,425	2,084,052	3,710,000	400,000	400,000
Meas T1 - Infrstr and Fac	8,900,247	4,384,663	2,815,428	8,830,488	4,822,365	3,941,804
Zero Waste	186,629	180,473	155,498	195,517	52,403	52,825
Mar - Coastal Conservancy	36,480	7,868	-	-	-	-
Mar - Dept of Boating & Wtrwy	11,120	79,160	30,602	-	-	-
Marina Operations/Maint	5,895,627	8,084,720	8,256,513	7,788,355	8,417,549	8,676,019
	60,795,050	**63,534,477**	**45,578,024**	**53,739,242**	**47,637,759**	**47,373,714**

Parks, Recreation & Waterfront Financial Summary

All Funding Sources | **Division: PRW - Director**

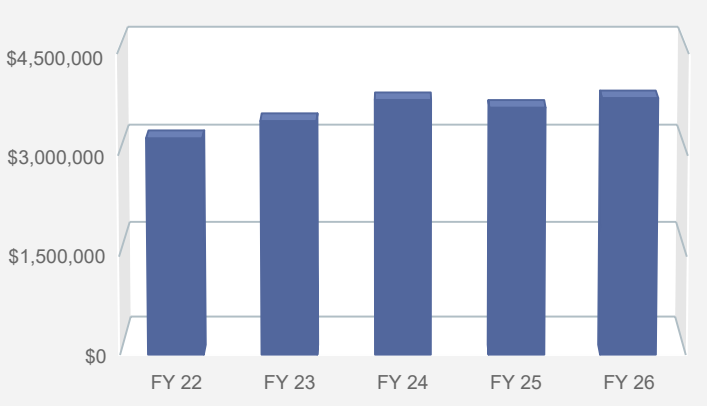
Mission Statement

The mission of the Parks, Recreation & Waterfront is committed to administering excellent recreation programs at our community centers, camps, waterfront and parks; maintaining our trees and urban forest, landscaping and infrastructure; and developing capital projects with community input to improve and enhance residents' park and facility experience.

Selected Service Objectives

- Provides overall management of the Department; communications with Council, Commissions and the public; financial management, budgeting, payroll, purchasing, contracts and accounting; and grant and lease administration.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 1,583,002	$ 1,598,059	$ 1,620,556	$ 1,181,598	(27.09%)	$ 1,222,358	3.45%
Services & Materials	206,814	323,234	724,727	741,927	2.37%	741,927	0.00%
Capital Outlay	-	99,969	26,825	7,125	(73.44%)	7,125	0.00%
Internal Services & All Other	1,478,972	1,497,453	1,476,066	1,781,417	20.69%	1,893,254	6.28%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 3,268,788**	**$ 3,518,715**	**$ 3,848,174**	**$ 3,712,067**	**(3.54%)**	**$ 3,864,664**	**4.11%**
Annual Percentage Change		7.65%	9.36%	(3.54%)		4.11%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Parks, Recreation & Waterfront Financial Summary

All Funding Sources | **Division: PRW - Parks**

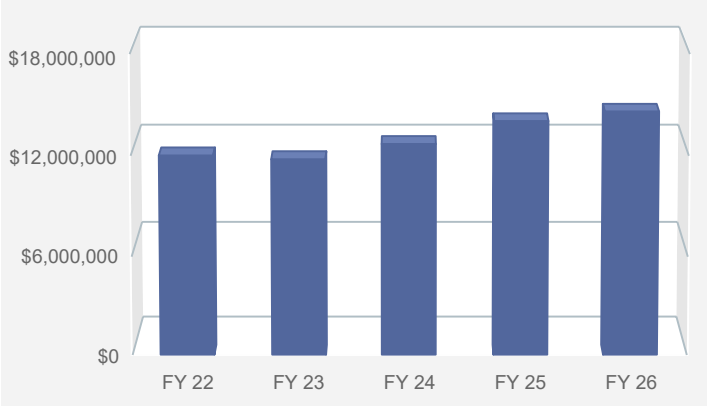
Mission Statement

The mission of the Parks, Recreation & Waterfront is committed to administering excellent recreation programs at our community centers, camps, waterfront and parks; maintaining our trees and urban forest, landscaping and infrastructure; and developing capital projects with community input to improve and enhance residents' park and facility experience.

Selected Service Objectives

- Maintains Berkeley's 55 parks, 63 play areas, 49 sports courts, 15 sports fields, 5 community centers, 2 clubhouses, 36 picnic areas, 35,000 street and park trees, 152 landscaped street medians and triangles, 263 irrigation systems, and 30 restrooms and out buildings. The Parks Division also organizes community volunteer days and participates in special events.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 8,241,285	$ 8,115,383	$ 8,496,276	$ 9,508,168	11.91%	$ 9,728,993	2.32%
Services & Materials	2,781,950	2,682,373	3,285,632	3,401,290	3.52%	3,485,410	2.47%
Capital Outlay	25,000	31,592	143,004	138,100	(3.43%)	142,243	3.00%
Internal Services & All Other	951,334	1,035,506	749,146	1,000,449	33.55%	1,283,048	28.25%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 11,999,569**	**$ 11,864,854**	**$12,674,058**	**$14,048,007**	**10.84%**	**$14,639,694**	**4.21%**
Annual Percentage Change		(1.12%)	6.82%	10.84%		4.21%	

Parks, Recreation & Waterfront Financial Summary

All Funding Sources | **Division: PRW - Recreation**

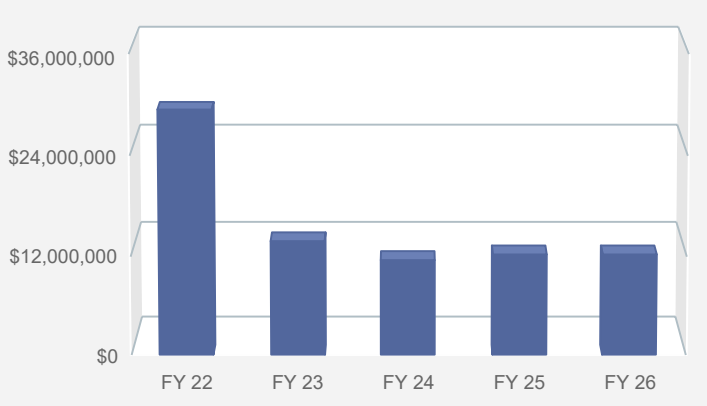
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Selected Service Objectives

- Provides a variety of programs and classes for all ages ranging from tots and pre-K to teens, youth, and adult sports, summer camps, therapeutic recreation, and adult fitness. The Division also operates the City's swimming pools, tennis courts, basketball courts, skate park, community centers, and resident camps near South Lake Tahoe and Yosemite. The Division hosts multiple large special events for the community throughout the year.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 6,162,088	$ 6,940,857	$ 8,164,987	$ 8,412,033	3.03%	$ 8,544,984	1.58%
Services & Materials	4,553,304	3,664,462	2,902,862	3,491,352	20.27%	3,503,919	0.36%
Capital Outlay	18,792,814	3,181,866	19,610	73,000	272.26%	18,000	(75.34%)
Internal Services & All Other	45,010	56,448	278,738	109,728	(60.63%)	177,245	61.53%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 29,553,216**	**$ 13,843,633**	**$ 11,366,197**	**$12,086,113**	**6.33%**	**$12,244,148**	**1.31%**
Annual Percentage Change		(53.16%)	(17.90%)	6.33%		1.31%	

Parks, Recreation & Waterfront Financial Summary

All Funding Sources

Division: PRW - Waterfront

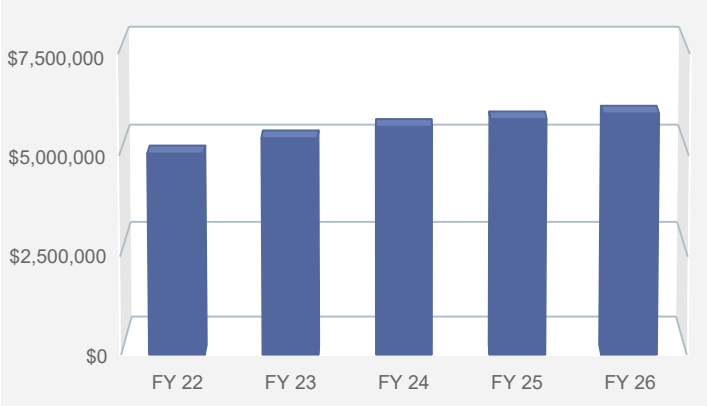
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Selected Service Objectives

- Operates the Berkeley Marina and its related facilities, including the docks, pilings, streets, pathways, parking lots, buildings, trails, Adventure Playground, and 1,000 boat and berth rentals.
- Manages agreements with Waterfront businesses, maintains Waterfront parks and facilities including Cesar Chavez Park, Shorebird Park and Nature Center, and the Adventure Playground, and manages special events.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 2,459,431	$ 2,668,511	$ 2,805,537	$ 3,100,745	10.52%	$ 3,159,626	1.90%
Services & Materials	1,532,156	1,554,528	1,537,272	1,782,317	15.94%	1,836,858	3.06%
Capital Outlay	28,173	22,377	48,450	20,810	(57.05%)	21,434	3.00%
Internal Services & All Other	1,043,020	1,193,437	1,338,455	1,032,315	(22.87%)	1,034,192	0.18%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 5,062,780**	**$ 5,438,853**	**$ 5,729,714**	**$ 5,936,187**	**3.60%**	**$ 6,052,110**	**1.95%**
Annual Percentage Change		7.43%	5.35%	3.60%		1.95%	

Parks, Recreation & Waterfront Financial Summary

All Funding Sources | **Division: PRW - Capital Improvement**

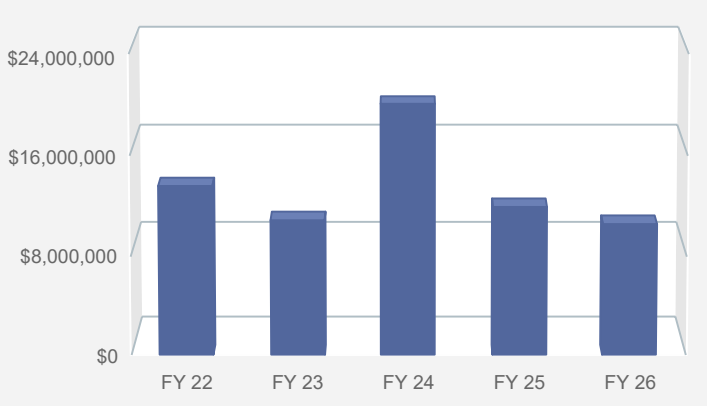
Mission Statement

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Selected Service Objectives

- Plans and manages capital improvement projects at City parks, park buildings, community centers, pools, camps, and the Waterfront. This includes park and facility planning and community engagement, grant acquisition, permitting, environmental review, design, and construction management.

Five-Year Expenditures



Five Year History

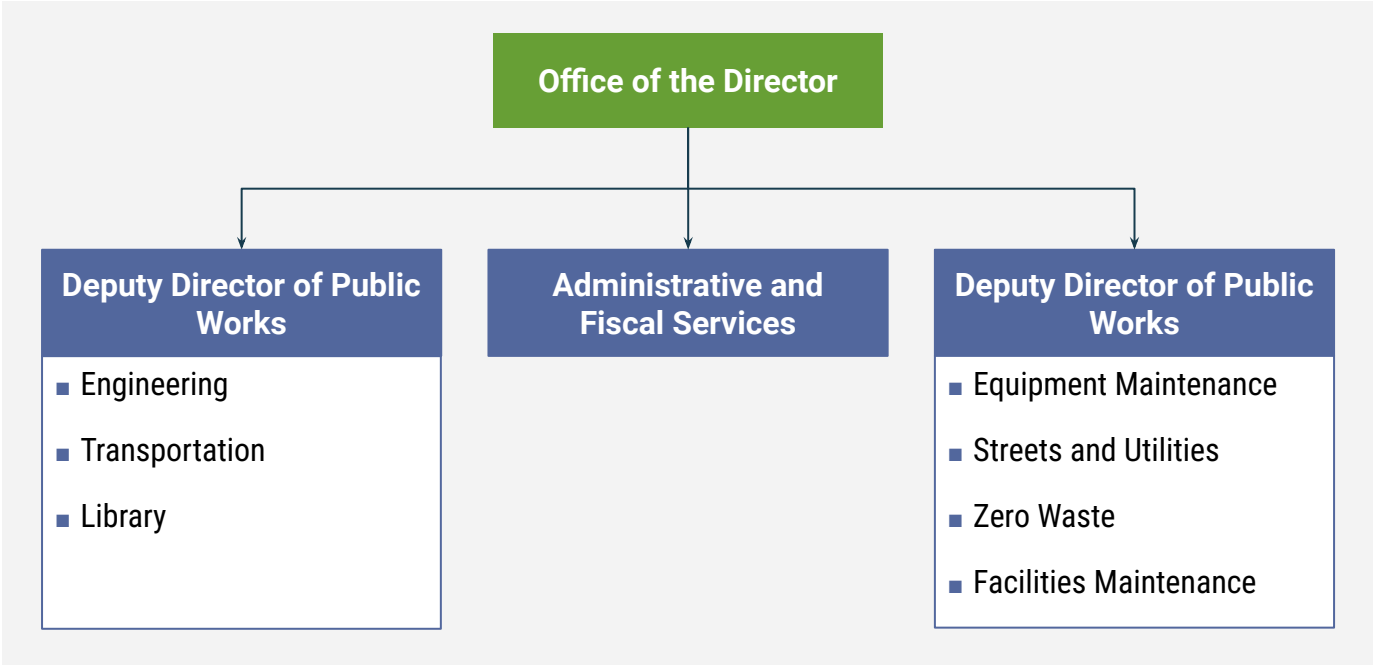
	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 1,858,297	$ 2,198,893	$ 2,405,682	$ 2,787,566	15.87%	$ 2,861,342	2.65%
Services & Materials	2,757,742	3,949,720	1,787,081	759,128	(57.52%)	785,512	3.48%
Capital Outlay	8,962,145	4,660,507	13,204,116	3,908,334	(70.40%)	3,000,000	(23.24%)
Internal Services & All Other	71,940	102,849	2,724,220	4,400,357	61.53%	3,926,244	(10.77%)
Adopted Tier 1 Funding *							
Total Expenditures	**$ 13,650,124**	**$10,911,969**	**$ 20,121,099**	**$11,855,385**	**(41.08%)**	**$10,573,098**	**(10.82%)**
Annual Percentage Change		(20.06%)	84.39%	(41.08%)		(10.82%)	

Public Works

Mission Statement

The Public Works Department is committed to providing quality services to the Berkeley community with pride, courtesy, and excellence.

Organizational Chart



Public Works Overview

The Department of Public Works is organized into eight divisions to deliver the following services:

- **Office of the Director:** The Director's Office provides department-wide leadership, management oversight, and policy direction to Public Works divisions for overall operations and implementation; information technology projects; audits and accreditation management; and employee labor relations, and training and development. Public Works has two Deputy Directors to assist the Director in these efforts. Duties and areas of responsibility are divided into two separate areas: Deputy Director of Operations and Deputy Director of Engineering & Transportation.
- **Administrative and Fiscal Services Division:** The Administrative and Fiscal Services Division is responsible for the Department's budget and fiscal oversight, regulatory compliance and reporting, and analytical support for routine and special projects in all Public Works operating divisions. Division functions include: budget development; implementation and oversight for the annual operating and capital budgets; fund management; fiscal and administrative policy development and process improvements; contract administration and grants compliance; and purchasing, payroll and accounting services for approximately 350 full time staff.

- **Engineering Division:** The Engineering Division is comprised of the following programs and responsibilities: Street Pavement Infrastructure Management; Sanitary Sewer Capital and Regulatory Compliance Programs; Storm Water Capital and Regulatory Compliance Programs; Creeks/Watershed Management; Sidewalk Capital Program; Buildings/ Facilities Capital Program; Disability Compliance and Program Coordination; Construction Management and Inspection; Land Development and Plan Review; Land Surveying; and Drafting/ GIS services. Engineering is also responsible for coordination of utility service markings, issuance of permits, and coordination and inspection for outside utility agency projects.
- **Zero Waste Division:** The Zero Waste Division (ZWD) is an enterprise funded operation within the Department of Public Works with an operations staff of more than 100, 50+ fleet of vehicles and funds another 27.3 FTEs throughout other Public Works divisions and other City departments. The ZWD provides the weekly curbside collection service of refuse and compost for over 23,000 single family and multi-family (up to five units) residential customers and up to seven-day per week curbside collection service of refuse, dual-stream recyclables (fiber and containers collected separately) and compost for over 5,000 multi-family (more than six units) and commercial customers.

  ZWD also manages third party vendor provided contracts for: 1) landfill disposal services; food/green material offsite hauling and composting; and offsite hauling and recycling of construction and demolition, metal, tires, cylinders and appliances; and 2) third-party non-profit organizations for: the collection of residential dual-stream recyclables (8,400 tons per year); 3) operates Berkeley Recycling for the sorting, processing and marketing of residential, multi-family and commercial recyclables (16,000 tons per year and a Recycling Buyback and Drop Off program; and salvaging of reusable materials dropped off at the Transfer Station (1,000 tons annually).
- **Transportation Division:** The Transportation Division provides traffic engineering, transportation planning, bicycle and pedestrian planning, project development, and parking management services that support safe and effective movement of people and goods in and through Berkeley. The Division also provides transportation review of private development projects and interagency coordination on regional transportation projects. Key Division and Department values include safety, equitable mobility, and environmental and financial sustainability.
- **Facilities Management Division:** The Facilities Management Division includes electrical maintenance and the Radio Shop; building maintenance and janitorial services; and property management support. This Division maintains 900,000 square feet of public service facilities; installs and maintains traffic signals and pedestrian control devices at approximately 140 intersections; maintains approximately 8,000 LED streetlights; and installs and maintains Police and Fire Department vehicle radios, sirens, lighting, and radio system infrastructure, including interface with the regional public safety radio system. The Division also maintains sound systems for Council meetings and special events and radio alarms at sewage lift stations.
- **Streets & Utilities Division:** The Streets and Utilities Division maintains and repairs the City's curbs, sidewalks and pathways, 214 miles of streets, 400 miles of sanitary sewers, and 78 miles of storm water piping, including approximately 5,800 storm structures and 30 green infrastructure installations. In partnership with business improvement districts, the Division manages the Clean City Program by providing street and sidewalk sweeping and cleaning services, including unattended property removal/ storage and illegal dumping removal. The Streets and Utilities Division also coordinates

with Transportation, Engineering and Parking Services staff to maintain traffic signs, pavement markings, and the City's 3,750 metered spaces.

- **Equipment Maintenance Division:** The Equipment Maintenance Division operates facilities at both the Corporation Yard and Transfer Station. Staff in this Division manage the maintenance as well as purchase and replacement of the City's 730 fleet vehicles, heavy duty trucks and large equipment, including public safety, fire, and alternative fuel vehicles and equipment.

Challenges

Major challenges the Public Works Department has faced over FY 24 include:

- **Vacancy Rate and Management Turnover:** Throughout all of FY 24, Public Works has experienced a vacancy rate among career positions at about 15-18%. Additionally, in calendar 2023, the department turned over its Department Director, both Deputy Directors and a handful of other senior manager positions. In addition to the loss of executive experience and institutional knowledge, with vacant positions, work gets delayed, remaining staff already at capacity absorb more work, and morale is impacted. Staff has worked hard in coordination with Human Resources in expediting internal processes to fill positions more quickly and reduce the vacancy rate, and the three top executive positions have been filled.
- **Critical Unfunded Needs:** Public Works is charged with the maintenance of city facilities and public right-of-way infrastructure. Recurring funding to support maintenance of this infrastructure remains perennially underfunded. The longer the asset's maintenance is deferred, the greater the future costs are to repair or replace. An FY 22 revised estimate of these assets under the department's portfolio projects an accumulated $1.8 Billion in deferred maintenance costs and needed improvements. Bond Measure L, which would have raised significant funding towards addressing the infrastructure funding gap and improving Berkeley streets, sidewalks, storm facilities, buildings and traffic safety infrastructure failed to pass in November 2022. Elevated levels of funding for Streets (>$8.0M/yr), and ADA Improvements ($250-500k/yr), are proposed for funding in FY 25-26 to stem the growth of deferred maintenance costs.
- **Key Challenged Funds/Programs:**
  - For both the **On-Street Parking Fund (Meters)** and **Off-Street Parking Fund (Garages),** Revenue has begun to return to approach pre-COVID levels, but the fund balances for both funds are still depleted and necessary capital outlays including funding for the citywide Parking Meter Replacement project projects to run the combined parking fund balances negative over the next two fiscal years.
  - **Equipment Maintenance Fund** has depleted its fund balance and is trending negative due to rising fuel outlays and Fleet program expenses that are not able to be collected via the current internal service fund cost recovery mechanisms. An Equipment Maintenance Fund rate update is pending being rolled out in FY 25/26 with a new cost allocation methodology that would rebalance the fund and correct the operational deficit.
  - **Building Purchases and Management Fund** (1947 Center Street) fund balance is negative due the complete vacancy of the 6th floor, which previously was leased as a premium floor to an outside organization. The space has been reserved for ITS Department's planned move since 2021, but the move was delayed originally due to

COVID-19 impacts and has not yet occurred, with no funds being paid into the fund to make it whole. The fund is a candidate for a new methodology and rate update in FY 26, but the most critical issue is resolving occupancy of the 6th floor (whether with an internal department or an outside agency) to generate lease revenue.

Accomplishments

Highlights of recent Public Works Department accomplishments include:

- **Updated Zero Waste Rates:** Zero Waste rates had remained flat since FY 2020 when the last scheduled rate adjustment from the previous adopted rate changes took effect. The proposed rate schedule improves the balance of costs between commercial and residential customers, better captures the cost of providing recycling services, supports the replacement of the Zero Waste Division's (ZWD) computerized management system, properly funds the Zero Waste Division's vehicle maintenance and replacement, sustains the Clean Cities Unit (street sweeping, illegal dumping, and other cleanups), and remedies the damage of ZWD's vehicles on the City's pavement, completes the preconstruction phase of the Transfer Station Replacement, and gains the City's compliance on local and state laws (including SB 1383). Following Proposition 218 procedures, the new Zero Waste rates were adopted on June 27, 2023 to take immediate effect in FY 2024.
- **Procure-to-Pay Process Evaluation:** In FY 23, Public Works initiated an evaluation of department processes and pain points following the life of the procurement process through vendor payment. An external consultant, Strategic Procurement Solutions, assisted with the evaluation and development of actionable recommendations. Department outcomes included gaining an additional department credit card, updates to internal department process manuals and establishing regular training for staff regarding procurement process and roles, and improvement of capital project fiscal reporting tools within the ERMA system. The effort also led to citywide changes, approval for thresholds for formal procurements to be increased from $25K for all thresholds to $50K for services, $100K for goods, and $200K for construction.
- **Technology Upgrades:** Public Works has completed implementation of key software systems. NexGen Work Order Management Software (Phase 2) was rolled out to improve the overall staff usage and user experience, add enhancements with GIS, and improve reporting capabilities of the NexGen Work Order software. The Assetworks Fleet Management software launched in spring 2024 after thorough data refinement and testing. Assetworks will greatly help the Fleet division in gaining efficiencies in management of the City's fleet assets, improve reporting tools and data management, which will increase transparency between the Equipment Management Division and its client departments over vehicle and equipment maintenance and replacement costs and repair status.
- **Fleet Electrification:** Public Works has replaced 33 conventional fossil fuel vehicles with all electric vehicles. The Department has also developed the Electric Mobility Roadmap, including adding 10 e-bikes to the City Fleet inventory.

Public Works Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	47,899,826	50,848,342	52,642,584	59,842,461	67,384,932	68,895,793
Services & Materials	29,454,356	35,343,643	38,703,945	40,411,957	47,372,100	41,304,914
Capital Outlay	31,668,017	34,925,227	19,754,264	68,342,267	57,715,382	52,549,488
Internal Services & All Other	17,045,832	19,639,822	21,911,398	19,729,487	19,870,573	19,899,538
	126,068,031	**140,757,034**	**133,012,191**	**188,326,172**	**192,342,987**	**182,649,733**
By Division:						
PW - Office of PW Director	6,467,052	7,951,562	7,739,484	8,347,759	9,718,103	9,853,443
PW - Transportation	15,034,044	18,239,264	15,554,537	20,611,074	22,240,392	21,308,202
PW - General Engineering	31,625,950	31,460,304	28,524,343	70,197,674	60,053,279	54,613,835
PW - Facilities Mgmt	8,395,920	9,460,278	9,694,346	12,739,171	16,804,564	15,421,840
PW - Streets & Sanitation	13,093,296	15,865,208	16,859,371	17,587,836	18,778,238	19,130,391
PW - Equipment Management	13,555,710	17,420,788	10,754,385	13,901,045	16,029,314	14,662,339
PW - Zero Waste	37,896,059	40,359,630	43,885,725	44,941,613	48,719,097	47,659,683
	126,068,031	**140,757,034**	**133,012,191**	**188,326,172**	**192,342,987**	**182,649,733**
By Fund:						
GF - Discreationary	5,499,277	6,859,825	7,066,623	6,558,530	7,068,390	7,231,648
Library - Tax	11,431	134	5,148	15,445	15,282	15,813
Parking In-Lieu Fee	-	82,010	-	-	-	-
State Transportation Tax	4,537,608	4,306,944	4,778,704	5,868,962	7,954,591	7,764,859
CDBG	-	-	6,312	-	-	-
Meas B - Local Streets and RDS	2,111,333	2,531,697	551,926	21,958	2,007,551	7,551
Meas B - Bike and Pedestrian	342,990	182,727	15,443	-	47,646	-
Meas F - ALA CT VRF ST and RD	508,604	587,182	330,530	966,296	559,718	509,875
Meas BB - Local Streets and RD	1,376,375	4,194,754	5,642,461	10,085,614	9,586,869	7,277,314
Meas BB - Bike and Pedestrian	1,006,267	484,090	490,334	1,484,882	2,028,132	2,044,674
Park Tax	35,592	20,017	6,347	39,996	39,996	39,996
Street and Open Space Impr	654,599	1,702	-	-	-	-
Meas GG - Fire Preparation Tax	39,690	625,320	319,140	330,000	367,200	367,200
Street Lighting	1,359,123	1,345,349	1,436,859	2,823,755	2,858,665	2,860,881
UC Settlement	7,001	23,672	146,516	1,300,000	1,300,000	1,300,000
Cultural Trust	685	-	-	-	-	-
Private Party Sidewalks	916	152,915	2,154	100,000	100,000	100,000
Public Art	17,876	-	-	-	-	-
Mental Health State Aid Realig	248,235	-	-	-	-	-
Capital Grants - Federal	4,377	172,585	627,331	-	-	-
Capital Grants - State	657,090	3,142,789	361,149	750,000	750,000	750,000
Capital Grants - Local	62,815	610,536	313,446	100,000	100,000	100,000
Mental Health Service Act	7,559	-	-	-	-	-

Public Works Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
CA Integrated Waste Mgmt	51,553	7,739	14,785	5,244	5,244	5,244
One-Time Grant:No Cap Exp	336,082	183,960	81,026	-	-	-
MTC	671,787	337,801	256,356	752,827	752,827	752,827
FEMA	117,138	3,550	105	-	-	-
Alameda County Waste Mgmt	67,395	151,804	1,060,349	345,000	345,000	345,000
State Dept Conserv/Recycling	-	30,400	21,615	32,000	32,000	32,000
Caltrans Grant	846,203	579,086	40,240	-	-	-
Capital Improvements	5,165,844	5,558,620	5,919,771	17,668,630	6,314,707	6,264,005
Meas M - ST and WTRSHD Imprv	330,676	(84,981)	3,878	-	-	-
Meas T1 - Infrstr and Fac	10,489,326	2,776,211	3,181,474	9,261,317	9,301,148	9,321,344
Meas O - Affordable Housing	-	-	22,128	-	-	-
Zero Waste	42,823,963	46,115,204	50,270,034	57,897,191	62,325,398	59,412,227
Marina Operations/Maint	166,636	63,008	202,841	239,204	13,845	13,845
Sanitary Sewer Operation	17,010,664	23,512,606	19,571,205	31,956,017	32,023,282	32,204,479
Private Sewer Lateral	144,447	46,923	34,434	52,065	54,380	54,891
Clean Storm Water	2,366,108	2,311,081	3,642,537	5,891,265	8,873,505	7,729,390
Permit Service Center	961,224	1,197,542	1,190,338	1,717,087	1,562,494	1,600,503
Off Street Parking Fund	2,755,089	4,189,745	4,161,085	5,029,070	5,201,084	5,217,331
Parking Meter Fund	3,867,664	4,675,063	3,794,221	4,922,316	4,900,626	4,954,549
Bldg Purchases & Mgmt	1,157,870	1,337,175	1,402,422	2,061,231	2,233,731	2,251,171
Equipment Replacement	7,755,546	10,508,734	3,639,704	6,125,876	6,390,864	6,450,618
Equipment Maintenance	7,130,354	8,365,088	8,408,756	9,296,720	11,551,470	10,134,910
Building Maintenance	3,363,019	3,566,427	3,992,464	4,627,674	5,677,342	5,535,588
	126,068,031	**140,757,034**	**133,012,191**	**188,326,172**	**192,342,987**	**182,649,733**

Public Works Financial Summary

All Funding Sources

Division: PW - Office of PW Director

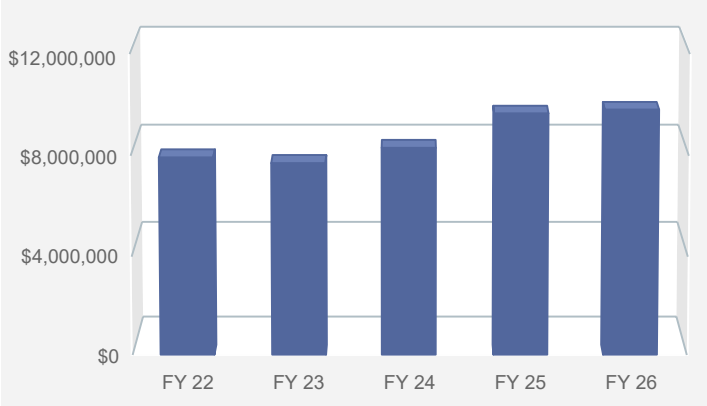
Mission Statement

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Selected Service Objectives

- Provides department-wide leadership, management oversight, and policy direction to Public Works divisions for overall operations and implementation; information technology projects; audits and accreditation management; and employee labor relations, and training and development.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits**	$ 3,748,497	$ 3,754,092	$ 4,112,805	$ 4,998,152	21.53%	$ 5,127,107	2.58%
Services & Materials	770,546	465,718	686,645	688,966	0.34%	688,966	0.00%
Capital Outlay	-	-	7,000	7,000	0.00%	7,000	0.00%
Internal Services & All Other	3,432,519	3,519,674	3,541,309	4,023,985	13.63%	4,030,370	0.16%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 7,951,562**	**$ 7,739,484**	**$ 8,347,759**	**$ 9,718,103**	**16.42%**	**$ 9,853,443**	**1.39%**
Annual Percentage Change		(2.67%)	7.86%	16.42%		1.39%	

** FY 2025 and FY 2026 Salaries and Benefits, the amounts include General Fund salary savings target.

Public Works Financial Summary

All Funding Sources | **Division: PW - Transportation**

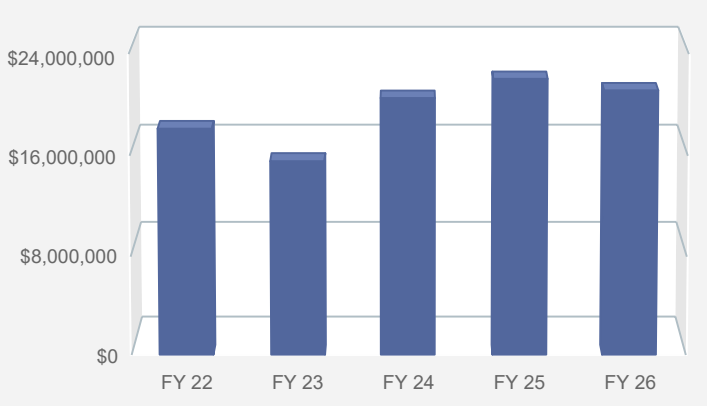
Mission Statement

The mission of the Public Works is committed to providing quality services to the Berkeley community with pride, courtesy, and excellence.

Selected Service Objectives

- Provides traffic engineering, transportation planning, bicycle and pedestrian planning, project development, and parking management services that support safe and effective movement of people and goods in and through Berkeley.
- Provides transportation review of private development projects and interagency coordination on regional transportation projects. Key Division and Department values include safety, equitable mobility, and environmental and financial sustainability.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 6,496,247	$ 6,400,026	$ 8,023,010	$ 9,011,521	12.32%	$ 9,174,057	1.80%
Services & Materials	6,101,787	7,215,818	5,894,811	6,359,895	7.89%	5,859,895	(7.86%)
Capital Outlay	4,883,268	1,136,603	5,974,797	6,124,485	2.51%	5,528,285	(9.73%)
Internal Services & All Other	757,962	802,090	718,456	744,491	3.62%	745,965	0.20%
Adopted Tier 1 Funding *							
Total Expenditures	**$18,239,264**	**$15,554,537**	**$ 20,611,074**	**$ 22,240,392**	**7.91%**	**$21,308,202**	**(4.19%)**
Annual Percentage Change		(14.72%)	32.51%	7.91%		(4.19%)	

Public Works Financial Summary

All Funding Sources

Division: PW - General Engineering

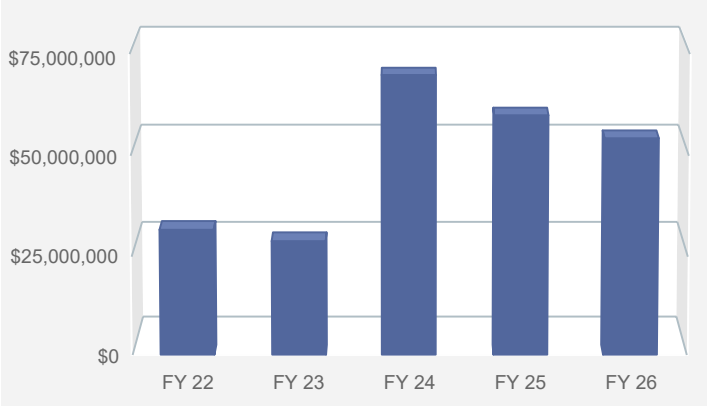
Mission Statement

The mission of the Public Works is committed to providing quality services to the Berkeley community with pride, courtesy, and excellence.

Selected Service Objectives

- Responsible for coordination of utility service markings, issuance of permits, and coordination and inspection for outside utility agency projects.
- Street Pavement Infrastructure Management
- Sanitary Sewer Capital and Regulatory Compliance Programs.
- Storm Water Capital and Regulatory Compliance Programs
- Creeks/Watershed Management.
- Sidewalk Capital Program.
- Buildings/Facilities Capital Program.
- Disability Compliance and Program Coordination.
- Construction Management and Inspection.
- Land Development and Plan Review; Land Surveying.
- Drafting/ GIS services

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 6,067,720	$ 6,987,428	$ 8,931,538	$ 8,713,398	(2.44%)	$ 8,894,303	2.08%
Services & Materials	3,976,778	4,651,583	3,377,361	4,406,278	30.47%	3,348,905	(24.00%)
Capital Outlay	20,601,568	15,876,929	56,819,070	46,042,497	(18.97%)	41,472,803	(9.92%)
Internal Services & All Other	814,238	1,008,403	1,069,705	891,106	(16.70%)	897,824	0.75%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 31,460,304**	**$ 28,524,343**	**$70,197,674**	**$ 60,053,279**	**(14.45%)**	**$ 54,613,835**	**(9.06%)**
Annual Percentage Change		(9.33%)	146.10%	(14.45%)		(9.06%)	

Public Works Financial Summary

All Funding Sources

Division: PW - Facilities Mgmt

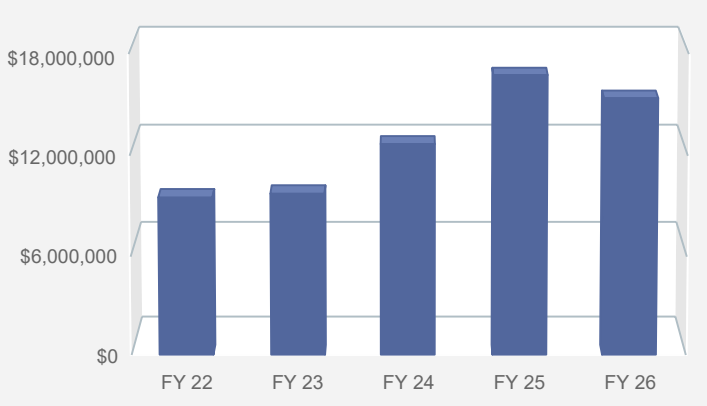
Mission Statement

The mission of the Public Works is committed to providing quality services to the Berkeley community with pride, courtesy, and excellence.

Selected Service Objectives

- Maintains 900,000 square feet of public service facilities; installs and maintains traffic signals and pedestrian control devices at approximately 140 intersections;
- Maintains approximately 8,000 LED streetlights.
- Installs and maintains Police and Fire Department vehicle radios, sirens, lighting, and radio system infrastructure, including interface with the regional public safety radio system.
- Maintains sound systems for Council meetings and special events and radio alarms at sewage lift stations.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 4,635,656	$ 4,786,316	$ 6,103,780	$ 7,518,878	23.18%	$ 7,626,716	1.43%
Services & Materials	4,266,281	4,279,570	5,125,896	7,849,721	53.14%	6,358,560	(19.00%)
Capital Outlay	-	-	753,817	753,817	0.00%	753,817	0.00%
Internal Services & All Other	558,341	628,460	755,678	682,148	(9.73%)	682,747	0.09%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 9,460,278**	**$ 9,694,346**	**$12,739,171**	**$16,804,564**	**31.91%**	**$ 15,421,840**	**(8.23%)**
Annual Percentage Change		2.47%	31.41%	31.91%		(8.23%)	

Public Works Financial Summary

All Funding Sources

Division: PW - Streets & Sanitation

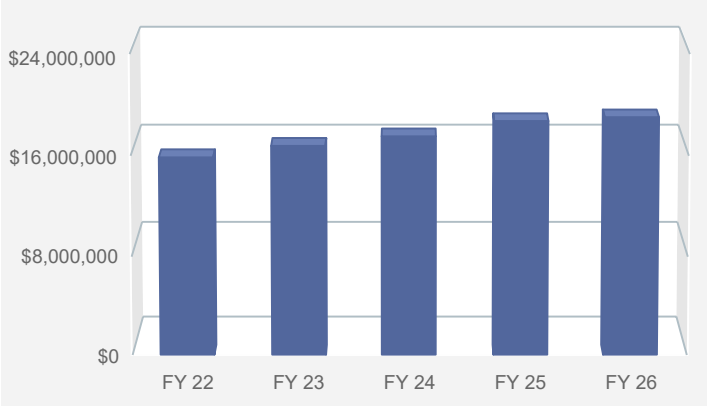
Mission Statement

The mission of the Public Works is committed to providing quality services to the Berkeley community with pride, courtesy, and excellence.

Selected Service Objectives

- Maintains and repairs the City's curbs, sidewalks and pathways, 214 miles of streets, 400 miles of sanitary sewers, and 78 miles of storm water piping, including approximately 5,800 storm structures and 30 green infrastructure installations.
- Manages the Clean City Program by providing street and sidewalk sweeping and cleaning services, including unattended property removal/storage and illegal dumping removal.
- Coordinates with Transportation, Engineering and Parking Services staff to maintain traffic signs, pavement markings, and the City's 3,750 metered spaces.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 10,260,749	$10,512,348	$11,507,019	$12,736,969	10.69%	$13,085,486	2.74%
Services & Materials	1,682,990	1,619,362	2,379,720	2,375,842	(0.16%)	2,375,842	0.00%
Capital Outlay	753,532	689,409	-	-	0.00%	-	0.00%
Internal Services & All Other	3,167,937	4,038,252	3,701,097	3,665,427	(0.96%)	3,669,063	0.10%
Adopted Tier 1 Funding *							
Total Expenditures	**$ 15,865,208**	**$16,859,371**	**$17,587,836**	**$18,778,238**	**6.77%**	**$19,130,391**	**1.88%**
Annual Percentage Change		6.27%	4.32%	6.77%		1.88%	

Public Works Financial Summary

All Funding Sources

Division: PW - Equipment Management

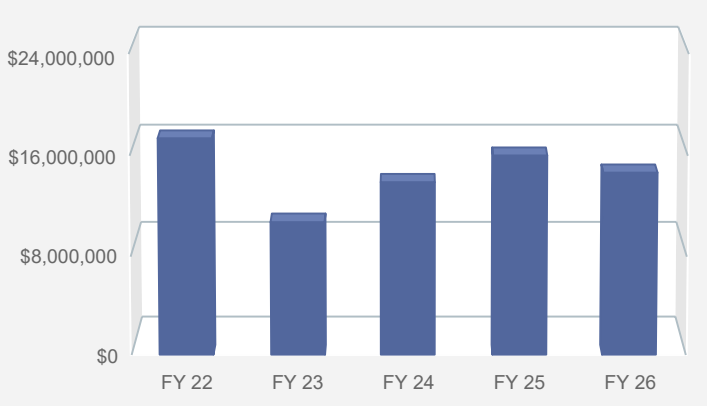
Mission Statement

The mission of the Public Works is committed to providing quality services to the Berkeley community with pride, courtesy, and excellence.

Selected Service Objectives

- Operates facilities at both the Corporation Yard and Transfer Station.
- Manages the maintenance as well as purchase and replacement of the City's 730 fleet vehicles, heavy duty trucks and large equipment, including public safety, fire, and alternative fuel vehicles and equipment.

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$ 2,165,287	$ 2,404,749	$ 2,901,373	$ 3,529,642	21.65%	$ 3,622,972	2.64%
Services & Materials	5,101,179	4,902,815	5,280,919	6,780,919	28.40%	5,320,614	(21.54%)
Capital Outlay	8,630,859	2,051,323	4,772,063	4,772,063	0.00%	4,772,063	0.00%
Internal Services & All Other	1,523,463	1,395,498	946,690	946,690	0.00%	946,690	0.00%
Adopted Tier 1 Funding *							
Total Expenditures	**$17,420,788**	**$10,754,385**	**$ 13,901,045**	**$ 16,029,314**	**15.31%**	**$14,662,339**	**(8.53%)**
Annual Percentage Change		(38.27%)	29.26%	15.31%		(8.53%)	

Public Works Financial Summary

All Funding Sources

Division: PW - Zero Waste

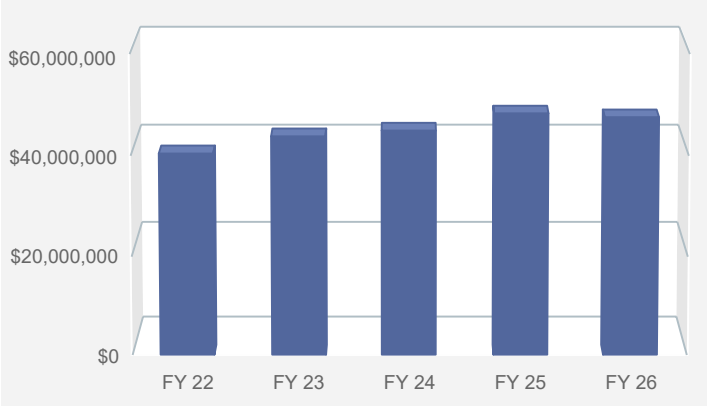
Mission Statement

The mission of the Public Works's Office is to provide the City with the highest caliber legal services and advice and to protect and advance the interests of this dynamic City by all legal and ethical means.

Selected Service Objectives

- Provides the weekly curbside collection service of refuse and compost for over 23,000 single family and multi-family (up to five units) residential customers and up to seven-day per week curbside collection service of refuse, dual-stream recyclables (fiber and containers collected separately) and compost for over 5,000 multi-family (more than six units) and commercial customers.
- Manages third party vendor provided contracts for: 1) landfill disposal services; food/green material offsite hauling and composting; and offsite hauling and recycling of construction and demolition, metal, tires, cylinders and appliances; and 2) third-party non-profit organizations for: the collection of residential dual-stream recyclables (8,400 tons per year); 3) operates Berkeley Recycling for the sorting, processing and marketing of residential, multi-family and commercial recyclables (16,000 tons per year and a Recycling Buyback and Drop Off program; and salvaging of reusable materials dropped off at the Transfer Station (1,000 tons annually).

Five-Year Expenditures



Five Year History

	Audited Actual		Budget				
	FY 22	FY 23	Adopted FY 24	Proposed FY 25	% Change From PY	Proposed FY 26	% Change From PY
Expenditure Category							
Salaries & Benefits	$17,474,186	$17,797,625	$ 18,262,936	$ 20,876,372	14.31%	$21,365,152	2.34%
Services & Materials	13,444,082	15,569,079	17,666,605	18,910,479	7.04%	17,352,132	(8.24%)
Capital Outlay	56,000	-	15,520	15,520	0.00%	15,520	0.00%
Internal Services & All Other	9,385,362	10,519,021	8,996,552	8,916,726	(0.89%)	8,926,879	0.11%
Adopted Tier 1 Funding *							
Total Expenditures	**$40,359,630**	**$43,885,725**	**$ 44,941,613**	**$ 48,719,097**	**8.41%**	**$47,659,683**	**(2.17%)**
Annual Percentage Change		8.74%	2.41%	8.41%		(2.17%)	

Non-Departmental (All City Funds)

The Non-Departmental budget contains critical pieces of the City budget not attributable to a single program or department. The largest component of this budget is the transfer of funds or money from one fund to another, such as a General Fund transfer to the Capital Improvement Fund.

Some examples of other transfers include the following:

- General Fund to Measure U1
- General Fund to Stability Reserve Fund and the Catastrophic Reserve Fund
- General Fund to the PERS Savings Fund (Section 115 Trust)
- General Fund to Health State Aid Realignment Fund
- General Fund to the Public Liability Fund
- Health State Aid Realignment to the General Fund
- Parking Meter Fund to General Fund

Because most transfers are budgeted in two separate funds, the Non-Departmental budget and in an operating Department budget, they are considered “dual appropriations.” Dual appropriations, amounts that are designated in different areas, are balanced in the budget for a net appropriation amount.

Other components of the Non-Departmental budget include:

- Debt service costs for General Obligation Bonds
- Lease Purchase Agreements
- Certificates of Participation (C.O.P.s)
- Allocation for Community-Based Organizations
- General overhead costs such as Property Insurance and School Board Salaries

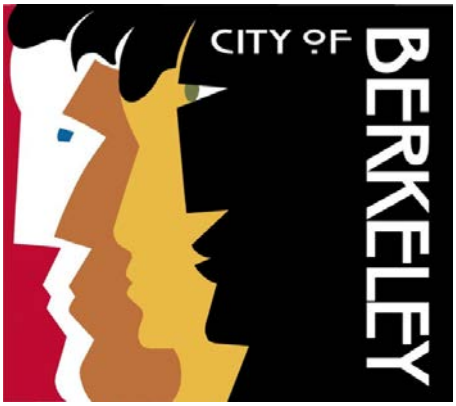
Non-Departmental Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
By Type:						
Salaries & Benefits	8,246,338	8,601,264	8,976,719	5,770	3,742	3,742
Services & Materials	6,036,385	7,467,532	9,506,965	7,408,860	7,722,503	7,727,252
Capital Outlay	65,324	-	-	-	-	-
Internal Services & All Other	96,501,401	110,669,318	101,295,952	93,759,369	70,428,659	69,043,808
	110,849,448	**126,738,114**	**119,779,636**	**101,173,999**	**78,154,904**	**76,774,802**
By Division:						
Non-Departmental	110,296,732	126,580,960	119,698,130	101,173,999	78,154,904	76,774,802
Emergency Operations	552,716	157,154	81,506	-	-	-
	110,849,448	**126,738,114**	**119,779,636**	**101,173,999**	**78,154,904**	**76,774,802**
By Fund:						
GF - Discreationary	46,390,563	43,112,577	52,800,630	59,995,782	36,345,562	39,956,968
GF - Payroll Deduction Trust	1,139,485	1,170,828	1,175,866	750,000	750,000	750,000
GF - Catastrophic Leave	180,629	129,056	325,815	-	-	-
U1 - Housing	946,163	1,046,163	-	825,242	372,000	372,000
GF - Stabilization Reserves	6,900,000	-	-	-	-	-
GF - Catastrophic Reserves	4,500,000	2,700,000	-	-	-	-
Library - Tax	-	-	-	-	5,000,000	-
Library - trans Based Reimbur	84,246	-	-	-	-	-
SEC 108 HUD Loan Grant Asst	553,108	568,200	587,612	587,612	1,183,612	1,183,612
Gilman Sport Field	-	175,000	75,000	-	-	-
CDBG	143,373	138,719	176,194	176,194	176,194	176,194
Meas F - ALA CT VRF ST and RD	2,500	2,500	2,500	2,500	2,500	2,500
Street and Open Space Impr	-	-	-	200,000	200,000	200,000
Street Lighting	370,451	370,451	370,451	370,451	370,451	370,451
UC Settlement	1,210,073	-	-	-	-	-
PERS Savings	24,785	35,466	42,085	-	-	-
Health State Aid Realignment	2,643,280	2,643,280	2,643,280	2,643,280	2,643,280	2,643,280
Measure FF - Public Safety	-	757,925	757,925	757,925	757,925	757,925
ARPA - Local FIscal Recovery	-	33,945,450	18,759,111	3,255,743	-	-
Capital Improvements	1,054,047	1,055,247	1,068,448	1,504,047	902,415	902,415
Meas T1 - Infrstr and Fac	4,541,796	2,718,840	4,490,381	4,699,006	4,699,006	4,699,006
Meas O - Affordable Housing	-	432,800	(5,671)	-	-	-
Sanitary Sewer Operation	90,501	90,501	90,501	90,501	90,501	90,501
Permit Service Center	50,555	50,555	50,555	50,555	50,555	50,555
Unified Program (CUPA)	5,082	5,082	5,082	5,082	5,082	5,082
Off Street Parking Fund	1,913,450	1,913,700	1,916,500	1,911,850	1,911,850	1,911,850
Parking Meter Fund	1,742,288	1,742,288	1,742,288	1,870,377	1,170,377	1,170,377
Bldg Purchases & Mgmt	1,633,765	1,633,574	1,632,726	1,636,188	1,636,188	1,636,188
Worker's Compensation	5,320,521	5,955,025	5,456,508	5,332,340	5,332,340	5,332,340

Non-Departmental Financial Summary

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
EXPENDITURES						
Sick and Vacation Payouts	2,369,799	2,637,963	2,984,884	-	-	-
Catastrophic Loss	2,950,333	4,195,724	5,423,620	3,447,023	3,447,023	3,447,023
IT Cost Allocation	794,160	-	438,968	450,613	496,355	504,847
Meas FF - Library	1,500,664	1,339,327	1,343,763	1,337,638	1,337,638	1,337,638
2015 GORBS for 2007 GORBS	2,604,056	2,051,117	2,050,613	2,047,259	2,047,259	2,047,259
Berkeley Repertory Theatre	501,498	501,338	501,080	499,820	499,820	499,820
2015 GORBS for 2002 GORBS	479,460	378,562	377,719	378,696	378,696	378,696
2015 GORBS for 2007 GORBS SERA	180,302	142,017	141,982	142,540	142,540	142,540
2015 GORBS for 2008 Anml Shltr	609,895	480,391	480,273	480,184	480,184	480,184
2010 COP Animal Shelter	5,466,153	105,228	634,481	140,085	140,085	140,085
Meas M - St and Wtrshd Imprv	1,642,613	1,636,238	1,637,613	1,630,863	1,630,863	1,630,863
Meas T1 - Infrstr and Fac	4,541,796	2,718,840	4,490,381	4,699,006	4,699,006	4,699,006
Measure O - Housing Bonds	2,003,748	2,010,390	3,608,308	2,007,265	2,007,265	2,007,265
Successor Acy - Savo Dsf	57,120	57,040	60,040	57,120	57,120	57,120
Sustainable Energy - 2	23,726	36,384	21,509	-	-	-
Thousand Oaks Undergrounding	98,460	101,106	98,581	98,448	98,448	98,448
Meas H - School Tax	181,257	232,825	211,834	500,000	500,000	500,000
CFD No. 1 Diaster Fire Prot	-	-	320,651	-	-	-
CFD No. 1 Mello-Roos	2,629,297	2,803,895	-	755,038	755,038	755,038
Sick Leave Entitlement	273,854	273,854	273,854	322,955	322,955	322,955
	110,348,852	**124,095,466**	**119,263,941**	**105,659,228**	**82,640,133**	**81,260,031**

Capital Improvement Program (CIP)


CITY OF
BERKELEY

Capital Improvement Program (CIP)

This section summarizes the City's Five-Year Capital Improvement Program (CIP) for FY 2025-2029 and the projects proposed as part of the FY 25 & FY 26 Biennial Budget. Additional detailed information regarding the projects identified within the CIP is available in a separate document forthcoming at the June 4, 2024 Council Meeting titled "City of Berkeley's Proposed FY 2025 -FY 2029 Capital Improvement Program.

Capital Project Definition

A capital project is a project that helps maintain, improve, or adds to the City's infrastructure. Typically, a project is considered a capital project if it results in an acquisition of a new asset or new construction, improvements, expansion, renovation, rehabilitation, repairs, or replacement of an existing City facility or other infrastructure assets. It usually requires a large investment of funding and staff resources. A capital project is expected to result in a long-term useful life and long-term benefit to the City and its residents. A completion of a capital project usually impacts the operating budget.

Capital Improvement Program and Capital Budget

In conjunction with the biennial budget process, the City of Berkeley prepares a Capital Improvement Program (CIP) that identifies anticipated projects and corresponding expenditures over a five-year timeframe. The CIP represents the spending plan for infrastructure improvements and other specific large- scale recurring purchases. The goal of the CIP is to create a roadmap of the projected infrastructure improvement needs of the City of Berkeley to assist in the planning and budgeting process.

The first year of the CIP is known as the Capital Budget. It is intended to closely reflect that year's projected spending for capital projects and is usually adopted in conjunction with the City's annual operating budget. It is important to point out that the FY 2025 Capital Budget does not include capital project budgets which have previously been encumbered and unspent from the previous fiscal year.

Projects and funding sources identified in subsequent years are not formally approved until the budget for those years is legally adopted. Beyond the first year, the CIP is a planning and budgetary management tool and subject to annual re-evaluation to reflect Council priorities, community needs and funding opportunities and challenges.

City Inventory of Assets

A CIP is necessary as the City has an extensive portfolio of capital assets and infrastructure. Maintaining these assets is a costly and time-consuming enterprise that requires significant resources and constant attention. Additionally, Berkeley is an aging City and thus, its infrastructure faces challenges that other younger cities do not.

Below is a partial list of the City's capital inventory:

- 95 public buildings of various ages,
- Approximately 215 centerline miles of improved streets,
- Over 300 miles of concrete sidewalk,

- A storm drain system that consists of approximately 78 miles of underground pipes, maintenance holes, catch basins, and cross-drains
- A sewer system consisting of 255 miles of public sanitary sewer mains and 130 miles of public sewer laterals,
- 52.5 miles of bicycle infrastructure
- 250 park acres,
- 11.5 miles of medians,
- 175 acres of land in the Waterfront,
- Three resident camps outside of the City,
- A fleet of 730 vehicles and pieces of large equipment, and
- 42 different facilities served by the City's information technology systems.

Maintaining these assets is a costly and time-consuming enterprise that requires significant resources and constant attention. Additionally, Berkeley is an aging city and thus, its infrastructure faces challenges that other younger cities do not.

Program Categories

The proposed CIP plan presents the City's blueprint for funding critical capital projects based on resource availability and Council's capital investment priorities. Elements of CIP project costs are grouped into broad program categories:

- Camps,
- City Facilities,
- Equipment & Fleet,
- Information Technology,
- Other Infrastructure,
- Parks,
- Sanitary Sewers,
- Sidewalks,
- Storm Water System,
- Streets,
- Transportation, and
- Waterfront.

The resources that the City will commit to its priority capital projects are identified within these program categories. While the budget adopts appropriated funds for capital projects in FY 25, there are still some unknowns (i.e. status of the economy and pending State and Federal funding for approved projects) that exist. Furthermore, funding for the remaining years of the five-year plan are subject to the availability of resources.

Overview of Five-Year CIP and Unfunded Needs

The City's ability to fund its CIP is limited by the total available resources that are competing with other community priorities. However, years of limited funding and deferred maintenance have resulted in aging City infrastructure that desperately needs repair and improvement.

Capital project funding comes from various sources including the discretionary General Fund (including the CIP Fund), as well as sources with spending and use restrictions comprising a number of special revenue funds, enterprise funds, grants and bonds. The City uses outside funding sources to the greatest extent possible.

The five-year (FY 25 – FY 29) CIP Total is $353.43 million. Enterprise Funds comprise 38% of the CIP ($135.17 million), General Fund and CIP Fund covers 25% of the CIP ($88.9 million), Special Revenue Funds is 18% ($64.17 million), other Capital Project Funds is 3% ($11.98 million), Internal Service Funds comprise 13% ($45.9 million), and Other One-Time Funding/Grants is 2% ($7.33 million).

The City has a number of major infrastructure project needs that are not addressed in the capital plan. The City's infrastructure requires investments of capital in order to maintain them in a good working condition and replace or rehabilitate assets at the end of their useful lives. Without sufficient and timely capital investments, the assets will deteriorate, costing the City of Berkeley substantially more in maintenance costs, and infrastructure will ultimately fail. The unfortunate outcome of this is a requirement of a much larger capital investment. Adequate amount of funding is needed to provide proper annual maintenance as this keeps assets in good working condition and typically prolongs their useful lives. Adequate funding is also necessary for when assets reach the end of their useful lives to pay for total repair or replacement in a timely manner. Due to limited available funding and competing priorities, the City has had to defer several capital improvement projects. For each year that a capital project is deferred, the project cost increases due to inflation (compounded each year the project is delayed), construction demands and construction bid results, the cost increases year over year due to scope changes as the longer the project is delayed, the more issues arise, unpredictable trends in the industry, and other unknown factors (economic, public health, and others).

Despite support from a variety of City funds, City facilities and infrastructure needs continue to exceed available funds. The City's unfunded capital needs have increased over the years and are anticipated to reach a five-year total of around $1.65 billion from FY 2025 to FY 2029.

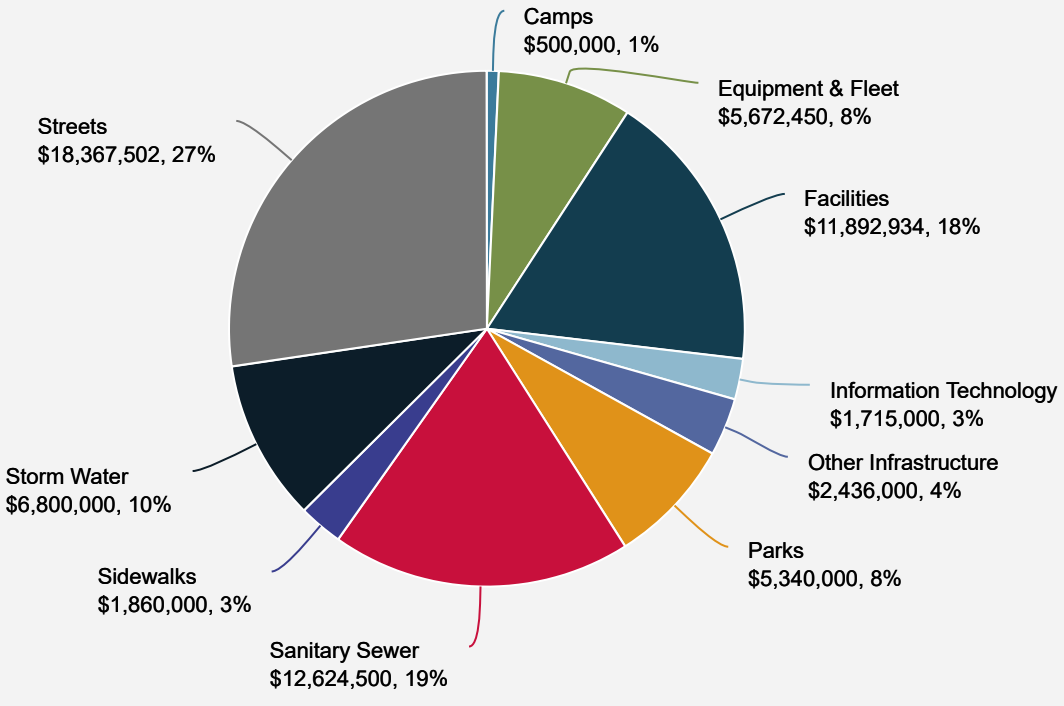
General Fund (011) and the CIP Fund (501)

The most discretionary funding sources for the Capital Improvement Program is the General Fund and the CIP Fund. The primary source of funding for the Capital Improvement Program Fund (CIP Fund) is an annual transfer from the City's General Fund to the CIP Fund. The City's General Fund consists of general purpose revenues that may be used for any general government purpose at the discretion of Council. For approximately the last decade, the General Fund fiscal year allocation to the CIP Fund has hovered between $5.4 million to $4.9 million (with the exception in FY 21 when the allocation was decreased due to ongoing economic impacts associated with coronavirus pandemic) without any increases to account for inflationary factors. Due to an increase in the excess Property Transfer Tax, in FY 2023 and FY 2024, the Capital Improvement Program received an infusion of one-time increase in funding. The previous biennial budget dramatically increased the General Fund baseline allocation via the CIP Fund to facilities, Parks, Recreation & Waterfront (PRW), and street maintenance while still supporting sidewalk repairs and general transportation needs, including traffic calming devices. The typical annual CIP Fund baseline is about $4.03 million (this does not

include baseline personnel). In FY 2023, this funding was increased to $11.03 million and in FY 2024, it was increased to $15.3 million.

For the FY 2025 and FY 2026 Biennial Budget, the current proposed CIP Fund totals $38 million (FY 2025 is $17 million and FY 2026 is $21 million). This includes the over $8 million for Streets paving following the Council Fiscal Policy. However, these proposed amounts also include projects that do not have established funding sources and are currently under consideration for General Fund and/or CIP Fund funding in the FY 2025 and FY 2026 Biennial Budget Process are listed below.

Project Title	FY 2025	FY 2026
Cazadero Riverbed Erosion	$ 300,000	$ -
Data Center CoLocation or lift/Shift to Cloud	$ 1,100,000	$ 1,100,000
Infrastructure Vulnerability Scanner	$ 60,000	$ 60,000
Upgrade to Microsoft G5	$ 500,000	$ 500,000
ADA Transition Plan Implementation	$ 250,000	$ 500,000
Re-Deck F & G Dock	$ -	$ 500,000
Adeline/Alcatraz Right-of-Way Landscaping	$ -	$ 400,000
Codornices Playground (Design)	$ -	$ 250,000
Glendale La Loma Park (2-5 & 5-12 Play Structure + ADA)	$ -	$ 250,000
James Kenney Restroom ADA	$ -	$ 160,000
Santa Fe Right-of-Way	$ -	$ 3,150,000
Shorebird Playground (Design)	$ -	$ 175,000
Codornices Creek Restoration at 9th Street	$ 200,000	$ 200,000
Codornices Creek Restoration between UPRR & Caltrans	$ 400,000	$ 400,000
199 Seawall Beam/Piling	$ -	$ 766,000
South Cove Seawall Replacement	$ 500,000	$ -



FY 2025 and FY 2026 Proposed CIP Comprehensive List

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
1947 Center Elevators Assessment	New	501 - CIP	55,000	-	55,000
1947 Center Elevators Assessment Total			**55,000**	**-**	**55,000**
1947 Center Street Improvements	Continuing	511 - T1-CAPITAL	551,713	-	551,713
1947 Center Street Improvements Total			**551,713**	**-**	**551,713**
199 Seawall Beam/Piling	New	501 - CIP	-	766,000	766,000
199 Seawall Beam/Piling	New	608 - MARINA OPE	-	240,000	240,000
199 Seawall Beam/Piling Total			**-**	**1,006,000**	**1,006,000**
ADA Transition Plan Implementation	New	501 - CIP	500,000	1,000,000	1,500,000
ADA Transition Plan Implementation Total			**500,000**	**1,000,000**	**1,500,000**
Addison Bicycle Blvd Ph2	New	011 - GEN FUND	85,000	-	85,000
Addison Bicycle Blvd Ph2	New	130 - B-STR RD	1,000,000	-	1,000,000
Addison Bicycle Blvd Ph2	New	134 - BB-STR RD	295,000	-	295,000
Addison Bicycle Blvd Ph2	New	336 - 1TIME GR	40,000	-	40,000
Addison Bicycle Blvd Ph2	New	344 - CALTRANS G	4,870,000	-	4,870,000
Addison Bicycle Blvd Ph2 Total			**6,290,000**	**-**	**6,290,000**
Adeline at Ashby BART	Continuing	307 - CA GRNT-LC	300,000	300,000	600,000
Adeline at Ashby BART Total			**300,000**	**300,000**	**600,000**
Adeline/Alcatraz Right-of-Way Landscaping	Continuing	501 - CIP	-	400,000	400,000
Adeline/Alcatraz Right-of-Way Landscaping Total			**-**	**400,000**	**400,000**
African American Holistic Resource Center	Continuing	511 - T1-CAPITAL	2,333,334	3,000,000	5,333,334
African American Holistic Resource Center Total			**2,333,334**	**3,000,000**	**5,333,334**
Ashby/San Pablo Trf Improv	Continuing	127 - ST TRNS TX	130,000	-	130,000
Ashby/San Pablo Trf Improv	Continuing	134 - BB-STR RD	505,849	-	505,849
Ashby/San Pablo Trf Improv Total			**635,849**	**-**	**635,849**
BUS PAD MAINTENANCE & REPAIR	Continuing	134 - BB-STR RD	200,000	200,000	400,000
BUS PAD MAINTENANCE & REPAIR Total			**200,000**	**200,000**	**400,000**

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
BeST Plan Update	Continuing	134 - BB-STR RD	-	200,000	200,000
BeST Plan Update Total			**-**	**200,000**	**200,000**
Bicycle Plan Update	Continuing	339 - MTC	150,000	-	150,000
Bicycle Plan Update Total			**150,000**	**-**	**150,000**
Bollard Conversion, Structural Repairs & Sidewalk Improvement Project	New	134 - BB-STR RD	750,000	-	750,000
Bollard Conversion, Structural Repairs & Sidewalk Improvement Project	New	616 - CLEAN STOR	-	250,000	250,000
Bollard Conversion, Structural Repairs & Sidewalk Improvement Project Total			**750,000**	**250,000**	**1,000,000**
Bridge Preventative Maintenance Program	New	134 - BB-STR RD	150,000	150,000	300,000
Bridge Preventative Maintenance Program Total			**150,000**	**150,000**	**300,000**
CY-Deferred Mtc - Gate, Paving, Parking, Fuel Island	Continuing	511 - T1-CAPITAL	250,000	-	250,000
CY-Deferred Mtc - Gate, Paving, Parking, Fuel Island Total			**250,000**	**-**	**250,000**
CY-Green Room Lockers, Bathroom, Training Room, Floor, Cabinets	Continuing	511 - T1-CAPITAL	811,380	-	811,380
CY-Green Room Lockers, Bathroom, Training Room, Floor, Cabinets Total			**811,380**	**-**	**811,380**
CY-Storage Room-Roof Repairs Bldg H	Continuing	511 - T1-CAPITAL	97,190	-	97,190
CY-Storage Room-Roof Repairs Bldg H Total			**97,190**	**-**	**97,190**
Cazadero Riverbed Erosion	New	501 - CIP	300,000	-	300,000
Cazadero Riverbed Erosion Total			**300,000**	**-**	**300,000**
Citywide Tree Planting	Continuing	501 - CIP	75,000	75,000	150,000
Citywide Tree Planting Total			**75,000**	**75,000**	**150,000**
Codornices Creek Restoration at 9th Street	Continuing	134 - BB-STR RD	-	100,000	100,000
Codornices Creek Restoration at 9th Street	Continuing	501 - CIP	200,000	200,000	400,000
Codornices Creek Restoration at 9th Street	Continuing	616 - CLEAN STOR	-	150,000	150,000
Codornices Creek Restoration at 9th Street Total			**200,000**	**450,000**	**650,000**
Codornices Playground (Design)	New	501 - CIP	-	250,000	250,000

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
Codornices Playground (Design) Total			**-**	**250,000**	**250,000**
Codornicies Creek Restoration between UPRR & Caltrans (Behind Transfer Station)	Continuing	501 - CIP	400,000	200,000	600,000
Codornicies Creek Restoration between UPRR & Caltrans (Behind Transfer Station) Total			**400,000**	**200,000**	**600,000**
Corp Yard Roll Up Door	New	501 - CIP	110,000	-	110,000
Corp Yard Roll Up Door Total			**110,000**	**-**	**110,000**
Data Center CoLocation or lift/shift to Cloud	New	501 - CIP	1,100,000	1,100,000	2,200,000
Data Center CoLocation or lift/shift to Cloud Total			**1,100,000**	**1,100,000**	**2,200,000**
Echo Lake Tree Removal	Continuing	501 - CIP	200,000	-	200,000
Echo Lake Tree Removal Total			**200,000**	**-**	**200,000**
Evidence Storage	New	501 - CIP	35,000	35,000	70,000
Evidence Storage Total			**35,000**	**35,000**	**70,000**
FY 2025 Vehicle Replacement Shedule	New	671 - EQ REPLACE	5,672,450	-	5,672,450
FY 2025 Vehicle Replacement Shedule Total			**5,672,450**	**-**	**5,672,450**
FY 2026 Vehicle Replacement Schedule	New	671 - EQ REPLACE	-	10,056,456	10,056,456
FY 2026 Vehicle Replacement Schedule Total			**-**	**10,056,456**	**10,056,456**
FY2025 Adeline-Shattuck Rehabilitation	New	611 - SANITARY S	1,232,000	10,603,800	11,835,800
FY2025 Adeline-Shattuck Rehabilitation Total			**1,232,000**	**10,603,800**	**11,835,800**
FY2025 Third Street Sewer (Railroad) Rehabilitation	New	611 - SANITARY S	9,130,000	-	9,130,000
FY2025 Third Street Sewer (Railroad) Rehabilitation Total			**9,130,000**	**-**	**9,130,000**
FY25 Sidewalk Repair Program	New	127 - ST TRNS TX	100,000	-	100,000
FY25 Sidewalk Repair Program	New	133 - F-ALA VRF	100,000	-	100,000
FY25 Sidewalk Repair Program	New	134 - BB-STR RD	600,000	-	600,000
FY25 Sidewalk Repair Program	New	149 - PRIV SDWLK	100,000	-	100,000
FY25 Sidewalk Repair Program	New	501 - CIP	185,000	-	185,000
FY25 Sidewalk Repair Program Total			**1,085,000**	**-**	**1,085,000**

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
FY26 Sidewalk Repair Program	New	127 - ST TRNS TX	-	100,000	100,000
FY26 Sidewalk Repair Program	New	133 - F-ALA VRF	-	100,000	100,000
FY26 Sidewalk Repair Program	New	134 - BB-STR RD	-	600,000	600,000
FY26 Sidewalk Repair Program	New	149 - PRIV SDWLK	-	100,000	100,000
FY26 Sidewalk Repair Program	New	501 - CIP	-	185,000	185,000
FY26 Sidewalk Repair Program Total			**-**	**1,085,000**	**1,085,000**
Facilities Deferred Maintenance Investment	New	501 - CIP	500,000	500,000	1,000,000
Facilities Deferred Maintenance Investment Total			**500,000**	**500,000**	**1,000,000**
Facility Condition Assessment	New	125 - PLAYGROUND CAMP	50,000	50,000	100,000
Facility Condition Assessment Total			**50,000**	**50,000**	**100,000**
Fire Station #2	Continuing	511 - T1-CAPITAL	73,109	-	73,109
Fire Station #2 Total			**73,109**	**-**	**73,109**
Generators	New	501 - CIP	120,000	110,000	230,000
Generators Total			**120,000**	**110,000**	**230,000**
Glendale La Loma Park (2-5 & 5-12 Play Structure + ADA)	New	501 - CIP	-	250,000	250,000
Glendale La Loma Park (2-5 & 5-12 Play Structure + ADA) Total			**-**	**250,000**	**250,000**
Green Infrastructure Projects - Stormwater Quality Improvement	Continuing	616 - CLEAN STOR	1,500,000	1,500,000	3,000,000
Green Infrastructure Projects - Stormwater Quality Improvement Total			**1,500,000**	**1,500,000**	**3,000,000**
Harrison Park - Restroom Renovation	Continuing	511 - T1-CAPITAL	250,000	-	250,000
Harrison Park - Restroom Renovation Total			**250,000**	**-**	**250,000**
Infrastructure Vulnerability Scanner	New	501 - CIP	60,000	60,000	120,000
Infrastructure Vulnerability Scanner Total			**60,000**	**60,000**	**120,000**
James Kenney Restroom ADA	New	501 - CIP	-	160,000	160,000
James Kenney Restroom ADA Total			**-**	**160,000**	**160,000**
K Dock Restroom Renovation	Continuing	608 - MARINA OPE	-	110,000	110,000
K Dock Restroom Renovation Total			**-**	**110,000**	**110,000**

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
MLK Jr. Youth Services Center Seismic Retrofit and Renovation	Continuing	138 - PARKS TAX	3,565,000	-	3,565,000
MLK Jr. Youth Services Center Seismic Retrofit and Renovation	Continuing	501 - CIP	110,000	-	110,000
MLK Jr. Youth Services Center Seismic Retrofit and Renovation Total			**3,675,000**	**-**	**3,675,000**
MRP Trash Capture Project	Continuing	616 - CLEAN STOR	550,000	50,000	600,000
MRP Trash Capture Project Total			**550,000**	**50,000**	**600,000**
Miscellaneous Deferred/Emergency	New	501 - CIP	250,000	200,000	450,000
Miscellaneous Deferred/Emergency Total			**250,000**	**200,000**	**450,000**
NBSC UPGRADES - KITCHEN & DATA	Continuing	501 - CIP	160,000	15,000	175,000
NBSC UPGRADES - KITCHEN & DATA Total			**160,000**	**15,000**	**175,000**
Oxford Complete Street Improv	New	147 - UC SETTLEM	-	1,463,161	1,463,161
Oxford Complete Street Improv Total			**-**	**1,463,161**	**1,463,161**
PSB Upgrades	New	501 - CIP	515,000	-	515,000
PSB Upgrades Total			**515,000**	**-**	**515,000**
Parker - Addison Bikeway	Continuing	134 - BB-STR RD	142,958	380,231	523,189
Parker - Addison Bikeway	Continuing	306 - CA GRNT-ST	173,703	-	173,703
Parker - Addison Bikeway Total			**316,661**	**380,231**	**696,892**
Pathway Repairs	New	127 - ST TRNS TX	25,000	175,000	200,000
Pathway Repairs Total			**25,000**	**175,000**	**200,000**
Phish-Resistant Hardware Authentication Devices (MFA)	New	011 - GEN FUND	55,000	-	55,000
Phish-Resistant Hardware Authentication Devices (MFA) Total			**55,000**	**-**	**55,000**
Piling Replacements (J Dock)	New	608 - MARINA OPE	140,000	-	140,000
Piling Replacements (J Dock) Total			**140,000**	**-**	**140,000**
Ratcliff Bldg G Flooring Improvement	New	501 - CIP	100,000	-	100,000
Ratcliff Bldg G Flooring Improvement Total			**100,000**	**-**	**100,000**
Re-Deck F & G Dock	New	501 - CIP	-	500,000	500,000
Re-Deck F & G Dock Total			**-**	**500,000**	**500,000**
Restrooms in the Public Right of Way [3]	Continuing	511 - T1-CAPITAL	605,933	-	605,933

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
Restrooms in the Public Right of Way (3) Total			**605,933**	**-**	**605,933**
Retaining Wall & Storm Drain Repair	Continuing	134 - BB-STR RD	200,000	-	200,000
Retaining Wall & Storm Drain Repair Total			**200,000**	**-**	**200,000**
Roof Replacement	New	501 - CIP	200,000	200,000	400,000
Roof Replacement Total			**200,000**	**200,000**	**400,000**
SHATTUCK-MLK BUS STOPS	Continuing	127 - ST TRNS TX	400,000	280,000	680,000
SHATTUCK-MLK BUS STOPS	Continuing	134 - BB-STR RD	280,000	170,000	450,000
SHATTUCK-MLK BUS STOPS Total			**680,000**	**450,000**	**1,130,000**
Santa Fe Right-of-Way	Continuing	501 - CIP	-	3,150,000	3,150,000
Santa Fe Right-of-Way Total			**-**	**3,150,000**	**3,150,000**
Sewer Rehabilitation Project A	New	611 - SANITARY S	800,000	9,625,000	10,425,000
Sewer Rehabilitation Project A Total			**800,000**	**9,625,000**	**10,425,000**
Sewer Rehabilitation Project B	New	611 - SANITARY S	800,000	9,325,000	10,125,000
Sewer Rehabilitation Project B Total			**800,000**	**9,325,000**	**10,125,000**
Shorebird Playground (Design)	New	501 - CIP	-	175,000	175,000
Shorebird Playground (Design) Total			**-**	**175,000**	**175,000**
Short-Term Electric Vehicle charger Project	New	671 - EQ REPLACE	1,386,000	188,000	1,574,000
Short-Term Electric Vehicle charger Project Total			**1,386,000**	**188,000**	**1,574,000**
South Berkeley Senior Center	Continuing	511 - T1-CAPITAL	2,675,275	-	2,675,275
South Berkeley Senior Center Total			**2,675,275**	**-**	**2,675,275**
South Cove Seawall Replacement	New	501 - CIP	500,000	-	500,000
South Cove Seawall Replacement Total			**500,000**	**-**	**500,000**
South Cove West Parking Lot	Continuing	608 - MARINA OPE	210,000	-	210,000
South Cove West Parking Lot Total			**210,000**	**-**	**210,000**
Southside Complete Streets	Continuing	147 - UC SETTLEM	628,700	-	628,700
Southside Complete Streets Total			**628,700**	**-**	**628,700**

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

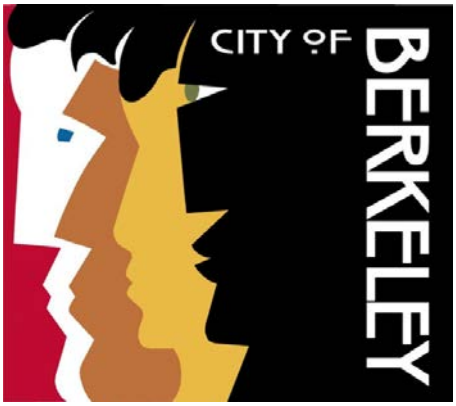
Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
Standard Specification Details	New	142 - ST LGHTNG	150,000	-	150,000
Standard Specification Details Total			**150,000**	**-**	**150,000**
Storm Drain Improvements	Continuing	616 - CLEAN STOR	1,600,000	1,150,000	2,750,000
Storm Drain Improvements Total			**1,600,000**	**1,150,000**	**2,750,000**
Stormwater Master Plan	Continuing	616 - CLEAN STOR	100,000	100,000	200,000
Stormwater Master Plan Total			**100,000**	**100,000**	**200,000**
Strawberry Creek Culvert Repairs and Concrete Repair	Continuing	127 - ST TRNS TX	2,200,000	-	2,200,000
Strawberry Creek Culvert Repairs and Concrete Repair Total			**2,200,000**	**-**	**2,200,000**
Street Rehab PCI Improvements	New	501 - CIP	8,487,200	8,741,816	17,229,016
Street Rehab PCI Improvements Total			**8,487,200**	**8,741,816**	**17,229,016**
Street Rehabilitation FY 2025	Continuing	127 - ST TRNS TX	2,144,302	-	2,144,302
Street Rehabilitation FY 2025	Continuing	133 - F-ALA VRF	155,000	-	155,000
Street Rehabilitation FY 2025	Continuing	134 - BB-STR RD	2,980,000	-	2,980,000
Street Rehabilitation FY 2025	Continuing	501 - CIP	1,925,000	-	1,925,000
Street Rehabilitation FY 2025	Continuing	601 - ZERO WASTE	1,000,000	-	1,000,000
Street Rehabilitation FY 2025	Continuing	616 - CLEAN STOR	1,125,000	-	1,125,000
Street Rehabilitation FY 2025 Total			**9,329,302**	**-**	**9,329,302**
Street Rehabilitation FY 2026	Continuing	127 - ST TRNS TX	51,000	2,144,303	2,195,303
Street Rehabilitation FY 2026	Continuing	133 - F-ALA VRF	-	155,000	155,000
Street Rehabilitation FY 2026	Continuing	134 - BB-STR RD	-	2,980,000	2,980,000
Street Rehabilitation FY 2026	Continuing	501 - CIP	350,000	1,575,000	1,925,000
Street Rehabilitation FY 2026	Continuing	601 - ZERO WASTE	-	1,000,000	1,000,000
Street Rehabilitation FY 2026 Total			**401,000**	**7,854,303**	**8,255,303**
Street Rehabilitation FY 2027 - FY 2029	New	127 - ST TRNS TX	-	51,000	51,000
Street Rehabilitation FY 2027 - FY 2029	New	501 - CIP	-	350,000	350,000
Street Rehabilitation FY 2027 - FY 2029 Total			**-**	**401,000**	**401,000**
Streetlight Comprehensive Plan	Continuing	142 - ST LGHTNG	50,000	-	50,000
Streetlight Comprehensive Plan Total			**50,000**	**-**	**50,000**
Streetlight Pole Replacement & Painting	Continuing	142 - ST LGHTNG	150,000	630,000	780,000
Streetlight Pole Replacement & Painting Total			**150,000**	**630,000**	**780,000**

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

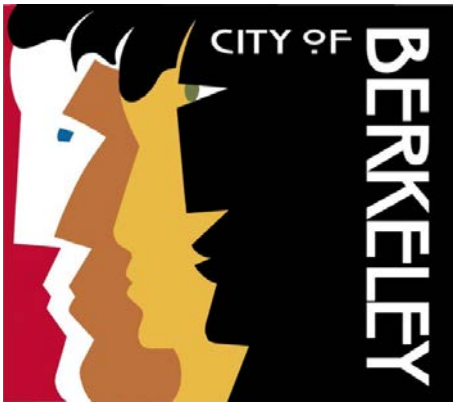
Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
Tom Bates Regional Sports Complex Restroom & Community Space	Continuing	138 - PARKS TAX	-	3,590,000	3,590,000
Tom Bates Regional Sports Complex Restroom & Community Space	Continuing	501 - CIP	-	310,000	310,000
Tom Bates Regional Sports Complex Restroom & Community Space	Continuing	511 - T1-CAPITAL	1,325,000	-	1,325,000
Tom Bates Regional Sports Complex Restroom & Community Space Total			**1,325,000**	**3,900,000**	**5,225,000**
Tom Bates Turf Replacement – Annual JPA Contribution	Continuing	501 - CIP	15,000	15,000	30,000
Tom Bates Turf Replacement – Annual JPA Contribution Total			**15,000**	**15,000**	**30,000**
University Ave Bus Stop	Continuing	127 - ST TRNS TX	950,000	-	950,000
University Ave Bus Stop	Continuing	134 - BB-STR RD	450,000	-	450,000
University Ave Bus Stop	Continuing	135 - BB-BIK PED	180,000	-	180,000
University Ave Bus Stop Total			**1,580,000**	**-**	**1,580,000**
Upgrade to Microsoft G5	New	501 - CIP	500,000	500,000	1,000,000
Upgrade to Microsoft G5 Total			**500,000**	**500,000**	**1,000,000**
Urgent Sewer Rehabilitation	New	611 - SANITARY S	662,500	717,500	1,380,000
Urgent Sewer Rehabilitation Total			**662,500**	**717,500**	**1,380,000**
VISION ZERO ACTION PLAN IMPL	Continuing	134 - BB-STR RD	100,000	100,000	200,000
VISION ZERO ACTION PLAN IMPL Total			**100,000**	**100,000**	**200,000**
West Berkeley Aquatic Park Stormwater Improvement Project (EPA Grant Project)	Continuing	305 - CA GRNT-FD	125,000	625,000	750,000
West Berkeley Aquatic Park Stormwater Improvement Project (EPA Grant Project)	Continuing	616 - CLEAN STOR	125,000	625,000	750,000
West Berkeley Aquatic Park Stormwater Improvement Project (EPA Grant Project) Total			**250,000**	**1,250,000**	**1,500,000**
Wildcat Canyon Road Repairs	Continuing	616 - CLEAN STOR	562,800	-	562,800
Wildcat Canyon Road Repairs Total			**562,800**	**-**	**562,800**
Zero Waste Transfer Station Maintenance & Repairs	New	601 - ZERO WASTE	400,000	400,000	800,000
Zero Waste Transfer Station Maintenance & Repairs Total			**400,000**	**400,000**	**800,000**
Zero Waste Transfer Station Replacement	Continuing	601 - ZERO WASTE	2,000,000	2,200,000	4,200,000

FY 2025 and FY 2026 Proposed CIP Comprehensive List (continued)

Capital Projects	Project Status	Funding Source	FY 2025 Proposed	FY 2026 Proposed	Biennial Total
Zero Waste Transfer Station Replacement Total			2,000,000	2,200,000	4,200,000
Grand Total			79,502,396	86,957,267	166,459,663


CITY OF
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Appendices


CITY OF
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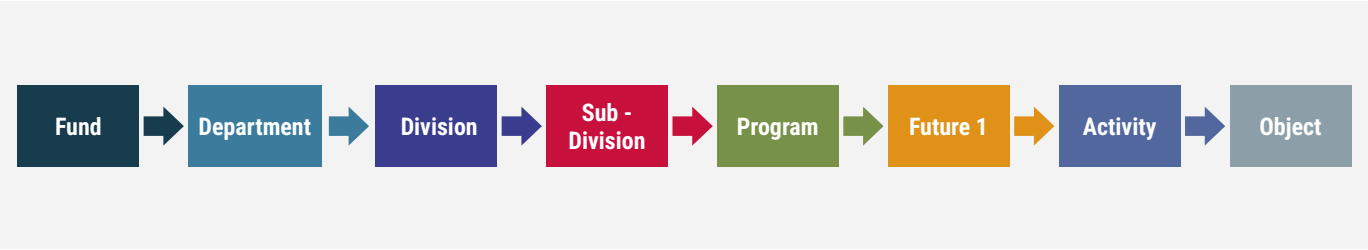
Basis of Budgeting

The City's accounting system is maintained on a fund basis in accordance with governmental accounting standards. A fund is a separate fiscal and accounting entity with a separate set of accounting records. City funds are organized within fund groups that include General Funds, Special Revenue Funds, Enterprise Funds, Internal Service Funds, Grant Funds, Bond Funds, Debt Service Funds, and Trust Funds. The governmental fund types and agency funds use the modified accrual basis of accounting. Under this method, revenues are recognized when they become both measurable and available. All proprietary fund types and pensions trust funds use the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

The budget document is adopted on a modified cash basis. For budgetary purposes, revenues are recorded when received (not when earned) and interfund loans and repayments (i.e., "interfund transfers") are recorded as expenditures and revenues. For accounting purposes these transactions are reclassified as increases or reductions in the "due to/due from" accounts. In recognition of these differences, companion financial statements are Annual Comprehensive Financial Report according to the budgetary basis of accounting and a detailed schedule is provided that reconciles the results of applying the two different basis of accounting methodologies.

Fund Structure

The City maintains a multipart chart of accounts and uses this formal structure to maintain accountability over the assets and resources for which it has control. Individual account codes in the City of Berkeley consist of several sections as shown below:



The City of Berkeley, like other state and local governments, uses fund accounting to demonstrate and ensure compliance with finance-related legal requirements. City funds are classified into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. The City maintains several individual governmental funds organized by their type (general, special revenue, debt service, and capital projects funds).

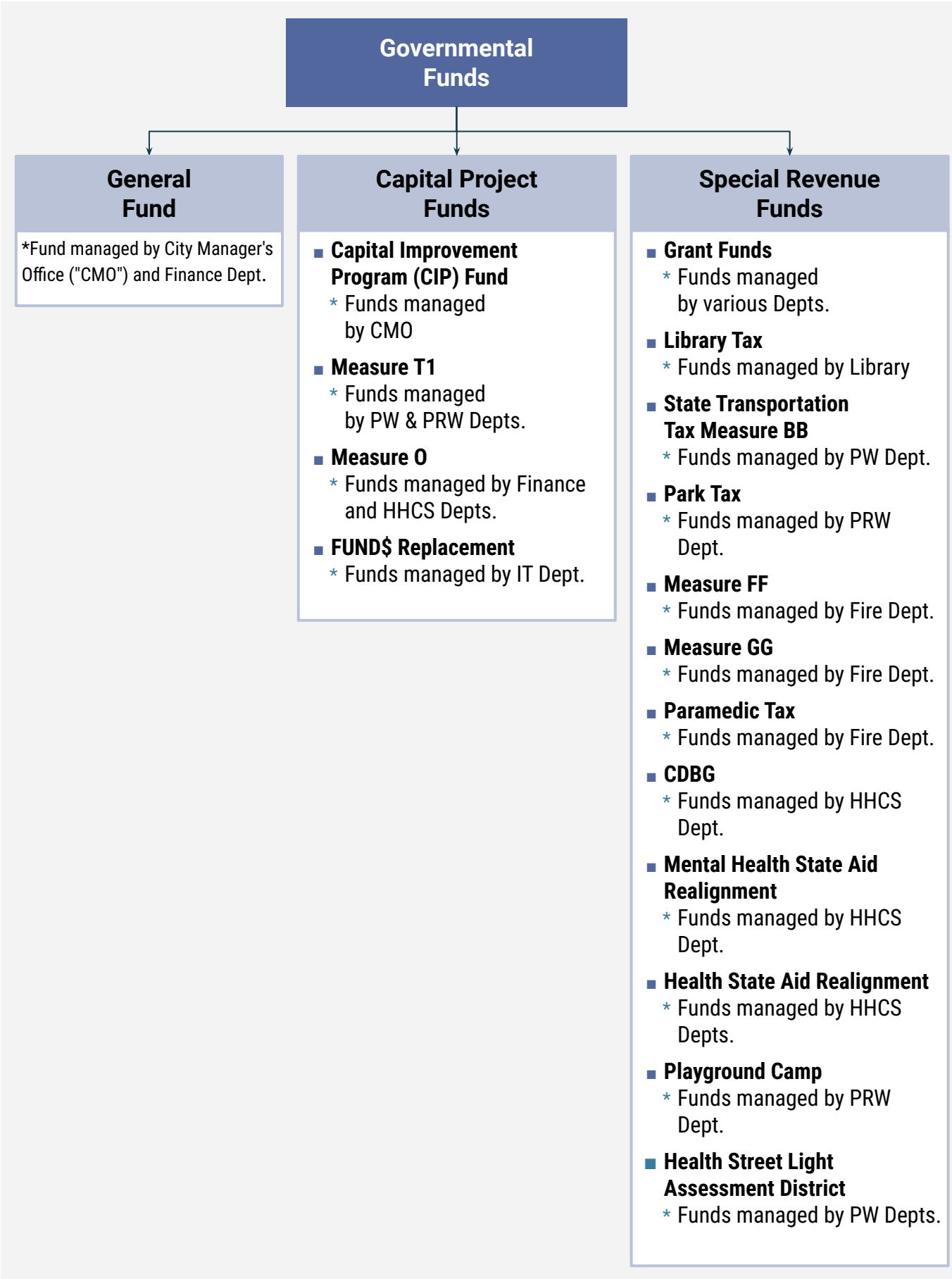
- **General Fund** is the primary operating fund of the City. It is discretionarily used for multiple purposes and has the most flexibility in how funding can be spent.
- **Special Revenue Funds** are restricted or committed to expenditures for specific purposes and therefore cannot be used for other expenses.
- **Debt Service Funds** are used for short-term and long-term debt principal and interest payments of the City.
- **Capital Project Funds** are used to acquire, improve, or construct major capital assets (other than the ones that are financed by other funding sources such as special revenue funds or proprietary funds).

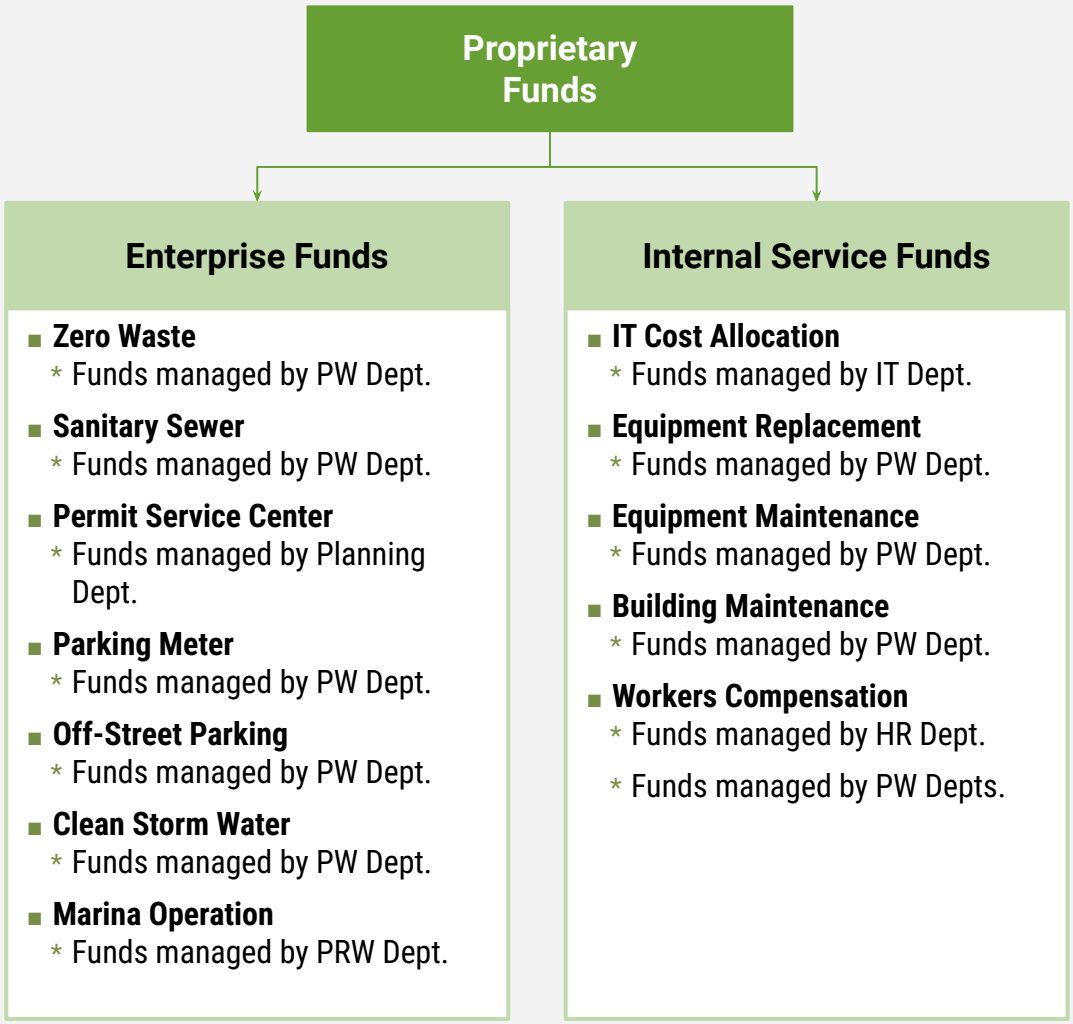
Proprietary funds are generally used in governmental accounting to account for activities that involve business-like services for which the City charges outside customers or internal departments of the City. Proprietary funds provide the same type of information as shown in the government-wide statements, only in more detail. The City maintains the following two types of proprietary funds:

- **Enterprise funds** are intended to be self-supporting and are used for activities which fees are charged to external customers for goods or services.
- **Internal service funds** are used to account for goods and services provided by certain City departments to other City departments (internal customers) on a cost-reimbursement fee basis.

Fiduciary funds are used to account for resources held for the benefit of parties outside the City of Berkeley. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the City's own programs. Some examples of fiduciary funds in the City of Berkeley are pension trust funds, undergrounding funds, and several business improvement district funds.

The City of Berkeley has a complex and robust budget consisting of over 200 active funds. The following charts provide a partial list of the major and some non-major funds as reported in the government-wide financial statements. More detailed information on some of these funds can be found in the General Fund section and Other Fund Forecasts section of this budget book.


Governmental Funds
General Fund
*Fund managed by City Manager's Office ("CMO") and Finance Dept.
Capital Project Funds
Capital Improvement Program (CIP) Fund
* Funds managed by CMO
Measure T1
* Funds managed by PW & PRW Depts.
Measure O
* Funds managed by Finance and HHCS Depts.
FUND$ Replacement
* Funds managed by IT Dept.
Special Revenue Funds
Grant Funds
* Funds managed by various Depts.
Library Tax
* Funds managed by Library
State Transportation Tax Measure BB
* Funds managed by PW Dept.
Park Tax
* Funds managed by PRW Dept.
Measure FF
* Funds managed by Fire Dept.
Measure GG
* Funds managed by Fire Dept.
Paramedic Tax
* Funds managed by Fire Dept.
CDBG
* Funds managed by HHCS Dept.
Mental Health State Aid Realignment
* Funds managed by HHCS Dept.
Health State Aid Realignment
* Funds managed by HHCS Depts.
Playground Camp
* Funds managed by PRW Dept.
Health Street Light Assessment District
* Funds managed by PW Depts.


Proprietary Funds
Enterprise Funds
Zero Waste
* Funds managed by PW Dept.
Sanitary Sewer
* Funds managed by PW Dept.
Permit Service Center
* Funds managed by Planning Dept.
Parking Meter
* Funds managed by PW Dept.
Off-Street Parking
* Funds managed by PW Dept.
Clean Storm Water
* Funds managed by PW Dept.
Marina Operation
* Funds managed by PRW Dept.
Internal Service Funds
IT Cost Allocation
* Funds managed by IT Dept.
Equipment Replacement
* Funds managed by PW Dept.
Equipment Maintenance
* Funds managed by PW Dept.
Building Maintenance
* Funds managed by PW Dept.
Workers Compensation
* Funds managed by HR Dept.
* Funds managed by PW Depts.

Budget and Financial Policies

Fiscal Policies

Fiscal policies adopted by the City Council provide the framework for the City's budget development. The fiscal policies articulate goals to build a prudent reserve, address pension liability and to fund a capital infrastructure plan. On June 28, 2023, the City Council adopted Resolution No. 70, 442-N.S., which codified the adoption of the FY 24 and FY 25 Biennial Budget and revised fiscal policies outlined below.

1. Focusing on the long-term fiscal health of the City by adopting a two-year budget and conducting multi-year planning.
2. Building a prudent reserve based upon the City's adopted General Fund Reserve policy and using the goal of reaching a reserve of 30% of General Fund revenues by 2027 as a guideline.
3. Developing long-term strategies to reduce unfunded liabilities.
4. Controlling labor costs while minimizing layoffs and promoting recruitment and retention of City staff.
5. Primarily allocating one-time revenue for one-time expenditures (e.g., capital investments and deferred maintenance).
6. Requiring enterprise and grant funds to balance and new programs to pay for themselves.
7. Any new expenditure requires new revenue or expenditure reductions.
8. Property transfer tax:
    a) Allocate excess property transfer tax over the baseline to short-term operational needs, General Fund reserves and the City's capital infrastructure plan, including funding an approach to returning and maintaining the City's roads at an acceptable Pavement Condition Index.
    b) Increase the property transfer tax baseline for operational needs to $18.0 million for fiscal years 2024 and 2025, with a permanent adjustment to $16.0 million beginning in fiscal year 2026.
9. Revenue generated from Measure P is excluded (exempt) from this policy.
10. As the General Fund subsidy to the Safety Members Pension fund declines over the next several years, the amount of the annual decrease will be used to help fund the new Police Employee Retiree Health Plan.
11. Allocating annual savings derived from the prepayment of the annual CalPERS unfunded liability payments to the City's Section 115 Pension Trust up to $5.5 million per fiscal year or as advised by the City's actuarial and staff.
12. Allocating any additional revenue earned from investments that is over the annual (fiscal year) baseline of $6 million in the following manner:
    a) 1/3 to the Section 115 Pension Trust up to $5.5 million per fiscal year, or as advised by the City's actuarial and staff,

b) 1/3 to General Fund reserves up to 30% of General Fund revenue, or as recommended by Council policy, and

c) 1/3 to address the City's capital infrastructure plan.

General Fund Reserve Policy

On January 24, 2017, the City Council adopted Resolution No. 67, 821-N.S., Establishing the City's Council's Policy for the General Fund Reserves.

Policy

The General Fund is the City's primary operating fund. It is not connected to any one revenue source and may be used at the City's discretion. The General Fund is the operation fund that pays for general services provided by the City as well as public safety and capital improvements. The General Fund accounts for all general revenues and expenditures of the City related to the delivery of the City's general services not specifically collected or levied for other City funds.

The City of Berkeley is committed to achieving long-term fiscal stability as well as mitigating the negative impacts of extraordinary risk such as earthquakes, fires, floods, and economic volatility. A key attribute of a financially stable organization is appropriate reserves. Strong reserves position an organization to weather significant economic downturns more effectively, manage the consequences of outside agency actions that may result in revenue reductions, and address unexpected emergencies such as natural disasters and other catastrophic events. Establishing an adequate General Fund reserve policy allows the City to mitigate current and future financial risks resulting from economic instability or catastrophic loss.

Functions of Reserve: Stability and Catastrophic

The City of Berkeley will establish and maintain an adequate General Fund Reserve ("Reserve") to prepare for the impact of economic cycles and catastrophic events and assure fluctuations in revenue do not impede the City's ability to meet expenditure obligations. When revenues fail to meet the City's normal operating requirements, or the need for disbursements temporarily exceeds receipts, General Fund reserves, upon a two-thirds vote of the City Council, may be used in accordance with the standards set forth herein.

The Reserve shall be comprised of two elements: A Stability Reserve and a Catastrophic Reserve. The Reserve shall not be used for ongoing or new programs or services.

A Stability Reserve will be maintained to mitigate loss of service delivery and financial risks associated with unexpected revenue shortfalls during a single fiscal year or during a prolonged recessionary period. The purpose of the Stability Reserve is to provide fiscal stability in response to unexpected downturns or revenue shortfalls, and not to serve as a funding source for new programs or projects.

A Catastrophic Reserve will be maintained for the purpose of sustaining General Fund operations in the case of a public emergency such as a natural disaster or other catastrophic event. The Catastrophic Reserve will be used to respond to extreme, onetime events, such as earthquakes, fires, floods, civil unrest, and terrorist attacks.

The Catastrophic Reserve will not be accessed to meet operational shortfalls or to fund new programs or projects.

Funding and Functions that are NOT Part of the General Fund Reserves

Not included in the General Fund Reserves are funds that are set aside for a specific purpose. This would include restricted, committed, and assigned funds.

- The restricted fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation.
- The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action by the City Council.
- Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed.

Target Reserve Levels

The General Fund Reserve consists of the total of the Stability Reserve and the Catastrophic Reserve. 55% of the Reserve shall be allocated to the Stability Reserve and 45% to the Catastrophic Reserve.

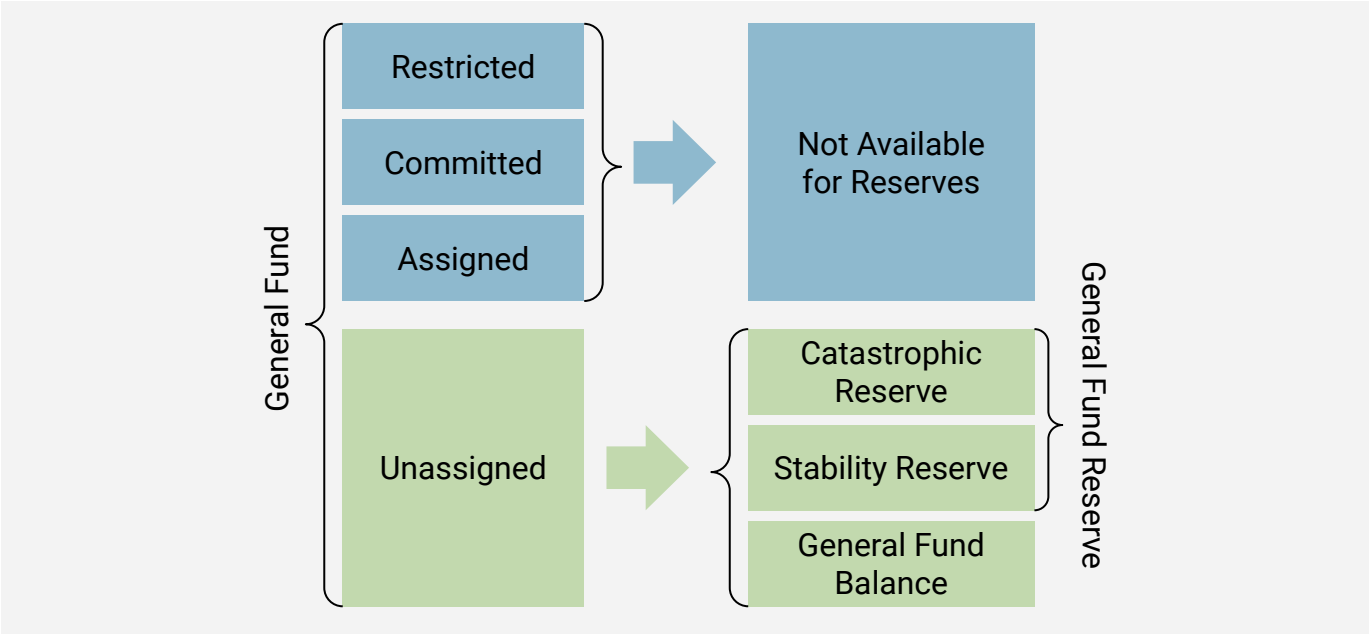
Effective immediately, the target level for the Reserve shall be a minimum of 13.8% of 2017 Adopted General Fund Revenues with an Intermediate Goal of a minimum of 16.7% by the end of Fiscal Year 2020, if financially feasible.

The Council hereby adopts a Long-Term Goal of a Reserve of a minimum of 30% of General Fund Revenues, to be achieved within no more than 10 years. Based on a risk assessment (according to best practices), to be updated at least every five years, the Council may consider increasing or lowering the General Fund Reserve level.

Starting in Fiscal Year 2018, to achieve the City's Intermediate and Long-Term Reserve Goals, 50% of Excess Equity above the first $1 million shall be allocated to Reserves. Additional Excess Equity may be allocated to Reserves by a majority vote of the City Council.

Methodology to Meet Reserve Levels

The General Fund Reserve is separate from the General Fund Balance. The sum of the Stability Reserve and the Catastrophic Reserve and the amount determined to be Excess Equity is deemed to be General Fund Unassigned Fund Balance. Unassigned fund balance is the residual classification for the City's general fund and includes all spendable amounts not contained in the other classifications. The following graphic shows the relation between these funds as well as other restricted, committed, and assigned general fund monies.



Excess Equity is most commonly a non-recurring source of revenue and shall only be used for one-time, nonrecurring expenditure needs of the City. Excess Equity should be reported separately from the General Fund Reserves.

Attaining the Long-Term Goal of 30% Reserves is important to the long-term financial health and stability of the City.

Replenishment of the General Fund Reserves

The City Manager shall recommend a replenishment schedule for all monies proposed for appropriation from the General Fund Reserves. The replenishment schedule shall be adopted simultaneously with the appropriation to withdraw Reserve funds or, if infeasible due to emergency circumstances, no more than 3 months from the date of the withdrawal appropriation. Repayment shall begin no more than 5 years from the date of withdrawal and be completed within 10 years from the date of withdrawal.

While staff envisions that, in most cases, repayment will start as soon as possible, the repayment guidelines are meant to reflect a commitment to maintain a sufficient Reserve, while also recognizing that a use of Reserve funds may occur during an economic downturn and it may be necessary to postpone repayment while the economy improves.

Debt Management & Disclosure

I. Introduction

The policies set forth in this Debt Management Policy (the "Policy") have been developed to provide clear and comprehensive guidelines for the issuance and financial management of the debt portfolio of the City of Berkeley and any other entity for which the City Council acts as legislative body, and the term "City" shall refer to each of such entities. This policy confirms the commitment of the City Council, management and staff and other decision makers to adhere to sound financial management practices, including full and timely repayment of borrowings, achieving the lowest possible cost of capital within prudent risk parameters. This Policy is not intended to be so restrictive that it interferes with the City's legitimate efforts to prudently provide public services and facilities. This Policy is intended to comply with Government Code Section 8855(i), effective January 1, 2017.

Purpose and Goals:

The purpose of the Policy is to provide a functional tool for debt management and capital planning, as well as to enhance the Cities ability to manage its debt obligations and lease financings (collectively referred to as "debt" in this Policy) in a conservative and prudent manner. In following this Policy, the Cities shall pursue the following goals:

- The City shall endeavor to attain the best possible credit rating for each debt issue in order to reduce interest costs while preserving financial flexibility and meeting capital funding requirements.
- The City shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues.
- The City shall remain mindful of its statutory debt limit in relation to assessed value growth and the tax burden needed to meet long-term capital requirements.
- The City shall consider market conditions and City cash flows when timing the issuance of debt.
- The City shall determine the amortization (maturity) schedule which will best fit with the overall debt structure of the City at the time the new debt is issued.
- The City shall match the term of the issue to the useful lives of assets whenever practicable and economic, while considering repair and replacement costs of those assets to be incurred in the future.
- The City shall, when planning for the issuance of new debt, consider the impact of such new debt on overlapping debt of local, state and other governments that overlap with the City.
- The City shall, when issuing debt, assess financial alternatives to include new and innovative financing approaches, including whenever feasible categorical grants, revolving loans or other State/federal aid, so as to minimize the contribution from the City's General Fund.
- The City shall, when planning for the sizing and timing of debt issuance, consider its ability to expend the funds obtained in a timely, efficient and economical manner.

II. Scope

The guidelines established by this policy will govern the issuance and management of all debt funded for short- and long-term capital financing needs and cash flow needs. The Finance Department recognizes that changes in the capital markets and other unforeseen circumstances may require exception to this Policy, for which approval from the City Council will be necessary for implementation. The Policy may be amended by the City Council as it deems appropriate from time to time in the prudent management of the debt of the City. Any approval of debt by the City Council that is not consistent with this Policy shall constitute a waiver of this Policy.

III. Delegation of Authority

Pursuant to the provisions of Sections 37209 and 40805.5 of the Government Code of the State of California, the Finance Director (Director of Finance) shall be the head of the finance department and shall be responsible for all of the financial affairs of the City. This Policy grants the Finance Director the authority to select the financing team, coordinate the administration and issuance of debt, communicate with the rating agencies, as well as to fulfill all the pre-issuance and post-issuance disclosure information. The Finance Director or designee will select various Financing Team Members. Below is a brief description of the main Financing Team, along with their functions.

1. Municipal Advisor
   - Assists with capital planning and long-term planning
   - Coordinates the financing and debt issuance process
   - Helps evaluate underwriter proposals and provides financial analysis and recommendations
   - Assists with the securing of other professional services and other members of the financing team
   - Monitors and evaluates market conditions for opportunities to issue debt at low interest rates
   - Works with the City and Underwriter to develop investor outreach and market approach
   - Manages competitive bid process
   - Ensures negotiated prices are “fair” and reasonable in the marketplace
2. Bond Counsel
   - Prepare an approving legal opinion
   - Provide expert and objective legal opinion and advice
   - Prepare and review documents necessary to authorize, issue sale and delivery of the bonds as well as coordination of the authorization and execution of closing documents
   - Review legal issues relating to the structure of the bond issue
   - Prepare election proceedings or pursue validation proceedings if necessary
   - Review or prepare those sections of the official statement that relate to the Bonds, financing documents, bond counsel opinion and tax exemption
   - Assist the City in presenting information to bond rating organizations and credit enhancements providers relating to legal issues affecting the issuance of the Bonds

- Review or prepare the Notice of Sale of Bond Purchase Contract for the Bonds and review or draft the continuing disclosure undertaking of the City
- Post-issuance advice for bond covenant compliance, when requested

3. Disclosure Counsel

- Assists the City with preparing a disclosure document in connection with a public offering of debt.
- Provide expert and objective legal opinion and advice on federal securities laws
- Post-issuance advice for bond covenant compliance, when requested

4. Underwriter

- Provide the City with market knowledge
- Assist with credit analysis and preparation
- Premarketing of the Bonds
- Pricing and Sale of Bonds
- Trading of the Bonds

5. Trustee/Fiscal Agent/Paying Agent

- Establishes and holds the funds and account relating to the bond issue
- Maintains the list of names and addresses of all registered owners of the bonds and recordings of transfers and exchanges of the bonds
- Acts as the authenticating agent
- Acts as the paying agent
- Protects the interests of the bondholders by monitoring compliance with covenants and acts on behalf of the bondholders in the event of default
- As the escrow agent, holds the investments acquired with the proceeds of an advance refunding and uses those funds for payments on those investments to pay debt service of the refunding bonds
- As a dissemination agent, acts on behalf of the issuer or other obligated person to disseminate annual reports and event notices to repositories under SEC Rule 15c12-12

IV. Types of Debt

The following are types of debt the City could issue:

1. New Money Debt

New money debt is debt issued to finance the cost of capital improvement project or other large or extraordinary costs as approved by the City Council.

2. Refunding Debt

Refunding debt is debt issued to refinance (refund) previously issued outstanding debt. The City may issue refunding debt to refinance the principal and of and interest on outstanding bonds or other debt to achieve debt service savings, restructure schedule debt service or convert from variable to fixed interest rate, change or modify the source(s) of payment and security for the refunded debt, or modify covenants otherwise binding upon the City. Refunding may be issued on either on a current or advance basis under federal tax law.

3. Revenue Debt

Revenue debt is generally issued for enterprise funds that are financially self- sustaining without the use of general fund revenue sources and therefore rely on the revenues collected by the enterprise fund to repay the debt.

4. Land-Secured Debt

Examples of land-secured debt include special tax revenue bonds issued under the Mello-Roos Community Facilities Act of 1982, as amended, and limited obligation bonds issued under applicable assessment statutes. Land-secured debt is payable from special taxes or assessments that the City will levy on the secured property tax roll.

5. General Obligation (GO) Bonds

In California, GO Bonds require a supermajority voter approval. Most GO bonds are backed by the issuer's ability to level ad valorem tax in amounts sufficient to meet debt service.

6. Lease Financings

Lease revenue bonds, certificates of participation (also known as "COPs") and lease-purchase transactions are examples of lease financings. Lease financings are typically used when the City wishes to pay for debt with its general fund.

7. Bond Anticipation Notes, Grant Anticipation Notes

This type of debt is issued to finance a project in anticipation of other funding sources becoming available at a later time.

8. Tax Revenue Anticipation Notes (TRAN)

A TRAN is issued when the City's anticipated operating revenues are not available when the City's operating expenses need to be paid, which is a common operational challenge for California cities given the irregular distribution of sales tax and property tax revenues.

9. Tax Increment Financings

Tax increment financing may be used to the extent available under California law.

10. Conduit Financings

The City may agree to provide conduit financing for specific public purposes, such as financings for affordable rental housing and qualified 501 c3 organizations. In a conduit financing, the debt is typically repaid with non-City revenues.

V. Debt Term

The City Council recognizes that new debt obligations may impact the long-term affordability of all outstanding debt and any future planned debt, as well as budgetary impacts associated with the maintenance and operating costs of debt-financed facilities.

Term of Debt - Debt will be structured for the shortest period possible, consistent with a fair allocation of costs to current and future beneficiaries or users. Debt shall not be issued for a term that exceeds the useful life of the debt-financed asset.

Debt Repayment - Typically the City desires level debt service payments over the term of the debt. However, the cost of capital, financial risk, current economic conditions, future financial

flexibility, credit rating and available cash flow will be evaluated to determine the most appropriate method of debt amortization for each debt issue. Notwithstanding the above, back loading of debt service will be evaluated as the circumstances dictate. Back loading occurs when debt service payments are lower in the initial years of a debt term and higher toward the later years of a debt term.

VI. Debt Issuance

The City has the capacity to issue long and short-term debt and to refund any outstanding debt. The following section details the purposes for debt issuance, the method of sale for such debt and the practices for obtaining professional assistance in the debt issuance process.

Long-term debt - Long-term debt may be used to finance the acquisition or improvement of land, infrastructure, facilities or equipment for which it is appropriate to spread the costs of such over more than one budget year. Long-term debt may be used to fund capitalized interest, cost of issuance, required reserves and any other financing related costs that may be legally capitalized. Long-term debt should not be used to fund City operating costs.

Short-term debt - Short-term debt will be considered as an interim source of funding in anticipation of long-term debt. Short-term may be issued for any purpose for which long- term debt may be issued, including capitalized interest and financing-related costs. Short- term debt is also appropriate to address legitimate short-term cash flow requirements during a given fiscal year to fund the operating costs of the City to provide necessary public services. The City will not engage in short-term borrowing solely for the purpose of generating investment income.

Refunding - Refunding opportunities will be identified by periodic review of outstanding debt obligations. Refunding will be considered when there is a net economic benefit from the refunding. Non-economic refunding may be undertaken to achieve City objectives relating to changes in covenants, call provisions, operational flexibility, tax status, issuer or other non-economic factors related to the debt.

Method of sale - Debt is typically issued under either a competitive or a negotiated sale, but also may be sold in a private placement. The City shall have the flexibility to determine which method of sale is appropriate for each debt issuance. Determination of the appropriate method of sale will rest collectively with the City Manager, Finance Director and City Attorney. There are a number of market factors that will affect the success of a debt offering and each should be carefully considered before selecting a method of sale. These factors include, but are not limited to, 1) market perception of the City's credit quality, 2) interest rate volatility, 3) size of the proposed issue, 4) complexity of the proposed issue and 5) competition with other issuers for investor interest (bond supply).

Pooled Financing - The City may also consider the use of pooled financing as a method of accessing the capital markets. Use of pooled financing will be evaluated collectively by the City Manager, Finance Director and City Attorney on a case-by-case basis.

VII. Debt Capacity

The City is subject to debt capacity limit for its general obligation bonds: 15% of assessed value.

For non-general obligation bonds, determining what the City's debt capacity is at any point in time is difficult. It depends on a number of factors including market conditions, amount of undesignated fund balance in the General Fund, fluctuating cash balances, financial policies, management and staff experience, new or existing revenues to support additional debt and availability of financial consultants to assist in the financial analysis. In the development of this Policy, the goal is to serve as a framework within which the City can evaluate each potential debt issuance.

VIII. Performance Standards

The City of Berkeley strives to maintain "investment grade" standings in the municipal market. Below is an Investment Grade Table of the three (3) major rating agencies:

Moody's Investors Service Inc.	Standard & Poor's Corporation	Fitch Investors Service Inc.	Definition
Aaa	AAA	AAA	Highest rating assigned. Very strong security.
Aa	AA	AA	Very strong security, only slightly below the best rating.
A	A	A	Average security but more subject to adverse financial and economic developments.
Baa	BBB	BBB	Adequate capacity to secure debt. Adverse developments may affect ability to meet debt service requirements.

Note:

Moody's use the designation "1" to indicate a greater strength with the "Baa" "A" and "Aa" categories. Standard and Poor's and Fitch use "+" and "-" to indicate relative strength or weakness in the "BBB", "A", and "AA" categories.

IX. Relationship of Debt to Other City Policies

A. Relationship of Debt to Capital Improvement Program and Budget

The City is committed to long-term capital planning. The City intends to issue debt for the purposes stated in this Policy and to implement policy decisions incorporated in the City's capital budget and the capital improvement program.

The City will integrate its debt issuances with the goals of its capital improvement program by timing the issuance of debt to ensure that projects are available when needed in furtherance of the City's public purposes.

The City shall seek to issue debt in a timely manner to avoid having to make unplanned expenditures for capital improvements or equipment from its general fund.

B. Policy Goals Related to Planning Goals and Objectives

The City is committed to long-term financial planning, maintaining appropriate reserves levels and employing prudent practices in governance, management and budget administration. The City intends to issue debt for the purposes stated in this Policy and to implement policy decisions incorporated in the City's annual operations budget.

X. On-Going Debt Administration

The Finance Director will regularly review the City's outstanding obligations, particularly in declining interest rate environment. When rates begin to approach levels at which refunding is cost effective, the City shall select a financing team to begin preparations for a refunding issue.

Use of Debt Proceeds

The Finance Director and other appropriate City personnel shall:

- Monitor the use of debt proceeds and the use of debt-financed assets (e.g., facilities, furnishings or equipment) throughout the term of the debt (and in some cases beyond the term of the debt) to ensure compliance with covenants and restrictions set forth in applicable City resolutions and Tax Certificates;
- Maintain records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of debt;
- Employ appropriate internal controls and redundancy of review to ensure all approved contracts and expenditures are consistent with the terms of the bond sale and ballot language by following the City's established work flow procedures;
- Consult with Bond Counsel and other professional expert advisers in the review of any contracts or arrangements involving use of debt-financed facilities to ensure compliance with all covenants and restrictions set forth in applicable City resolutions and Tax Certificates;
- Maintain records for any contracts or arrangements involving the use of debt- financed facilities as might be necessary or appropriate to document compliance with all covenants and restrictions set forth in applicable City resolutions and Tax Certificates; and
- Meet at least annually with personnel responsible for debt-financed assets to identify and discuss any existing or planned use of debt-financed assets to ensure that those uses are consistent with all covenants and restrictions set forth in applicable City resolutions and Tax Certificates.

All relevant records and contracts shall be maintained as described below.

Record Keeping Requirements

Unless otherwise specified in applicable City resolutions or Tax Certificates, the City shall maintain the following documents for the term of each issue of debt (including refunding debt, if any) plus at least three years:

- A copy of the debt closing transcript(s) and other relevant documentation delivered to the City at or in connection with closing of the issue of debt;
- A copy of all material documents relating to capital expenditures financed by debt proceeds, including (without limitation) construction contracts, purchase orders, invoices, trustee requisitions and payment records, as well as documents relating to costs reimbursed with debt proceeds and records identifying the assets or portion of assets that are financed or refinanced with debt proceeds;
- Copies of all records of investments, investment agreements, arbitrage reports and underlying documents, including trustee statements.

Arbitrage Rebate

The use and investment of tax-exempt debt proceeds must be monitored to ensure compliance with arbitrage restrictions. Existing regulation require that issuers calculate rebate liabilities related to tax- exempt debt issues, with rebates paid to the Federal Government every five years and otherwise required by applicable provisions of the Internal Revenue Code and regulations. The Finance Director shall contract with a specialist to ensure that proceeds and investments are tracked in a manner that facilitates accurate, complete calculations and if necessary timely rebate payments.

XI. Disclosure Policy

Purpose

These disclosure policies and procedures are intended to (a) ensure that the City complies with federal securities laws as they relate to initial disclosure, (b) ensure that the City's Continuing Disclosure Documents (as defined below) are accurate and comply with all applicable federal and state securities laws, and (c) promote best practices regarding the preparation of the City's initial disclosure documents and Continuing Disclosure Documents.

Definitions

1. "Continuing Disclosure Documents" means (a) annual continuing disclosure reports filed with the MSRB and (b) event notices and any other filings with the MSRB.
2. "EMMA" means the MSRB's Electronic Municipal Market Access website.
3. "MSRB" means the Municipal Securities Rulemaking Board.
4. "Official Statements" means preliminary and final official statements, private placement memoranda and remarketing memoranda relating to the City's securities, together with any supplements, for which a continuing disclosure obligation is required.

Disclosure Working Group

Composition. The Disclosure Working Group consists of the Finance Director, who is designated as the Chief Disclosure Officer, the Accounting Manager, who is the Disclosure Coordinator and other internal City staff that are pertinent to the disclosures. The Finance Director has general oversight over the entire continuing disclosure process. Membership in the Disclosure Working Group shall be augmented by the Finance Director and consist of persons relevant to the disclosure process.

The Disclosure Working Group shall consult with external professionals (such as those with expertise as bond counsel, tax counsel, disclosure counsel and municipal advisor) or other interested parties as the Disclosure Working Group determine is advisable related to continuing disclosure issues and practices. Meetings of the Disclosure Working Group may be held in person or via conference call.

The Disclosure Working Group is an internal working group of City staff.

Responsibilities. The Disclosure Working Group is responsible for:

a) Reviewing and approving all Preliminary and Final Official Statements before such documents are posted;

b) Reviewing and approving all continuing disclosure undertakings as contained in the City's Preliminary and Final Official Statements before such documents are posted;

c) Reviewing annually the City's status and compliance with continuing disclosure undertakings including filings of Annual Reports and Notices of Listed Events;

d) Reviewing any items referred to the Disclosure Working Group; and

e) Evaluating the effectiveness of this Disclosure Policy.

Official Statements. The Disclosure Coordinator of the City shall review any Official Statement prepared in connection with any debt issuance by the City in order to ensure there are no misstatements or omissions of material information in any sections that contain descriptions of information prepared by the City.

In connection with its review of the Official Statement, the Disclosure Coordinator shall consult with third parties, including outside professionals assisting the City, and all members of City staff, to the extent that the Disclosure Coordinator concludes they should be consulted so that the Official Statement will include all "material" information (as defined for purposes of federal securities law).

As part of the review process, the Disclosure Coordinator shall submit all Official Statements to the Disclosure Working Group. The Disclosure Working Group, after determining that it meets the requirements of federal tax law, shall instruct the Disclosure Coordinator to send the Official Statement to the City Council for approval. The cover letter used by the Disclosure Coordinator to submit the Official Statements shall be in substantially the form of Attachment 1.

The approval of an Official Statement by the City Council shall be docketed as a new business matter and shall not be approved as a consent item. The City Council shall undertake such review as deemed necessary by the City Council, following consultation with the Disclosure Coordinator, to fulfill the City Council's responsibilities under applicable federal and state securities laws. In this regard, the Disclosure Coordinator shall consult with the City's disclosure counsel to the extent the Disclosure Coordinator considers appropriate.

Continuing Disclosure Filings

Overview of Continuing Disclosure Filings

1. Under its continuing disclosure undertakings, it has entered into in connection with its debt offerings, the City is required to file annual reports ("Annual Reports") with the MSRB's EMMA system. Such Annual Reports are required to include the City's audited financial statements and certain updated financial and operating information (or may incorporate by reference publicly-available documents that contain such information).

2. In accordance with each continuing disclosure undertaking, if audited financial statements are not available by the date the Annual Report is required to be filed, unaudited financial statements are to be included in such Annual Report and audited financial statements shall be filed when such statements become available. If unaudited financial statements are filed, the cover page may include a disclaimer stating that such financial statements are unaudited and are subject to adjustments and modifications, the result of which will be presented in the audited financial statements. In addition, in

accordance with the applicable continuing disclosure undertaking, the City shall file or cause to be filed a notice of any failure to provide its Annual Report on or before the date specified in a Continuing Disclosure Document.

3. The City is also required under its continuing disclosure undertakings to file notices of certain events on EMMA ("Notices of Listed Events").

The City's Annual Comprehensive Final Report (ACFR) will serve as the repository for statements of indebtedness. The fiscal year debt statements in each ACFR certify the amount of (i) new debt issued, (ii) debt outstanding, (iii) debt authorized but not issued (iv) assessed valuation and (v) outstanding debt expressed as a percentage of assessed valuation, each as of the end of the fiscal year to which the ACFR relates.

The City shall prepare or cause to be prepared appropriate disclosures as required by Securities and Exchange Commission Rule 15c2-12, the federal government, the State of California, rating agencies, bond insurers, underwriters, bond counsel, investors, taxpayers, and other persons or entities entitled to disclosure to ensure compliance with applicable laws and regulations and agreements to provide ongoing disclosure.

Public Statements Intended to Reach Financial Markets

Whenever the City makes statements or releases information relating to its finances to the public that are reasonably expected to reach investors and the trading markets, the City is obligated to ensure that such statements and information are complete, true, and accurate in all material respects.

Training

The Disclosure Coordinator shall ensure that the members of the City staff involved in the initial or continuing disclosure process and the City Council are properly trained to understand and perform their responsibilities.

The Disclosure Coordinator shall arrange for disclosure training sessions conducted by the City's disclosure counsel. Such training sessions shall include education on these Disclosure Procedures, the City's disclosure obligations under applicable federal and state securities laws and the disclosure responsibilities and potential liabilities of members of the City's staff and members of the City Council. Such training sessions may be conducted using a recorded presentation.

XII. Debt Management And Disclosure Policy Review

The Finance Director shall review this Debt Management and Disclosure Policy at a minimum of every five (5) years or as required by law and recommend any changes to the City Manager and City Council.

Staffing

- FY 2025 and FY 2026 Proposed Budget funds 1,742 full-time equivalent positions (FTE)
- Largest departments include Public Works (350 FTE), Police (303 FTE), HHCS (247 FTE) and Fire (200 FTE).
- General Fund pays for 781 FTE (45% of all positions) in FY 2025 and FY 2026

The FY 2025 Proposed Budget includes funding for 1,742 full-time equivalent (FTE) positions. Public Works (350 FTE), Police (303 FTE) and Health Housing & Community Services ("HHCS") with approximately 247 FTE are the three departments with the greatest number of employees.

The total summary staffing by department this biennial budget reflects the total benefitted, career full-time and/or part-time equivalent positions and now excludes the hourly, non-benefited positions in the total staffing count. In this regard, the previous fiscal years' count has been adjusted to match the new format.

Compared to FY 2024 Adopted Budget, FY 2025 staffing increases by 35 FTE. This growth is primarily within the Library Department (14 FTE), which is undertaking a reorganizational effort to enhance services; the HHCS (9 FTE) and Public Works (8 FTE).

In FY 2025 and FY 2026, the portion of staff allocated to the General Fund is approximately 781 positions, or 45%, of total FTE count while all other funds represent 961, or 55%, of the remaining positions.

This section includes several charts pertaining to staffing including: (1) a high-level summary of staffing by department; (2) a five-year snapshot of staffing position by department with position detail; (3) historical staffing trends by department and (4) staffing by funding source.

Summary Staffing by Department

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
City Attorney	15.00	15.00	17.00	17.00	17.00	17.00
City Auditor	13.75	13.50	14.75	15.75	15.75	15.75
City Clerk	10.00	10.00	10.00	10.00	10.00	10.00
City Manager	46.50	47.50	53.50	54.50	56.00	56.00
Economic Development	0.00	0.00	0.00	0.00	0.00	0.00
Finance	50.00	51.00	56.00	56.00	56.00	56.00
Fire Department	153.00	153.00	203.00	205.00	200.00	200.00
Health, Housing & Community Services	216.90	220.10	225.10	238.20	247.20	247.20
Human Resources	22.00	22.00	22.00	26.00	26.00	26.00
Information Technology	46.00	47.00	52.00	51.00	51.00	51.00
Library	111.10	114.85	114.85	118.60	133.05	133.05
Mayor and Council	15.00	15.00	19.00	19.00	23.00	23.00
Office of the Director of Police Accountability*	0.00	4.00	5.00	6.00	6.00	6.00
Parks, Recreation & Waterfront	104.25	107.25	113.00	113.00	113.00	113.00
Planning & Development	94.70	100.33	106.04	108.04	108.89	108.89
Police Department	279.00	281.00	302.00	302.00	303.00	303.00
Police Review Commission*	3.00	0.00	0.00	0.00	0.00	0.00
Public Works	322.00	323.00	340.00	341.94	349.94	349.94
Rent Stabilization Board	22.35	24.55	23.55	25.00	26.00	26.00
Full Time Equivalent Employee (FTE) Total	**1524.55**	**1549.08**	**1676.79**	**1707.03**	**1741.83**	**1741.83**

* Police Review Commission has become the Office of the Director of Police Accountability in FY 2022.

FY 2025 and FY 2026 Position Summary by Department

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
City Attorney's Office						
Assistant City Attorney	1.00	1.00	1.00	1.00	1.00	1.00
Assistant to the City Attorney	0.00	1.00	1.00	1.00	1.00	1.00
City Attorney	1.00	0.00	1.00	1.00	1.00	1.00
Deputy City Attorney III	7.00	7.00	8.00	0.00	0.00	0.00
Deputy City Attorney IV	0.00	0.00	0.00	8.00	8.00	8.00
Legal Office Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Paralegal	2.00	2.00	2.00	2.00	2.00	2.00
Senior Legal Secretary	3.00	3.00	3.00	3.00	3.00	3.00
Total City Attorney	**15.00**	**15.00**	**17.00**	**17.00**	**17.00**	**17.00**
City Auditor's Office						
Accounting Office Specialist III	1.75	1.50	1.75	0.00	0.00	0.00
Accounting Technician	2.00	2.00	2.00	3.75	3.75	3.75
Administrative Assistant	1.00	1.00	1.00	1.00	1.00	1.00
Audit Manager	1.00	1.00	1.00	2.00	3.00	3.00
Auditor I	1.00	1.00	1.00	1.00	1.00	1.00
Auditor II	3.00	2.00	2.00	2.00	2.00	2.00
Auditor II ***	0.00	0.00	1.00	1.00	1.00	1.00
City Auditor	1.00	1.00	1.00	1.00	1.00	1.00
Deputy Auditor for Payroll Mgmt	1.00	1.00	1.00	1.00	1.00	1.00
Senior Auditor	2.00	3.00	3.00	3.00	2.00	2.00
Total City Auditor's Office	**13.75**	**13.50**	**14.75**	**15.75**	**15.75**	**15.75**
City Clerk's Office						
Assistant City Clerk	3.00	3.00	3.00	3.00	4.00	4.00
Assistant Management Analyst	1.00	1.00	1.00	1.00	0.00	0.00
City Clerk	1.00	1.00	1.00	1.00	1.00	1.00
Deputy City Clerk	1.00	1.00	1.00	1.00	1.00	1.00
Office Specialist II	1.00	1.00	1.00	1.00	0.00	0.00
Office Specialist III	2.00	2.00	2.00	2.00	4.00	4.00
Records Assistant	1.00	1.00	1.00	1.00	0.00	0.00
Total City Clerk's Office	**10.00**	**10.00**	**10.00**	**10.00**	**10.00**	**10.00**
City Manager's Office						
Accounting Office Specialist III	1.00	1.00	1.00	1.00	1.00	1.00
Administrative Assistant	1.00	1.00	3.00	3.00	3.00	3.00
Administrative Hearing Examiner	1.00	1.00	1.00	1.00	1.00	1.00
Animal Control Officer	4.00	4.00	4.00	4.00	4.00	4.00
Animal Services Assistant	3.50	3.50	3.50	3.50	4.00	4.00
Animal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	1.00	1.00	0.00	0.00	0.00	0.00
Assistant to the City Manager	3.00	3.00	4.00	4.00	3.00	3.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Assistant to the City Manager **	0.00	0.00	1.00	1.00	1.00	1.00
Associate Management Analyst	3.00	2.00	1.00	1.00	0.00	0.00
Budget Manager	1.00	1.00	1.00	1.00	1.00	1.00
City Manager	1.00	1.00	1.00	1.00	1.00	1.00
Civic Arts Coordinator	1.00	1.00	3.00	2.00	2.00	2.00
Code Enforcement Officer II	2.00	2.00	2.00	2.00	2.00	2.00
Code Enforcement Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Comunications Specialist	0.00	0.00	1.00	1.00	2.00	2.00
Community Development Project Coordinator	1.00	1.00	0.00	1.00	1.00	1.00
Community Services Specialist I	1.00	1.00	1.00	1.00	1.00	1.00
Community Services Specialist II	2.00	1.00	1.00	1.00	1.00	1.00
Deputy City Manager	2.00	2.00	2.00	2.00	2.00	2.00
Digital Communications Coordinator	1.00	3.00	3.00	3.00	3.00	3.00
Diversity, Equity and Inclusion (DEI) Officer	0.00	0.00	0.00	0.00	1.00	1.00
Economic Development Project Coordinator	2.00	2.00	2.00	2.00	2.00	2.00
Health Services Program Specialist	0.00	1.00	0.00	0.00	0.00	0.00
Homeless Services Coordinator	0.00	0.00	1.00	1.00	1.00	1.00
Manager of Economic Development	1.00	1.00	1.00	1.00	1.00	1.00
Office Specialist II	2.00	1.00	1.00	1.00	1.00	1.00
Office Specialist III	2.00	2.00	2.00	2.00	2.00	2.00
Program Manager II	0.00	0.00	0.00	1.00	1.00	1.00
Registered Veterinary Technician	1.00	1.00	1.00	1.00	1.00	1.00
Secretary to the City Manager	1.00	1.00	1.00	1.00	1.00	1.00
Senior Animal Control Officer	1.00	1.00	1.00	1.00	1.00	1.00
Senior Economic Development Project Coordinator	0.00	0.00	1.00	1.00	1.00	1.00
Senior Management Analyst	5.00	5.00	5.00	5.00	6.00	6.00
Social Services Specialist	0.00	1.00	2.00	2.00	2.00	2.00
Total City Manager's Office	**46.50**	**47.50**	**53.50**	**54.50**	**56.00**	**56.00**
Finance Department						
Accountant I	1.00	1.00	1.00	1.00	1.00	1.00
Accountant II	3.00	3.00	3.00	3.00	3.00	3.00
Accounting Manager	1.00	1.00	1.00	1.00	1.00	1.00
Accounting Office Specialist II	6.00	7.00	9.00	9.00	9.00	9.00
Accounting Office Specialist III	4.00	4.00	4.00	4.00	4.00	4.00
Accounting Office Specialist Supervisor	3.00	3.00	4.00	4.00	4.00	4.00
Accounting Technician	2.00	2.00	2.00	2.00	2.00	2.00
Administrative Secretary	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Associate Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Buyer	1.00	1.00	1.00	1.00	1.00	1.00
Contract Administrator	1.00	1.00	1.00	1.00	1.00	1.00
Customer Service Specialist II	5.00	5.00	5.00	5.00	5.00	5.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Customer Service Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Deputy Director of Finance	0.00	0.00	1.00	1.00	1.00	1.00
Director of Finance	1.00	1.00	1.00	1.00	1.00	1.00
Field Representative	2.00	2.00	0.00	0.00	0.00	0.00
General Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Information Systems Specialist	1.00	1.00	1.00	1.00	1.00	1.00
Mail Services Aide	1.00	1.00	1.00	1.00	1.00	1.00
Revenue Collection Manager	1.00	1.00	1.00	1.00	1.00	1.00
Revenue Development Specialist I	2.00	2.00	4.00	4.00	4.00	4.00
Revenue Development Specialist II	2.00	2.00	2.00	2.00	2.00	2.00
Revenue Development Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Senior Accountant	2.00	2.00	2.00	2.00	2.00	2.00
Senior Buyer	2.00	2.00	2.00	2.00	2.00	2.00
Senior Field Representative	1.00	1.00	1.00	1.00	1.00	1.00
Senior Systems Analyst	0.00	0.00	1.00	1.00	1.00	1.00
Systems Accountant	1.00	1.00	1.00	1.00	1.00	1.00
Treasury Manager	1.00	1.00	1.00	1.00	1.00	1.00
Total Finance Department	**50.00**	**51.00**	**56.00**	**56.00**	**56.00**	**56.00**
Fire Department						
Accounting Office Specialist II	0.00	0.00	1.00	1.00	1.00	1.00
Accounting Office Specialist III	4.00	4.00	4.00	4.00	4.00	4.00
Administrative & Fiscal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Administrative Assistant	1.00	1.00	3.00	3.00	3.00	3.00
Administrative Secretary	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Fire Chief	2.00	2.00	4.00	3.00	3.00	3.00
Assistant Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Associate Management Analyst	1.00	1.00	2.00	2.00	2.00	2.00
Battalion Chief	3.00	3.00	3.00	3.00	3.00	3.00
Communications Specialist	0.00	0.00	1.00	1.00	0.00	0.00
Deputy Fire Chief	1.00	1.00	1.00	2.00	2.00	2.00
Deputy Fire Marshal	1.00	1.00	1.00	1.00	1.00	1.00
Emerg. Medical Svcs. Qual. Improv. & Educ. Coord.	0.00	0.00	1.00	1.00	1.00	1.00
Emergency Services Coordinator	3.00	3.00	3.00	3.00	3.00	3.00
Fire and Life-Safety Plans Examiner	2.00	2.00	2.00	2.00	2.00	2.00
Fire Apparatus Operator	33.00	33.00	33.00	33.00	33.00	33.00
Fire Captain I/II	31.00	31.00	33.00	33.00	33.00	33.00
Fire Chief	1.00	1.00	1.00	1.00	1.00	1.00
Fire Marshal	1.00	1.00	1.00	1.00	1.00	1.00
Fire Prevention Inspector (Sworn)	1.00	1.00	8.00	8.00	8.00	8.00
Fire Prevention Inspector (Civilian)	2.00	2.00	0.00	0.00	0.00	0.00
Firefighter	54.00	54.00	57.00	57.00	42.00	42.00
Limited Term Emergency Medical Technician	0.00	0.00	12.00	12.00	10.00	10.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Office Specialist II	2.00	2.00	2.00	2.00	2.00	2.00
Office Specialist III	1.00	1.00	2.00	2.00	2.00	2.00
Paramedic	0.00	0.00	18.00	18.00	31.00	31.00
Paramedic Supervisor I	6.00	6.00	7.00	7.00	7.00	7.00
Principal Program Manager	0.00	0.00	0.00	1.00	1.00	1.00
Program Manager II	0.00	0.00	0.00	1.00	1.00	1.00
Total Fire Department	**153.00**	**153.00**	**203.00**	**205.00**	**200.00**	**200.00**
Health, Housing & Community Services						
Accounting Office Specialist III	3.00	3.00	3.00	3.00	3.00	3.00
Accounting Office Specialist Supervisor	0.00	1.00	1.00	1.00	1.00	1.00
Accounting Technician	1.00	1.00	1.00	1.00	1.00	1.00
Administrative & Fiscal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Administrative Assistant	1.00	0.00	0.00	0.00	0.00	0.00
Administrative Secretary	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Manager of Mental Health	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	6.00	6.00	5.00	5.00	10.00	10.00
Assistant Mental Health Clinician	3.00	3.00	2.00	1.00	1.00	1.00
Associate Management Analyst	5.00	5.00	7.00	9.00	9.00	9.00
Associate Planner	1.00	1.00	1.00	0.00	0.00	0.00
Behavioral Health Clinician I	5.00	6.00	8.00	8.00	8.00	8.00
Behavioral Health Clinician II	25.50	24.50	26.00	25.00	27.00	27.00
Building Inspector I (Cert)	1.00	1.00	1.00	1.00	1.00	1.00
Community Development Project Coordinator	6.00	6.00	6.00	8.00	8.00	8.00
Community Development Project Coordinator **	0.00	0.00	1.00	1.00	1.00	1.00
Community Health Worker	1.00	1.00	1.00	1.00	1.00	1.00
Community Health Worker Specialist	10.00	10.00	9.00	9.00	9.00	9.00
Community Service Specialist I	6.50	4.50	3.00	2.00	2.00	2.00
Community Services Specialist II	8.00	8.00	11.00	13.00	13.00	13.00
Community Services Specialist II **	0.00	0.00	1.00	1.00	1.00	1.00
Community Services Specialist III	4.00	6.00	5.00	8.00	9.00	9.00
Deputy Director of Health, Housing & Community Services	1.00	1.00	1.00	1.00	1.00	1.00
Director of Health, Housing & Community Services	1.00	1.00	1.00	1.00	1.00	1.00
Employment Program Administrator	1.00	0.00	0.00	0.00	0.00	0.00
Environmental Health Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Epidemiologist	1.00	3.00	3.00	2.00	2.00	2.00
Health Educator	0.00	0.00	0.00	0.00	2.00	2.00
Health Nutrition Program Coordinator	1.00	1.00	2.00	2.00	1.00	1.00
Health Officer (Certified)	1.00	1.00	1.00	1.00	1.00	1.00
Health Services Program Specialist	8.00	8.00	9.00	9.00	6.00	6.00
Health Services Supervisor	2.00	1.00	1.00	1.00	1.00	1.00
Homeless Services Coordinator	1.00	1.00	0.00	0.00	0.00	0.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Manager of Aging Services	1.00	1.00	1.00	1.00	1.00	1.00
Manager of Environmental Health	1.00	1.00	1.00	1.00	1.00	1.00
Manager of Housing and Community Services	1.00	1.00	1.00	1.00	0.00	0.00
Manager of Mental Health Services	1.00	1.00	1.00	1.00	1.00	1.00
Manager of Public Health Services	1.00	1.00	1.00	1.00	1.00	1.00
Manager, Family Health & Nursing Services	0.00	0.00	0.00	0.00	0.00	0.00
Mealsite Coordinator	1.00	1.00	1.00	1.00	1.00	1.00
Mental Health Clinical Supervisor	7.00	8.00	8.40	9.00	9.00	9.00
Mental Health Nurse	4.50	5.20	3.50	5.50	5.50	5.50
Mental Health Program Supervisor	4.00	4.00	4.00	4.00	6.00	6.00
Mid-Level Practitioner	1.10	1.10	0.60	0.60	0.60	0.60
Mini Bus Driver	2.00	2.00	2.00	2.00	2.00	2.00
Nutritionist	0.50	0.50	1.50	1.50	1.50	1.50
Office Specialist II	19.00	18.00	18.00	17.00	17.00	17.00
Office Specialist III	4.00	4.00	4.00	4.00	4.00	4.00
Office Specialist Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
PPHP Deputy Health Officer	0.00	0.00	1.00	1.00	0.00	0.00
Principal Program Manager	0.00	0.00	0.00	0.00	1.00	1.00
Program Manager II	0.00	0.00	0.00	1.00	2.00	2.00
Psychiatrist	2.00	2.75	1.75	1.75	1.75	1.75
Public Health Nurse	8.75	9.00	7.00	7.00	7.00	7.00
Registered Environmental Health Specialist	6.00	6.00	6.00	6.00	6.00	6.00
Registered Nurse	2.00	2.00	1.80	1.80	1.80	1.80
Senior Behavioral Health Clinician	4.00	4.00	4.00	4.00	4.00	4.00
Senior Citizen Center Director	2.00	2.00	2.00	2.00	2.00	2.00
Senior Community Development Project Coordinator	1.00	1.00	2.00	3.00	3.00	3.00
Senior Community Health Specialist	4.00	4.00	4.00	4.00	4.00	4.00
Senior Environmental Health Specialist	2.00	2.00	2.00	2.00	2.00	2.00
Senior Health Management Analyst	1.00	1.00	0.00	0.00	1.00	1.00
Senior Health Services Program Specialist	4.80	4.80	5.80	5.00	5.00	5.00
Senior Management Analyst	2.00	3.00	4.00	6.00	6.00	6.00
Senior Nutrition Program Supervisor	0.00	0.00	0.00	0.80	0.80	0.80
Senior Service Assistant	4.75	4.75	4.75	5.25	5.25	5.25
Social Services Specialist	11.00	11.00	10.00	13.00	13.00	13.00
Supervising Mental Health Nurse	0.00	0.00	1.00	1.00	1.00	1.00
Supervising Psychiatrist	1.00	1.00	1.00	1.00	1.00	1.00
Supervising Public Health Nurse	2.00	2.00	2.00	2.00	2.00	2.00
Transportation Services Coordinator	0.50	1.00	1.00	1.00	1.00	1.00
Vector Control Technician	1.00	1.00	1.00	1.00	1.00	1.00
Total Health, Housing & Community Services	**216.90**	**220.10**	**225.10**	**238.20**	**247.20**	**247.20**

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Human Resources						
Assistant Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Human Resources Analyst	1.00	1.00	1.00	2.00	1.00	1.00
Associate Human Resources Analyst	4.00	4.00	4.00	6.00	5.00	5.00
Director of Human Resources	1.00	1.00	1.00	1.00	1.00	1.00
Equal Employment Opportunity & Diversity Officer	1.00	1.00	1.00	1.00	1.00	1.00
Employee Relations Manager	1.00	1.00	1.00	1.00	1.00	1.00
Human Resources Manager	1.00	1.00	1.00	1.00	1.00	1.00
Human Resources Technician	4.00	4.00	4.00	5.00	5.00	5.00
Information Systems Support Technician	1.00	1.00	1.00	1.00	1.00	1.00
Occupational Health & Safety Officer	1.00	1.00	1.00	1.00	1.00	1.00
Occupational Health & Safety Specialist	1.00	1.00	1.00	1.00	1.00	1.00
Office Specialist II	2.00	2.00	2.00	2.00	2.00	2.00
Senior Human Resources Analyst	2.00	2.00	2.00	2.00	4.00	4.00
Training Officer	1.00	1.00	1.00	1.00	1.00	1.00
Total Human Resources	**22.00**	**22.00**	**22.00**	**26.00**	**26.00**	**26.00**
Information Technology						
Administrative Assistant	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	0.00	0.00	1.00	1.00	1.00	1.00
Applications Programmer/Analyst I	0.00	1.00	2.00	2.00	2.00	2.00
Applications Programmer/Analyst II	14.00	14.00	14.00	14.00	14.00	14.00
Customer Service Specialist III	9.00	9.00	10.00	10.00	10.00	10.00
Customer Service Manager	1.00	1.00	1.00	1.00	1.00	1.00
Customer Service Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Database Administrator	1.00	1.00	1.00	1.00	1.00	1.00
Director of Information Technology	1.00	1.00	1.00	1.00	1.00	1.00
Information Security Manager	1.00	1.00	1.00	1.00	1.00	1.00
Information Systems Manager	1.00	1.00	1.00	1.00	1.00	1.00
Information Systems Specialist	4.00	4.00	4.00	4.00	4.00	4.00
Information Systems Support Technician	2.00	2.00	3.00	2.00	2.00	2.00
Program Manager II	0.00	0.00	0.00	1.00	1.00	1.00
Senior Information Systems Specialist	4.00	4.00	5.00	5.00	5.00	5.00
Senior Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Senior Systems Analyst	5.00	5.00	5.00	4.00	4.00	4.00
Total Information Technology	**46.00**	**47.00**	**52.00**	**51.00**	**51.00**	**51.00**
Library Services						
Accounting Office Specialist III	1.00	1.00	1.00	1.00	1.00	1.00
Administrative & Fiscal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Administrative Secretary	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Human Resources Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	3.00	3.00	2.00	1.00	1.00	1.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Associate Human Resources Analyst	1.00	1.00	1.00	0.00	0.00	0.00
Associate Management Analyst	0.00	1.00	1.00	2.00	2.00	2.00
Building Maintenance Mechanic	2.00	2.00	2.00	2.00	2.00	2.00
Circulation Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Communication Specialist	0.00	0.00	0.00	0.00	1.00	1.00
Deputy Director of Library Services	1.00	1.00	1.00	1.00	1.00	1.00
Director of Library Services	1.00	1.00	1.00	1.00	1.00	1.00
Information Systems Specialist	3.00	3.00	3.00	2.00	2.00	2.00
Librarian I/II	21.30	22.30	22.80	25.80	26.50	26.50
Library Aide	13.00	13.50	14.00	13.00	18.75	18.75
Library Assistant	14.25	14.25	14.25	15.25	19.75	19.75
Library Info Systems Administrator	1.00	1.00	1.00	1.00	1.00	1.00
Library Literacy Program Coordinator	1.00	1.00	1.00	1.00	1.00	1.00
Library Services Manager	2.00	2.00	2.00	2.00	2.00	2.00
Library Specialist I	3.00	3.00	3.00	3.00	3.00	3.00
Library Specialist II	13.55	13.80	13.80	13.55	15.05	15.05
Mail Services Aide	2.00	2.00	2.00	2.00	2.00	2.00
Program Manager II	0.00	0.00	0.00	1.00	1.00	1.00
Senior Building Maintenance Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Senior Human Resources Analyst	0.00	0.00	0.00	1.00	1.00	1.00
Senior Information System Specialist	0.00	0.00	0.00	1.00	1.00	1.00
Senior Librarian	3.00	3.00	3.00	3.00	3.00	3.00
Social Services Specialist	0.00	1.00	1.00	1.00	1.00	1.00
Supervising Librarian	8.00	8.00	8.00	8.00	9.00	9.00
Supervising Library Assistant	9.00	9.00	9.00	9.00	9.00	9.00
Tool Lending Specialist	3.00	3.00	3.00	3.00	3.00	3.00
Total Library Services	**111.10**	**114.85**	**114.85**	**118.60**	**133.05**	**133.05**
Mayor & Council						
Assistant to Mayor	3.00	3.00	3.00	3.00	4.00	4.00
Legislative Aides	12.00	12.00	16.00	16.00	19.00	19.00
Total Mayor And Council	**15.00**	**15.00**	**19.00**	**19.00**	**23.00**	**23.00**
Office of the Director of Police Accountability*						
Associate Management Analyst	0.00	0.00	2.00	2.00	3.00	3.00
Director of Police Accountability	0.00	1.00	1.00	1.00	1.00	1.00
Office Specialist III	0.00	1.00	1.00	1.00	0.00	0.00
Police Review Commission Officer	0.00	1.00	0.00	0.00	0.00	0.00
Police Accountability Investigator	0.00	1.00	1.00	2.00	2.00	2.00
Total Office of the Director of Police Accountability	**0.00**	**4.00**	**5.00**	**6.00**	**6.00**	**6.00**

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Parks Recreation & Waterfront						
Accounting Office Specialist II	1.00	1.00	1.00	1.00	1.00	1.00
Accounting Office Specialist III	2.00	2.00	2.00	2.00	2.00	2.00
Accounting Office Specialist Supervisor	2.00	2.00	2.00	2.00	2.00	2.00
Administrative Secretary	1.00	1.00	1.00	1.00	1.00	1.00
Aquatics Coordinator	1.00	1.00	1.00	1.00	1.00	1.00
Aquatics Facilities Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Aquatics Specialist II	0.50	0.50	0.00	0.00	0.00	0.00
Assistant Aquatics Coordinator	0.00	0.00	1.00	1.00	1.00	1.00
Assistant Civil Engineer (Reg)	1.00	2.00	2.00	2.00	2.00	2.00
Assistant Management Analyst	2.00	2.00	2.00	2.00	2.00	2.00
Assistant Recreation Coordinator	6.00	6.00	8.00	10.00	9.00	9.00
Associate Civil Engineer	2.00	3.00	3.00	4.00	4.00	4.00
Associate Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Building Maintenance Mechanic	9.00	9.00	9.00	9.00	9.00	9.00
Building Maintenance Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Camps Manager	1.00	2.00	2.00	2.00	2.00	2.00
Capital Improvements Program Manager	1.00	1.00	1.00	0.00	0.00	0.00
Deputy Director of Parks Recreation & Waterfront	1.00	1.00	1.00	1.00	1.00	1.00
Director of Parks & Waterfront	1.00	1.00	1.00	1.00	1.00	1.00
Forestry Climber	4.00	4.00	4.00	4.00	4.00	4.00
Forestry Climber Supervisor	1.00	1.00	1.00	2.00	2.00	2.00
Forestry Technician	1.00	1.00	1.00	1.00	1.00	1.00
Landscape Equipment Operator	4.00	4.00	4.00	4.00	4.00	4.00
Landscape Gardener	15.00	15.00	16.00	16.00	16.00	16.00
Landscape Gardener Supervisor	5.00	5.00	5.00	5.00	5.00	5.00
Marina Assistant	3.00	3.00	3.00	1.00	2.00	2.00
Office Specialist II	2.00	2.00	4.00	1.00	1.00	1.00
Office Specialist III	0.00	0.00	0.00	2.00	2.00	2.00
Parks Superintendent	1.00	1.00	1.00	1.00	1.00	1.00
Recreation & Youth Svcs Manager	1.00	1.00	1.00	1.00	1.00	1.00
Recreation Activity Leader	5.75	5.75	3.00	2.00	2.00	2.00
Recreation Coordinator	6.00	6.00	7.00	7.00	7.00	7.00
Recreation Program Supervisor	3.00	3.00	3.00	4.00	4.00	4.00
Rosarian	1.00	1.00	1.00	1.00	1.00	1.00
Senior Building Maintenance Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Senior Forestry Climber	3.00	3.00	3.00	3.00	3.00	3.00
Senior Forestry Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Senior Groundskeeper	1.00	1.00	1.00	1.00	1.00	1.00
Senior Landscape Gardener	3.00	3.00	4.00	4.00	4.00	4.00
Senior Landscape Gardener Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Senior Management Analyst	2.00	2.00	2.00	2.00	2.00	2.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Sports Official	2.00	2.00	2.00	2.00	2.00	2.00
Supervising Civil Engineer	1.00	1.00	2.00	2.00	2.00	2.00
Waterfront Manager	1.00	1.00	1.00	1.00	1.00	1.00
Waterfront Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Total Parks, Recreation & Waterfront	**104.25**	**107.25**	**113.00**	**113.00**	**113.00**	**113.00**
Planning & Development Department						
Accounting Office Specialist II	1.00	1.00	3.00	2.00	2.00	2.00
Accounting Office Specialist III	3.00	3.00	3.00	3.00	3.00	3.00
Accounting Office Specialist Supervisor	0.00	0.00	1.00	1.00	1.00	1.00
Administrative & Fiscal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Building & Safety Manager	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	1.00	2.00	2.00	2.00	2.00	2.00
Assistant Inspector	0.00	0.00	0.00	1.00	1.00	1.00
Assistant Planner	6.00	6.00	7.00	7.00	7.00	7.00
Associate Management Analyst	3.00	3.00	3.00	3.00	3.00	3.00
Associate Planner	6.00	5.00	6.00	6.00	6.00	6.00
Associate Planner **	0.00	0.00	1.00	1.00	1.00	1.00
Building and Safety Manager	1.00	1.00	1.00	1.00	1.00	1.00
Building Inspector I (certified)	2.00	4.00	2.00	2.00	2.00	2.00
Building Inspector II (certified)	6.00	7.00	6.00	6.00	6.00	6.00
Building Plans Engineer	1.00	1.00	1.00	1.00	1.00	1.00
Building Plans Examiner	4.00	2.00	2.94	2.94	2.94	2.94
Community Services Specialist I	1.60	1.35	2.00	2.00	2.00	2.00
Community Services Specialist II	2.75	3.75	3.75	3.75	3.60	3.60
Community Services Specialist III	2.85	2.85	2.80	2.80	2.80	2.80
Deputy Director of Planning	0.00	0.00	1.00	1.00	1.00	1.00
Director of Planning	1.00	1.00	1.00	1.00	1.00	1.00
Energy Program Manager	1.00	1.00	1.00	0.00	0.00	0.00
Engineering Inspector	1.00	0.00	0.00	0.00	0.00	0.00
Hazardous Material Manager	1.00	1.00	1.00	1.00	1.00	1.00
Hazardous Material Specialist I	0.00	0.00	1.00	1.00	1.00	1.00
Hazardous Material Specialist II	4.00	4.00	3.00	3.00	3.00	3.00
Housing Inspector I (Certified)	0.00	0.00	1.00	1.00	1.00	1.00
Housing Inspector II (Certified)	5.00	6.00	2.00	2.00	2.00	2.00
Housing Inspector Supervisor	1.00	2.00	2.00	2.00	2.00	2.00
Land Use Planning Manager	1.00	1.00	1.00	1.00	1.00	1.00
Office Specialist II	7.50	7.50	7.75	7.75	7.75	7.75
Office Specialist III	2.00	3.00	3.00	3.00	3.00	3.00
Office Specialist Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Permit Center Coordinator	1.00	1.00	1.00	1.00	1.00	1.00
Permit Specialist	4.00	4.00	4.00	4.00	4.00	4.00
Planning Technician	2.00	4.00	3.00	3.00	3.00	3.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Planning Technician **	0.00	0.00	1.00	1.00	1.00	1.00
Principal Planner	4.00	4.00	5.00	5.00	5.00	5.00
Program Manager II	0.00	0.00	0.00	1.00	1.00	1.00
Program Manager II***	0.00	0.00	0.00	1.00	1.00	1.00
Resilient Buildings Program Manager	1.00	0.88	0.80	0.80	0.80	0.80
Senior Building Inspector	2.00	2.00	2.00	2.00	3.00	3.00
Senior Building Plans Engineer	2.00	2.00	2.00	2.00	2.00	2.00
Senior Building Plans Examiner	2.00	2.00	2.00	2.00	2.00	2.00
Senior Housing Inspector	0.00	0.00	1.00	2.00	2.00	2.00
Senior Permit Specialist	2.00	2.00	2.00	2.00	2.00	2.00
Senior Planner	5.00	5.00	6.00	6.00	6.00	6.00
Supervising Building Inspector	1.00	1.00	1.00	1.00	1.00	1.00
Total Planning & Development Department	**94.70**	**100.33**	**106.04**	**108.04**	**108.89**	**108.89**
Police Department						
Administrative & Fiscal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Administrative Assistant	1.00	1.00	1.00	1.00	1.00	1.00
Assistant Management Analyst	2.00	2.00	4.00	4.00	4.00	4.00
Communications Manager	1.00	1.00	1.00	1.00	1.00	1.00
Community Service Officer	19.00	21.00	21.00	21.00	21.00	21.00
Community Service Officer **	0.00	0.00	6.00	6.00	6.00	6.00
Community Service Officer Supervisor	4.00	4.00	4.00	4.00	4.00	4.00
Community Service Officer Supervisor **	0.00	0.00	1.00	1.00	1.00	1.00
Crime Analyst	1.00	1.00	3.00	3.00	2.00	2.00
Crime Scene Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Deputy Police Chief	0.00	0.00	0.00	0.00	1.00	1.00
Office Specialist II	5.00	5.00	5.00	5.00	5.00	5.00
Office Specialist III	6.00	6.00	6.00	6.00	6.00	6.00
Office Specialist Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Parking Enforcement Manager	1.00	1.00	1.00	1.00	1.00	1.00
Parking Enforcement Officer	21.00	21.00	22.00	22.00	22.00	22.00
Parking Enforcement Supervisor	2.00	2.00	2.00	2.00	2.00	2.00
Police Captain	4.00	4.00	4.00	4.00	4.00	4.00
Police Chief	1.00	1.00	1.00	1.00	1.00	1.00
Police Lieutenant	9.00	9.00	9.00	9.00	9.00	9.00
Police Officer	136.00	135.00	135.00	135.00	135.00	135.00
Police Sergeant	31.00	32.00	32.00	32.00	32.00	32.00
Principal Program Manager	0.00	0.00	0.00	0.00	1.00	1.00
Public Safety Dispatcher I & II	28.00	28.00	36.00	36.00	36.00	36.00
Supervising Public Safety Dispatcher	4.00	4.00	5.00	5.00	5.00	5.00
Total Police Department	**279.00**	**281.00**	**302.00**	**302.00**	**303.00**	**303.00**

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Police Review Commission*						
Office Specialist III	1.00	0.00	0.00	0.00	0.00	0.00
Police Review Commission Officer	1.00	0.00	0.00	0.00	0.00	0.00
PRC Investigator	1.00	0.00	0.00	0.00	0.00	0.00
Total Police Review Commission	**3.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
Public Works						
Accounting Office Specialist II	1.00	1.00	2.00	1.00	2.00	2.00
Accounting Office Specialist III	5.00	5.00	4.00	5.00	5.00	5.00
Accounting Office Specialist Supervisor	0.00	0.00	1.00	1.00	1.00	1.00
ADA Program Coordinator	0.00	0.00	0.00	0.00	1.00	1.00
Administrative Assistant	1.00	1.00	1.00	1.00	1.00	1.00
Administrative & Fiscal Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Administrative Secretary	2.00	2.00	2.00	2.00	2.00	2.00
Assistant Civil Engineer (Reg)	5.00	5.00	5.00	5.00	5.00	5.00
Assistant Management Analyst	5.00	5.00	6.00	5.00	6.00	6.00
Assistant Planner	2.00	2.00	2.00	2.00	2.00	2.00
Assistant Public Works Engineer	2.00	2.00	2.00	2.00	2.00	2.00
Assistant Traffic Engineer	2.00	2.00	2.00	2.00	2.00	2.00
Associate Civil Engineer	10.00	10.00	9.00	9.00	10.00	10.00
Associate Management Analyst	4.00	4.00	5.00	5.00	5.00	5.00
Associate Planner	2.00	2.00	3.00	3.00	3.00	3.00
Associate Planner **	0.00	0.00	1.00	1.00	1.00	1.00
Associate Traffic Engineer	2.00	2.00	2.00	2.00	2.00	2.00
Building Maintenance Mechanic	5.00	5.00	5.00	5.00	5.00	5.00
Building Maintenance Mechanic Trainee	0.00	0.00	1.00	1.00	1.00	1.00
Building Maintenance Supervisor	1.00	1.00	1.00	0.94	0.94	0.94
Chief of Party	2.00	2.00	2.00	2.00	2.00	2.00
Communications Supervisor	0.00	0.00	0.00	0.00	1.00	1.00
Communications Technician	3.00	3.00	3.00	3.00	3.00	3.00
Community Development Project Coordinator	1.00	1.00	2.00	2.00	2.00	2.00
Community Services Specialist I	0.00	0.00	1.00	1.00	1.00	1.00
Concrete Finisher	3.00	3.00	3.00	3.00	3.00	3.00
Construction Equipment Operator	3.00	3.00	3.00	3.00	3.00	3.00
Container Maintenance Welder	2.00	2.00	2.00	2.00	2.00	2.00
Deputy Director of Public Works	1.00	1.00	1.00	1.00	1.00	1.00
Deputy Director of Public Works Reg	0.00	0.00	1.00	1.00	1.00	1.00
Director of Public Works	1.00	1.00	1.00	1.00	1.00	1.00
Disability Services Specialist	1.00	1.00	1.00	1.00	0.00	0.00
Drafting Aide	1.00	1.00	0.00	0.00	0.00	0.00
Drafting Technician	1.00	1.00	1.00	1.00	1.00	1.00
Electrical Parts Technician	1.00	1.00	0.00	1.00	1.00	1.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Electrical Supervisor	0.00	0.00	0.00	0.00	1.00	1.00
Electrician	7.00	7.00	7.00	7.00	7.00	7.00
Engineering Inspector	8.00	9.00	9.00	9.00	9.00	9.00
Environmental Compliance Specialist	2.00	2.00	2.00	2.00	2.00	2.00
Equipment Superintendent	1.00	1.00	1.00	1.00	1.00	1.00
Facilities Maintenance Superintendent	1.00	1.00	1.00	1.00	1.00	1.00
Field Representative	3.00	3.00	7.00	6.00	6.00	6.00
Janitor	7.00	7.00	7.00	8.00	8.00	8.00
Janitor Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Junior Public Works Engineer	1.00	1.00	3.00	3.00	3.00	3.00
Laborer	21.00	21.00	20.00	20.00	20.00	20.00
Lead Communication Technician	1.00	1.00	1.00	1.00	1.00	1.00
Lead Electrician	3.00	3.00	3.00	3.00	3.00	3.00
Manager of Engineering	1.00	1.00	1.00	1.00	1.00	1.00
Mechanic	8.00	8.00	8.00	9.00	9.00	9.00
Mechanic Lead	1.00	1.00	1.00	1.00	1.00	1.00
Mechanic Supervisor	2.00	2.00	2.00	2.00	2.00	2.00
Mechanical Sweeper Operator	5.00	5.00	5.00	5.00	6.00	6.00
Occupational Health & Safety Officer	1.00	1.00	1.00	1.00	2.00	2.00
Office Specialist II	3.00	3.00	5.00	4.00	4.00	4.00
Office Specialist III	4.00	4.00	3.00	4.00	4.00	4.00
Parking Meter Maint & Collection Suprv	1.00	1.00	1.00	1.00	1.00	1.00
Parking Meter Maintenance Worker	6.00	6.00	6.00	6.00	6.00	6.00
Parking Meter Mechanic	5.00	5.00	5.00	4.00	4.00	4.00
Parking Services Manager	1.00	1.00	1.00	1.00	1.00	1.00
Principal Planner	1.00	1.00	1.00	1.00	1.00	1.00
Public Works Maintenance Superintendent	1.00	1.00	1.00	1.00	1.00	1.00
Public Works Operations Manager	2.00	2.00	2.00	2.00	2.00	2.00
Public Works Supervisor	6.00	5.00	6.00	7.00	7.00	7.00
Recycling Program Manager	1.00	1.00	1.00	1.00	1.00	1.00
Senior Building Inspector	1.00	2.00	3.00	1.00	0.00	0.00
Senior Building Maintenance Supervisor	1.00	1.00	0.00	0.00	0.00	0.00
Senior Drafting Technician	1.00	1.00	1.00	1.00	1.00	1.00
Senior Electrical Supervisor	1.00	1.00	1.00	1.00	0.00	0.00
Senior Engineering Inspector	1.00	0.00	0.00	1.00	1.00	1.00
Senior Equipment Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Senior Management Analyst	4.00	4.00	4.00	4.00	6.00	6.00
Senior Field Representative	0.00	0.00	0.00	1.00	1.00	1.00
Senior Planner	2.00	2.00	2.00	2.00	2.00	2.00
Senior Public Works Supervisor	2.00	3.00	3.00	3.00	3.00	3.00
Senior Solid Waste Supervisor	2.00	2.00	2.00	2.00	2.00	2.00
Service Technician	4.00	4.00	4.00	4.00	4.00	4.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Sewer Maintenance Assistant Supervisor	7.00	7.00	7.00	7.00	7.00	7.00
Skilled Laborer	17.00	17.00	21.00	21.00	21.00	21.00
Solid Waste Loader Operator	2.00	2.00	2.00	2.00	2.00	2.00
Solid Waste Supervisor	4.00	4.00	4.00	4.00	5.00	5.00
Solid Waste Truck Driver	33.00	33.00	33.00	33.00	33.00	33.00
Solid Waste Worker	36.00	36.00	36.00	36.00	36.00	36.00
Solid Waste/Recycling Manager	1.00	1.00	1.00	1.00	1.00	1.00
Supervising Civil Engineer	4.00	4.00	4.00	5.00	5.00	5.00
Supervising Traffic Engineer	1.00	1.00	1.00	1.00	1.00	1.00
Survey Technician	1.00	1.00	1.00	1.00	1.00	1.00
Tractor Trailer Driver	7.00	7.00	7.00	7.00	7.00	7.00
Traffic Engineering Assistant	1.00	1.00	1.00	1.00	1.00	1.00
Traffic Maintenance Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Traffic Maintenance Worker I	3.00	3.00	4.00	4.00	4.00	4.00
Traffic Maintenance Worker II	2.00	2.00	2.00	2.00	2.00	2.00
Transportation Manager	1.00	1.00	0.00	1.00	1.00	1.00
Warehouse Operations Specialist	1.00	1.00	1.00	1.00	1.00	1.00
Weighmaster	4.00	4.00	4.00	4.00	4.00	4.00
Welder Mechanic	1.00	1.00	1.00	0.00	0.00	0.00
Total Public Works	**322.00**	**323.00**	**340.00**	**341.94**	**349.94**	**349.94**
Rent Stabilization Board						
Accounting Office Specialist III	1.00	0.00	1.00	1.00	1.00	1.00
Administrative & Fiscal Services Manager	0.00	0.00	0.00	1.00	1.00	1.00
Assistant Management Analyst	0.00	0.00	0.00	0.00	1.00	1.00
Associate Management Analyst	1.00	1.00	1.00	1.00	1.00	1.00
Associate Planner	0.00	1.00	1.00	1.00	1.00	1.00
Community Services Specialist II	6.00	7.00	7.00	7.00	7.00	7.00
Community Services Specialist III	0.80	1.80	0.80	1.00	1.00	1.00
Deputy Director Rent Stabilization Program	1.00	1.00	0.00	0.00	0.00	0.00
General Counsel	0.00	1.00	1.00	1.00	1.00	1.00
Executive Director Rent Board	1.00	1.00	1.00	1.00	1.00	1.00
Legal Secretary	0.80	1.00	1.00	1.00	1.00	1.00
Office Specialist II	4.00	4.00	4.00	4.00	4.00	4.00
Office Specialist III	1.00	1.00	1.00	1.00	1.00	1.00
Senior Hearing Examiner	1.00	1.00	1.00	1.00	1.00	1.00
Senior Management Analyst	0.75	0.75	0.75	1.00	1.00	1.00

FY 2025 and FY 2026 Position Summary by Department (continued)

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Adopted	FY 2025 Proposed	FY 2026 Proposed
Senior Planner	1.00	1.00	1.00	1.00	1.00	1.00
Staff Attorney II	2.00	2.00	2.00	2.00	2.00	2.00
Staff Attorney III	1.00	0.00	0.00	0.00	0.00	0.00
Total Rent Stabilization Board	**22.35**	**24.55**	**23.55**	**25.00**	**26.00**	**26.00**
Total Authorized FTEs	**1524.55**	**1549.08**	**1676.79**	**1707.03**	**1741.83**	**1741.83**

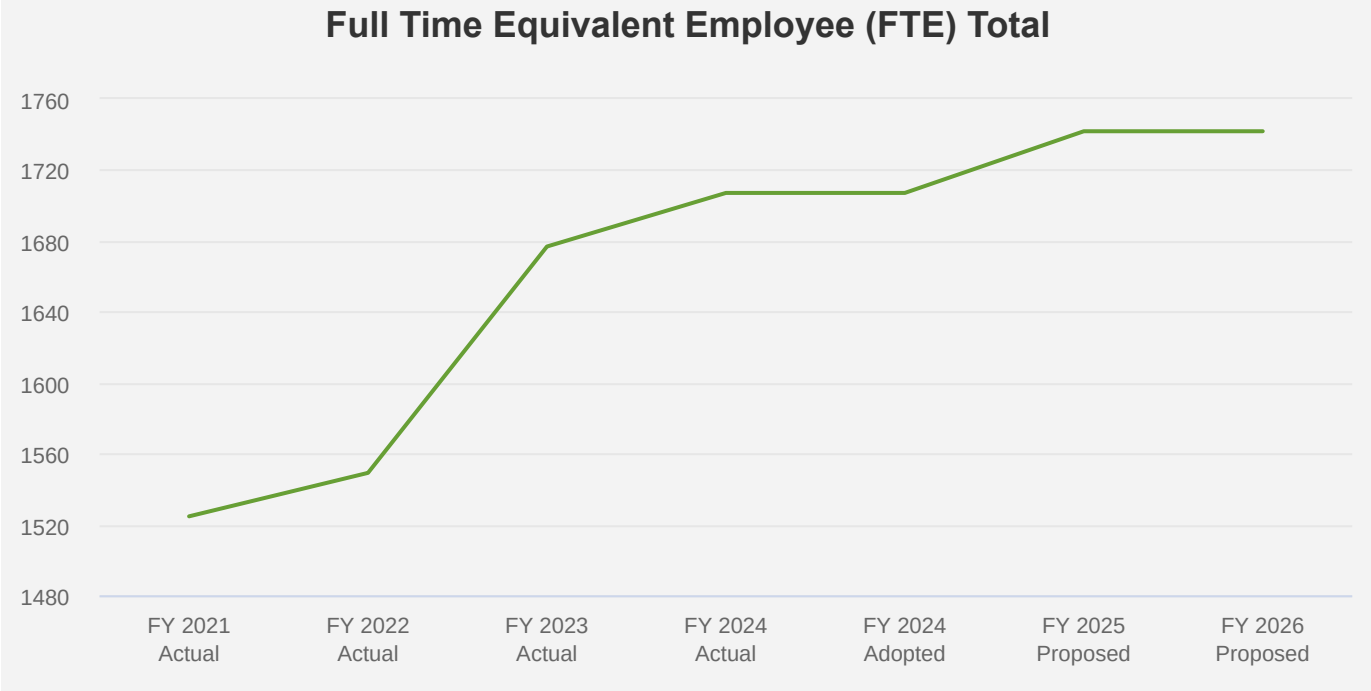
Notes:

* Police Review Commission has become the Office of the Director of Police Accountability in FY 2022.

** Project Based Position (not to exceed 3 years)

*** Project Based Position (not to exceed 2 years)

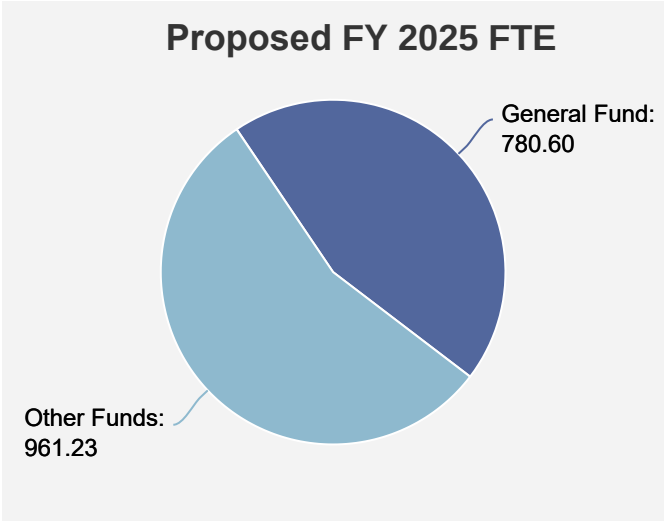
The line chart denotes the overall staffing trend from FY 2021 which shows that staffing level has a steady incline ranging from 1.61% to 8.24% per fiscal year. The chart reflects the total benefitted, career full-time and/or part-time equivalent positions and now excludes the hourly, non-benefited positions in the total staffing count. The growth in FY 2025 and FY 2026 are from the Library Department (14 FTE), Health Housing and Community Service (9 FTE), and Public Works (8 FT). This increase in staffing is for service enhancements and effective new program and project implementations.

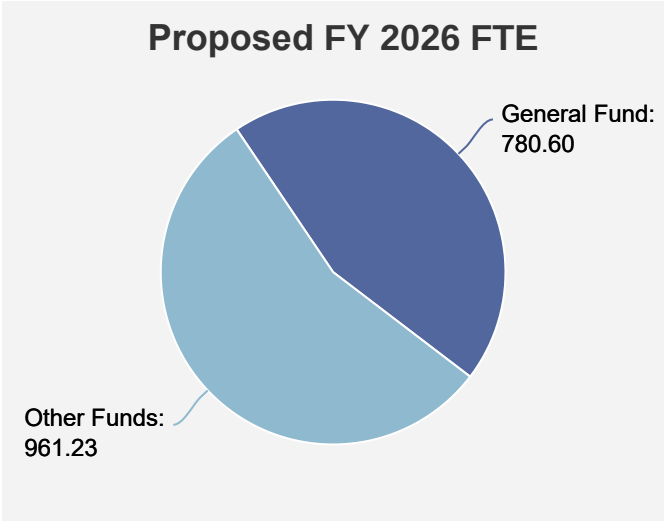


FY 2025 & FY 2026 Staffing by Funding Source

The following table represents the proposed staffing by funding source. Approximately 45% of the total positions in FY 2025 and 2026 are funded by General Fund and 55% from all other funds as indicated in the charts below.

Department	FY 2025 Total FTE	FY 2025 General Fund FTE	FY 2025 All Other Funds FTE	FY 2026 Total FTE	FY 2026 General Fund FTE	FY 2026 All Other Funds FTE
City Attorney	17.00	17.00	-	17.00	17.00	-
City Auditor	15.75	15.25	0.50	15.75	15.25	0.50
City Clerk	10.00	9.43	0.57	10.00	9.43	0.57
City Manager	56.00	54.12	1.88	56.00	54.12	1.88
Finance	56.00	47.00	9.00	56.00	47.00	9.00
Fire Department	200.00	161.15	38.85	200.00	161.15	38.85
Health, Housing & Community Services	247.20	80.44	166.76	247.20	80.44	166.76
Human Resources	26.00	17.20	8.80	26.00	17.20	8.80
Information Technology	51.00	-	51.00	51.00	-	51.00
Library	133.05	-	133.05	133.05	-	133.05
Mayor and Council	23.00	23.00	-	23.00	23.00	-
Office of the Director of Police Accountability	6.00	6.00	-	6.00	6.00	-
Parks, Recreation & Waterfront	113.00	25.84	87.16	113.00	25.84	87.16
Planning & Development	108.89	16.59	92.30	108.89	16.59	92.30
Police Department	303.00	282.00	21.00	303.00	282.00	21.00
Public Works	349.94	25.58	324.36	349.94	25.58	324.36
Rent Stabilization Board	26.00	-	26.00	26.00	-	26.00
Total	**1,741.83**	**780.60**	**961.23**	**1,741.83**	**780.60**	**961.23**





Strategic Plan

The Strategic Plan identifies the long-term goals and short-term priorities that the City government will focus on to benefit the Berkeley community.

In early 2016, a team led by an Assistant to the City Manager, composed of staff volunteers from the Human Resources, Planning, and Police departments, conducted two dozen meetings with staff, the unions, and City Council to identify the City's strengths and challenges. The team identified common themes, drafted goals for the organization and presented them to the public and City staff for input. Staff attended an "Appreciation Event", where they had the opportunity to vote on the goals that most resonated with them. A survey was also conducted on Berkeley Considers 1,200 people visited the survey and 749 responded and prioritized the goals. This process resulted in the nine goals included within the strategic plan. After a number of department meetings, a Managers Retreat and a Council Retreat, the Strategic Plan was adopted by City Council in January 2018 and incorporated into the budget. Performance measures were subsequently included as part of the budget process in the fall of 2020.

For each goal in the Strategic Plan, there are a number of Priorities (i.e., projects). Priorities are short-term projects or phases of projects that can be completed within the two-year budget cycle and advance progress on a goal. Priorities are refreshed each budget cycle as part of budget development.

Strategic Plan projects are those which: Advance a Strategic Plan Goal; Have resources identified in the budget to carry it out (or at least a phase of it); Have a clear scope of work and proposed start/end dates; Are not part of "baseline" services and Usually involve multiple departments.

Departments have identified strategic plan priorities within the departmental budget narrative section of the document. This narrative includes the goal, a description of the project or program, the timeline for completion and the estimated budget. Additional information on the City's strategic Plan and project status is available at https://berkeleyca.gov/your-government/our-work/strategic-plan

Strategic Plan Goals

- Create affordable housing and housing support services for our most vulnerable community members.
- Be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.
- Champion and demonstrate social and racial equity.
- Provide state-of-the-art, well maintained infrastructure, amenities, and facilities.
- Create a resilient, safe, connected, and prepared City.
- Foster a dynamic, sustainable, and locally-based economy.
- Provide an efficient and financially-healthy City government.
- Attract and retain a talented and diverse City government workforce.
- Be a customer-focused organization that provides excellent, timely, easily accessible service and information to the community.

Glossary of Budget Terms

Accounting System	The total set of records and procedures used to record, classify, and report information on the financial status and operations of an entity.
Adopted Budget	The budget document formally approved by the City Council.
Amended Budget	The Adopted budget plus any modifications (increase, decrease, or transfer) approved by the City Council during the two amendments to the annual appropriation ordinance (AAO#1 and AAO#2).
American Rescue Plan Act (ARPA)	A bill signed into law in 2021 to provide additional relief to address the continued impact of the COVID-19 pandemic on the US economy, public health, state and local governments, individuals and businesses.
Appropriation	An authorization granted by the City Council to make expenditures and to incur obligations for purposes specified in the Appropriation Ordinance. An appropriation is usually for a fixed amount and time limited, and must be expended before the deadline.
Assessed Valuation	A valuation set upon real estate or other property by the County Assessor and the State as a basis for levying taxes.
Assets	Resources owned or controlled by the City that have value and available to meet debts and obligations.
Balanced Budget	A budget in which planned expenditures are equal to or do not exceed planned revenue in the same fiscal year.
Baseline Budget	Resources necessary to meet an established and existing service level.
Basis of Budgeting	Basis of budgeting refers to the method used for recognizing revenues and expenditures in budget. The City uses the modified accrual basis of accounting for budgetary purposes, which follows Generally Accepted Accounting Principles.
Beginning Fund Balance	Fund balance available in a fund from the end of the prior year for use in the following year.
Biennial Budget	The financial plan of the City with estimates of expenditures and revenues for a two-year period that expresses the City's values and strategic plans.
Bond	A City may raise capital funds by issuing a written promise to pay a specified sum of money, called the face value or principal amount; at a specified date or dates in the future, together with the periodic interest at a specified rate.
Budget Calendar	The schedule of key dates or milestones that a government follows in the preparation and adoption of the budget.
Budget Document	The official published instrument that shows the comprehensive budget prepared by the budget office and supporting staff.
Budget Message	A general written description summarizing the proposed budget. The budget message explains principal budget issues against the background of financial experience in recent years and presents recommendations made by the City Manager.

Budget Modification	A change of expenditure levels and corresponding resources needed to accomplish an existing service level or unanticipated service. All budget modifications are reflected in the current year budget and are approved by the City Council through the Annual Appropriations Ordinance.
Budget Supplement	A request for an increase or decrease in an existing service level (over and above the baseline budget).
Camps Fund (Playground Camps)	A special revenue fund established to account for the revenue and expenses to operate and maintain the City's resident camps and day camp, including Berkeley Tuolumne Camp (BTC), Echo Lake Camp, Cazadero Camp and Berkeley Day Camp.
Capital Budget	A plan for capital expenditures and the means of financing them during the first year of the Capital Improvement Program. Included are expenditures made for land, building, permanent public works projects, major reconstruction or renovation of structures, and major landscaping or park improvements.
Capital Improvement Program (CIP) Fund	Established to pay for some of the City's capital projects. The primary source of funding for the CIP Fund is an annual transfer from the General Fund to the CIP Fund. The secondary source of funding is the excess property transfer tax over a certain amount (depends on current fiscal policy).
Capital Improvement Program (CIP)	A multi-year spending plan for infrastructure improvements and other specific large-scale recurring purchases. The City creates a five-year CIP while industry standard varies from 5-30 years.
Capital Outlay	Expenditures to maintain, upgrade, acquire, or repair capital assets.
Capital Project	A project that helps maintain, improve, or adds to the City's infrastructure. Typically, a project is considered a capital project if it results in an acquisition of a new asset or new construction, improvements, expansion, renovation, rehabilitation, repairs, or replacement of an existing City facility or other infrastructure assets.
Carryover	Appropriated balance of funds from prior fiscal year brought forward to the new fiscal year.
CDBG	The Community Development Block Grant (CDBG) is a federal program for the development of housing and community projects. Funds are awarded to community- based agencies on an annual basis to carry out these activities.
City Charter	Legal authority approved by the voters of the City of Berkeley under the State of California Constitution establishing the government organization.
Clean Storm Water Fund	Provides the funding for the maintenance and improvement of the City's storm water drainage system to reduce the pollutants in storm water from entering local creeks and the Bay. Revenue to this fund is from the collection of fees charged to every owner of real property in the city of Berkeley and is collected through property taxes.
Community Agencies	Non-City agencies in Berkeley which provide public services with some financial assistance from the City. These monies may come either from the General Fund or community block grants from the Federal government.

Contingency	Funds appropriated by the City Council for unforeseen needs.
Contracted Services	Fees paid to external parties who provide services to the City in support of City operations.
Debt Service	Actual cost of interest and principal on bond maturities as well as revenue anticipation notes.
Debt Service Funds	Funds used for the accumulation of resources set aside to meet current and future debt service obligations on long-term debt.
Deficit	An excess of expenditure or liabilities over revenue or assets during a set period, usually a fiscal year.
Department	An organizational unit comprised of divisions or programs. It is possible for a department to be comprised of only one division.
Discretionary Revenue	Revenue that the City Council has the authority to allocate for any purpose. Often refers to the General Fund, as opposed to Special Funds.
Division	A functional grouping of related activities within a department. There are usually several activities within a division.
Dual Appropriation	Revenue that is initially budgeted for receipt in one fund and subsequently transferred for expenditure in another fund.
Encumbrance	Funds not yet expended and are delegated or set aside in anticipation of an expenditure in the form of a purchase order, contract, or other commitment, chargeable to an appropriation. These funds cease to be an encumbrance when paid.
Enterprise Fund	Funds intended to be self-supporting and are used for activities which fees are charged to external customers for goods or services.
Expenditure	Designates the cost of goods delivered or services rendered, whether paid or unpaid. Where accounts are kept on the accrual or modified accrual basis of accounting, costs are recorded when goods are received or services rendered. Where accounts are kept on a cash basis, expenditures are recognized when the cash payments are made.
Fees	A charge to cover the cost of services (e.g., building inspection fee, zoning fee, etc.).
Fiscal Year	A twelve-month period of time to which the budget applies. For the City of Berkeley, this period is from July 1 through June 30.
Fixed Asset	A tangible item of a long-term character such as land, buildings, furniture, and other equipment with a unit cost in excess of $5,000.
Fringe Benefits	Benefits to City employees, in addition to salaries, paid by the City. These benefits include social security, pensions, workers' compensation, unemployment compensation, life and health insurance.
Fiduciary Funds	Funds used to account for resources held for the benefit of parties outside the City of Berkeley. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the City's own programs.
Full Time Equivalency (FTE)	One or more employee positions totaling one full year of service or approximately 2,080 hours a year. The number of full-time equivalent positions are funded in the budget.

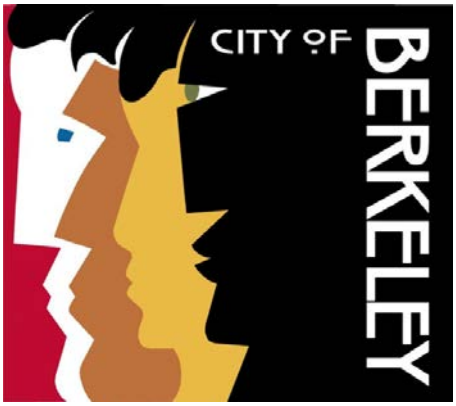
Fund	An independent fiscal and accounting entity with a self-balancing set of accounts recording cash and/or other resources, together with all related liabilities, obligations, reserves and equities which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations.
Fund Balance	Within a specific operating fund, the net of expenditures and revenues.
Funding Source	Identifies fund(s) that will provide resources for City expenditures.
Gas Tax Fund	This fund is required by State law to account for gas tax revenues received from the State and expended for construction and maintenance of City streets.
General Fund	The primary operating fund of the City. It is discretionarily used for multiple purposes and has the most flexibility in how funding can be spent.
General Obligation (GO) Bond	A bond whose repayment is guaranteed by pledging all the assets and revenues of a government agency.
General Plan	The General Plan is a long-range planning document that provides the City a framework for action and the direction in which to focus that action. General Plan Elements are areas in which the City has elected to administer and manage the delivery of services to its community.
General Fund Revenue	General sources of income the City collects and receives into the Treasury for public use (e.g., property tax). There are no restrictions as to the use of these monies - often referred to as Discretionary Revenue.
Governmental Funds	Funds used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. The City maintains several individual governmental funds organized by their type (general, special revenue, debt service, and capital projects funds).
Grant	A contribution from one government unit to another, usually made for a specific purpose and time period.
Indirect Cost	Necessary costs incurred for the functioning of an organization as a whole and not readily assignable to specific cost objectives, such as administrative support.
Infrastructure	Facilities, structures, and utilities needed for the functioning of a community or society intended for long-term use such as roads, water lines, sewers, public buildings, and parks.
Interest Income	Revenue earned during a specific time period from an organization's investments that pay interest.
Interfund Transfers	Monies appropriated from one fund to another fund. This is done to reimburse the fund for expenses or to finance the operation of the other fund.
Interdepartmental Charges	Departments charging to perform or provide specific services to other City departments on a cost for services basis. The services performed are charged to the using department.
Internal Service Funds	These are funds used to account for goods and services provided by certain City departments or programs to other City departments or programs of the City on a cost-reimbursement fee basis.

Library Tax Fund	Provides funding for the Berkeley Public Library system. The primary source of revenue to the fund is the Library Tax, which was originally established in 1980 and reauthorized in 1988.
Lost Time	A measure used by departments to measure excessive absenteeism. It is derived by adding an employee's sick time, workers' compensation, and any other unpaid absences.
Mandate (Mandated Services)	A legal requirement, usually imposed by State or Federal law. This term is used to refer to City services, which are provided to comply with State or Federal laws.
Marina Fund	Fees generated from vessels that berth at the Marina, commercial building and ground leases and special events provide the revenue that funds the operations at the Berkeley Waterfront, including University Avenue and the Bay Trail, from Frontage Road to Marina Boulevard; and all land, infrastructure and Marina waters west of Marina Blvd.
Materials, Supplies and Services	Expenditures for materials, supplies and related services which are ordinarily consumed within a fiscal year and which are not included in department inventories.
Measure GG	Berkeley voters approved the Measure GG Fire and Disaster Tax in November 2008 to stop rotating fire station closures and to fund advanced life support personnel, equipment, and training. Voters also aimed to bolster community emergency response and disaster preparedness by providing training, equipment, and education to Berkeley community members.
Measure FF	Approved by Berkeley voters in November 2020. The revenue from this tax is used to fund firefighter and emergency medical response, upgrades to the 9-1-1 dispatch system, hazard mitigation, and wildfire prevention and preparedness activities.
Municipal Code	A book that contains City Council approved ordinances presently in effect. The Code defines City policies in various categories.
Off-Street Parking Fund	An enterprise fund used for capital, operation, and maintenance of off-street parking facilities (garages). The City of Berkeley owns three garages (Center Street Garage, Oxford Garage, and Telegraph Channing Garage).
Operating Budget	A programmatic, financial, and organizational plan for furthering the goals of the City Council through departments of the City, which does not include capital improvement projects.
Operating Expenses	Expenses incurred as a result of day-to-day operations.
Ordinance	A formal legislative enactment by the City Council. It has the full force and effect of law within the City boundaries unless it is in conflict with any higher form of law, such as a State statute or constitutional provision. An ordinance has higher legal standing than a resolution. A law set forth by a government authority, specifically, a municipal regulation.
Parking Meter Fund	An enterprise fund that provides the funding for the maintenance, collection, capital, and enforcement of parking meters. Revenue is generated through payments made by hourly parkers using "pay and display" parking meters and single space parking meters from the City's eight parking meter routes.

Parks Tax Fund	A special tax charged to Berkeley property owners on a square foot basis and is used to fund the maintenance of parks, city trees, and landscaping in the City of Berkeley. Berkeley voters approved the tax in May 1997 to replace the Landscape Assessment District.
Performance Measure	A performance indicator is a measurement designed by a reasoning process to determine whether or not a service objective has been met. It measures the effectiveness of achieving the objective or how well the objective has been accomplished.
Permit Service Center Fund	Serves as the fund for the collection of zoning fees, building fees, and plan check fees. The fees are established by the City Council through a public hearing and adoption of a resolution establishing a fee schedule.
PERS (CalPERS)	Public Employees Retirement System. - A pension plan administered by the State of California for government agencies.
Personnel Expenditures	Salaries and wages paid to employees.
Program Revenues	Revenues received by a department as a result of the services or operations of that department (such as user fees), which are used to finance the related services or programs. Program Revenue is not discretionary (general-purpose) revenue.
Property Tax	California State Constitution Article XIII A provide that the combined maximum property tax rate on any given property equal 1% of its assessed value unless an additional amount has been approved by voters for special taxes or general obligation bonds. The County assesses properties, bills and collects these property taxes. The County remits the City's share, including all penalties and interest.
Property Transfer Tax	This tax is levied at a rate of $1.50 per $100 of the value of consideration of equity value transferred. The County collects the tax and the City receives the revenues. The City can use up to one third of the revenue for seismic retrofits. Revenues are dependent on how frequently the property is transferred and on the accrued value at the time of transfer.
Proposed Budget	The working document for the fiscal year under discussion.
Proposition 218	Approved by California voters in November 1996 that limits local government revenue powers. This constitutional amendment protects taxpayers by limiting the methods by which local governments can create or increase taxes, fees and charges without taxpayer consent. Proposition 218 requires voter approval prior to imposition or increase of general taxes, assessments, and certain user fees.
Proprietary Funds	Generally used in governmental accounting to account for activities that involve business-like services for which the City charges outside customers or internal departments of the City.
Purchase Order	Authorizes the delivery of specific goods or services, and incurrence of debt for them.
Redevelopment Agency Fund	This fund accounts for the activities of the Redevelopment Agency of the City, which was created by the City Council and carry out redevelopment plans for designated areas of the City.
Repairs and Maintenance	Expenditures for repairs and maintenance of all equipment and supplies, buildings, structures and grounds.

Reserve	An account used to set aside a portion of the fund balance to meet any future costs or financial obligations, whether for legal obligations or those arising unexpectedly.
Resolution	A special order of the City Council that requires less legal formality than an ordinance in terms of public notice and the number of public readings prior to approval.
Revenue Bonds	A type of bond usually issued to construct facilities. The bonds are repaid from revenue produced by the operation of those facilities.
Revenues	Amounts estimated to be available for appropriation during the fiscal year. Included are carry-over balances and new revenues.
Salary Savings	That percentage or dollar amount of salaries which can be expected to be unspent during the fiscal year due to vacancies and employees receiving less than the top-step pay of the classification.
Sales Tax	The City receives one percent of the 10.25% of taxes assessed on retail sales or leases of tangible personal property in the City.
Sanitary Sewer Fund	Established to pay for the costs of operation, maintenance, rehabilitation and improvement of the City's sanitary sewer collection system. Sewer service fees are charged to users of the City's sanitary system.
Secured Taxes	Taxes levied on real properties in the City which are "secured" by liens on the properties.
Service Level	Indicates a project's effect on existing levels of service provision or identifies a new service to be provided to the public.
Special Assessment Fund	A fund used to account for the financing of public improvements or services deemed to benefit primarily the properties against which special assessments are levied.
Special Revenue Funds	Funds that are restricted or committed to expenditures for specific purposes and therefore cannot be used for other expenses.
Spending Limitation (Gann Limit)	Article XIII B of the California Constitution establishes a spending limitation on government agencies within California. The spending limit is a mandated calculation of how much the City is allowed to expend in one fiscal year. The amounts of appropriations subject to the limit are budgeted proceeds of taxes. The total of these budgeted revenues cannot exceed the total appropriations limit. Annually, local governments may increase the appropriate limit by a factor comprised of the change in population combined with the California inflation rate as determined by the State Finance Department.
Strategic Plan	An organization's long-term plan that aims to establish and achieve the organizational goals. It determines the scope and direction of an organization.
Street Light Assessment District Fund	Provides for maintenance of the City's 8,011 streetlights along the public streets, parking lots, pathways, recreation facilities, and marina. Also, it is to be used for installation or construction of public lighting facilities. Revenue to this fund is collected through annual property taxes and is capped by Proposition 218, allowing for no rate increase to this assessment without voter approval.

Supplemental Assessment	An assessment of real property occurring after the real property lien date of January 1st of each year as a result of new construction or a change in ownership. The assessor determines the new value of the property based on current market values, and then calculates the difference between the new value and the old value set on January 1st.
Surplus	A positive value. An excess of revenue or assets over expenditure or liabilities during a set period, usually a fiscal year.
Tax Levy	Amount of tax dollars raised by the imposition of the tax rate on the assessed valuation of property.
Tax Rate	The amount of tax levied for each $100 of assessed valuation.
Tier 1 Funding	Council and departmental requests for General Fund support (over the baseline) for personnel, programs and projects are prioritized into three tiers. Tier 1 funding refers to additional appropriations from the General Fund or Capital Improvement Program (CIP) Fund approved as part of the biennial budget. Tier 1 refers to items that operational must be paid for; items that support a federal, state or locally mandated function; items that support public health and safety, critical operations and/or critical infrastructure needs; items that support the implementation of the City's strategic plan goals and/or have been approved by Council; and items that either generate revenue, are grant funded or otherwise leverage additional funding.
Transient Occupancy Tax (TOT)	A 12% tax is levied on charges for occupancy of hotel and motel rooms for stays of 30 days or less.
Unfunded (Supplemental) Requests	An item for which funding is not included by the City Administrator due to financial limitations, not because the request lacks merit. The Council may act to include them in the final budget, which may require reordering of budget priorities.
Unfunded Liabilities	Unfunded liabilities are defined as identifiable obligations of an organization for which the organization does not have 100% of the funding (cash or other assets) set aside to cover the cost should all obligations become immediately due.
Utility Users Tax	A 7.5% tax is levied on utility billings for gas and electric and intra-state telephone services.
Year-End	This term means as of June 30th (end of the fiscal year).
Zero Waste Fund	This enterprise fund accounts for the revenues and expenses related to refuse collection and solid waste disposal services.


CITY OF
BERKELEY



City of Berkeley
2180 Milvia St, Berkeley,
CA 94704

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

FY 2025 AND FY 2026 ADOPTED BIENNIAL BUDGET
PUBLIC HEARING

The City Manager's Office is proposing a public hearing for the adoption of the Fiscal Year 2025 and Fiscal Year 2006 Budget, which is being presented to the City Council.

The hearing will be held on **Tuesday, June 25, 2024 at 6:00 p.m.** in the School District Board Room, 1231 Addison Street. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of June 13, 2024.

For further information, please contact **Sharon Friedrichsen** at (510) 981-7000.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley 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 or in person to the City Clerk. 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 at 981-6900 or clerk@berkeleyca.gov for further information.

Posted: June 13, 2024

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I hereby certify that the Notice for this Public Hearing 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 June 13, 2024.

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Mark Numainville, City Clerk
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Office of the City Manager

ACTION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Sharon Friedrichsen, Budget Manager

Subject: FY 2025 Annual Appropriations Ordinance

RECOMMENDATION
Adopt first reading of an Ordinance adopting the FY 2025 Annual Appropriations Ordinance (AAO) in the amount of $780,976,005 (gross appropriations) and $674,929,717 (net appropriations).

FISCAL IMPACTS OF RECOMMENDATION
The FY 2025 Annual Appropriations Ordinance authorizes gross appropriations of $780,976,005 and net appropriations of $674,929,717. The General Fund Umbrella of Funds (Funds 011-099) totals $283,343,988 and the balance of $497,632,017 represents the other non-discretionary funds.

BACKGROUND
The City Charter states that at the time of budget adoption that the Council passes an annual appropriations ordinance, which shall be based upon the budget submitted by the City Manager and as amended by the City Council. The AAO establishes the expenditure limits by fund for FY 2024. Exhibit A provides a Fund-by-Fund summary of these limits for FY 2025.

The FY 2025 Annual Appropriations Ordinance is a Strategic Plan Priority, advancing our goal to provide an efficient and financially-healthy City government.

ENVIRONMENTAL SUSTAINABILITY
There are no identifiable environmental effects or opportunities associated with the act of adopting the budget/appropriations ordinance/amendments. Actions included in the budget will be developed and implemented in a manner that is consistent with the City's environmental sustainability goals and requirements.

RATIONALE FOR RECOMMENDATION
The recommendation allows the City to set the adopted funding limits for FY 2025.

CONTACT PERSON
Sharon Friedrichsen, Budget Manager, City Manager's Office, 981-7000

Rama Murty, Senior Management Analyst, City Manager's Office, 981-7000

Attachments:
1: Ordinance
Exhibit A: FY 2025 Annual Appropriation Ordinance Summary of Appropriations by Fund

ORDINANCE NO. #,###-N.S.

ADOPTING THE ANNUAL APPROPRIATIONS ORDINANCE BASED ON THE ADOPTED BUDGET FOR FISCAL YEAR 2025 AS PROPOSED BY THE CITY MANAGER AND PASSED BY THE CITY COUNCIL

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That the Annual Appropriations Ordinance based on the budget for FY 2025 submitted by the City Manager and passed by the City Council be adopted as follows and as summarized in Exhibit A:

A. General Fund (Funds 001-099)	283,343,988
B. Special Funds (Funds 100-199)	162,957,717
C. Grant Funds (Funds 300-399)	51,924,999
D. Capital Projects Funds (Funds 500-550)	36,231,072
E. Debt Service Fund (Funds 551-599)	13,363,356
F. Enterprise Funds (Funds 600-669)	162,628,095
G. Internal Service Funds (Funds 146, 670-699)	56,865,855
H. Trust Funds (Funds 701-759)	213,777
H. Successor Agency (Funds 760-769)	57,120
I. Agency Funds (Funds 771-799)	5,450,818
J. Other Funds (Funds 800-899)	7,939,208
K. Total	
Total General Fund	283,343,988
Add: Total Other Than General Fund	497,632,017
Gross Revenue Appropriated	**780,976,005**
Less: Dual Appropriations	-51,883,591
Less: Revolving/Internal Service Funds	-54,162,697
Net Revenue Appropriated	**674,929,717**

Section 2. The City Manager is hereby permitted, without further authority from the City Council, to make the following transfers by giving written notice to the Director of Finance:

a. From the General Fund to the General Fund – Stability Reserve Fund; Catastrophic Reserve Fund; PERS Savings Fund; Health State Aid Realignment; Fair Election Fund; Capital Improvement Fund; Phone System Replacement; Equipment Replacement Fund; Public Liability Fund; Catastrophic Loss Fund; IT Cost Allocation Fund: Police Employee Retiree Health Assistance Plan; Safety Members Pension Fund; and Sick Leave Entitlement Fund.

b. To the General Fund from the General Fund – Stability Reserves Fund; Catastrophic Reserves Fund; Community Development Block Grant Fund; Street Lighting Assessment District Fund; Zero Waste Fund; Marina Operations and Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Parking Meter Fund; Unified Program (CUPA); and Health State Aid Realignment Fund.

c. From GF-Payroll Deduction Trust Fund to Employee Training Fund

d. To the First Source Fund from the Parks Tax Fund; Capital Improvement Fund; and the Marina Fund.

e. From Measure FF – Public Safety Fund to Paramedic Tax Fund

f. From Capital Improvement Fund to Berkeley Repertory Theater Fund; and 2010 COP (Animal Shelter) Fund.

g. To the Public Art Fund from the Parks Tax Fund; Capital Improvement Fund; and the Marina Fund.

h. To CFD#1 District Fire Protection Bond (Measure Q) from Special Tax Bonds CFD#1 ML-ROOS.

i. To Private Sewer Lateral Fund from Sanitary Sewer Operation Fund.

j. To Catastrophic Loss Fund from Permit Service Center Fund.

k. To Catastrophic Loss Fund from Unified Program (CUPA) Fund.

l. To the Building Purchases and Management Fund from General Fund; Health (General) Fund; Rental Housing Safety Program Fund; Measure B Local Streets & Road Fund; Employee Training Fund; Zero Waste Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Off Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Building Maintenance Fund; Central Services Fund; and Health State Aide Realignment Trust Fund.

m. To Equipment Replacement Fund from General Fund; Mental Health Services Act Fund; Health (Short/Doyle) Fund; Vector Control Fund; Paramedic Tax Fund; Playground Camp Fund; State Transportation Tax Fund; Rental Housing Safety

Program Fund; Parks Tax Fund; Street Light Assessment District Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Parking Meter Fund; Equipment Maintenance Fund; Building Maintenance Fund; and Central Services Fund.

n. To the Equipment Maintenance Fund from General Fund; Health (General) Fund; Mental Health Services Act Fund; Health (Short/Doyle) Fund; Vector Control Fund; Paramedic Tax Fund; Library - Discretionary Fund; Playground Camp Fund; State Transportation Tax Fund; Rental Housing Safety Program Fund; Rent Stabilization Board Fund; Parks Ta Fund; Street Light Assessment District Fund; FEMA Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Off Street Parking Fund; Parking Meter Fund; Equipment Maintenance Fund; Building Maintenance Fund; and Central Services Fund.

o. To the Building Maintenance Fund from the General Fund; Health (General) Fund; Health (Short/Doyle) Fund; Measure B Local Street & Road Fund; Parks Tax Fund; Street Light Assessment District Fund; Zero Waste Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Off Street Parking Fund; Parking Meter Fund; Equipment Maintenance Fund; Building Maintenance Fund; and Mental Health State Aid Realignment Fund.

p. To the Central Services Fund from the General Fund; First Source Fund; Health (Short/Doyle) Fund; Library-Discretionary Fund; Playground Camp Fund; Rent Stabilization Board Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation; Building Purchases & Management Fund; Building Maintenance Fund; Central Services Fund; and Mental Health State Aid Realignment Fund.

q. To Information Technology Cost Allocation Plan Fund from General Fund; Target Case Management/Linkages Fund; Health (Short/Doyle); Library Fund; Playground Camp Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Rent Stabilization Board Fund; Parks Tax Fund; Street Light Assessment District Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation; Clean Storm Water Fund; Permit Service Center Fund; Off Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Equipment Maintenance Fund; Building Maintenance Fund; Information Technology Cost Allocation Plan Fund; Health State Aid Realignment Trust Fund; and Mental Health State Aid Realignment Fund.

r. To the Workers' Compensation Self-Insurance Fund from General Fund; Special Tax for Severely Disabled Measure E Fund; First Source Fund; HUD Fund; ESGP Fund; Health (General) Fund; Target Case Management/Linkages Fund; Mental Health Service Act Fund; Health (Short/Doyle) Fund; EPSDT Expansion Proposal

Fund; Senior Nutrition (Title III) Fund; C.F.P. Title X Fund; Fund Raising Activities Fund; Berkeley Unified School District Grant; Vector Control Fund; Paramedic Tax Fund; Alameda County Grants Fund; Senior Supportive Social Services Fund; Family Care Support Program Fund; Domestic Violence Prevention – Vital Statistics Fund; Affordable Housing Mitigation; Inclusionary Housing Program; Library – Discretionary Fund; Playground Camp Fund; Community Action Program Fund; State Proposition 172 Public Safety Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Measure B Local State & Road Fund; Measure B Bike & Pedestrian Fund; Measure B – Paratransit Fund; Measure F Alameda County Vehicle Registration Fee Streets & Roads Fund; Measure BB – Paratransit Fund; Fair Election Fund; Measure U1 Fund; One-Time Grant: No Cap Expense Fund; Rent Stabilization Board Fund; Parks Tax Fund; Measure GG – Fire Prep Tax Fund; Street Lighting Assessment District Fund; Employee Training Fund; Private Percent – Art Fund; Measure T1 – Infrastructure & Facilities Fund; FUND$ Replacement Fund; Capital Improvement Fund; FEMA Fund; CFD #1 District Fire Protect Bond Fund; Special Tax Bonds CFD#1 ML-ROOS Fund; Shelter+Care HUD Fund; Shelter+Care County Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Private Sewer Lateral Fund; Permit Service Center Fund; Off-Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Equipment Replacement Fund; Equipment Maintenance Fund; Building Maintenance Fund; Central Services Fund; Workers' Compensation Fund; Public Liability Fund; Information Technology Cost Allocation Plan Fund; Health State Aid Realignment Trust Fund; Tobacco Control Trust Fund; Mental Health State Aid Realignment Fund; Alameda Abandoned Vehicle Abatement Authority; and Bio-Terrorism Grant Fund.

s. To the Sick Leave and Vacation Leave Accrual Fund from General Fund; Special Tax for Severely Disabled Measure E Fund; First Source Fund; HUD Fund; ESGP Fund; Health (General) Fund; Target Case Management/Linkages Fund; Mental Health Service Act Fund; Health (Short/Doyle) Fund; EPSDT Expansion Proposal Fund; Senior Nutrition (Title III) Fund; C.F.P. Title X Fund; Fund Raising Activities Fund; Berkeley Unified School District Grant; Vector Control Fund; Paramedic Tax Fund; Alameda County Grants Fund; Senior Supportive Social Services Fund; Family Care Support Program Fund; Domestic Violence Prevention – Vital Statistics Fund; Affordable Housing Mitigation; Inclusionary Housing Program; Library – Discretionary Fund; Playground Camp Fund; Community Action Program Fund; State Proposition 172 Public Safety Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Measure B Local State & Road Fund; Measure B Bike & Pedestrian Fund; Measure B – Paratransit Fund; Measure F Alameda County Vehicle Registration Fee Streets & Roads Fund; Measure BB – Paratransit Fund; Fair Election Fund; Measure U1 Fund; One-Time Grant: No Cap Expense Fund; Rent Stabilization Board Fund; Parks Tax Fund; Measure GG – Fire Prep Tax Fund; Street Lighting Assessment District Fund; Employee Training Fund; Private Percent – Art Fund; Measure T1 – Infrastructure & Facilities Fund; FUND$ Replacement Fund; Capital Improvement Fund; FEMA Fund; CFD

#1 District Fire Protect Bond Fund; Special Tax Bonds CFD#1 ML-ROOS Fund; Shelter+Care HUD Fund; Shelter+Care County Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Private Sewer Lateral Fund; Permit Service Center Fund; Off-Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Equipment Replacement Fund; Equipment Maintenance Fund; Building Maintenance Fund; Central Services Fund; Workers' Compensation Fund; Public Liability Fund; Information Technology Cost Allocation Plan Fund; Health State Aid Realignment Trust Fund; Tobacco Control Trust Fund; Mental Health State Aid Realignment Fund; Alameda Abandoned Vehicle Abatement Authority; and Bio-Terrorism Grant Fund.

t. To the Payroll Deduction Trust Fund from General Fund; Special Tax for Severely Disabled Measure E Fund; First Source Fund; HUD Fund; ESGP Fund; Health (General) Fund; Target Case Management/Linkages Fund; Mental Health Service Act Fund; Health (Short/Doyle) Fund; EPSDT Expansion Proposal Fund; Senior Nutrition (Title III) Fund; C.F.P. Title X Fund; Fund Raising Activities Fund; Berkeley Unified School District Grant; Vector Control Fund; Paramedic Tax Fund; Alameda County Grants Fund; Senior Supportive Social Services Fund; Family Care Support Program Fund; Domestic Violence Prevention – Vital Statistics Fund; Affordable Housing Mitigation; Inclusionary Housing Program; Library – Discretionary Fund; Playground Camp Fund; Community Action Program Fund; State Proposition 172 Public Safety Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Measure B Local State & Road Fund; Measure B Bike & Pedestrian Fund; Measure B – Paratransit Fund; Measure F Alameda County Vehicle Registration Fee Streets & Roads Fund; Measure BB – Paratransit Fund; Fair Election Fund; Measure U1 Fund; One-Time Grant: No Cap Expense Fund; Rent Stabilization Board Fund; Parks Tax Fund; Measure GG – Fire Prep Tax Fund; Street Lighting Assessment District Fund; Employee Training Fund; Private Percent – Art Fund; Measure T1 – Infrastructure & Facilities Fund; FUND$ Replacement Fund; Capital Improvement Fund; FEMA Fund; CFD #1 District Fire Protect Bond Fund; Special Tax Bonds CFD#1 ML-ROOS Fund; Shelter+Care HUD Fund; Shelter+Care County Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Private Sewer Lateral Fund; Permit Service Center Fund; Off-Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Equipment Replacement Fund; Equipment Maintenance Fund; Building Maintenance Fund; Central Services Fund; Workers' Compensation Fund; Public Liability Fund; Information Technology Cost Allocation Plan Fund; Health State Aid Realignment Trust Fund; Tobacco Control Trust Fund; Mental Health State Aid Realignment Fund; Alameda Abandoned Vehicle Abatement Authority; and Bio-Terrorism Grant Fund.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each

branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Attachment for Annual Appropriations Ordinance - Fiscal Year 2025

REVOLVING FUNDS/INTERNAL SERVICE FUNDS

Appropriations are identified with revolving and internal service funds. Such funds derive revenue by virtue of payment from other fund sources as benefits are received by such funds, and the total is reflected in the "Less Revolving Funds and Internal Service Funds" in item I. The funds are:

Revolving/Internal Service Funds		
Employee Training Fund		860,645
Equipment Replacement Fund		6,572,107
Equipment Maintenance Fund		11,551,467
Building Maintenance Fund		5,677,341
Central Services Fund		399,519
Workers' Compensation Fund		6,620,627
Public Liability Fund		3,678,458
Information Technology Fund		18,802,533
Subtotal Revolving/Internal Service Funds	$	54,162,697

DUAL APPROPRIATIONS - WORKING BUDGET

Dual appropriations are identified with revenues generated by one fund and transferred to another fund. Both funds are credited with the applicable revenue, and the total is reflected in the "Less Dual Appropriations" in item I. The dual appropriations are:

Transfers to the General Fund		
Indirect Cost Reimbursement		
CDBG Fund		176,194
Street Light Assessment District Fund		115,502
One-Time Grant: No Cap Exp		78,545
Zero Waste Fund		2,643,473
Marina Enterprise Fund		449,252
Sanitary Sewer Fund		1,091,386
Clean Storm Water Fund		176,832
Permit Service Center Fund		2,172,889
Unified Program (CUPA) Fund		88,045
Subtotal Transfers to General Fund:	$	6,992,118

Transfer to Safety Members Pension Fund from General Fund	551,804
Transfer to Measure U1 Fund from General Fund	6,500,000
Transfer to Health State Aid Realignment from General Fund	1,953,018
Transfer to Fair Election Fund from General Fund	612,210
Transfer to Capital Improvement Fund (CIP) from General Fund	12,950,905
Transfer to Equipment Replacement Fund from General Fund	1,081,699
Transfer to Public Liability Fund from General Fund	2,450,111
Transfer to Catastrophic Loss Fund from General Fund	6,278,457
Transfer to IT Cost Allocation Fund from General Fund	71,335
Transfer to Police Employee Retiree Health Assistance Plan from General Fund	400,136
Transfer to Sick Leave Entitlement Fund from General Fund	201,501
Transfer from GF Payroll Deduction Trust Fund to Employee Training Fund	750,000
Transfer from Library Tax Fund to Library - Trans Based Fund	5,000,000
Transfer to General Fund from Health State Aid Realignment Fund	2,643,280
Transfer to Paramedic Tax Fund from Measure FF - Public Safety Fund	757,925
Transfer to Berkeley Repertory Theater Debt Service Fund from CIP Fund	499,802
Transfer from CIP Fund to 2010 COP (Animal Shelter) Fund	402,613
Transfer to Private Sewer Lateral Fund from Sewer Fund	90,501
Transfer to Catastrophic Loss Fund from Permit Service Center Fund	50,555
Transfer to Catastrophic Loss Fund from Unified Program (CUPA) Fund	5,082
Transfer to General Fund from Parking Meter Fund	1,042,288
Transfer to General Fund from IT Cost Allocation Fund	498,355
Transfer to First Source Fund from Parks Tax Fund	6,234
Transfer to First Source Fund from Capital Improvement Fund	29,917
Transfer to First Source Fund from Marina Fund	1,875
Transfer to Public Art Fund from Parks Tax Fund	6,234
Transfer to Public Art Fund from Capital Improvement Fund	52,355
Transfer to Public Art Fund from Marina Fund	3,281
Subtotal Transfers to Other Funds:	44,891,473
Sub-Total Dual Appropriations	$ 51,883,591
Grand Total Dual Appropriations	**$ 106,046,288**

EXHIBIT A

SUMMARY OF APPROPRIATIONS BY FUND

ERMA Fund #	Fund	FY 2025 Adopted
11	General Fund Discretionary	277,054,651
13	GF - Payroll Deduction Trust	750,000
16	Measure U1 - Housing	5,539,337
101	Library - Tax	31,815,703
102	Library - Trans Based	2,000,000
103	Library - Grants	67,526
104	Library - Friends & Gift	150,000
105	Library - Foundation	200,000
106	Asset Forefeiture	201,000
107	Special Tax Measure E	1,733,706
108	Workforce Investment	58,311
110	Sec 108 Loan Gty Asst.	1,183,612
111	Fund Raising Activities	50,333
113	Gilman Sports Field	318,415
115	Animal Shelter	52,480
116	Paramedic Tax	4,486,586
119	Domestic Violence Prev - Vit Stat	29,065
120	Affordable Housing Mitigation	26,798,048
121	Affordable Child Care	13,275
122	Inclusionary Housing Program	712,265
123	Condo Conversion	509,478
125	Playground Camp	3,911,261
126	State-Prop 172 Pub.Safety	446,694
127	State Transportation Tax	7,954,591
128	CDBG	4,566,152
129	Rental Housing Safety Program	2,657,072
130	Measure B - Local St & Road	2,007,551
131	Measure B - Bike & Pedestrian	47,646
132	Measure B - Paratransit	36,797
133	Measure F Alameda County VRF St & Rd	562,218
134	Measure BB - Local St & Road	9,586,869
135	Meaure BB - Bike & Pedestrian	2,028,132
136	Measure BB - Paratransit	975,667
138	Parks Tax	19,783,148
139	Streets and Open Space Improvement (SOSIP)	200,000
140	Measure GG - Fire Prep Tax	5,900,588
142	Streetlight Assesment District	3,252,909
143	Berkeley Bus Ec Dev	156,387
146	Employee Training	860,645
147	UC Settlement	5,111,175
148	Cultural Trust	116,780
149	Private Party Sidewalks	100,000
150	Public Art Fund	121,001
152	Vital & Health Statistics Trust Fund	30,292
156	Hlth State Aid Realign Trust	4,500,238
157	Tobacco Cont.Trust	368,910

EXHIBIT A

SUMMARY OF APPROPRIATIONS BY FUND

ERMA Fund #	Fund	FY 2025 Adopted
158	Mental Health State Aid Realign	5,276,501
159	Citizens Option Public Safety Trust	272,394
161	Alameda Cty Abandoned Vehicle Abatement	121,233
164	Measure FF	11,090,910
165	Fair Elections	650,932
301	Operating Grants - Federal	35,162
302	Operating Grants - State	8,260,364
306	Capital Grants - State	750,000
307	Capital Grants - Local	100,000
309	OTS DUI Enforcement Education Prg.	145,074
310	HUD/Home	904,340
311	ESGP	235,744
312	Health (General)	2,753,296
313	Target Case Management Linkages	1,507,317
315	Mental Health Service Act	11,713,181
316	Health (Short/Doyle)	7,506,568
317	EPSDT Expansion Proposal	493,511
318	Alcoholic Bev Ctr OTS/UC	58,644
319	Youth Lunch	111,153
320	Sr. Nutrition Title III	214,038
321	CFP Title X	203,566
324	BUSD Grant	216,521
325	Vector Control	372,174
326	Alameda County Grants	908,861
327	Senior Supportive Social Services	126,557
328	Family Care Support Program	91,307
329	CA Integrated Waste Management	5,244
331	Housing Mitigation	1,126,763
333	CALHOME	200,000
334	Community Action	283,416
336	One-Time Grant: No Cap Exp	3,282,470
339	MTC	752,827
340	FEMA	657,132
341	Alameda Cty Waste Mgt.	345,000
343	State Dept Conserv/Recylg	32,000
347	Shelter+Care HUD	6,644,440
348	Shelter+Care County	924,119
349	JAG Grant	58,989
350	Bioterrorism Grant	533,027
354	ARPA - Local Fiscal Recovery Fund	372,194
501	Capital Improvement Fund	15,732,182
502	Phone System Replacement	449,408
503	FUND$ Replacement	2,807,857
504	PEG-Public, Education & Government	100,000
511	Measure T1 - Infra & Facil.	10,696,058
512	Measure O	6,445,567

EXHIBIT A

SUMMARY OF APPROPRIATIONS BY FUND

ERMA Fund #	Fund	FY 2025 Adopted
552	09 Measure FF Debt Service	1,337,638
553	2015 GORBS	2,047,259
554	2012 Lease Revenue Bonds BJPFA	499,820
555	2015 GORBS - 2002 G.O. Refunding Bonds	378,696
556	2015 GORBS (2007, Series A)	142,540
557	2015 GORBS (2008 Measure I)	480,184
558	2010 COP (Animal Shelter)	140,085
559	Measure M GO Street & Water Imps	1,630,863
560	Infrastucture & Facilities Measure T1	4,699,006
561	Measure O - Housing Bonds	2,007,265
601	Zero Waste	63,843,856
608	Marina Operation	8,431,392
611	Sewer	32,682,155
612	Private Sewer Lateral FD	82,732
616	Clean Storm Water	9,085,787
621	Permit Service Center	26,739,100
622	Unified Program (CUPA)	967,783
627	Off Street Parking	7,112,934
631	Parking Meter	9,812,436
636	Building Purchases and Management	3,869,919
671	Equipment Replacement	6,572,107
672	Equipment Maintenance	11,551,467
673	Building Maintenance Fund	5,677,341
674	Central Services	399,519
676	Workers Compensation	6,620,627
678	Public Liability	3,678,458
679	Catastrophic Loss	3,447,023
680	IT Cost Allocation	18,802,533
706	Police Medical Trust Fund	48,281
721	Retiree Medical Trust Fund - BHA	2,970
722	Retiree Medical Trust Fund - IBEW	2,563
723	Retiree Medical Trust Fund - Local 1	22,595
724	Retiree Medical Trust Fund - Z1 Mgmt.	4,000
725	Retiree Medical Trust Fund - Z2 To Z6	12,000
726	Retiree Medical Trust Fund - Local 535	32,191
727	Retiree Medical Trust Fund - Local 790	37,106
731	Police EE Retiree Health Ast Plan	6,500
736	Fire Medical Trust Fund	45,571
762	Successor Agency - Savo DSF	57,120
776	Thousand Oaks Underground	98,448
777	Measure H - School Tax	500,000
778	Measure Q - CFD#1 Dis. Fire Protect Bond	507,914
779	Spl Tax Bds. CFD#1 ML-ROOS	776,665
780	Sick Leave Entitlement	322,955
781	Berkeley Tourism BID	740,277
782	Elmwood Business Improvement District	30,000

SUMMARY OF APPROPRIATIONS BY FUND

ERMA Fund #	Fund	FY 2025 Adopted
783	Solano Ave BID	25,000
784	Telegraph Avenue Bus. Imp. District	616,664
785	North Shattuck BID	228,135
786	Downtown Berkeley Prop & Improv. District	1,604,760
801	Rent Board	7,939,208
	GROSS EXPENDITURE:	780,976,005
	Dual Appropriations	(51,883,591)
	Revolving & Internal Service Funds	(54,162,697)
	NET EXPENDITURE:	674,929,717

Office of the City Manager

ACTION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department

Subject: Borrowing of Funds and the Sale and Issuance of FY 2024-25 Tax and Revenue Anticipation Notes

RECOMMENDATION

Adopt a Resolution approving the borrowing of $36,000,000 and the sale and issuance of Fiscal Year 2024-25 Tax and Revenue Anticipation Notes.

FISCAL IMPACTS OF RECOMMENDATION

Each year, the City (as do many local agencies) issues Tax and Revenue Anticipation Notes ("Notes") to help with its working capital needs during the first six months of the fiscal year. The reason for this issuance is that the City does not receive property tax revenues until December, thereby creating a negative cash flow in the General Fund. This annual issuance also enables the General Fund to recoup some of the interest earnings lost in advancing money to grant funds pending grant reimbursements, since the interest rate earned on any note proceeds invested will exceed the cost of borrowing.

The City's General Fund cash flow has become more volatile due to (1) The City now receives property tax in December and April; and (2) also receives the payment of Vehicle In Lieu fees in December and May with the property taxes, instead of monthly.

The money will be deposited in the General Fund and used by the City for any purpose for which it is authorized to expend General Fund monies. The interest earned on these monies will be allocated to the General Fund. The repayment of principal and interest on the Notes are to be made from General Fund taxes and other revenues.

CURRENT SITUATION AND ITS EFFECTS

The General Fund advances grant funds in the amounts needed to pay for their expenditures, until these funds receive reimbursement from the granting agencies. During

the first six months of the fiscal year until property tax receipts are received, General Fund operating expenditures exceed revenues. Under the interpretation of Sections 53850-53858 of the California Government Code and federal tax law by the City's Bond Counsel, Jones Hall, the City may borrow an amount not to exceed the maximum anticipated cash flow deficit plus five percent of working capital reserve if all the note proceeds, including investment earnings, are deemed spent within 6 months of the date of the issue of the Notes. This method of financing involves the sale of the Notes and is a traditional means used by local governments to ensure a consistent cash flow during the fiscal year. This year the City will borrow Note funds of $36,000,000 to help with working capital needs in the first six months of the fiscal year and, when expenditures exceed incoming revenues. In the last six months of the fiscal year, the Notes will be repaid from General Fund taxes and other revenues, mainly property taxes and business license taxes.

For Fiscal Year 2024-25, the City will require a Note sale of an amount not to exceed thirty-six million dollars ($36,000,000). The interest rate on the Notes will depend on competitive rates at the time of the sale.

DISCLOSURE

The attached Preliminary Official Statement has been reviewed and approved for transmittal to the City Council by the City's financing team. The distribution of the Preliminary Official Statement by the City is subject to federal securities laws, including the Securities Act of 1933 and the Securities Exchange Act of 1934. These laws require the Preliminary Official Statement to include all facts that would be material to an investor in the Notes. Material information is information that there is a substantial likelihood would have actual significance in the deliberations of the reasonable investor when deciding whether to buy or sell the Notes. If the City Council concludes that the Preliminary Official Statement includes all facts that would be material to an investor in the Notes, it must adopt a resolution that authorizes staff to execute a certificate to the effect that the Preliminary Official Statement has been "deemed final."

The Securities and Exchange Commission (the "SEC"), the agency with regulatory authority over the City's compliance with the federal securities laws, has issued guidance as to the duties of the City Council with respect to its approval of the Preliminary Official Statement. In its "Report of Investigation in the Matter of County of Orange, California as it Relates to the Conduct of the Members of the Board of Supervisors" (Release No. 36761 / January 24, 1996) (the "Release"), the SEC indicated that, if a member of the City Council has knowledge of any facts or circumstances that an investor would want to know about prior to investing in the Notes, whether relating to their repayment, tax-exempt status, undisclosed conflicts of interest with interested parties, or otherwise, he or she should endeavor to discover whether such facts are adequately disclosed in the Preliminary Official Statement. In the Release, the SEC indicated that the steps that a member of the City Council could take include becoming familiar with the Preliminary Official Statement and questioning staff and consultants about the disclosure of such facts.

The information about the sources of payment for the Notes, including the City's financial and operating data, is set forth in the sections of the Preliminary Official Statement entitled "SECURITY FOR AND SOURCES OF PAYMENT FOR THE NOTES" and "APPENDIX A - CERTAIN INFORMATION CONCERNING THE CITY OF BERKELEY."

The information about the tax-exempt status of the Notes is set forth in the section of the Preliminary Official Statement entitled "TAX MATTERS."

RATIONALE FOR RECOMMENDATION

The General Fund advances grant funds the amounts needed to pay for their expenditures, until these funds receive reimbursement from the granting agencies. During the first six months of the fiscal year, General Fund operating expenditures exceed revenues. As a result, the General Fund's working capital is depleted during this period, and borrowing these funds will alleviate that situation.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

CONTACT PERSON

Henry Oyekanmi, Director of Finance, Finance Department, 981-7301

Attachments:

1. Resolution
2. Draft Form of Official Notice of Sale
3. Form of the Preliminary Official Statement

***** PLEASE DO NOT PLACE THIS ITEM ON THE CONSENT CALENDAR PURSUANT TO GOVERNMENT CODE SECTION 53635.7*****

RESOLUTION NO. _____-N.S.

APPROVING THE BORROWING OF FUNDS FOR FISCAL YEAR 2024-25 AND THE ISSUANCE AND SALE OF 2024-25 TAX AND REVENUE ANTICIPATION NOTES

WHEREAS, pursuant to Article 7.6 (commencing with section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Law"), this City Council (the "Council") has found and determined that moneys are needed for the requirements of the City, a municipal corporation and charter city duly organized and existing under the laws of the State of California, to satisfy obligations payable from the General Fund of the City (the "General Fund"), and that it is necessary that said sum be borrowed for such purpose at this time by the issuance of temporary notes therefor in anticipation of the receipt of taxes, income, revenue, cash receipts and other moneys to be received by the City for the General Fund during or allocable to the fiscal year of the City beginning July 1, 2024 and ending June 30, 2025 ("Fiscal Year 2024-25"); and

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley approves the following:

Section 1. Limitation on Maximum Amount. The principal amount of notes issued pursuant hereto, when added to the interest payable thereon, shall not exceed eighty-five percent (85%) of the estimated amount of the uncollected taxes, income, revenue, cash receipts and other moneys of the City for the General Fund attributable to Fiscal Year 2024-25, and available for the payment of said notes and the interest thereon (as hereinafter provided).

Section 2. Authorization and Terms of Notes. Solely for the purpose of anticipating taxes, income, revenue, cash receipts and other moneys to be received by the City for the General Fund during or allocable to Fiscal Year 2024-25, and not pursuant to any common plan of financing, the City hereby determines to and shall borrow the principal amount of not-to-exceed Thirty-Six Million Dollars ($36,000,000) by the issuance of temporary notes under the Law, designated "City of Berkeley, California 2024-25 Tax and Revenue Anticipation Notes" (the "Notes"). The Notes shall be dated the date of initial delivery, shall mature (without option of prior redemption) no later than thirteen months after their date of issuance, and shall bear interest, payable at maturity and computed on a 30-day month/360-day year basis, at a rate not in excess of eight percent (8%) per annum. Both the principal of and interest on the Notes shall be payable in lawful money of the United States of America, as described below.

Section 3. Form of Notes; Book Entry Only System. The Notes shall be issued in fully registered form, without coupons, and shall be substantially in the form and substance set forth in Exhibit A attached hereto and by reference incorporated herein, the blanks in said form to be filled in with appropriate words and figures. The Notes shall be numbered from 1 consecutively upward in order of issuance, shall be in the denomination of $5,000 each or any integral multiple thereof.

"CUSIP" identification numbers shall be imprinted on the Notes, but such numbers shall not constitute a part of the contract evidenced by the Notes and any error or omission with respect thereto shall not constitute cause for refusal of any purchaser to accept delivery of and pay for

the Notes. In addition, failure on the part of the City to use such CUSIP numbers in any notice to the registered owners of the Notes shall not constitute an event of default or any violation of the City's contract with such owners and shall not impair the effectiveness of any such notice.

Except as provided below, the owner of all of the Notes shall be The Depository Trust Company, New York, New York ("DTC"), and the Notes shall be registered in the name of Cede & Co., as nominee for DTC. The Notes shall be initially executed and delivered in the form of a single fully registered Note in the full aggregate principal amount of the Notes. The City may treat DTC (or its nominee) as the sole and exclusive owner of the Notes registered in its name for all purposes of this Resolution, and the City shall not be affected by any notice to the contrary. The City shall not have any responsibility or obligation to any participant of DTC (a "Participant"), any person claiming a beneficial ownership interest in the Notes under or through DTC or a Participant (a "Beneficial Owner"), or any other person not shown on the register of the City as being an owner, with respect to the accuracy of any records maintained by DTC or any Participant or the payment by DTC or any Participant by DTC or any Participant of any amount in respect of the principal or interest with respect to the Notes. The City shall pay all principal and interest with respect to the Notes only to DTC or its nominee, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal and interest with respect to the Notes to the extent of the sum or sums so paid. Except under the conditions noted below, no person other than DTC shall receive a Note. Upon delivery by DTC to the City of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the term "Cede & Co." in this Resolution shall refer to such new nominee of DTC.

If the City determines that it is in the best interest of the Beneficial Owners that they be able to obtain Notes and delivers a written certificate to DTC to that effect, DTC shall notify the Participants of the availability through DTC of Notes. In such event, the City shall issue, transfer and exchange Notes as requested by DTC and any other owners in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the City shall be obligated to deliver Notes to the Beneficial Owners as described in this Resolution. Whenever DTC requests the City to do so, the City will cooperate with DTC in taking appropriate action after reasonable notice to (a) make available one or more separate Notes evidencing the Notes to any DTC Participant having Notes credited to its DTC account or (b) arrange for another securities depository to maintain custody of Certificates evidencing the Notes.

Notwithstanding any other provision of this Resolution to the contrary, so long as any Note is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal and interest with respect to such Note and all notices with respect to such Note shall be made and given, respectively, to DTC as provided as in the representation letter delivered on the date of issuance of the Notes.

Section 4. Use of Proceeds. The proceeds of the sale of the Notes shall be deposited in a segregated account in the General Fund and used and expended by the City for any purpose for which it is authorized to expend funds from the General Fund.

Section 5. Security. The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts and other moneys which are received by the City for the General Fund for Fiscal Year 2024-25. As security for the payment of the principal of and interest on the Notes the City hereby pledges the first "unrestricted moneys" (as hereinafter defined) to be received by the City as follows: (a) an amount equal to fifty percent

(50%) of the principal amount of the Notes in the month of January, 2025; (b) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of May, 2025; and (c) an amount sufficient to pay interest as due on the Notes at their maturity, in the month of June, 2025 (such pledged amounts being hereinafter called the "Pledged Revenues"). The principal of the Notes and the interest thereon shall constitute a first lien and charge thereon and shall be payable from the Pledged Revenues. To the extent not so paid from the Pledged Revenues, the Notes shall be paid from any other moneys of the City lawfully available therefor. In the event that there are insufficient "unrestricted moneys" received by the City to permit the deposit into the Special Account (as hereinafter defined) of the full amount of the Pledged Revenues to be deposited in any month by the last business day of such month, then the amount of any deficiency shall be satisfied and made up from any other moneys of the City lawfully available for the repayment of the Notes and interest thereon. The term "unrestricted moneys" shall mean taxes, income, revenue, cash receipts, and other moneys received by the City for the General Fund for Fiscal Year 2024-25 and which are generally available for the payment of current expenses and other obligations of the City.

Section 6. Special Account. There is hereby created, within the General Fund, a special account to be designated the "2024-25 Tax and Revenue Anticipation Note Special Account" (the "Special Account") and applied as directed in this Resolution. Any money placed in the Special Account shall be for the benefit of the owners of the Notes and, until the Notes and all interest thereon are paid or until provision has been made for the payment of the Notes at maturity with interest to maturity, the moneys in the Special Account shall be applied solely for the purposes for which the Special Account is created.

During the months of January, May, and June, 2025, the City shall deposit all Pledged Revenues in the Special Account. On the maturity date of the Notes, the City shall transfer to DTC the moneys in the Special Account necessary to pay the principal of and interest on the Notes at maturity and to the extent said moneys are insufficient therefor an amount of moneys from the General Fund which will enable payment of the full principal of and interest on the Notes at maturity. DTC will thereupon make payments of principal of and interest on the Notes to the DTC Participants who will thereupon make payments to the Beneficial Owners of the Notes. Any moneys remaining in the Special Account after the Notes and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the General Fund.

Section 7. Deposit and Investment of Special Account. All moneys held by the City in the Special Account, if not invested, shall be held in time or demand deposits as public funds and shall be secured at all times by bonds or other obligations which are authorized by law as security for public deposits, of a market value at least equal to the amount required by law.

Moneys in the Special Account shall, to the greatest extent possible, be invested by the City directly, or through an investment agreement, in investments as permitted by the laws of the State of California as now in effect and as hereafter amended, and the proceeds of any such investments shall be deposited in the Special Account.

Section 8. Execution of Notes. The Mayor of the City, the City Manager, or the Director of Finance (each an "Authorized Officer") is hereby authorized to execute the Notes by manual or facsimile signature, and the City Clerk of the City is hereby authorized to countersign the same by manual or facsimile signature (although at least one of such signatures shall be manual) and to affix the seal of the City thereto by facsimile impression thereof, and said officers are hereby authorized to cause the blank spaces thereof to be filled in as may be appropriate.

Section 9. Transfer of Notes. Any Note may, in accordance with its terms, but only if the City determines to no longer maintain the book entry only status of the Notes, DTC determines to discontinue providing such services and no successor securities depository is named or DTC requests the City to deliver Note certificates to particular DTC Participants, be transferred, upon the books required to be kept pursuant to the provisions of Section 11 hereof, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Note for cancellation at the office of the City Clerk, accompanied by delivery of a written instrument of transfer in a form approved by the City, duly executed.

Whenever any Note or Notes shall be surrendered for transfer, the City shall execute and the Paying Agent shall authenticate and deliver a new Note or Notes, for like aggregate principal amount.

Section 10. Exchange of Notes. Any Note may, in accordance with its terms, but only if the City determines to no longer maintain the book entry only status of the Notes, DTC determines to discontinue providing such services and no successor securities depository is named or DTC requests the City to deliver Note certificates to particular DTC Participants, be exchanged at the office of the City Clerk for a like aggregate principal amount of Notes of authorized denominations and of the same maturity.

Section 11. Note Register. The City shall keep or cause to be kept sufficient books for the registration and transfer of the Notes if the book entry only system is no longer in effect and, in such case, the City Clerk shall register or transfer or cause to be registered or transferred, on said books, Notes as herein before provided. While the book entry only system is in effect, such books need not be kept as the Notes will be represented by one Note registered in the name of Cede & Co., as nominee for DTC.

Section 12. Temporary Notes. The Notes may be initially issued in temporary form exchangeable for definitive Notes when ready for delivery. The temporary Notes may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City, and may contain such reference to any of the provisions of this Resolution as may be appropriate. Every temporary Note shall be executed by the City upon the same conditions and in substantially the same manner as the definitive Notes. If the City issues temporary Notes it will execute and furnish definitive Notes without delay, and thereupon the temporary Notes may be surrendered, for cancellation, in exchange therefor at the office of the City Clerk and the City Clerk shall deliver in exchange for such temporary Notes an equal aggregate principal amount of definitive Notes of authorized denominations. Until so exchanged, the temporary Notes shall be entitled to the same benefits pursuant to this Resolution as definitive Notes executed and delivered hereunder.

Section 13. Notes Mutilated, Lost, Destroyed or Stolen. If any Note shall become mutilated the City, at the expense of the owner of said Note, shall execute and deliver a new Note of like maturity and principal amount in exchange and substitution for the Note so mutilated, but only upon surrender to the City Clerk of the Note so mutilated. Every mutilated Note so surrendered to the City Clerk shall be canceled and delivered to, or upon the order of, the City. If any Note shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the City and, if such evidence be satisfactory to the City and indemnity satisfactory to it shall be given, the City, at the expense of the owner, shall execute and deliver a new Note of like maturity and principal amount in lieu of and in substitution for the Note so lost, destroyed or stolen. The City may require payment of a sum not exceeding the actual cost of preparing each new Note issued under this Section 13 and of the expenses which may be incurred by the City in the premises. Any Note issued under the provisions of this Section 13 in lieu of any Note alleged to

be lost, destroyed or stolen shall constitute an original additional contractual obligation on the part of the City whether or not the Note so alleged to be lost, destroyed or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Resolution with all other Notes issued pursuant to this Resolution.

Section 14. Covenants and Warranties. It is hereby covenanted and warranted by the City that all representations and recitals contained in this Resolution are true and correct, and that the City and its appropriate officials have duly taken all proceedings necessary to be taken by them, and will take any additional proceedings necessary to be taken by them, for the prompt collection and enforcement of the taxes, income, revenue, cash receipts and other moneys pledged hereunder in accordance with law and for carrying out the provisions of this Resolution.

Section 15. Tax Covenants.

(a) *No Arbitrage*. The City shall not take, nor permit nor suffer to be taken any action with respect to the proceeds of the Notes which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Notes (the "Closing Date") would have caused the Notes to be "arbitrage bonds" within the meaning of section 148 of the Internal Revenue Code of 1986 (the "Code").

(b) *Rebate Requirement*. The City shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government.

(c) *Private Activity Note Limitation*. The City shall assure that proceeds of the Notes are not so used as to cause the Notes to satisfy the private business tests of section 141(b) of the Code.

(d) *Private Loan Financing Limitation*. The City shall assure that proceeds of the Notes are not so used as to cause the Notes to satisfy the private loan financing test of section 141(c) of the Code.

(e) *Federal Guarantee Prohibition*. The City shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Notes to be "federally guaranteed" within the meaning of section 149(b) of the Code.

(f) *Maintenance of Tax-Exemption*. The City shall take all actions necessary to assure the exclusion of interest on the Notes from the gross income of the owners of the Notes to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the Closing Date.

Section 16. Official Statement. The City Council hereby approves the Official Statement describing the Notes, in substantially the form on file with the City Clerk, together with any changes therein or additions thereto deemed advisable by an Authorized Officer. The City Council authorizes and directs an Authorized Officer on behalf of the City to deem "final" pursuant to Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Rule") the Official Statement prior to its distribution. The execution of the Official Statement, which shall include such changes and additions thereto deemed advisable by an Authorized Officer and such information permitted to be excluded from the Official Statement pursuant to the Rule, shall be conclusive evidence of the approval of the Official Statement by the City.

An Authorized Officer is authorized and directed to execute the Official Statement and a statement that the facts contained in the Official Statement, and any supplement or amendment thereto (which shall be deemed an original part thereof for the purpose of such statement) were, at the time of sale of the Notes, true and correct in all material respects and that the Official Statement did not, on the date of sale of the Notes, and does not, as of the date of delivery of the Notes, contain any untrue statement of a material fact with respect to the City or omit to state material facts with respect to the City required to be stated where necessary to make any statement made therein not misleading in the light of the circumstances under which it was made. An Authorized Officer shall take such further actions prior to the signing of the Official Statement as are deemed necessary or appropriate to verify the accuracy thereof. The Official Statement is approved for distribution in the offering and sale of the Notes.

Section 17. Sale of Notes. An underwriter (the "Underwriter") to be designated by an Authorized Officer will purchase the Notes. An Authorized Officer is hereby authorized to designate the Underwriter, in consultation with the City's municipal advisor, NHA Advisors, LLC (the "Municipal Advisor") in one of the following ways:

(a) *Limited Negotiated*. An Authorized Officer may direct the Municipal Advisor to contact a limited number of Underwriters and negotiate the sale of the Notes. An Authorized Officer is hereby authorized to cause Jones Hall, A Professional Law Corporation, as bond counsel to the City ("Bond Counsel"), to prepare and to execute and deliver a Note Purchase Agreement in connection with a negotiated sale of the notes in such form (including designation of the Underwriter) as an Authorized Officer shall approve, such approval to be conclusively evidenced by his or her execution and delivery thereof.

(b) *Public Sale*. An Authorized Officer, in consultation with the Municipal Advisor, may determine to sell the Notes by competitive bid and award the sale of the Notes as set forth in an Official Notice of Sale (the "Official Notice of Sale"), the form of which is attached to this Resolution and is hereby approved, and which Bond Counsel is hereby authorized to finalize, consistent with this Resolution. If an Authorized Officer determines to proceed with a competitive bid, (a) Bond Counsel is hereby directed to arrange for the publication of a notice of intention of the sale of the Notes in accordance with Section 53692 of the Government Code and (b) an Authorized Officer is hereby directed to execute the Official Notice of Sale; to open the bids at the time and place specified in the Official Notice of Sale; to receive and record the receipt of all bids made pursuant to the Official Notice of Sale; to cause said bids to be examined for compliance with the Official Notice of Sale; to cause computations to be made as to which bidder has bid the lowest true interest cost, as provided in the Official Notice of Sale; to announce the bidder of the lowest true interest cost; and to award the sale to said bidder.

An Authorized Officer is further authorized to determine the maximum principal amount of the Notes and the maximum interest rate on the Notes not to exceed the maximum principal amount and interest rate set forth in Section 2.

Section 18. Engagement of Professional Services. The City hereby approves the engagement of Jones Hall, A Professional Law Corporation as Bond Counsel and Disclosure Counsel and NHA Advisors, LLC as Municipal Advisor to the City in connection with the issuance and sale of the Notes. The City Attorney is authorized to execute a legal services agreement with

Jones Hall, with Jones Hall's compensation to be contingent upon issuance of the Notes, and Jones Hall's compensation is not set by law but is negotiable.

Section 19. Preparation of Notes; Official Action. Jones Hall, A Professional Law Corporation, as bond counsel, is directed to cause suitable Notes to be prepared showing on their face that the same bear interest at the rate specified in the offer submitted by the successful bidder or bidders, and to cause the blank spaces therein to be filled in to comply with the provisions of this Resolution, and to procure their execution by the proper officers, and to cause the Notes to be delivered when so executed to DTC on behalf of the successful bidder or bidders therefor upon the receipt of the purchase price by the City Treasurer in accordance with such successful bid or bids.

An Authorized Officer is further authorized and directed to make, execute and deliver such certificates, agreements and other closing documents as are necessary to consummate the transactions contemplated by this Resolution.

Section 20. Effective Date. This Resolution shall take effect upon its adoption.

The foregoing Resolution was adopted by the Berkeley City Council on June 25, 2024 by the following vote:

Ayes:

Noes:

Absent:

_____
Jesse Arreguin, Mayor

Attest: _____
City Clerk

EXHIBIT A

FORM OF NOTE

No. 1 *****$_____****

CITY OF BERKELEY, CALIFORNIA

2024-25 TAX AND REVENUE ANTICIPATION NOTE

INTEREST RATE:	**MATURITY DATE:**	**ISSUE DATE:**	**CUSIP:**
%	_____, 2025	_____, 2024	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: ****_____ DOLLARS****

The CITY OF BERKELEY, a municipal corporation, duly organized and existing under and by virtue of the Constitution and laws of the State of California (the "City"), for value received hereby promises to pay to the Registered Owner stated above, or registered assigns (the "Owner"), on the Maturity Date stated above, the Principal Sum stated above, in lawful money of the United States of America, and to pay interest thereon in like lawful money at the rate per annum stated above, payable on the Maturity Date stated above, calculated on the basis of 360-day year composed of twelve 30-day months. Both the principal of and interest on this Note shall be payable at maturity to the Owner.

It is hereby certified, recited and declared that this Note is one of an authorized issue of Notes in the aggregate principal amount of _____ Dollars ($_____), all of like tenor, issued pursuant to the provisions of Resolution No. _____ of the City Council of the City duly passed and adopted on June 25, 2024 (the "Resolution"), and pursuant to Article 7.6 (commencing with section 53850) of Chapter 4, Part 1, Division 2, Title 5, of the California Government Code, and that all things, conditions and acts required to exist, happen and be performed precedent to and in the issuance of the Notes exist, have happened and have been performed in regular and due time, form and manner as required by law, and that this Note, together with all other indebtedness and obligations of the City, does not exceed any limit prescribed by the Constitution or statutes of the State of California.

The principal amount of the Notes, together with the interest thereon, shall be payable from taxes, income, revenue, cash receipts and other moneys which are received by the City for the General Fund of the City for Fiscal Year 2024-25. As security for the payment of the principal of and interest on the Notes the City has pledged the first "unrestricted moneys" (as hereinafter defined) to be received by the City as follows: (a) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of January, 2025; (b) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of May, 2025; and (c) an amount sufficient

to pay interest as due on the Notes at their maturity, in the month of June, 2025 (such pledged amounts being hereinafter called the "Pledged Revenues"). The principal of the Notes and the interest thereon shall constitute a first lien and charge thereon and shall be payable from the Pledged Revenues. To the extent not so paid from the Pledged Revenues, the Notes shall be paid from any other moneys of the City lawfully available therefor. In the event that there are insufficient "unrestricted moneys" received by the City to permit the deposit into the Special Account (as hereinafter defined) of the full amount of the Pledged Revenues to be deposited in any month by the last business day of such month, then the amount of any deficiency shall be satisfied and made up from any other moneys of the City lawfully available for the repayment of the Notes and interest thereon. The term "unrestricted moneys" shall mean taxes, income, revenue, cash receipts, and other moneys received by the City for the General Fund of the City for Fiscal Year 2024-25 and which are generally available for the payment of current expenses and other obligations of the City.

The Notes are issuable as fully registered Notes, without coupons, in denominations of $5,000 and any integral multiple thereof. Subject to the limitations and conditions as provided in the Resolution, Notes may be exchanged for a like aggregate principal amount of Notes of other authorized denominations and of the same maturity.

The Notes are not subject to redemption prior to maturity.

This Note is transferable by the Owner hereof, but only under the circumstances, in the manner and subject to the limitations provided in the Resolution. Upon registration of such transfer a new Note or Notes, of authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange herefor.

The City may treat the Owner hereof as the absolute owner hereof for all purposes, and the City shall not be affected by any notice to the contrary.

Unless this Note is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

IN WITNESS WHEREOF, the City of Berkeley has caused this Note to be executed by the City Manager and countersigned by the City Clerk of the City, all as of the Issue Date stated above.

CITY OF BERKELEY

By _____
City Manager

Countersigned:

By _____
City Clerk

OFFICIAL NOTICE OF SALE

2024-25 TAX AND REVENUE ANTICIPATION NOTES

**$36,000,000*
City of Berkeley
(Alameda County, California)**

NOTICE IS HEREBY GIVEN that electronic bid proposals (see "TERMS OF SALE --- Electronic Bids" below) for the purchase of the captioned notes (the "Notes") will be received by the City Berkeley, California (the "City"), through BiDCOMP™/Parity® ("Parity") on:

TUESDAY, JULY 9, 2024

between 8:00 a.m. and 8:30 a.m. California Time.

Further information may be obtained from the municipal advisor to the City, NHA Advisors, 4040 Civic Center Drive, Suite 200, San Rafael, California 94903, Attn: Rob Schmidt, telephone: (415) 785-2025 ext. 2006, email: rob@NHAadvisors.com.

***POSTPONEMENT*:** The City reserves the right to postpone or change the time or sale date upon notice delivered via Bloomberg News Service or Thomson Municipal Market Monitor (www.tm3.com).

ISSUE AND DENOMINATION; BOOK ENTRY ONLY SYSTEM; CUSIP NUMBER: The Notes consist of fully registered notes, without coupons. The Notes will be issued in minimum denominations of $5,000. The Notes will be issued in a book entry only system with no physical distribution of the Notes made to the public. The Depository Trust Company, New York, New York ("DTC"), will act as depository for the Notes, which will be immobilized in its custody. The Notes will be registered in the name of Cede & Co., as nominee for DTC, on behalf of the participants in the DTC system and the subsequent beneficial owners of the Notes. Pursuant to MSRB Rule G-34, the City's Municipal Advisor will apply for CUSIP number assignment prior to the award of the issue, but the cost shall be payable by the underwriter.

DATE AND MATURITY: The Notes will be dated the date of delivery (expected to be July 24, 2024), and will mature on July 23, 2025 (the "Maturity Date").

INTEREST RATE: The maximum interest rate bid for the Notes may not exceed [ ] percent ([ ]%) per annum, payable upon maturity of the Notes. Bidders must specify the rate of interest which the Notes shall bear, provided that: (i) bids must be for all Notes; and (ii) the Notes shall bear interest from its date to its stated maturity at the interest rate specified in the bid.

REDEMPTION: The Notes are not subject to call and redemption prior to maturity.

* Preliminary, subject to change

PAYMENT: Both principal of and interest on the Notes will be payable on the Maturity Date, in lawful money of the United States of America, to DTC which will immediately credit the account of the successful bidder or bidders as participants in the DTC system.

PURPOSE OF ISSUE: The Notes are to be issued by the City and are authorized pursuant to the provisions of Article 7.6 (commencing with Section 53850) of Chapter 4 of Part 1 of Division 2 of Title 5 of the California Government Code and the provisions of resolutions of the City for any purpose for which the City is authorized to expend moneys.

SECURITY: The Notes are an obligation of the City and are secured by a pledge of and first lien and charge against the first "unrestricted moneys," as hereinafter defined, to be received by the City, (a) in an amount equal to 50% of the principal amount of the Notes to be received by the City in January 2025, (b) in an amount equal to 50% of the principal amount of the Notes to be received by the City in May 2025, and (c) in an amount equal to all interest due on the Notes at maturity to be received by the City in June 2025. The term "unrestricted moneys" mean taxes, income, revenue and other moneys intended as receipts for the general fund of the City and which are generally available for the payment of current expenses and other obligations of the City.

Said pledged moneys shall be deposited by the City in a special fund established, created and maintained by the City. Moneys shall be withdrawn from said fund for the sole purpose of paying the principal of and the interest on the Notes at their maturity.

By statute, the Notes are declared to be general obligations of the City, and to the extent not paid from said pledged moneys shall be paid, with the interest thereon, from any other moneys of the City lawfully available therefor. Under provisions of the California Constitution, the City is generally prohibited from incurring any indebtedness or liability exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of its qualified electors voting at an election called for such purpose.

RATING: S&P Global Ratings, a business unit of Standard & Poor's Financial Services LLC, has given the Notes a rating of "SP-1+".

TERMS OF SALE

***BEST BID**: Bids must be for all of the Notes*. The Notes will be awarded on the basis of the lowest true interest cost including premium offered in the proposals. No bid for less than par will be entertained. In the event two or more bids setting forth identical interest rates and premium per dollar principal amount, if any, and aggregating a principal amount in excess of the principal amount of unawarded Notes are received, the City's Finance Director, pursuant to delegation by the Council, reserves the right to exercise his discretion and judgment in making the award and may award the Notes on a pro rata basis in such denominations as he shall determine.

ELECTRONIC BIDS: Solely as an accommodation to bidders, the City will accept bids in electronic form solely from Ipreo, a KKR portfolio company, through its BiDCOMP Competitive Bid Calculation System and Parity Electronic Bid Submission System ("Ipreo"). For information about Ipreo, bidders may contact Ipreo at 395 Hudson Street, New York, New York 10014, telephone (212) 849-5023. If any provision of this Notice of Sale conflicts with information provided by Ipreo, this Notice of Sale shall control. Each bidder submitting an electronic bid understands and agrees by doing so that it is solely responsible for all arrangements with Ipreo, that the City does not encourage the use of Ipreo, and that Ipreo is not acting as an agent of the City. Instructions for submitting electronic bids must be obtained from Ipreo, and the City does not assume any responsibility for ensuring or verifying bidder compliance with Ipreo procedures. Ipreo has advised the City that bidders must subscribe to Ipreo if such bidders intend to use Ipreo to submit bids. The City shall be entitled to assume that any bid received via Ipreo has been made by a duly authorized agent of the bidder.

Neither the City, the Municipal Advisor nor Bond Counsel has any responsibility for proper functioning of the Ipreo system, for any error contained in any bid submitted electronically, or for failure of any bid to be transmitted, received or opened at the official time for receipt of bids. The official time for receipt of bids will be determined by the City at the place of bid opening, and the City will not be required to accept the time kept by Parity as the official time. The City assumes no responsibility for informing any bidder prior to the deadline for receiving bids that its bid is incomplete, or not received.

PROMPT AWARD: The City Representative, pursuant to delegation by the City, will take action awarding the sale of the Notes or reject all bids not later than forty-eight (48) hours after the expiration of time herein prescribed for the receipt of bids and until such expiration of time all bids received shall be irrevocable. Unless such time of award is waived by the successful bidder, the award may be made after the expiration of the specified time if the bidder shall not have given to the City representative notice in writing of the withdrawal of such proposal. Notice of the award will be given promptly to the successful bidder.

***ESTABLISHMENT OF ISSUE PRICE**:* (a) The winning bidder shall assist the City in establishing the issue price of the Notes and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public of the Notes, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit 1, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel. All actions to be taken by the City under this Notice of Sale to establish the issue price of the Notes may be taken on behalf of the City by the City's municipal advisor identified herein and any notice or report to be provided to the City may be provided to the City's municipal advisor.

(b) The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Notes) will apply to the initial sale of the Notes (the "competitive sale requirements") because:

(1) the City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(2) all bidders shall have an equal opportunity to bid;

(3) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) the City anticipates awarding the sale of the Notes to the bidder who submits a firm offer to purchase the Notes at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Notes, as specified in the bid. **By submitting a bid for the Notes, each bidder certifies that it has an established industry reputation for underwriting new issuances of municipal bonds**. The City will not accept bids from firms without an established industry reputation for underwriting new issuances of municipal bonds.

(c) In the event the City receives less than three bids that conform to the parameters contained herein such that the competitive sale requirements are not satisfied, the City intends to treat the initial offering price of the Notes set forth in the bid submitted by the winning bidder (the “initial offering price”) as the issue price of the Notes (the "hold-the-offering-price rule"). Consequently, each bidder should assume for purposes of making its bid that the City will treat the initial offering price of the Notes as of the date that the Notes are awarded by the City to the successful bidder ("sale date") as the issue price of the Notes. The City will advise the winning bidder within one hour of receipt of bids if the hold-the-offering-price rule will apply. In the event that the competitive sale requirements are not satisfied and issue price is established pursuant to the hold-the-offering-price rule, the issue price certificate shall be modified as necessary in the reasonable judgment of Bond Counsel and the City.

(d) By submitting a bid, the successful bidder shall, on behalf of the underwriters participating in the purchase of the Notes, (i) confirm that the underwriters have offered or will offer the Notes to the public on or before the sale date at the initial offering price set forth in the bid submitted by the winning bidder, and (ii) agree that the underwriters will neither offer nor sell the Notes to any person at a price that is higher than the initial offering price for the Notes during the period starting on the sale date and ending on the earlier of the following:

(1) the close of the fifth business day after the sale date; or

(2) the date on which the underwriters have sold at least 10% of the Notes to the public at a price that is no higher than the initial offering price for the Notes.

The winning bidder shall promptly advise the City when the underwriters have sold 10% of the Notes to the public at a price that is no higher than the initial offering price if that occurs prior to the close of the fifth (5th) business day after the sale date.

(e) The City acknowledges that, in making the representation set forth above, the successful bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Notes to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was

employed in connection with the initial sale of the Notes to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Notes.

(f) By submitting a bid, each bidder confirms that:

(1) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the sale of the Notes to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to

(A) report the prices at which it sells to the public the Notes until it is notified by the successful bidder that either the 10% test has been satisfied as to the Notes or all Notes have been sold to the public and

(B) comply with the hold-the-offering-price rule, if and for so long as directed by the successful bidder and in the related pricing wires, and

(2) any agreement among underwriters relating to the sale of the Notes to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Notes to the public to require each broker-dealer that is a party to such retail distribution agreement to

(A) report the prices at which it sells to the public the unsold Notes allotted to it until it is notified by the successful bidder or such underwriter that either the 10% test has been satisfied as to the Notes or all the Notes have been sold to the public and

(B) comply with the hold-the-offering-price rule, if and for so long as directed by the successful bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Notes to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Official Notice of Sale.

(g) For purposes of this Official Notice of Sale:

(1) "public" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an underwriter or a related party,

(2) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Notes to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Notes to the public (including a member of a selling

group or a party to a retail distribution agreement participating in the initial sale of the Notes to the public),

(3) a purchaser of any of the Notes is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

In addition, the City reserves the right to cancel the public sale of the Notes if the City receives fewer than three bids that conform to the parameters contained herein such that the competitive sale requirements are not satisfied.

NO GOOD FAITH DEPOSIT: The City is not requiring the successful bidder to submit a good faith deposit.

DELIVERY AND PAYMENT: It is estimated that the delivery of the Notes will be made to DTC for the account of the successful bidders on or about July 24, 2024. Payment of the purchase price must be made in funds immediately available to the City by wire transfer or other means acceptable to the City.

RIGHT OF REJECTION: The City reserves the right, in its sole discretion, to reject any and all bids for the Notes and to waive any irregularity or informality in any bid.

CHANGE IN TAX EXEMPT STATUS: At any time before the Notes are tendered for delivery, any successful bidder may disaffirm and withdraw its proposal if the interest received by private holders from notes of the same type and character shall be declared to be taxable income under present federal income tax laws, either by ruling of the Internal Revenue Service or by a decision of any federal court, or shall be declared taxable or be required to be taken into account in computing any federal income taxes by the terms of any federal income tax law enacted subsequent to the date of this notice.

CONTINUING DISCLOSURE: In order to assist bidders in complying with S.E.C. Rule 15c2-12(b)(5), the City will undertake, pursuant to separate Continuing Disclosure Certificates, to provide notices of the occurrence of certain events, if material. A description of these undertakings is set forth in the preliminary official statement relating to the Notes (the “POS”) and will also be set forth in a final official statement relating to the Notes (the “OS”).

ACKNOWLEDGMENT OF NO FIDUCIARY DUTY: At closing, the City will execute a certificate to the effect that it acknowledges and agrees that (i) the purchase and sale of the Notes by the winning bidder (the “Purchaser”) is an arm’s-length commercial transaction between the City and the Purchaser, (ii) in connection with such transaction, the Purchaser is acting solely as a principal and not as an advisor, (including, without limitation, a Municipal Advisor (as such term is defined in Section 975(e) of the Dodd-Frank Wall Street Reform and Consumer Protection Act)), agent or a fiduciary of the City, (iii) the Purchaser has not assumed (individually or collectively) a fiduciary responsibility in favor of the City with respect to the offering of the Notes or the process leading thereto (whether or not the Purchaser, or any affiliate of an Purchaser, has advised or is currently advising the City on other matters) or any other obligation to the City except the obligation to purchase the Notes, (iv) the Purchaser has financial and other interests that differ

from those of the City and (v) the City has consulted with its own legal and municipal advisors to the extent it deemed appropriate in connection with the offering of the Notes.

CLOSING PAPERS; LEGAL OPINION: Each proposal will be conditioned upon the City furnishing to each successful bidder, without charge, concurrently with payment for and delivery of the Notes, the following closing papers, each dated the date of such delivery:

(a) The opinion of Bond Counsel, approving the validity of the Notes and stating that, subject to certain qualifications, under existing law, the interest on the Notes is (i) excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax, although interest on the Notes may be subject to the corporate alternative minimum tax, and (ii) exempt from State of California personal income taxes. A copy of Bond Counsel's opinion will be delivered with the Notes without cost to the purchaser.

(b) A certificate of the Finance Director or other appropriate official of the City that on the basis of the facts, estimates and circumstances in existence on the date of issue, it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be "arbitrage bonds" within the meaning of the Code;

(c) A certificate on behalf of the City that there is no litigation threatened or pending affecting the validity of the Notes;

(d) A certificate of the Finance Director or other appropriate official of the City, acting on behalf of the City solely in his or her official and not in his or her personal capacity, that at the time of the sale of the Notes and at all times subsequent thereto up to and including the time of the delivery of the Notes to the initial purchasers thereof, the OS did not, and does not, contain any untrue statement of a material fact or omit to state a material fact necessary which would make the statements misleading in the light of the circumstances under which they were made;

(e) The signature certificate of the officials of the City, showing that they have signed the Notes and impressed the seal of the City thereon, and that they were respectively duly authorized to execute the same; and

(f) The receipt of the City showing that the purchase price of the Notes has been received.

OFFICIAL STATEMENT*:* The City has approved a preliminary Official Statement relating to the Notes. Copies of such preliminary Official Statement will be distributed to any bidder, upon request, prior to the sale in a form "deemed final" by the City for purposes of Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Rule"). Within seven business days from the sale date, the City will deliver to the purchaser copies of the final Official Statement, executed by an authorized representative of the City and dated the date of delivery thereof to the purchaser, in sufficient number to allow the purchaser to comply with paragraph (b)(4) of the Rule and to satisfy the Municipal Securities Rulemaking Board (the "MSRB") Rule G-32 or any other applicable rules adopted by the MSRB, which shall include information permitted to be omitted by paragraph (b)(1) of the Rule and such other amendments or supplements as shall have been approved by the City (the "Final Official Statement"). The purchaser agrees that it will not confirm the sale of any Notes unless the confirmation of sale is accompanied or preceded by the delivery of a copy of the Final Official Statement. The City will furnish to the successful bidder, at no charge, an electronic copy of the Official Statement for use in connection with any resale of the Notes, and up to 10 printed copies upon request.

A letter of Jones Hall, A Professional Law Corporation, San Francisco, California, as disclosure counsel, will be addressed to the City and to the successful bidder, stating that, without passing upon or assuming any responsibility for the accuracy, completeness of fairness of the

statements contained in the final Official Statement and making no representations that they have independently verified the accuracy, completeness or fairness of an such statements, based upon the information made available to them in the course of their participation in the preparation of the final Official Statement, nothing has come to such counsel's attention which would lead them to believe that the final Official Statement, including the cover page and all appendices thereto (but excluding therefrom financial statements and statistical data, and information regarding The Depository Trust Company, and its book entry system, as to which no opinion need be expressed) contains an untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading

GIVEN pursuant to a resolution of the City adopted June 25, 2024.

Dated: June 26, 2024

EXHIBIT 1
Issue Price Certificate

$_____
CITY OF BERKELEY
2024-25 TAX AND REVENUE ANTICIPATION NOTES

The undersigned, on behalf of [**NAME OF UNDERWRITER**] (**"Underwriter"**), hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the "Notes").

1. ***Reasonably Expected Initial Offering Price***.

(a) As of the Sale Date, the reasonably expected initial offering prices of the Notes to the Public by Underwriter are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Notes used by the Underwriter in formulating its bid to purchase the Notes. Attached as Schedule B is a true and correct copy of the bid provided by Underwriter to purchase the Notes.

(b) Underwriter was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by Underwriter constituted a firm offer to purchase the Notes.

2. ***Defined Terms***.

(a) *Issuer* means the City of Berkeley.

(a) Reserved.

(b) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(c) *Sale Date* means the first day on which there is a binding contract in writing for the sale of the Notes. The Sale Date of the Notes is July 9, 2024.

(d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Notes to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Notes to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Notes to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents Underwriter's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Certificate of Arbitrage and with respect to compliance with the federal income tax rules affecting the Notes, and by Jones Hall, A Professional Law Corporation in connection with rendering its opinion that the interest on the Notes is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Notes.

[**UNDERWRITER**]

By:_____
Name:_____

Dated: [ISSUE DATE]

SCHEDULE A

EXPECTED OFFERING PRICES

Maturity Date	Principal Amount	Interest Rate	Reoffering Price *
	$	%	%

* Stated as a percentage of par.

SCHEDULE B

COPY OF UNDERWRITER'S BID

(attached)

AGENDA VERSION

PRELIMINARY OFFICIAL STATEMENT DATED JUNE 26, 2024

NEW ISSUE BOOK-ENTRY ONLY

RATING
S&P: "___"
See "RATING."

In the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, subject, however to certain qualifications described in this Official Statement, under existing law, interest on the Notes is excluded from gross income for federal income tax purposes, and such interest is not an item of tax preference for purposes of the federal alternative minimum tax. In the further opinion of Bond Counsel, interest on the Notes is exempt from California personal income taxes. See "TAX MATTERS."

$36,000,000*
CITY OF BERKELEY
2024-25 TAX AND REVENUE ANTICIPATION NOTES

Dated: Date of Delivery **Due: _____, 2025**

The tax and revenue anticipation notes captioned above (the "**Notes**") will be issued in denominations of $5,000 or any integral multiple thereof. Principal and interest on the Notes will be payable upon maturity. The Notes are to be delivered as fully registered Notes, without coupons and, when delivered, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("**DTC**"), New York, New York (as described in APPENDIX E – BOOK-ENTRY ONLY SYSTEM). DTC will act as securities depository of the Notes. Purchases will be made in book-entry form only, in the principal amount of $5,000 or any integral multiple thereof. ***The Notes are not subject to redemption prior to maturity.***

The Notes are by statute general obligations of the City of Berkeley, California (the "**City**"), payable solely from taxes, income, revenues, cash receipts and other moneys that are received by the City for its General Fund for fiscal year 2024-25 and that are generally available for the payment of current expenses and other obligations of the City (the "**Unrestricted Moneys**"). The Notes are secured by a pledge of Unrestricted Moneys to be received by the City in (a) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of January, 2025; (b) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of May, 2025; and (c) an amount sufficient to pay interest as due on the Notes at their maturity, in the month of June, 2025 (such pledged amounts being hereinafter called the "**Pledged Revenues**"). The Pledged Revenues will be deposited into, and held by the City in, a special fund designated "City of Berkeley, California, 2024-25 Tax and Revenue Anticipation Notes Special Account," as established in the City's Resolution adopted on June 25, 2024.

Principal of and interest on the Notes are payable in lawful moneys of the United States of America upon maturity, and interest on the Notes will be computed on the basis of a 360-day year comprised of twelve 30-day months and accrues from the date of delivery.

The Notes are legal investments for commercial banks in California and are eligible to secure deposits of public moneys in California.

THIS COVER PAGE CONTAINS CERTAIN INFORMATION FOR QUICK REFERENCE ONLY. IT IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE OFFICIAL STATEMENT TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION.

The following firm, serving as municipal advisor to the City, has structured this issue.

NHA | ADVISORS
Financial & Policy Strategies. Delivered.

MATURITY SCHEDULE

Interest Rate	Reoffering Yield	CUSIP†

The Notes are offered when, as and if issued and received by the Purchaser, subject to the approval of legality by Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel. Certain legal matters will be passed upon for the City by Jones Hall, A Professional Law Corporation, as Disclosure Counsel, and by the City Attorney. It is anticipated that the Notes, in definitive form, will be available for delivery through DTC in New York, New York on or about July 24, 2024.

Dated July __, 2024

* Preliminary; subject to change.

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction .

GENERAL INFORMATION ABOUT THIS OFFICIAL STATEMENT

No dealer, broker, salesman or other person has been authorized by the City to give any information or to make any representations with respect to the Notes other than those contained in this Official Statement and, if given or made, such information or representation must not be relied upon as having been authorized by the City. This Official Statement does not constitute an offer to sell nor the solicitation of an offer to buy, nor shall there be any sale of the Notes by any person to make such offer, solicitation or sale.

This Official Statement is not to be construed as a contract with the purchasers of the Notes. Statements contained in this Official Statement which involve estimates, forecasts or matters of opinion, whether or not expressly so described herein, are intended solely as such and are not to be construed as a representation of facts.

The information set forth in this Official Statement has been obtained from sources that are believed to be reliable, but is not guaranteed as to accuracy or completeness, and is not to be construed as a representation by the Purchaser. The information and expressions of opinion stated in this Official Statement are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the information or opinions set forth herein or in the affairs of the City since the date hereof. This Official Statement is submitted in connection with the sale of the Notes referred to herein and may not be reproduced or used, in whole or in part, for any purpose, unless authorized in writing by the City.

The Notes have not been registered under the Securities Act of 1933, as amended (the "**Securities Act**"), in reliance upon an exemption contained in such Act. The Notes have not been registered under the securities laws of any state.

IN CONNECTION WITH THIS OFFERING, THE PURCHASER MAY OVERALLOT OR EFFECT TRANSACTIONS THAT STABILIZE OR MAINTAIN THE MARKET PRICE OF THE NOTES AT LEVELS ABOVE THOSE WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME. THE PURCHASER MAY OFFER AND SELL THE NOTES TO CERTAIN DEALERS AND BANKS AT PRICES LOWER THAN THE PUBLIC OFFERING PRICE STATED ON THE COVER PAGE HEREOF AND SAID PUBLIC OFFERING PRICE MAY BE CHANGED FROM TIME TO TIME BY THE PURCHASER.

Certain statements included or incorporated by reference in this Official Statement constitute "forward-looking statements" within the meaning of the United States Private Securities Litigation Reform Act of 1995, Section 21E of the Securities Exchange Act of 1934, as amended, and Section 27A of the Securities Act. Such statements are generally identifiable by the terminology used such as "plan," "expect," "estimate," "budget" or other similar words.

The Purchaser has provided the following sentence for inclusion in this Official Statement. The Purchaser has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Purchaser does not guarantee the accuracy or completeness of such information.

THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD-LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS WHICH MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS DESCRIBED TO BE MATERIALLY DIFFERENT FROM ANY FUTURE RESULTS, PERFORMANCE OR ACHIEVEMENTS EXPRESSED OR IMPLIED BY SUCH FORWARD-LOOKING STATEMENTS. THE CITY DOES NOT PLAN TO ISSUE ANY UPDATES OR REVISIONS TO THOSE FORWARD-LOOKING STATEMENTS IF OR WHEN ITS EXPECTATIONS, OR EVENTS, CONDITIONS OR CIRCUMSTANCES ON WHICH SUCH STATEMENTS ARE BASED OCCUR.

Although the City maintains an internet website for various purposes, none of the information on that website is incorporated by reference in this Official Statement or is intended to assist investors in making any investment decision or to provide any continuing information with respect to the Notes or any other bonds or obligations of the City.

CITY OF BERKELEY, CALIFORNIA

ELECTED OFFICIALS

Jesse Arreguín, Mayor
Rashi Kesarwani, Councilmember District 1
Terry Taplin, Councilmember District 2
Ben Bartlett, Councilmember District 3
Vacant, Councilmember District 4*
Sophie Hahn, Councilmember District 5
Susan Wengraf, Councilmember District 6
Cecilia Lunaparra, Councilmember District 7
Mark Humbert, Councilmember District 8

CITY OFFICIALS

Dee Williams-Ridley
City Manager

LaTanya Bellow
Deputy City Manager

Henry Oyekanmi
Director of Finance

Anne Cardwell
Deputy City Manager

Farimah Brown
City Attorney

Jenny Wong
City Auditor

PROFESSIONAL SERVICES

Municipal Advisor

NHA Advisors, LLC
San Rafael, California

Bond Counsel and Disclosure Counsel

Jones Hall, A Professional Law Corporation
San Francisco, California

* The Councilmember position for District 4 is currently vacant. A special election to elect a new councilmember will be held on May 28, 2024 .

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OFFICIAL STATEMENT

$36,000,000*
CITY OF BERKELEY
2024-25 TAX AND REVENUE ANTICIPATION NOTES

INTRODUCTORY STATEMENT

This Official Statement, which includes the cover page, the appendices hereto and this introductory statement, is provided to furnish information in connection with the sale by the City of Berkeley, California (the "**City**"), of its 2024-25 Tax and Revenue Anticipation Notes (the "**Notes**").

The Notes are issued in full conformity with the Constitution and laws of the State of California (the "**State**"), including Article 7.6, Chapter 4, Part 1, Division 2, Title 5 (commencing with Section 53850 of the Government Code of the State), (the "**Law**") and under the Law are general obligations of the City payable solely from those taxes, income, revenues, cash receipts and other moneys that are received by the City for its General Fund (the "General Fund") for fiscal year 2024-25 and that are generally available for the payment of current expenses and other obligations of the City (the "**Unrestricted Moneys**"). The Notes are authorized by a resolution adopted by the City Council on June 25, 2024 (the "**Resolution**"). The City may, under the Law, issue the Notes only if the principal of and interest on the Notes will not exceed 85% of the estimated amount of the uncollected Unrestricted Moneys that will be available for the payment of said Notes. Proceeds from the sale of the Notes will be deposited into a segregated account in the General Fund and used and expended by the City for any purpose for which it is authorized to expend funds from the General Fund.

THE NOTES

Description of the Notes

The Notes will be issued in the principal amount and at the interest rate shown on the cover page of this Official Statement. Principal of and interest on the Notes are payable in lawful moneys of the United States of America upon maturity, and interest on the Notes will be computed on the basis of a 360-day year comprised of twelve 30-day months and accrues from the date of delivery.

The Notes will be dated the date of delivery and will mature on July 23, 2024. The Notes are to be delivered as fully registered Notes, without coupons, and, when delivered, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("**DTC**"), New York, New York. DTC will act as securities depository of the Notes. Purchases will be made in book-entry form only, in the principal amount of $5,000 or any integral multiple thereof.

* Preliminary; subject to change.

Purpose of Issue

Proceeds of the Notes will provide moneys to meet the City's General Fund cash flow requirements during the 2024-25 fiscal year commencing July 1, 2024, and ending June 30, 2025, including current expenses, capital expenditures, and the discharge of other obligations or indebtedness.

Book-Entry Only System

DTC will act as securities depository for the Notes. The Notes will be issued as fully-registered certificates registered in the name of Cede & Co. (DTC's partnership nominee). One fully-registered certificate will be issued for each maturity of the Notes, each in the aggregate principal amount of such maturity, and will be deposited with DTC. See "APPENDIX E – BOOK-ENTRY ONLY SYSTEM."

So long as the Notes are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal and interest with respect to the Notes will be made to DTC as provided as in the representation letter delivered on the date of issuance of the notes. The City cannot and does not give any assurances that DTC, participants in DTC's book-entry only system ("**DTC Participants**") or others will distribute payments of principal, interest or premium, if any, with respect to the Notes paid to DTC or its nominee as the registered owner, or will distribute any prepayment notices or other notices, to the Beneficial Owners, or that they will do so on a timely basis or will serve and act in the manner described in this Official Statement. The City is not responsible or liable for the failure of DTC or any DTC Participant to make any payment or give any notice to a Beneficial Owner with respect to the Notes or an error or delay relating thereto.

SECURITY FOR AND SOURCES OF PAYMENT OF THE NOTES

Security for the Notes

The principal amount of the Notes, together with the interest thereon, is payable from Unrestricted Moneys, being the first taxes, income, revenue, cash receipts, and other moneys that are received by the City for the General Fund for fiscal year 2024-25 and which are generally available for the payment of current expenses and other obligations of the City. Estimated Unrestricted Moneys exceed estimated payment requirements by more than eight to one. See "THE NOTES – Available Sources of Payment."

As security for the repayment of principal of and interest on the Notes, the City has pledged to deposit into a special fund designated as the "2024-25 Tax and Revenue Anticipation Note Special Account" (the "**Special Account**") the first Unrestricted Moneys to be received by the City as follows: (a) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of January, 2025; (b) an amount equal to fifty percent (50%) of the principal amount of the Notes in the month of May, 2025; and (c) an amount sufficient to pay interest as due on the Notes at their maturity, in the month of June, 2025 (such pledged amounts, the "**Pledged Revenues**"). The Notes are equally and ratably secured by the City's pledge of the Pledged Revenues.

The principal of the Notes and the interest thereon shall constitute a first lien and charge against and shall be paid from the first moneys received by the City from such Pledged Revenues, and to the extent not so paid shall be paid from any other moneys of the City lawfully available therefor. In the event there are insufficient Unrestricted Moneys received by the City to permit the

deposits into the Special Account of the full amount of the Pledged Revenues to be deposited in the applicable month, by the last business day of such month, then the amount of such deficiency shall be satisfied and made up from any other moneys of the City lawfully available for the payment of the Notes and the interest thereon.

All Pledged Revenues, as and when received, shall be deposited by the City into the Special Account, which will be held by the City for the payment of the principal of and interest on the Notes at maturity. Amounts deposited by the City into the Special Account shall be applied solely for the purpose of paying the principal of and interest on the Notes. Such amounts shall be invested by the City in legal investments, as permitted by Section 53601 of the Government Code of the State. See “CITY INVESTMENT POLICY AND PORTFOLIO.”

Available Sources of Repayment

The Notes, in accordance with State law, are general obligations of the City, but are payable only out of Unrestricted Moneys, which include the taxes, income, revenues, cash receipts and other moneys that are received by the City for the General Fund for fiscal year 2024-25 and that are generally available for payment of current expenses and other obligations of the City. The Constitution of the State substantially limits the City's ability to levy ad valorem taxes. See “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING CITY REVENUES AND APPROPRIATIONS.” The City may, under existing law, issue the Notes only if the principal of, and interest on, the Notes will not exceed 85% of the estimated uncollected Unrestricted Moneys that will be available for the repayment of the Notes.

The Note coverage ratio is shown in the following table and is the ratio of estimated Unrestricted Moneys to the amount of Unrestricted Moneys needed to pay principal of and interest on the Notes.

The table below gives detail as to the sources of estimated Unrestricted Moneys and the Note Coverage Ratio.

CITY OF BERKELEY
Estimated Unrestricted Moneys
Fiscal Year 2024-25

Source	Amount
Available Cash Balance, July 1, 2024	$61,694,764
Taxes (including property tax, sales tax and other taxes)	220,023,117
Other Revenue	96,907,117
Proceeds of the Notes(1)*	36,615,000
Transfers In	11,504,245
TOTAL UNRESTRICTED MONEYS*	$426,744,243
ESTIMATED PRINCIPAL PLUS INTEREST NEEDED FOR NOTE REPAYMENT*	$37,795,000
NOTE COVERAGE RATIO*	11.29x

* Preliminary; subject to change.
(1) Excluding purchaser's discount and costs of issuance.
Source: City of Berkeley Finance Department.

Monthly Cash Flows

The City has prepared the accompanying monthly General Fund cash flow statements covering fiscal year 2023-24 and the projected fiscal year 2024-25. The General Fund is used to finance the ordinary operations of the City and is available for any legal authorized purposes. While expenditures generally occur evenly throughout the fiscal year, cash receipts occur unevenly. As a result, the General Fund cash balance tends to show a deficit during parts of the fiscal year. The projections are based on the City's budget and current financial condition.

City of Berkeley
Fiscal Year 2023-24 Actual and Projected General Fund Cash Flows [1][2]

	Actual									Projected			
	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL
Beginning Balance	$78,441,119	$27,694,592	$17,893,028	$17,239,691	$11,619,295	$5,117,238	$45,881,748	$43,036,337	$45,990,308	$63,337,291	$97,495,081	$85,996,462	$78,441,119
CASH RECEIPTS													
Property Tax	$2,596,237	$3,812,660	$5,720,193	$1,862,945	$2,389,829	$45,022,897	$1,156,102	$955,488	$12,564,474	$26,723,408	$3,743,997	$6,810,816	$113,359,047
Sales Tax	1,913,663	1,192,395	1,487,788	1,636,065	11,897	3,063,749	1,597,530	1,750,245	1,417,448	1,496,554	1,709,403	1,569,516	18,846,252
Other Taxes	3,440,493	2,371,101	2,493,930	2,945,175	2,185,534	12,071,156	4,744,681	15,123,546	12,797,017	16,444,108	3,411,753	2,540,636	80,569,131
License and Permits	198,040	141,855	75,413	51,668	42,968	36,341	45,584	47,434	57,073	43,922	398,790	317,187	1,456,275
Franchises	7,607	150,124	0	0	149,903	0	7,341	141,634	0	1,335,082	157,119	0	1,948,811
Subventions & Grants	0	84,474	50,000	41,624	0	113,496	0	160,791	191,835	0	114,672	1,300,300	2,057,191
Service Fees	690,658	1,239,474	948,538	572,149	719,169	909,271	1,129,563	1,222,695	1,013,101	640,853	895,773	904,533	10,885,776
Fines and Penalties	683,628	551,035	598,733	491,673	545,561	486,890	655,111	246,360	456,950	556,766	559,479	378,093	6,210,278
Rents and Royalties	23,440	28,807	32,979	21,543	18,396	25,253	27,626	21,960	22,207	20,817	17,216	24,582	284,825
Interest Income	1,251,901	361,088	1,109,134	1,424,539	1,341,992	410,404	1,820,808	659,395	701,873	674,007	3,827,111	1,434,847	15,017,098
CalPERS Discount	91,522	114,402	114,402	114,402	114,402	171,603	114,402	114,402	114,402	114,402	171,603	137,282	1,487,226
Miscellaneous	72,909	176,629	6,924	16,383	8,115	23,741	9,571	83,267	7,640	99,603	7,927	9,586	522,296
Transfers In/Indirect Costs	1,973,849	734,099	735,270	2,119,995	749,878	991,950	2,105,150	747,307	750,027	4,469,830	745,314	0	16,122,670
CalPERS Prepayments from Other Depts	2,907,875	3,421,030	3,421,030	3,421,030	3,421,030	1,710,515	3,421,030	3,421,030	3,421,030	3,421,030	3,421,030	3,421,030	38,828,687
TRAN Proceeds	24,003,685	0	0	0	0	0	0	0	0	0	0	0	24,003,685
TOTAL RECEIPTS	$39,855,508	$14,379,174	$16,794,333	$14,719,190	$11,698,674	$65,037,265	$16,834,500	$24,695,552	$33,515,077	$56,040,381	$19,181,187	$18,848,408	$331,599,248
CASH DISBURSEMENTS													
General Government	$4,336,140	$3,181,645	$2,958,655	$2,989,001	$3,462,678	$4,220,647	$3,664,941	$3,914,869	$3,251,821	$3,111,287	$3,586,670	$4,333,964	$43,012,318
Public Safety	7,266,250	10,002,134	11,041,172	11,133,244	10,840,142	15,020,924	11,224,136	10,841,222	10,482,093	9,960,841	9,979,494	17,616,973	135,408,626
Highways and Streets	130,296	184,567	520,368	145,031	187,807	412,989	228,272	152,881	140,759	307,789	188,312	(397,833)	2,201,238
Health and Human Service	768,909	1,050,994	981,935	1,067,138	1,083,942	1,342,221	1,090,785	1,209,268	1,388,377	1,336,177	1,154,534	2,159,447	14,633,727
Culture - Recreation	672,950	1,007,458	761,319	1,571,409	776,698	1,003,482	963,658	736,467	711,221	798,789	791,687	1,580,490	11,375,628
Urban Redevelopment/Housing	565,046	5,874,118	832,817	795,301	2,124,306	1,553,394	2,964,684	1,495,136	832,303	1,782,013	1,881,912	1,255,767	21,956,797
Econ Dev & Assistance	397,644	482,331	331,200	286,029	201,396	353,344	330,327	123,580	269,488	115,056	119,562	431,772	3,441,730
Transfers Out/Other	24,528,424	162,752	162,752	4,645,309	162,752	162,752	(11,359,477)	162,752	162,752	7,553,287	167,634	0	26,511,685
Transfer Out to Pension Saving Fund	2,000,000	0	371,807	0	0	371,807		0	0	371,807	0	371,807	3,487,226
Transfer Out to Stabilization Reserve Fund	0	0	0	0	0	0	0	0	0	0	0	7,490,000	7,490,000
Transfer Out to Catastrophic Reserve Fund	0	0	0	0	0	0	0	0	0	0	0	6,130,000	6,130,000
CalPERS Unfunded Pension Liability Prepayment	44,473,386	0	0	0	0	0	0	0	0	0	0	0	44,473,386
TRAN Principal Pledge	0	0	0	0	0	0	11,810,000	0	0	0	11,810,000		23,620,000
TRAN Interest Pledge	0	0	0	0	0	0	0	0	0	0	0	1,177,719	1,177,719
Advances from GF/(Repayment to GF)	5,462,991	2,234,739	(514,353)	(2,292,875)	(638,991)	(168,805)	(1,237,415)	3,105,406	(1,070,719)	(3,454,455)	1,000,000	1,000,000	3,425,524
TOTAL DISBURSEMENTS	$90,602,035	$24,180,738	$17,447,671	$20,339,586	$18,200,731	$24,272,755	$19,679,910	$21,741,581	$16,168,094	$21,882,590	$30,679,806	$43,150,107	$348,345,603
Interfund Borrowings	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Net Cash Flow	($50,746,527)	($9,801,563)	($653,337)	($5,620,396)	($6,502,057)	$40,764,510	($2,845,411)	$2,953,971	$17,346,983	$34,157,791	($11,498,619)	($24,301,698)	($16,746,355)
Ending Balance	$27,694,592	$17,893,028	$17,239,691	$11,619,295	$5,117,238	$45,881,748	$43,036,337	$45,990,308	$63,337,291	$97,495,081	$85,996,462	$61,694,764	$61,694,764

(1) Actual through April 30, 2024.
(2) Cash and investment balances provided in the table above represent the City's available cash balance (i.e., General Fund cash and investments less the Stabilization and Catastrophic Reserve Fund cash balances and short term liabilities).
Source: City of Berkeley.

City of Berkeley
Fiscal Year 2024-25 Projected General Fund Cash Flows [1]
(Including the Notes)

	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL
Beginning Balance	$61,694,764	$29,240,390	$28,469,872	$26,958,277	$17,253,633	$10,926,810	$64,104,773	$38,873,243	$41,051,047	$59,586,533	$93,314,252	$74,089,454	$61,694,764
CASH RECEIPTS													
Property Tax	$3,183,174	$4,674,596	$7,013,369	$2,284,105	$2,930,103	$55,201,321	$1,417,464	$1,171,497	$15,404,952	$32,764,826	$4,590,411	$8,350,552	$138,986,371
Sales Tax	2,034,027	1,267,393	1,581,365	1,738,968	12,645	3,256,449	1,698,010	1,860,330	1,506,601	1,590,682	1,816,920	1,668,233	20,031,622
Other Taxes	2,605,064	1,795,344	1,888,348	2,230,020	1,654,837	9,140,006	3,592,565	11,451,207	9,689,612	12,451,106	2,583,302	1,923,712	61,005,124
License and Permits	202,001	144,692	76,921	52,701	43,827	37,068	46,496	48,382	58,215	44,800	406,766	323,531	1,485,400
Franchises	7,114	140,396	0	0	140,189	0	6,866	132,456	0	1,248,569	146,938	0	1,822,528
Subventions & Grants	0	84,474	50,000	41,624	0	113,496	0	160,791	191,835	0	114,672	1,300,300	2,057,191
Service Fees	490,742	880,700	673,977	406,536	511,001	646,076	802,603	868,777	719,852	455,354	636,485	642,709	7,734,813
Fines and Penalties	653,061	526,396	571,962	469,689	521,167	465,120	625,819	235,345	436,518	531,871	534,463	361,188	5,932,600
Rents and Royalties	115,214	141,594	162,100	105,889	90,422	124,124	135,789	107,941	109,156	102,324	84,621	120,826	1,400,000
Interest Income	1,098,876	388,936	1,000,813	1,258,804	1,191,283	476,063	1,582,939	632,940	667,686	644,893	3,270,818	1,285,951	13,500,000
CalPERS Discount	115,321	135,672	135,672	135,672	135,672	203,508	135,672	135,672	135,672	135,672	135,672	223,859	1,763,734
Miscellaneous	1,182,188	2,863,967	112,275	265,639	131,586	384,948	155,190	1,350,132	123,882	1,615,015	128,534	155,440	8,468,797
Transfers In/Indirect Costs	1,408,429	523,813	524,648	1,512,711	535,071	707,800	1,502,119	533,237	535,178	3,189,424	531,815	0	11,504,245
CalPERS Prepayments from Other Depts	3,448,519	4,057,081	4,057,081	4,057,081	4,057,081	6,085,622	4,057,081	4,057,081	4,057,081	4,057,081	4,057,081	6,694,184	52,742,054
TRAN Proceeds	36,515,440	0	0	0	0	0	0	0	0	0	0	0	36,515,440
TOTAL RECEIPTS	$53,059,170	$17,625,055	$17,848,531	$14,559,440	$11,954,884	$76,841,600	$15,758,613	$22,745,788	$33,636,239	$58,831,617	$19,038,497	$23,050,484	$364,949,919
CASH DISBURSEMENTS													
General Government	$4,552,947	$3,340,728	$3,106,588	$3,138,451	$3,635,812	$4,431,680	$3,848,188	$4,110,612	$3,414,412	$3,266,851	$3,766,004	$4,550,662	$45,162,934
Public Safety	7,629,563	10,502,241	11,593,230	11,689,906	11,382,149	15,771,971	11,785,343	11,383,283	11,006,197	10,458,883	10,478,469	18,497,822	142,179,057
Highways and Streets	136,811	193,795	546,386	152,283	197,197	433,638	239,685	160,525	147,797	323,178	197,728	(417,725)	2,311,299
Health and Human Service	807,355	1,103,543	1,031,032	1,120,495	1,138,139	1,409,332	1,145,324	1,269,732	1,457,796	1,402,986	1,212,260	2,267,420	15,365,413
Culture - Recreation	706,598	1,057,831	799,385	1,649,980	815,533	1,053,656	1,011,840	773,290	746,782	838,728	831,272	1,659,514	11,944,410
Urban Redevelopment/Housing	593,298	2,020,098	874,458	835,066	2,230,521	1,631,064	3,112,919	1,569,893	873,918	1,871,114	1,976,008	1,318,555	18,906,911
Econ Dev & Assistance	417,526	506,448	347,760	300,330	211,466	371,011	346,843	129,760	282,962	120,809	125,541	453,361	3,613,816
Transfers Out/Other	13,827,394	170,889	170,889	4,877,574	170,889	170,889	0	170,889	170,889	7,930,951	176,016	0	27,837,270
Transfer Out to Pension Saving Fund	2,100,000	0	390,397	0	0	390,397	0	0	0	390,397	0	390,397	3,661,587
Transfer Out to Stabilization Reserve Fund	0	0	0	0	0	0	0	0	0	0	0	7,864,500	7,864,500
Transfer Out to Catastrophic Reserve Fund	0	0	0	0	0	0	0	0	0	0	0	6,436,500	6,436,500
CalPERS Unfunded Pension Liability Prepayment	52,742,054	0	0	0	0	0	0	0	0	0	0	0	52,742,054
TRAN Principal Pledge	0	0	0	0	0	0	18,000,000	0	0	0	18,000,000	0	36,000,000
TRAN Interest Pledge	0	0	0	0	0	0	0	0	0	0	0	1,795,000	1,795,000
Advances from GF/(Repayment to GF)	2,000,000	(500,000)	500,000	500,000	(1,500,000)	(2,000,000)	1,500,000	1,000,000	(3,000,000)	(1,500,000)	1,500,000	3,000,000	1,500,000
TOTAL DISBURSEMENTS	$85,513,544	$18,395,574	$19,360,125	$24,264,084	$18,281,708	$23,663,637	$40,990,142	$20,567,984	$15,100,754	$25,103,897	$38,263,296	$47,816,007	$377,320,752
Interfund Borrowings	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Net Cash Flow	($32,454,374)	($770,519)	($1,511,594)	($9,704,644)	($6,326,823)	$53,177,963	($25,231,529)	$2,177,804	$18,535,486	$33,727,720	($19,224,799)	($24,765,523)	($12,370,833)
Ending Balance	$29,240,390	$28,469,872	$26,958,277	$17,253,633	$10,926,810	$64,104,773	$38,873,243	$41,051,047	$59,586,533	$93,314,252	$74,089,454	$49,323,931	$49,323,931
	$61,694,764	$29,240,390	$28,469,872	$26,958,277	$17,253,633	$10,926,810	$64,104,773	$38,873,243	$41,051,047	$59,586,533	$93,314,252	$74,089,454	$61,694,764

(1) Cash and investment balances provided in the table above represent the City's available cash balance (i.e., General Fund cash and investments less the Stabilization and Catastrophic Reserve Fund cash balances and short-term liabilities).
Source: City of Berkeley.

CITY INVESTMENT POLICY AND PORTFOLIO

The authority to invest the City's funds is derived from a resolution adopted annually by the City Council delegating to the Director of Finance and the Treasurer of the City the authority to invest these funds within the guidelines of Section 53600 et seq. of the Government Code of the State (the "**Government Code**"). The Government Code also directs the City to present an annual investment policy (the "**Investment Policy**") for confirmation to the City Council. The City Council voted to affirm the Investment Policy and designate the investment authority on July 1, 2023. The Investment Policy may be revised by the City Council at any time.

The objectives of the Investment Policy are preservation of capital, liquidity and yield. The Investment Policy addresses the soundness of financial institutions in which the City may deposit funds, types of investment instruments permitted by the City and the Government Code, investment duration and the amount which may be invested in certain instruments. The Investment Policy also reflects and supports the City's policy positions on important social and environmental issues, as contained in formal City Council actions including the Nuclear-Free Berkeley Act, the Responsible Investment Ordinance, the Oppressive States Contract Resolution and Divestment from Publicly-Traded Fossil Fuel Companies and Gun Manufacturers and Tobacco companies. Summarized below are the permitted investments under the Investment Policy. These policies may further restrict investment options available to the City.

Authorized Investment Type	Maximum Maturity	Maximum Percentage/Dollar of Portfolio	Maximum Investment in One Issuer
Bank/Time Deposit Accounts	5 years	100%	N/A
Money Market Funds	N/A	100	N/A
Repurchase Agreements	1 year	10	N/A
Reverse Repurchase Agreements	7 days	10	N/A
Banker's Acceptances	7 days	40	30%
U.S. Government Securities (Treasury bills, Notes and Bonds)	10 years*	100	N/A
U.S. Agency Securities by Agency	10 years*	100	N/A
Negotiable Certificates of Deposit	10 years*	30	$250,000
Local Agency Bonds	5 years*	100	N/A
Commercial Paper	180 days	25	$5M or 2%
Medium Term Notes	10 years		
	30 years*	30	30%
Public Bank Obligations		10% of unrestricted	
	5 years	investments	N/A

Source: City of Berkeley

* Maturities over five years, up to 30 years, are authorized for the three Retiree Medical Plan Trusts and debt service reserve funds.

As of June 30, 2023, the City portfolio included $526,781,913 in pooled investments. The average life of the investments was 1,286 days and the weighted yield was 3.062%. The following is the market value of investments held by the City as of June 30, 2023:

Security	Market Value	% of Total Portfolio
Certificates of Deposit	$499,888	0.1%
Medium Term Notes	118,953,573	22.6
Federal Agency	402,491,251	76.4
Municipal Bonds	4,837,200	0.9
TOTAL[(1)]:	$526,781,913[(1)]	100.0%

(1) Totals may not sum due to rounding.
Source: City of Berkeley Finance Department.

SPECIAL RISK FACTORS

The following information should be considered by prospective investors in evaluating the Notes; however, this information does not purport to be an exhaustive listing of the risks and other considerations, which may be relevant to an investment in the Notes.

Bankruptcy Considerations

In 1994, Orange County, California issued its 1994-1995 Tax and Revenue Anticipation Notes (the "**Orange County Notes"**) under the same statutory authority as the Notes. On December 6, 1994, Orange County filed a petition in bankruptcy. Subsequently, Orange County declined to set aside the taxes and revenues it had pledged for the repayment of the Orange County Notes and a noteholder brought suit to compel Orange County to do so. A March 8, 1995, ruling of the United States Bankruptcy Court for the Central District of California, held that the lien securing the Orange County Notes did not attach to revenues received by Orange County after the filing of its bankruptcy petition on December 6, 1994, and therefore, Orange County was not required to set aside the revenues pledged under the note resolution following the bankruptcy. The Bankruptcy Court ruled that under the United States Bankruptcy Code (the "**Bankruptcy Code**"), the lien did not attach to revenues received by Orange County after December 6, 1994, because the lien was a consensual security interest rather than a statutory lien. In July 1995, the United Stated District Court for the Central District of California reversed the decision of the Bankruptcy Court. Orange County appealed the decision of the District Court to the United States Court of Appeals for the Ninth Circuit. Before the Ninth Circuit rendered a decision, the parties settled their disputes. Accordingly, if the City were to file for bankruptcy, it is not clear whether it would be required to set aside revenues pledged under the Resolution as described above.

In addition, the Pledged Revenues and other moneys that will be set aside to pay the Notes will be held in the City's General Fund, and these funds will be invested in the pooled investment fund. Should the City go into bankruptcy, a court might hold that the owners of the Notes do not have a valid lien on the Pledged Revenues. In that case, unless the owners could "trace" the funds, the owners would merely be unsecured creditors of the City. There can be no assurance that the owners of the Notes could successfully so "trace" the Pledged Revenues.

Limitations on Remedies

The rights of the owners of the Notes are subject to the limitations on legal remedies against cities in the State, including a limitation on enforcement of judgments against funds needed to serve the public welfare and interest. Additionally, enforceability of the rights and remedies of the owners of the Notes and the obligations incurred by the City, may become subject to the following: the Bankruptcy Code and applicable bankruptcy, insolvency, reorganization, moratorium, or similar laws relating to or affecting the enforcement of creditor's rights generally, now or hereafter in effect; equity principles which may limit the specific enforcement under State law of certain remedies; the exercise by the United States of America of the powers delegated to it by the Constitution; and the reasonable and necessary exercise in certain exceptional situations, of the police powers inherent in the sovereignty of the State and its governmental bodies in the interest of serving a significant and legitimate public purpose. Bankruptcy proceedings, or the exercise of powers by the federal or State government, if initiated, could subject the owners of the Notes to judicial discretion and interpretation of their rights in bankruptcy or otherwise, and consequently may entail risks of delay, limitation, or modification of their rights.

COVID-19 Pandemic

As described in this Official Statement, while indications are that the COVID-19 pandemic is transitioning to an endemic stage, many variables will continue to contribute to the economic impact of the COVID-19 pandemic and the recovery. The ultimate impact of COVID-19 on the City's operations and finances is not fully known, and it may be some time before the full impact of the COVID-19 pandemic is known. Future costs to the City could also be increased in the event that a sustained deterioration in global stock market values as an economic consequence of the COVID-19 pandemic negatively impacts the market value of assets held to fund the City's pension plans, requiring future unanticipated increases in required plan contributions. Accordingly, prospective investors should consider that COVID-19 may adversely impact the City and its finances.

Climate Change

The adoption by the State of the California Global Warming Solutions Act of 2006 (AB 32) and subsequent companion bills demonstrate the commitment by the State to take action and reduce greenhouse gases ("**GHG**") to 1990 levels by 2020 and 80% below 1990 levels by 2050. The State Attorney General's Office, in accordance with SB 375, now requires that local governments examine local policies and large-scale planning efforts to determine how to reduce greenhouse gas emissions. Additionally, the State adopted Senate Bill No. 32, which established a revised statewide GHG emission reduction target of 40% below 1990 levels by 2030.

The City is vulnerable to the impacts of climate change. The severity of these impacts will depend on the amount of greenhouse gas emissions produced worldwide over the coming decades and the City's ability to adapt to the changing climate. These impacts will continue to grow in intensity and will disproportionately affect vulnerable communities such as the elderly, children, people with disabilities, and people with low incomes. In order to mitigate climate change locally, the City developed the Berkeley Climate Action Plan (CAP). The CAP sets a target of achieving 80% GHG reductions below 2000 levels by 2050. The City also has goals to become a fossil fuel free city, and reach 100% renewable electricity citywide by 2035. From 2000 to 2016, the City reduced its greenhouse gas emissions by 15% despite a population increase of approximately 18% in that same period. Community-wide emissions in 2019 decreased 26% from the 2000 baseline and decreased 4% from 2018. The City has moved beyond its initial emissions reduction goal and, on May 11, 2021, the City Council committed to become zero net emissions

by 2045, requiring an additional 74% reduction of GHG emissions. The City's mitigation efforts include developing plans, programs and policies to:

- Reduce energy use in building construction and operation, in transportation by shifting travel to walking, biking, and transit, and by minimizing landfilled waste;
- Clean the electricity used in the City and
- Electrify transportation and buildings to significantly reduce natural gas and petroleum use.

It is also critical that the City adapt to current and projected climate change impacts, including sea level rise, drought, severe storms, and extreme heat, in order to protect its community, infrastructure, buildings, and economy. The City has several plans that address climate adaptation including the Local Hazard Mitigation Plan, the Resilience Strategy, and the Climate Action Plan. The City is also developing a sea level rise plan for the Berkeley Marina and a green infrastructure plan. Some key climate resilience actions that the City is taking include implementing green infrastructure projects and identifying opportunities for clean energy assurance solutions, such as solar plus storage, for buildings. The City also actively participates in regional organizations such as the Bay Area Climate Adaptation Network to develop regional strategies and solutions to adapt to climate change.

Climate change will have new, direct impacts and will also exacerbate existing local natural hazards. Rising sea levels have the potential to impact infrastructure and community members in west Berkeley and the Berkeley waterfront. This could increase the City's exposure to tsunami inundation and to flooding of critical infrastructure in these areas, which includes sanitary sewers, state highways, and railroad lines. Increased temperatures, when coupled with prolonged drought events, can increase the intensity of wildfires that may occur, and pose significant health and safety risks for vulnerable communities. Shorter, more intense wet seasons could make flooding more frequent, and may increase the landslide risk in the Berkeley hills. California may experience greater water and food insecurity, and drought may become a more persistent issue as the effects of climate change deepen.

Cybersecurity

The City and its departments face multiple cyber threats including, but not limited to, hacking, viruses, malware and other attacks on computers and other sensitive digital networks and systems. There have been, however, only limited cyber-attacks on the computer systems of the City. No assurances can be given that the security and operational control measures of the City will be successful in guarding against any and each cyber threat and attack. The results of any attack on the computer and information technology systems could have a material adverse impact on the operations of the City and damage the digital networks and systems. The resulting costs and/or impacts on operations and General Fund revenues could be material.

CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING CITY REVENUES AND APPROPRIATIONS

Limitations on Revenues

Article XIIIA of the California Constitution. Article XIIIA of the State Constitution, adopted and known as Proposition 13, was approved by the voters in June 1978. Section 1(a) of Article XIIIA limits the maximum ad valorem tax on real property to one percent of "full cash value," and provides that such tax shall be collected by the counties and apportioned according to State law. Section 1(b) of Article XIIIA provides that the one-percent limitation does not apply to ad valorem taxes levied to pay interest and redemption charges on (i) indebtedness approved by the voters prior to July 1, 1978, or (ii) bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast on the proposition, or (iii) bonded indebtedness incurred by a school district or community college district for the construction, reconstruction, rehabilitation or replacement of school facilities or the acquisition or lease of real property for school facilities, approved by 55% of the voters of the district, but only if certain accountability measures are included in the proposition. The tax for payment of the City's general obligation bonds falls within the exception for bonds approved by a two-thirds vote.

Section 2 of Article XIIIA defines "full cash value" to mean the county assessor's valuation of real property as shown on the fiscal year 1975-76 tax bill, or, thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred. The full cash value may be adjusted annually to reflect inflation at a rate not to exceed two percent per year, or to reflect a reduction in the consumer price index or comparable data for the area under taxing jurisdiction or may be reduced in the event of declining property value caused by substantial damage, destruction or other factors. Legislation enacted by the State Legislature to implement Article XIIIA provides that, notwithstanding any other law, local agencies may not levy any ad valorem property tax except the 1% base tax levied by each County and taxes to pay debt service on indebtedness approved by the voters as described above.

Since its adoption, Article XIIIA has been amended a number of times. These amendments have created a number of exceptions to the requirement that property be reassessed when purchased, newly constructed or a change in ownership has occurred. These exceptions include certain transfers of real property between family members, certain purchases of replacement dwellings for persons over age 55 and by property owners whose original property has been destroyed in a declared disaster, and certain improvements to accommodate disabled persons and for seismic upgrades to property. These amendments have resulted in marginal reductions in the property tax revenues of the City.

Both the California State Supreme Court and the United States Supreme Court have upheld the validity of Article XIIIA.

Article XIIIC and Article XIIID of the California Constitution. On November 5, 1996, the voters of the State approved Proposition 218, known as the "Right to Vote on Taxes Act." Proposition 218 adds Articles XIIIC and XIIID to the California Constitution and contains a number of interrelated provisions affecting the ability of the City to levy and collect both existing and future taxes, assessments, fees and charges.

On November 2, 2010, California voters approved Proposition 26, entitled the "Supermajority Vote to Pass New Taxes and Fees Act." Section 1 of Proposition 26 declares that

Proposition 26 is intended to limit the ability of the State Legislature and local government to circumvent existing restrictions on increasing taxes by defining the new or expanded taxes as "fees." Proposition 26 amended Articles XIIIA and XIIIC of the State Constitution. The amendments to Article XIIIA limit the ability of the State Legislature to impose higher taxes (as defined in Proposition 26) without a two-thirds vote of the Legislature. The amendments to Article XIIIC define "taxes" that are subject to voter approval as "any levy, charge, or exaction of any kind imposed by a local government," with certain exceptions.

Taxes. Article XIIIC requires that all new local taxes be submitted to the electorate before they become effective. Taxes for general governmental purposes of the City ("**general taxes**") require a majority vote; taxes for specific purposes ("**special taxes**"), even if deposited in the City's General Fund, require a two-thirds vote. The voter approval requirements of Proposition 218 reduce the flexibility of the City to raise revenues for the General Fund, and no assurance can be given that the City will be able to impose, extend or increase such taxes in the future to meet increased expenditure needs.

Property-Related Fees, Charges and Assessments. Article XIIID also adds several provisions making it generally more difficult for local agencies to levy and maintain property-related fees, charges, and assessments for municipal services and programs. These provisions include, among other things, (i) a prohibition against assessments which exceed the reasonable cost of the proportional special benefit conferred on a parcel, (ii) a requirement that assessments must confer a "special benefit," as defined in Article XIIID, over and above any general benefits conferred, (iii) a majority protest procedure for assessments which involves the mailing of notice and a ballot to the record owner of each affected parcel, a public hearing and the tabulation of ballots weighted according to the proportional financial obligation of the affected party, and (iv) a prohibition against fees and charges which are used for general governmental services, including police, fire or library services, where the service is available to the public at large in substantially the same manner as it is to property owners.

Reduction or Repeal of Taxes, Fees and Charges. Article XIIIC also removes limitations on the initiative power in matters of reducing or repealing local taxes, assessments, fees or charges. No assurance can be given that the voters of the City will not, in the future, approve an initiative or initiatives which reduce or repeal local taxes, assessments, fees or charges currently comprising a substantial part of the City's General Fund. If such repeal or reduction occurs, the City's ability to pay debt service on the Notes could be adversely affected.

Burden of Proof. Article XIIIC provides that local government "bears the burden of proving by a preponderance of the evidence that a levy, charge, or other exaction is not a tax, that the amount is no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity." Similarly, Article XIIID provides that in "any legal action contesting the validity of a fee or charge, the burden shall be on the agency to demonstrate compliance" with Article XIIID.

Impact on City's General Fund. The approval requirements of Articles XIIIC and XIIID reduce the flexibility of the City to raise revenues for the General Fund, and no assurance can be given that the City will be able to impose, extend or increase the taxes, fees, charges or taxes in the future that the City may need to meet increased expenditure needs.

The City does not believe that any material source of General Fund revenue is subject to challenge under Articles XIIIC or XIIID.

Judicial Interpretation. The interpretation and application of Articles XIIIC and XIIID will ultimately be determined by the courts with respect to a number of the matters discussed below, and it is not possible at this time to predict with certainty the outcome of such determination.

Expenditures and Appropriations

Article XIIIB of the California Constitution. In addition to the limits Article XIIIA imposes on property taxes that may be collected by local governments, certain other revenues of the State and local governments are subject to an annual "appropriations limit" or "Gann Limit" imposed by Article XIIIB of the State Constitution, which effectively limits the amount of such revenues that government entities are permitted to spend. Article XIIIB, approved by the voters in June 1979, was modified substantially by Proposition 111 in 1990. The appropriations limit of each government entity applies to "proceeds of taxes," which consist of tax revenues, state subventions and certain other funds, including proceeds from regulatory licenses, user charges or other fees to the extent that such proceeds exceed "the cost reasonably borne by such entity in providing the regulation, product or service." "Proceeds of taxes" exclude tax refunds and some benefit payments such as unemployment insurance. No limit is imposed on the appropriation of funds which are not "proceeds of taxes," such as reasonable user charges or fees, and certain other non-tax funds.

Article XIIIB also does not limit appropriation of local revenues to pay debt service on bonds existing or authorized by January 1, 1979, or subsequently authorized by the voters, appropriations required to comply with mandates of courts or the federal government, appropriations for qualified capital outlay projects, and appropriation by the State of revenues derived from any increase in gasoline taxes and motor vehicle weight fees above January 1, 1990, levels. The appropriations limit may also be exceeded in cases of emergency; however, the appropriations limit for the three years following such emergency appropriation must be reduced to the extent by which it was exceeded, unless the emergency arises from civil disturbance or natural disaster declared by the Governor, and the expenditure is approved by two-thirds of the legislative body of the local government.

The State and each local government entity have their own appropriations limit. Each year, the limit is adjusted to allow for changes, if any, in the cost of living, the population of the jurisdiction, and any transfer to or from another government entity of financial responsibility for providing services. Each school district is required to establish an appropriations limit each year. In the event that a school district's revenues exceed its spending limit, the district may increase its appropriations limit to equal its spending by taking appropriations limit from the State.

Proposition 111 requires that each agency's actual appropriations be tested against its limit every two years. If the aggregate "proceeds of taxes" for the preceding two-year period exceed the aggregate limit, the excess must be returned to the agency's taxpayers through tax rate or fee reductions over the following two years.

Future Initiatives

Article XIIIA, Article XIIIB, Article XIIIC, Article XIIID and Proposition 111 were each adopted as measures that qualified for the ballot pursuant to California's initiative process. From time to time other initiative measures could be adopted, further affecting City revenues or the City's ability to expend revenues. The nature and impact of these measures cannot be predicted by the City.

LEGAL OPINION

The statements of law and legal conclusions set forth in this Official Statement under the heading "TAX MATTERS" have been reviewed by Bond Counsel. Bond Counsel's employment is limited to a review of the legal proceedings required for the authorization of the Notes and to rendering the opinion discussed below. Such opinion will not consider or extend to any documents, agreements, representations, offering circulars or other material of any kind concerning the Notes not mentioned in this paragraph. Bond Counsel takes no responsibility for the accuracy, completeness or fairness of this Official Statement. Bond Counsel's compensation is contingent upon the delivery of the Notes. Certain legal matters will be passed upon for the City by the City Attorney.

TAX MATTERS

In the opinion of Jones Hall, A Professional Law Corporation, San Francisco, California, Bond Counsel, subject, however to the qualifications set forth below, under existing law, the interest on the Notes is excluded from gross income for federal income tax purposes and such interest is not an item of tax preference for purposes of the federal alternative minimum tax.

The opinions set forth in the preceding paragraph are subject to the condition that the City comply with all requirements of the Internal Revenue Code of 1986, as amended (the "**Tax Code**") that must be satisfied subsequent to the issuance of the Notes. The City has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of such interest in gross income for federal income tax purposes to be retroactive to the date of issuance of the Notes.

Tax Treatment of Original Issue Discount and Premium. If the initial offering price to the public at which a Note is sold is less than the amount payable at maturity thereof, then such difference constitutes "**original issue discount**" for purposes of federal income taxes and State of California personal income taxes. If the initial offering price to the public at which a Note is sold is greater than the amount payable at maturity thereof, then such difference constitutes "**original issue premium**" for purposes of federal income taxes and State of California personal income taxes. *De minimis* original issue discount and original issue premium are disregarded.

Under the Tax Code, original issue discount is treated as interest excluded from federal gross income and exempt from State of California personal income taxes to the extent properly allocable to each owner thereof subject to the limitations described in the first paragraph of this section. The original issue discount accrues over the term to maturity of the Note on the basis of a constant interest rate compounded on each interest or principal payment date (with straight-line interpolations between compounding dates). The amount of original issue discount accruing

during each period is added to the adjusted basis of such Notes to determine taxable gain upon disposition (including sale, redemption, or payment on maturity) of such Note. The Tax Code contains certain provisions relating to the accrual of original issue discount in the case of purchasers of the Notes who purchase the Notes after the initial offering of a substantial amount of such maturity. Owners of such Notes should consult their own tax advisors with respect to the tax consequences of ownership of Notes with original issue discount, including the treatment of purchasers who do not purchase in the original offering, the allowance of a deduction for any loss on a sale or other disposition, and the treatment of accrued original issue discount on such Notes under federal alternative minimum taxes.

Under the Tax Code, original issue premium is amortized on an annual basis over the term of the Note (said term being the shorter of the Note's maturity date or its call date). The amount of original issue premium amortized each year reduces the adjusted basis of the owner of the Note for purposes of determining taxable gain or loss upon disposition. The amount of original issue premium on a Note is amortized each year over the term to maturity of the Note on the basis of a constant interest rate compounded on each interest or principal payment date (with straight-line interpolations between compounding dates). Amortized Note premium is not deductible for federal income tax purposes. Owners of premium Notes, including purchasers who do not purchase in the original offering, should consult their own tax advisors with respect to State of California personal income tax and federal income tax consequences of owning such Notes.

In the further opinion of Bond Counsel, interest on the Notes is exempt from California personal income taxes.

Owners of the Notes should also be aware that the ownership or disposition of, or the accrual or receipt of interest on, the Notes may have federal or state tax consequences other than as described above. Bond Counsel expresses no opinion regarding any federal or state tax consequences arising with respect to the Notes other than as expressly described above.

A copy of the proposed form of opinion of Bond Counsel is attached hereto as APPENDIX C.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of the holders of the Notes to provide notices of the occurrence of certain enumerated events. The notices of enumerated events will be filed by the City with the Municipal Securities Rulemaking Board. The specific nature of the information to be contained in the notices of enumerated events is summarized under the caption "APPENDIX D – Form of Continuing Disclosure Certificate." These covenants have been made in order to assist the purchaser of the Notes in complying with Rule 15c2- 12(b)(5) promulgated under the Securities Exchange Act of 1934, as amended (the "**Rule**").

The City and its related governmental entities have previously entered into numerous disclosure undertakings under the Rule in connection with the issuance of long-term obligations See Note 8 of the City's Annual Comprehensive Financial Report attached to this Official Statement as APPENDIX B.

In the previous five years, the City failed to timely file a material event notice in connection with a rating change for one series of the City's outstanding bonds. To ensure future compliance with its continuing disclosure undertakings, the City has developed procedures for including all required continuing disclosure information in the supplementary section of its audited financial statements. In addition, the City has engaged NHA Advisors, LLC, to review this information annually to ensure compliance with its continuing disclosure undertakings, including the undertaking to be entered into in connection with the Notes.

ABSENCE OF MATERIAL LITIGATION

No litigation is pending or threatened concerning the validity of the Notes, and a certificate to that effect will be furnished by the City at the time of the original delivery of the Notes. The City is not aware of any litigation pending or threatened questioning the political existence of the City or contesting the City's ability to receive ad valorem taxes or to collect other Unrestricted Moneys or contesting the City's ability to issue and retire the Notes.

There are a number of lawsuits and claims pending against the City. The aggregate amount of the uninsured liabilities of the City, and the timing of any anticipated payments of judgments that may result from suits and claims, will not, in the opinion of the City, materially affect the finances of the City or impair its ability to repay the Notes. A certificate of the City to this effect will be available at the time of original delivery of the Notes.

UNDERWRITING

The Notes were purchased by _____ (the "**Purchaser**") at a price of $_____ (representing $_____ aggregate principal amount of the Notes plus a purchase premium of $_____, less a Purchaser's discount of $_____). The purchase contract for the Notes provides that the Purchaser will purchase all the Notes if any are purchased, the obligation to make such purchase being subject to certain terms and conditions set forth in such purchase contract, the approval of certain legal matters by counsel and certain other conditions.

The Purchaser may offer and sell Notes to certain dealers and others at prices lower than the offering price stated on the cover page hereof. The offering price may be changed from time to time by the Purchaser.

MUNICIPAL ADVISOR

The City has retained NHA Advisors, LLC, San Rafael, California, as municipal advisor (the "**Municipal Advisor**") in connection with the preparation of this Official Statement and with respect to the issuance of the Notes. The Municipal Advisor is not obligated to undertake, and has not undertaken to make, an independent verification or assume responsibility for the accuracy, completeness, or fairness of the information contained in this Official Statement. The Municipal Advisor is a municipal advisory firm and is not engaged in the business of underwriting, trading or distributing municipal securities or other public securities. The Municipal Advisor's compensation is contingent upon the delivery of the Notes.

RATING

S&P Global Ratings, a business unit of Standard & Poor's Financial Services LLC, has assigned a rating to the Notes as shown on the cover of this Official Statement. The City supplied certain information to the rating agency to be considered in evaluating the Notes. The rating issued reflects only the views of such rating agency, and any explanation of the significance of such rating should be obtained from the rating agency. There is no assurance that the rating will be retained for any given period of time or that the same will not be revised downward or withdrawn entirely by such rating agency if, in its judgment, circumstances so warrant. Any downward revision or withdrawal of the rating obtained may have an adverse effect on the market price of the Notes.

ADDITIONAL INFORMATION

The purpose of this Official Statement is to supply information to purchasers of the Notes. Quotations from and summaries and explanations of the Notes and the Resolution and of statutes and documents contained herein do not purport to be complete, and reference is hereby made to the Resolution, statutes and documents for full and complete statements of their provisions. Additional information can be obtained from the City's Director of Finance.

This Official Statement speaks only as of its date, and the information presented in this Official Statement is subject to change. Any statements in this Official Statement involving matters of opinion, whether or not expressly stated, are intended as such and not as representations of fact. This Official Statement is not to be construed as a contract or agreement among the City and any purchaser or owners of the Notes. This Official Statement and its distribution have been authorized and approved by the City Council of the City.

CITY OF BERKELEY

By: _____
City Manager

APPENDIX A

CERTAIN INFORMATION CONCERNING THE CITY OF BERKELEY

Introduction

The City of Berkeley, California (the "**City**") is located in Alameda County (the "**County**") on the east side of the San Francisco Bay, approximately 10 miles northeast of San Francisco. The City encompasses a total area of approximately 19 square miles and had an estimated population of 125,327 as of January 1, 2024, giving it the highest population density of any city in the East Bay. The City is defined to a large degree, both culturally and economically, by the presence of the University of California campus located on the eastern side of the City. The University of California is a major component of the City's economy, employing more than 227,000 full and part-time workers across all University of California campuses statewide.

The City is among the oldest in California. The City was founded in 1864, incorporated as a town in 1878, and incorporated as a city in 1909. The City's first charter was adopted in 1895.

Population

Population figures for the City, County and State for the last five years are shown in the following table.

CITY OF BERKELEY
Population Estimates
As of January 1

Year	City of Berkeley	County of Alameda	State of California
2020	122,364	1,663,114	39,648,938
2021	120,418	1,663,371	39,286,510
2022	123,188	1,644,248	39,078,674
2023	123,562	1,636,194	38,940,231
2024	125,327	1,641,869	39,128,162

Source: State Department of Finance estimates (as of January 1).

City Government

The City operates under a Council-Manager form of government. The City is governed by a nine-member City Council, eight of whom are elected by district, plus the Mayor, who is elected on a city-wide basis. The Mayor and the City Council members serve four-year terms. The Council appoints a City Manager who is responsible for daily administration of City affairs and preparation and submission of the annual budget under the direction of the Mayor and the City Council for the Mayor's submission to the City Council. The City Manager appoints a Director of Finance to supervise the City's financial affairs. The Director of Finance also serves as the City's Treasurer.

The City Attorney, City Clerk and Director of Finance are appointed by the City Manager subject to City Council approval. The City Auditor is elected at the same time as the Mayor. Current members of the City Council are shown below:

Member	District	Term Expires
Jesse Arreguín	Mayor	11/30/2024
Rashi Kesarwani	1	11/30/2026
Terry Taplin	2	11/30/2024
Ben Bartlett	3	11/30/2024
Vacant*	4	N/A
Sophie Hahn	5	11/30/2024
Susan Wengraf	6	11/30/2024
Cecilia Lunaparra	7	11/30/2026
Mark Humbert	8	11/30/2026

* The Councilmember position for District 4 is currently vacant. A special election to elect a new councilmember will be held on May 28, 2024 for District 4.

CITY FINANCIAL INFORMATION

Although the City is including information about the City's finances in this Appendix A, it is important to understand that the Notes described in this Official Statement are voter-approved general obligations of the City payable solely from the levy and collection of ad valorem property taxes, unlimited as to rate or amount, and are not payable from the general fund of the City.

Possible Impacts of COVID-19

As described in this Official Statement, while indications are that the COVID-19 pandemic is transitioning to its endemic stage, many variables will continue to contribute to the economic impact of the COVID-19 pandemic and the recovery. The ultimate impact of COVID-19 on the City's operations and finances is not fully known, and it may be some time before the full impact of the COVID-19 pandemic is known. The Notes described in this Official Statement are not secured by the City's general fund, but rather are voter-approved general obligations of the City payable solely from the levy and collection of *ad valorem* property taxes, unlimited as to rate or amount, and are not payable from the general fund of the City. See "SPECIAL RISK FACTORS – COVID-19 Pandemic."

Accounting Policies and Financial Reporting

The accounts of the City are organized on the basis of funds and account groups, to account for different activities. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which the spending activities are controlled. The City's general fund and other governmental fund types use the modified accrual basis of accounting. All of the City's other funds, including proprietary fund types and fiduciary fund types use the accrual basis of accounting. The basis of accounting for all funds is more fully explained in the "Notes to the Financial Statements" contained in APPENDIX B.

The City Council employs, at the beginning of each fiscal year, an independent certified public accountant who, at such time or times as specified by the City Council, at least annually, and at such other times as he or she shall determine, examines the combined financial statements of the City in accordance with generally accepted auditing standards, including such tests of the accounting records and such other auditing procedures as such accountant considers necessary. As soon as practicable after the end of the fiscal year, a final audit and report is submitted by such accountant to the City Council and a copy of the financial statements as of the close of the fiscal year is published.

The City, all its funds and the funds of certain other component entities of the City are audited annually by a certified public accounting firm. The firm of Badawi and Associates, Certified Public Accounts, Oakland, California, is the City's current auditor (the "**Auditor**"). The annual comprehensive financial report of the City for fiscal year 2022-23 is attached hereto as APPENDIX B. *The City's financial statements are public documents and are included within this Official Statement without the prior approval of the Auditor.*

The Governmental Accounting Standards Board ("**GASB**") published its Statement No. 34 "Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments" on June 30, 1999. Statement No. 34 provides guidelines to auditors, state and local governments and special purpose governments such as school districts and public utilities, on new requirements for financial reporting for all governmental agencies in the United States. Generally, the basic financial statements and required supplementary information should include (i) Management's Discussion and Analysis; (ii) government-wide financial statements prepared using the economic measurement focus and the accrual basis of accounting and fund financial statements prepared using both the current financial resources measurement focus and the modified accrual method of accounting (governmental funds) and funds using the economic measurement focus and the accrual basis of accounting (proprietary funds) and (iii) required supplementary information. The City's financial statements are prepared in conformance with the requirements of Statement No. 34.

Comparative Financial Statements

The following tables provide a recent history of the City's Comparative Balance Sheet, and both a recent history of General Fund revenues, expenditures, transfers, and ending fund balances and recently budgeted amounts.

CITY OF BERKELEY
GENERAL FUND BALANCE SHEET
(Fiscal Year Ending June 30)
(Dollar amounts in thousands)

	Actual 2019-20	Actual 2020-21	Actual 2021-22	Actual 2022-23
ASSETS:				
Cash and investments in treasury*	$136,050	$146,849	$171,955	$160,249
Receivables (net of allowance as applicable):				
Accounts	3,131	4,782	5,384	9,314
Interest	398	834	1,078	2,000
Taxes	6,502	13,092	10,795	9,083
Subventions/grants	1,582	1	--	--
Due from other funds	7,533	12,814	17,740	16,034
Notes receivable	4,820	6,197	13,818	15,954
Other	5	5	5	4
Prepaid Items	--	--	--	--
Total assets	160,020	184,574	220,776	212,640
LIABILITIES:				
Accounts payable	8,755	10,444	7,094	6,147
Accrued salaries and wages	7,009	8,081	8,934	3,541
Accrued interest payable	694	740	445	1,117
Advances from other funds	3,113	1,760	814	814
Deposits held	770	921	886	935
Unearned revenue	--	--	--	--
Tax and revenue anticipation notes	34,780	42,405	44,660	28,000
Other liabilities	3,975	4,955	6,129	6,515
Total liabilities	59,095	69,307	68,962	47,070
Deferred Inflows of Resources	2,856	3,385	3,770	7,103
FUND BALANCES				
Reserved for:				
Assigned to	44,705	19,577	12,163	16,753
Nonspendable	--	--	--	--
Restricted and Committed	4,820	35,941	60,697	71,799
Unreserved/Unassigned, report in:				
General fund	48,544	56,364	75,184	69,915
Total fund balances	98,069	111,882	148,043	158,467
Total liabilities and fund balances	$160,020	$184,574	$220,776	$212,640

* Cash and investments in treasury includes restricted cash and investments.
Source: City of Berkeley, Annual Comprehensive Financial Reports.

CITY OF BERKELEY
STATEMENT OF GENERAL FUND
REVENUES, EXPENDITURES, TRANSFERS AND BALANCES
(Fiscal Year Ending June 30)
(Dollar amounts in thousands)

	Actual 2019-20	Actual 2020-21	Actual 2021-22	Actual 2022-23
REVENUES:				
Taxes	$182,470	$187,395	$225,100	$216,259
Licenses and Permits	2,099	1,805	1,580	1,471
Subvention and Grants/Intergovernmental	1,771	3,700	652	1,589
Service Fees	8,597	6,990	7,806	9,812
Fines and Forfeitures	4,166	3,579	4,967	6,117
Rents	203	189	294	233
Franchises	1,812	1,714	1,713	1,811
Private contribution	179	184	45	134
Interest	9,287	8,110	(10,069)	3,261
Other	356	74	506	560
TOTAL REVENUES	210,941	213,740	232,595	241,248
EXPENDITURES:				
General Government	24,693	27,357	29,693	32,732
Public Safety	118,793	120,179	124,901	128,306
Highways and Streets	2,289	3,163	3,833	3,055
Health and Human Services	20,423	19,320	17,897	15,695
Culture-Recreation	7,014	7,362	8,708	9,291
Community Development	9,041	9,258	12,693	16,592
Economic Development	5,879	2,534	3,005	3,643
Debt Service	473	139	98	496
Capital Outlay	--	--	--	1,494
TOTAL EXPENDITURES	188,605	189,313	200,827	211,304
Excess Revenues Over (Under) Expenditures	22,334	24,427	31,767	29,944
Transfers In(out)/Other	(17,502)	(10,614)	4,394	(19,520)
Net Change in Fund Balance	4,883	13,813	36,161	10,424
Fund Balance, July 1	93,236	98,069	111,882	148,043
Prior Period Adjustment				
Fund Balance, June 30*	$98,069	$111,882	$148,043	$158,467

* Totals may not sum due to rounding.

Source: City of Berkeley Annual Comprehensive Financial Reports

General Fund Budget

Budgetary Process and Administration. The City employs a two-year budget process. In year one of the biennial budget cycle, the City Council formally adopts authorized appropriations for the first fiscal year and approves "planned" appropriations for the second fiscal year. In year two, the City Council considers revisions and formally adopts authorized appropriations for the second fiscal year. Although the budget cycle covers a two-year period, the City Charter requires that the City Council adopt an annual appropriations ordinance for each budget year.

From January to May of each year, the City Council meets publicly to discuss policies and priorities for the upcoming budget. The City Manager prepares a proposed budget based on input from department heads and presents this to the City Council by the first Monday in May of a budget year or as fixed by the City Council. The City also maintains additional budgetary controls to ensure compliance with the annual appropriated budget. The City Manager is authorized to transfer budgeted amounts within funds as deemed necessary to meet the City's needs; however, revisions that alter the total budget or move amounts from one fund to another must be approved by the City Council.

Revenues and expenditures relating to the City's general governmental operations are budgeted and accounted for in the City's general fund, including public safety, highways and streets, health, housing and human services, culture and recreation, community development and economic development. General taxes and fees support most of these activities. The "business" or proprietary activities of the City are accounted for in each of eight enterprise funds, which include those established for Refuse Collection, Marina Operations, Sanitary Sewers, Clean Storm Water, Permit Service Center, Off-Street Parking, Parking Meter, and Building Purchases & Management. These activities are intended to be completely or largely self-supporting through user fees and charges.

The balance of this Appendix is concerned with the operations and performance of the City's General Fund, unless otherwise noted.

2024 Mid-Biennial Update. The City generally adopts a biennial budget, adopting its Fiscal Years 2022-23 and 2023-24 biennial budget on June 28, 2022. On June 27, 2023, the City adopted a mid-biennial budget update for Fiscal Years 2023-24 (the "**2024 Mid-Biennial Update**"). The purpose of the 2024 Mid-Biennial Update is to revise the previously adopted budget based upon changes in revenue assumptions or to address any new critical expenditures that emerged since the budget was adopted last June 2022.

According to the 2024 Mid-Biennial Update, Citywide expenditures total $728.6 million, an increase of $2.6 million or 0.4%, over the original Fiscal Year 2023-24 Adopted Budget of $726.0 million. This increase is attributed to the General Fund, which includes $283.6 million in expenditures, and makes up 39% of the budget. After the General Fund, largest expenditures are housed within the Zero Waste Fund ($59.5 million), Grant Funds ($48.6 million), Sewer Fund ($32.6 million), Permit Service Center ($25.5 million), Library Tax ($24.6 million), Capital Improvement Fund ($23.0 million), Gas Tax/Street Improvement Fund ($19.4 million), Measure T1 ($18.1 million), IT Cost Allocation ($17.3 million) and the Parks Tax ($16.0 million). Together, these funding sources represent 39% of expenditures, which is the same proportion as the General Fund. Combined, the General Fund and the top ten funding sources identified above represent 78% of budgeted expenditures.

While expenditures total $728.6 million, new revenue expected to be received to offset these costs is estimated at $639.6 million. General Fund revenues total $266.4 million according to the 2024 Mid-Biennial Update, which reflects an increase of $4.7 million, or 2%, over projected revenues included in the Fiscal Years 2022-23 and 2023-24 Adopted Budget. The City's leading sources of revenue include property taxes, followed by business licenses, utility user taxes, sales and soda taxes, and other revenues, which includes transfers and interest earned on City's investments.

Preliminary Five-Year Forecast

On November 16, 2023, the Budget and Finance Policy Committee was presented with a preliminary five-year forecast, showing a structural annual deficit in Fiscal Years 2023-24 through 2027-28. The following table shows the projected revenues and expenditures over the next five fiscal years for the City's General Fund.

CITY OF BERKELEY
Preliminary Five-Year Forecast
Fiscal Years 2023-24 through 2027-28

	2023-24	2024-25	2025-26	2026-27	2027-28
Beginning Fund Balance	$65,156,400	$56,294,337	$32,248,907	$14,807,120	$883,971
Total Revenues	266,418,324	269,654,570	277,558,213	285,676,851	297,493,021
Total Expenditures	275,280,387	293,700,000	295,000,000	299,600,000	301,633,925
Annual Surplus/(Shortfall)	(8,862,063)	(24,045,430)	(17,441,787)	(13,923,149)	(4,140,904)
Projected Ending Balance	56,294,337	32,248,907	14,807,120	883,971	(3,256,933)

Source: City of Berkeley Annual Comprehensive Financial Reports

Given the decreasing level of precision to be expected in the later years of a multi-year forecast, the significance of the projections in the out years is not so much in terms of their absolute amounts, but rather in the relative size of the decrease or increase from the prior year. This information should be used to provide a multi-year perspective to budgetary decision-making, rather than as a precise prediction of what will occur**.**

General Fund Reserves

Establishment of General Fund Reserve*.* On December 13, 2016, the City Council adopted a General Fund reserve policy, establishing a General Fund reserve (the "**Reserve**"), to prepare for the impact of economic cycles and catastrophic events and assure fluctuations in revenue do not impede the City's ability to meet expenditure obligations. When revenues fail to meet the City's normal operating requirements, or the need for disbursements temporarily exceeds receipts, the Reserve, upon a 2/3 vote of the City Council, may be used in accordance with the standards set forth therein.

The Reserve is composed of two elements, a Stability Reserve and a Catastrophic Reserve:

1) A Stability Reserve is maintained to mitigate loss of service delivery and financial risks associated with unexpected revenue shortfalls during a single fiscal year or during a prolonged recessionary period. The purpose of the Stability Reserve is to provide fiscal stability in response to unexpected downturns or revenue shortfalls, and not to serve as a funding source for new programs or projects.

2) A Catastrophic Reserve is maintained for the purpose of sustaining General Fund operations in the case of a public emergency, such as a natural disaster or other catastrophic event. The Catastrophic Reserve will be used to respond to extreme, onetime events, such as earthquakes, fires, floods, civil unrest, and terrorist attacks. The Catastrophic Reserve will not be accessed to meet operational shortfalls or to fund new programs or projects.

The Reserve is accounted for in the Unassigned fund balance of the City's balance sheet.

Target Reserve Levels. 55% of the Reserve is allocated to the Stability Reserve and 45% to the Catastrophic Reserve.

The long-term goal for the Reserve is a minimum of 30% of the adopted General Fund revenues, to be achieved by 2026-27 ("**Long-Term Goal**"). Based on a risk assessment (according to best practices), to be updated at least every five years, the City Council may consider increasing or lowering the Reserve level.

As of July 1, 2024, the Stability Reserve is projected to have $29.79 million, and the Catastrophic Reserve is projected to have $18.75 million, which total 18.22% of adopted General Fund revenues, significantly below the long-term goal.

Replenishment of the General Fund Reserve. The City Manager will recommend a replenishment schedule for all monies proposed for appropriation from the Reserve. The replenishment schedule will be adopted simultaneous with the appropriation to withdraw Reserve funds or, if infeasible due to emergency circumstances, no more than three months from the date of the withdrawal appropriation. Repayment shall begin no more than five years from the date of withdrawal and be completed within 10 years from the date of withdrawal.

While staff envisions that, in most cases, repayment will start as soon as possible, the repayment guidelines are meant to reflect a commitment to maintain a sufficient Reserve, while also recognizing that a use of Reserve amounts may occur during an economic downturn, and it may be necessary to postpone repayment while the economy improves. In Fiscal Year 2022-23, the City repaid $3.8 million to the Stability Reserve, and $6.9 million is expected to be repaid in Fiscal Year 2023-24. In Fiscal Year 2022-23, the City repaid $3.2 million to the Catastrophic Reserve and $5.7 million is expected to be repaid in Fiscal Year 2023-24.

Unfunded Liability Obligations and Unfunded Infrastructure Needs

General. On February 23, 2023, the City Manager presented a biennial report of the City's unfunded liability obligations and unfunded infrastructure needs (the "**Report**"). The Report includes, among other things:

1. Employee and retiree benefit costs over a 10-year horizon

2. Costs for current active employees including:
   a. total payroll costs for active employees during the current year;

b. projected payroll costs for the same number of employees for the next 10-year period.

3. A summary of all current City obligations including:
   a. general obligation bonds;
   b. certificates of participation;
   c. loans;
   d. all other current long-term obligations.

4. Summary of all capital assets and infrastructure including:
   a. Appraisal of Public Buildings valued at $5 million or more
   b. Condition of Streets and Roads, projecting costs to bring streets and roads condition to an average Pavement Condition Index of 75 within 5 years.
   c. Sewers: updated asset management plan for public sewers including projected costs for succeeding 5 years and projected revenue from sewer fees for the succeeding 5 years.

Certain provisions of the Report, which is available on the City's internet website but is not incorporated by reference herein, are described below. The link to the Report on the City's internet website is the following: https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/ITEM%204%20SUPPLEMENTAL%20(UNFUNDED%20LIABILITIES).pdf. *The information contained within the website may not be current and is not incorporated in this Official Statement by reference.*

The Report concludes that maintaining a careful balance between cash on hand to fund daily operations and liquidity to cover unfunded liabilities is a key challenge for all governments, and reports that liabilities tied to benefits total $613.8 million (of which only 72.0% is funded), and the City's unfunded infrastructure requires a total of $2.23 billion.

Unfunded Liabilities. Due to projected increases in expenses, primarily pension and medical expenses, the City is projecting a General Fund structural deficit.

The City provides retirement benefits to its employees through three plans in the California Public Employees' Retirement System ("**CalPERS**"). See "- Retirement Programs" below for additional information. The City has a significant pension liability that is anticipated to grow, increasing by more than $40 million over the next ten years, which will put a strain on resources and services.

In addition, the City's retiree health plans are significantly underfunded, as detailed in the Report.

Unfunded Infrastructure Needs. The City has an extensive portfolio of capital assets and infrastructure, including 95 buildings, 254 miles of public sanitary mains and 130 miles of sewer laterals, 216 centerline miles (450 lane miles) of public streets, 52 parks, 2 pools, 3 camps and 42 facilities served by the City's IT systems. In addition, Berkeley is a relatively older city, and faces related challenges with its aging infrastructure. Despite the passage of several local bond measures to support capital facilities, there are significant unfunded needs related to parks, pools, camps, waterfront property, streets, sidewalks, storm drain/watershed, sewer, transportation and buildings/facilities. As needed improvements continue to be deferred, operating and maintenance costs rise and rehabilitation and replacement costs increase substantially. The Report details available annual funding and unfunded needs for capital and major maintenance.

As a result of the age of the City's infrastructure and limited resources allocated to infrastructure, the projected costs of the City's aging infrastructure needs are anticipated to reach more than $2.23 billion by Fiscal Year 2024-25.

The Report also highlights that the City is located on the east side of the San Francisco bay, and has waterfront property with docks, pilings, parking lots and streets that have reached the end of their useful life. The City's mechanism for managing its waterfront revenues and expenditures (the "**Marina Fund**") is projected to have insufficient funding due to decreasing revenues and increasing expenditures, a trend that could be aggravated by failure to maintain the marina infrastructure. The City has created the Berkeley Marina Area Specific Plan to address an estimated $113 million in infrastructure repairs but has not identified any specific funding sources.

State Budget and its Impact on the City

Fiscal Year 2024-25 State Budget. On January 10, 2024, the Governor released the proposed State budget for fiscal year 2024-25 (the "**Proposed 2024-25 State Budget**"). The Proposed 2024-25 State Budget spending plan totals $291.5 billion with an estimated state budget shortfall of $37.9 billion, nearly $30 billion less than previously estimated by the State's nonpartisan Legislative Analyst's Office. The shortfall is largely the result of substantial declines in the stock market that drove down revenues in fiscal year 2021-22 and delays in income tax collections. The 2024-25 State Budget Proposal maintains the State's fiscal stability using a portion of money saved in the budget reserves.

Voters approved Proposition 1A in November 2004 to amend the State Constitution to place constraints on the State's ability to divert certain specified revenues from local agencies to the State. Subsequently, in November 2010, voters approved Proposition 22 to amend the State Constitution to further constrain or eliminate the State's ability to redirect revenues from local agencies. "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING CITY REVENUES AND APPROPRIATIONS – Proposition 1A" and "– Proposition 22."

Additional Information. Information about the Proposed 2024-25 State Budget and other State budgets is available at www.ebudget.ca.gov. An impartial analysis of the budget is posted by the Legislative Analyst Office at www.lao.ca.gov. In addition, various State official statements, many of which contain a summary of the current and past State budgets, may be found at the website of the State Treasurer, www.treasurer.ca.gov. *The information referred to in this paragraph is prepared by the respective State agency maintaining each website and not by the City. The City takes no responsibility for the continued accuracy of the Internet addresses or for the accuracy or timeliness of information posted there, and such information is not incorporated in this Official Statement by these references*.

Ad Valorem Property Taxes

Tax Levies and Collections. Property taxes collected by the City decreased by $19.4 million, or 14.0%, to $119.0 million in fiscal year 2022-23 from $138.4 million in fiscal year 2021-22, primarily as a result of increases/decreases in the following revenue sources:

- Property Transfer Tax revenue in fiscal year 2022-23 was $22.0 million, $17.7 million or 44.6% less than the fiscal year 2021-22 total of $39.7 million. This decline was primarily a result of a 45.6% decrease in the dollar value of property sales and a 31.3% decrease in the number of property

sales transactions. City staff projects a decline in Property Transfer Tax revenue of 26.0% in fiscal year 2023-24 from the fiscal year 2022-23 total, followed by growth of 12.6% in fiscal year 2024-25, 10.5% in 2025-26, and flat revenue for fiscal years 2026-27 and 2027-28, as the real estate market recovers after the Federal Reserve is expected to start lowering interest rates in the fourth quarter of fiscal year 2023-24.

- Measure P Property Tax revenue in fiscal year 2022-23 was $9.7 million, $10.9 million or 52.9% less than the fiscal year 2021-22 total of $20.6 million. This decline was primarily due to a 45.6% decrease in the dollar value of property sales, a 45.6% decrease in the number of property sales transactions, and significantly less property sales of $10 million or more in fiscal year 2022-23 than there were in fiscal year 2021-22. City staff expects growth in revenues from Measure P supplemental tax on high-value property transfers to recover in fiscal year 2024-25 through fiscal year 2027-28, as the Federal Reserve is expected to start lowering interest rates in the fourth quarter of fiscal year 2023-24 and stops (or reduces) selling of Mortgage-backed bonds from its balance sheet.

- An increase of $8.2 million in Secured Property Taxes, from $71.1 million in fiscal year 2021-22 to $79.3 million in fiscal year 2022-23, due to an increase in assessed value of 10.82% in the City. City staff expects fiscal year 2024-25 growth in assessed values to decline to 5.74%.

- Vehicle in-lieu taxes increased $1.7 million or 11.0% in fiscal year 2022-23 from $15.0 million in fiscal year 2021-22 to $16.7 million in fiscal year 2022-23, due to an increase in assessed value of 10.82% in the City. City staff expects fiscal year 2024-25 growth in assessed values to decline 5.74%.

Taxes are levied for each fiscal year on taxable real and personal property that is situated in the City as of the preceding January 1. A supplemental roll is developed when property changes hands, which produces additional revenue.

A ten percent penalty attaches to any delinquent payment for secured roll taxes. In addition, property on the secured roll with respect to which taxes are delinquent becomes tax-defaulted. Such property may thereafter be redeemed by payment of the delinquent taxes and the delinquency penalty, plus a redemption penalty to the time of redemption. If taxes are unpaid for a period of five years or more, the property is subject to auction sale by the County Tax Collector.

In the case of unsecured property taxes, a 10% penalty attaches to delinquent taxes on property on the unsecured roll, and an additional penalty of 1.5% per month begins to accrue beginning November 1 of the fiscal year, and a lien is recorded against the assessee. The taxing authority has four ways of collecting unsecured personal property taxes: (1) a civil action against the taxpayer; (2) filing a certificate in the office of the County Clerk specifying certain facts in order to obtain a judgment lien on specific property of the taxpayer; (3) filing a certificate of delinquency for recording in the County Recorder's office in order to obtain a lien on specified property of the taxpayer; and (4) seizure and sale of personal property, improvements or possessory interests belonging or assessed to the assessee.

The County levies (except for levies to support prior voter-approved indebtedness) and collects all property taxes for property falling within that county's taxing boundaries. The City does not participate in the Teeter Plan.

Other General Fund Revenues and Transfers

In addition to property taxes, the City has several other major tax and fee revenue sources, as described below. The following table summarizes the City's actual audited general fund revenues and transfers from fiscal year 2019-20 through fiscal year 2022-23.

CITY OF BERKELEY
GENERAL FUND REVENUES AND TRANSFERS

	Actual Revenue FY 2020	Actual Revenue FY 2021	Actual Revenue FY 2022	Actual Revenue FY 2023
Real Property	$63,192,678	$68,166,155	$70,657,482	$79,260,689
Unsecured Property	3,164,168	3,448,412	4,422,414	3,830,697
Supplemental Taxes	2,334,597	2,249,517	2,317,723	3,561,752
Property Transfer Tax	22,095,507	21,469,955	42,901,750	22,878,336
Property Transfer Tax-Measure P	9,512,603	10,919,576	20,591,313	10,199,580
Sales Tax	17,557,539	15,792,305	18,928,278	19,194,971
Soda Tax	1,331,313	953,069	1,025,800	1,162,310
Business License	20,863,685	17,809,332	20,324,937	21,854,193
Business License – Cannabis Recreation	1,300,887	1,712,641	1,250,792	997,572
Measure U1	5,597,359	4,818,740	4,913,872	5,844,564
Utility Users Tax	13,475,915	13,892,200	14,750,065	17,634,565
Hotel Tax	6,387,495	2,292,480	5,727,046	7,477,911
Vehicle In-Lieu	13,356,044	14,380,453	15,006,003	16,659,665
Parking Fines	3,900,595	3,571,391	4,765,819	5,875,858
Moving Violations	200,894	131,756	156,253	149,420
Interest	6,702,564	5,917,722	6,694,122	12,117,025
Ambulance Fees	4,996,193	3,081,204	3,833,730	5,143,120
Franchise Fees	1,839,102	1,726,470	1,720,056	1,822,528
Other Revenue	20,074,732	18,514,060	17,185,630	15,872,263
Transfers and IDC	5,386,188	21,180,762	29,445,571	23,605,162
TOTAL	$223,364,309	$232,028,200	$286,618,657	$275,142,181

Source: City of Berkeley Budget Office. Revenues were recorded using the budget basis of accounting (i.e., Cash).

Sales and Use Tax. The sales tax is an excise tax imposed on retailers for the privilege of selling or leasing tangible personal property. The use tax is an excise tax imposed for the storage, use, or other consumption of tangible personal property purchased from any retailer. The total sales tax rate within the City is currently 10.25%. The proceeds of sales and uses taxes imposed within the City are distributed by the State to various agencies, with the City receiving 1.0% of the amount collected.

Collection of the sales and use tax is administered by the California Department of Tax and Fee Administration (the "**CDTFA**"). This process was formerly administered by the State Board of Equalization. The Taxpayer Transparency and Fairness Act of 2017, which took effect July 1, 2017, restructured the State Board of Equalization and separated its functions among three separate entities: the State Board of Equalization, the CDTFA and the Office of Tax Appeals. The State Board of Equalization will continue to perform the duties assigned to it by the state Constitution, while all other duties will be transferred to the newly established CDTFA and the Office of Tax Appeals. CDTFA will handle most of the taxes and fees previously collected by the State Board of Equalization, including sales and use tax. According to the CDTFA, it distributes quarterly tax revenues to local jurisdictions (like the City) using the following method:

Using the prior year's like quarterly tax allocation as a starting point, the CDTFA first eliminates nonrecurring transactions such as fund transfers, audit payments and refunds, and then adjusts for growth, in order to establish the estimated base amount. The CDTFA disburses 90% of the base amount to each local jurisdiction in three monthly installments (advances) prior to the final computation of the quarter's actual receipts. Ten percent is withheld as a reserve against unexpected occurrences that can affect tax collections (such as earthquakes, fire or other natural disaster) or distributions of revenue such as unusually large refunds or negative fund transfers. The first and second advances each represent 30% of the 90% distribution, while the third advance represents the remaining 40%. One advance payment is made each month, and the quarterly reconciliation payment (clean-up) is distributed in conjunction with the first advance for the subsequent quarter. Statements showing total collections, administrative costs, prior advances and the current advance are provided with each quarterly clean-up payment.

The CDTFA receives an administrative fee based on the cost of services provided by the Board to the City in administering the City's sales tax, which is deducted from revenue generated by the sales and use tax before it is distributed to the City.

Sales tax revenues decreased approximately $54,000 or 0.3% to $19.92 million in fiscal year 2022-23 from $19.98 million in fiscal year 2021-22. The City currently projects that sales tax revenue will decrease by 1.1% in fiscal year 2023-24 and then increase approximately 3% in fiscal year 2024-25 through fiscal year 2026-27.

CITY OF BERKELEY
TAXABLE TRANSACTIONS
(Figures in Thousands)

	2019	2020	2021	2022	2023
Retail and Food Services:					
Apparel Stores	$42,772	$20,385	$37,143	$43,166	$44,187
Gen. Merchandise Stores	21,434	16,902	19,066	22,498	19,762
Food Stores	155,025	169,569	144,467	115,170	115,398
Eating and Drinking Places	391,474	208,146	283,279	366,323	383,140
Home Furnishings and Appliances	66,188	45,479	87,133	59,435	51,568
Bldg. Materials, Farm Implements	101,937	113,116	141,811	152,845	149,126
Auto Dealers, Auto Supplies	119,679	94,927	114,276	135,123	109,251
Gas/Service Stations	94,217	57,950	87,759	110,009	99,486
Other Retail Stores	261,020	188,434	236,279	245,362	224,668
Total Retail and Food Services	1,263,746	914,910	1,151,213	1,249,931	1,196,586
All Other Outlets	372,108	315,081	341,988	431,788	401,687
TOTAL ALL OUTLETS	$1,635,854	$1,229,990	$1,493,201	$1,681,719	$1,598,273

Source: State Department of Tax and Fee Administration.

Factors that have historically affected sales tax revenues include the overall economic growth of the Bay Area, competition from neighboring cities, the growth of specific industries within the City, the City's business attraction and retention efforts, and catalog and Internet sales.

Utility Users Tax. The City imposes a 7.5% tax on users of gas, electricity and telephone, as well as cellular telephone services for billing addresses within the City. The tax is not applicable to State, County, or City agencies, or to insurance companies and banks. Some of the factors affecting this revenue stream include consumer demand for these utilities, legislative and regulatory action, rate changes, and the evolution of technology. Utility users taxes increased $2.6 million or 17.4% from $15 million in fiscal year 2021-22 to $17.6 million in fiscal year 2022-

23. The increase came primarily from the following: (1) Increases in the cost of natural gas to PG&E and the colder-than-normal temperatures, which increased energy bills; (2) Higher energy demands and tighter supplies on the West Coast, as customers used more natural gas for heating during cooler temperatures; and (3) PG&E received an 8% increase in electricity rates in January 2022 and another increase of 8.9% in March 2023. Utility users tax is expected to be flat from the fiscal year 2022-23 total through fiscal year 2026-27.

Business License Tax. The City requires all businesses within the City to be licensed and imposes a business license tax on all business locations and a new license registration fee on applicants for a new license. The annual tax is generally determined based on the type of business and the business's gross receipts. The tax rate varies between $0.60 per $1,000 gross receipts for grocers, on the low end, and $50.00 per $1,000 gross receipts for adult cannabis sales on the high end. Most types of businesses are required to pay a minimum tax of at least $51 per year. The overall revenue from this tax is dependent on the number of license renewals each year and the growth of businesses and industries within the City and the Bay Area more generally. Business license taxes revenue increased $1.2 million or 5.3% from $23.4 million in fiscal year 2021-22 to $24.6 million in fiscal year 2022-23. The City projects 7.6% growth in business licenses taxes in fiscal year 2023-24 and 2% growth from fiscal year 2024-25 through fiscal year 2026-27.

Property Transfer Tax. The City's transfer tax rate is 1.5% for properties with a consideration up to $1.8 million and 2.5% for transferred properties with a consideration over $1.5 million. The $1.5 million threshold will be adjusted annually to capture approximately the top 33% of such transfers based on transfers that occurred in the 12 months preceding September 1 of the preceding year. However, the threshold cannot be reduced below $1.5 million, meaning that the tax on properties transferred for $1.5 million or less would remain at 1.5%, notwithstanding any adjustment. The tax is due when the transfer is recorded with the County. Title companies collect the tax as part of the sale closing process and remit the funds to the County when sales or transfers are finalized. The County remits the amounts due monthly, and the amounts are credited to the general fund. A buyer of residential housing built before 1989 may voluntarily choose to reserve up to one-third of the transfer tax to perform seismic upgrades. Buyers typically have up to one year to complete the work and file for a rebate. Previously, title companies held the reserved amount in escrow until the work was completed, but since May 2007, the City has held the money in escrow accounts, with the interest going to the City.

Prior to fiscal year 2017-18, it was the City Council's policy that property transfer tax in excess of $10.5 million was treated as one-time revenue to be transferred to the Capital Improvement Fund for capital infrastructure needs, but that amount was increased to $12.5 million in fiscal year 2017-18 until fiscal year 2022-23; in fiscal year 2022-23, the City Council increased the baseline for fiscal year 2022-23 and fiscal year 2023-24 to $18 million, with a permanent adjustment to $16 million beginning in fiscal year 2024-25.

Parking Fines. The City issues and adjudicates citations and civil penalties for parking violations through its own administrative structure. It has a great degree of control over the administration of parking fines, although issuing agencies within the County try to standardize parking penalties to the extent possible. Revenue from parking fines is affected by the penalties imposed for violations, the number of employees issuing tickets, how many tickets employees are able to issue, and the number of working parking meters, among other factors. Currently, the City must remit an additional $12.50 per citation to the State/County for State and County construction funds, Maddy emergency medical fund, and DNA identification fund.

***Vehicle in Lieu Fees*.** Vehicle license fees ("**VLF**") imposed for the operation of vehicles on state highways are collected by the State Department of Motor Vehicles in lieu of personal property taxes on vehicles. In connection with the offset of the VLF, the State Legislature authorized appropriations from the State General Fund to "backfill" the offset so that local governments, which receive all of the vehicle license fee revenues, would not experience any loss of revenues. The legislation that established the VLF offset program also provided that if there were insufficient State General Fund moneys to fully "backfill" the VLF offset, the percentage offset would be reduced proportionately (i.e., the license fee payable by drivers would be increased) to assure that local governments would not be underfunded.

As part of the 2004 Budget Act negotiations, an agreement was made between the State and local government officials under which the VLF rate was permanently reduced from 2% to 0.65%. In order to protect local governments, the reduction in VLF revenue to cities and counties from this rate change was replaced by an increase in the amount of property tax they receive. Commencing in fiscal year 2004-05, local governments began to receive their full share of replacement property taxes, and those replacement property taxes now enjoy constitutional protection against certain transfers by the State because of the approval of Proposition 1A at the November 2004 election.

As a part of its fiscal year 2009-10 budget, California increased the vehicle license fee from 0.65% to 1.15% for registration fees due on or after the May 19, 2009 special election. This provision expired on July 1, 2011. On July 1, 2011, vehicle license fees returned to 0.65%, and the City is unaware of any current State legislative efforts likely to increase these in fees in the future.

Vehicle in-lieu taxes increased $1.7 million or 11.0% in fiscal year 2022-23 from $15.0 million in fiscal year 2021-22 to $16.7 million in fiscal year 2022-23. This was due to an increase in assessed value of 10.82% in the City.

Other Revenues. The City also collects additional general fund revenues from franchise fees, transient occupancy taxes, ambulance fees, a tax on sugar-sweetened beverages, and other more minor sources. Under the City's cable and electric and gas franchise fee arrangements, the local cable provider pays an annual franchise fee of 5% of gross revenues, and the electricity and gas providers pay the greater of 2% of gross receipts attributable to miles of line operated or 0.5% of gross receipts. The transient occupancy tax, also known as the hotel tax, is a 12% tax on the room charge for rental of transient lodging, which was significantly reduced due to restrictions on travel and events due to COVID-19. The City also has an agreement with the County to be the exclusive provider of all emergency ground ambulance services within the City; the specific ambulance fee depends on the type of service delivered and is billed to clients or their insurance companies. Finally, other more minor revenue sources include payments for moving violations, interest on existing funds, and other service fees.

Retirement Programs

PERS Plan Description. The City contributes to three plans in California Public Employees' Retirement System ("**PERS**"). The first plan covers all of the City's full-time and part-time benefited sworn uniformed fire employees and all chiefs (and is referred to as the Safety Fire Plan in this Official Statement). The second covers all of the City's full-time and part-time benefited sworn uniformed police employees and all chiefs (and is referred to as the Safety Police Plan in this Official Statement). The third plan covers all remaining eligible City employees (and is referred to as the Miscellaneous Plan in this Official Statement). These plans are agent multiple-employer

defined benefit pension plans administered by PERS, which acts as a common investment and administrative agent for participating public employers within the State of California.

PERS Plan Eligibility. For a more detailed discussion of the eligibility requirements for the City's PERS retirement plans, see Appendix B, Note 12.

PERS Plan Contributions. The City is required to contribute the actuarially determined remaining amounts necessary to fund the benefits for its members. The actuarial methods and assumptions used are those adopted by the PERS Board of Administration (the "**Board of Administration**"). For the measurement period ended June 30, 2022 (the measurement date), the average active employee contribution rate is 8.0% of annual pay for the Miscellaneous Plan and 9.0% of annual pay for the Safety Plan (Fire and Police), and the employer contribution rate is 32.479% of annual payroll for the Miscellaneous Plan, 48.235% of annual payroll for the Public Safety Fire Plan, and 66.606% of annual payroll for the Public Safety Police Plan. The contribution requirements of the plan members are established by State statute, and the employer contribution rates are established and may be amended by PERS.

Implementation of GASB Nos. 68. Commencing with fiscal year ended June 30, 2015, the City implemented the provisions of GASB Statement Nos. 68, which require certain new pension disclosures in the notes to its audited financial statements commencing with the audit for fiscal year 2014-15. Statement No. 68 generally requires the City to recognize its proportionate share of the unfunded pension obligation by recognizing a net pension liability measured as of a date (the measurement date) no earlier than the end of its prior fiscal year. As a result of the implementation of GASB Statement Nos. 68, the City reflected a restatement of its beginning net position as of July 1, 2014.

For a more detailed discussion of the eligibility requirements for the City's retirement plans, see Appendix B, Note 12 for detailed information about the actuarial assumptions underlying the contributions. The City's fiscal year 2022-23 contributions to the pension plans and the funded status of the pension plans are set forth below.

Fiscal Year Ended	Total Pension Liability	Plan Fiduciary Net Position	Net Pension Liability	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	Covered Employee Payroll	Plan Net Pension Liability as a Percentage of Covered Employee Payroll	Contributions Employer
PERS – Miscellaneous Plan							
6/30/2022	$1,206,597,991	$858,710,502	$347,887,489	71.17%	$106,589,987	326.38%	$29,982,031
PERS – Public Safety Fire Plan							
6/30/2022	$312,150,980	$224,038,873	$88,112,107	71.77%	$18,875,240	466.81%	$9,967,551
PERS – Public Safety Police Plan							
6/30/2022	$492,597,755	$301,234,573	$191,363,182	61.15%	$24,332,573	786.45%	$17,791,362

Recent Actions by PERS. At its April 17, 2013, meeting, the Board of Administration approved a recommendation to change the PERS amortization and smoothing policies. Prior to this change, PERS employed an amortization and smoothing policy that spread investment returns over a 15-year period with experience gains and losses paid for over a rolling 30-year period. After this change, PERS will employ an amortization and smoothing policy that will pay for all gains and losses over a fixed 30-year period with the increases or decreases in the rate spread

directly over a 5-year period. The new amortization and smoothing policy were used for the first time in the June 30, 2013, actuarial valuations in setting employer contribution rates for fiscal year 2015-16.

On February 18, 2014, the Board of Administration approved new demographic actuarial assumptions based on a 2013 study of recent experience. The largest impact, applying to all benefit groups, is a new 20-year mortality projection reflecting longer life expectancies and that longevity will continue to increase. Because retirement benefits will be paid out for more years, the cost of those benefits will increase as a result. The Board of Administration also assumed earlier retirements for Police 3% at 50, Fire 3% at 55, and Miscellaneous 2.7% at 55 and 3% at 60, which will increase costs for those groups. As a result of these changes, rates will increase beginning in fiscal year 2016-17 (based on the June 30, 2014, valuation) with full impact in fiscal year 2020-21.

On November 18, 2015, the Board of Administration adopted a funding risk mitigation policy intended to incrementally lower its discount rate - its assumed rate of investment return - in years of good investment returns, help pay down the pension fund's unfunded liability, and provide greater predictability and less volatility in contribution rates for employers. The policy establishes a mechanism to reduce the discount rate by a minimum of 0.05 percentage points to a maximum of 0.25 percentage points in years when investment returns outperform the existing discount rate, currently 7.5%, by at least four percentage points. PERS staff modeling anticipates the policy will result in a lowering of the discount rate to 6.5% in about 21 years, improve funding levels gradually over time and cut risk in the pension system by lowering the volatility of investment returns. More information about the funding risk mitigation policy can be accessed through PERS' web site at the following website address: https://www.calpers.ca.gov/page/newsroom/calpers-news/2015/adopts-funding-risk-mitigation-policy. *The reference to this Internet website is provided for reference and convenience only. The information contained within the website may not be current, has not been reviewed by the City and is not incorporated in this Official Statement by reference.*

On December 21, 2016, the Board of Administration voted to lower its discount rate from the current 7.5% to 7.0% over three years according to the following schedule.

Fiscal Year	Discount Rate
2018-19	7.375%
2019-20	7.250
2020-21	7.000

For public agencies like the City, the new discount rate would take effect July 1, 2018. Lowering the discount rate means employers that contract with PERS to administer their pension plans will see increases in their normal costs and unfunded actuarial liabilities. Active members hired after January 1, 2013, under the Public Employees' Pension Reform Act will also see their contribution rates rise. The three-year reduction of the discount rate will result in average employer rate increases of about 1 percent to 3 percent of normal cost as a percent of payroll for most miscellaneous retirement plans, and a 2 percent to 5 percent increase for most safety plans. Additionally, many PERS employers will see a 30 to 40 percent increase in their current unfunded accrued liability payments. These payments are made to amortize unfunded liabilities over 20 years to bring the pension fund to a fully funded status over the long-term.

On November 15, 2021, the CalPERS Board selected a new asset allocation mix that will guide the fund's investment portfolio for the next four years, while at the same time retaining the

reduction of discount rate from 7.0% to 6.8%. Notable changes for employers include a decrease in median total employer contribution rates, from less than 1% in miscellaneous plans to a decrease of more than 2% in some safety plans. Contribution changes took effect in fiscal year 2023-24 for public agencies.

Dollar Contribution Based on Projected PERS Rate Increases. The City's projected annual financial contributions as a result of the PERS rate changes for the next four years are shown in the table below, with dollar amounts shown in millions:

	2021-2022	2022-2023	2023-2024 Projected	2024-25 Projected
Miscellaneous[(1)]	$39.19	$34.92	$40.57	$56.88
Police	17.99	21.93	20.32	23.04
Fire	10.06	6.60	10.24	11.73
Total	$67.24	$63.45	$71.13	$91.65

Berkeley Police Retirement Income Benefit Plan. Prior to December 22, 2012, the City maintained the Berkeley Police Retirement Income Benefit Plan ("**BPRIBP**"), a single-employer defined benefit income plan, for its police retirees and surviving spouses. Effective September 19, 2012, police retired on or after this date are no longer covered by BPRIBP. The City replaced this plan with the "Retiree Health Premium Assistance Coverage Plan."

The City's fiscal year 2021-22 contribution to the BPRIBP and the funded status of the BPRIBP is set forth below.

Fiscal Year Ended	Total Pension Liability	Plan Fiduciary Net Position	Plan Net Pension Liability	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	Covered Payroll	Plan Net Pension Liability as a Percentage of Covered Employee Payroll	Contributions Employer
6/30/2022	$62,943,710	$4,273,417	$58,670,293	6.79%	$21,578,636*	271.89%	$2,220,179

* Estimated.

For a more detailed discussion of the BPRIBP, see APPENDIX B to this Official Statement.

Peace Officers Research Association of California. Effective December 23, 2012, the City established a new sick leave program called Peace Officers Research Association of California ("**PORAC**"). If a sworn member of the Berkeley Police department has an accrued sick leave balance on December 23, 2012, that exceeds 200 hours, one half of all those hours in excess of 200 shall be maintained in a separate account. The financial value of those hours shall be converted and deposited into the employee's PORAC medical trust account over five successive years in equal installments commencing on January 1, 2013. The conversion was at the employee's rate of pay on December 23, 2012. The City may accelerate the payment of hours to be converted. The remaining fifty percent of the sick leave balance in excess of 200 hours was credited into the employee's separate "catastrophic/service time" bank no later than February 1, 2013, up to a maximum of 500 hours.

The City's contribution to PORAC for the fiscal year ending December 31, 2023, was $425,866.

Safety Members Pension Fund. In addition, the City maintains the Safety Members Pension Fund ("**SMPF**"), a defined benefit plan for fire and police officers who retired prior to March 1973. In March 1973, all active fire and police officers were transferred from SMPF to PERS. The City pays the benefits to SMPF members on a pay-as-you-go basis, primarily through a Funding Agreement, purchased by the Berkeley Civic Improvement Corporation on behalf of the City in 1989. For the fiscal year ended June 30, 2023, the City's contribution to SMPF was $318,877.

The funded status of the SMPF as of June 30, 2023, the most recent actuarial date, is set forth below:

Actuarial Valuation Date	Plan Fiduciary Net Position	Total Pension Liability	Plan Net Pension Liability	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	Covered Payroll	Plan Net Pension Liability as a Percentage of Covered Employee Payroll
6/30/2023	--	$845,616	$845,616	--%	N/A	N/A

For a more detailed discussion of the SMPF, see APPENDIX B of this Official Statement.

Post-Employment Health Benefits

The City offers certain post-employment health benefits to retirees. There are three plans: (i) the City of Berkeley Fire Employees Retiree Health Plan ("**FRHF**"), (ii) the City of Berkeley Miscellaneous Employees Retiree Health Plan ("**RHPAP**") and (iii) the Police Retiree Premium Assistance Plan ("**PRPAP**").

The City has adopted Government Accounting Standards Board Statement 75 which requires governmental agencies to change their accounting for Other Post-Employment Benefits ("**OPEB**") from pay-as-you-go to an accrual basis.

See Appendix B, Note 13 for information about the City's OPEB liabilities.

City of Berkeley Fire Employees Retiree Health Plan. The FRFH is a single-employer defined benefit medical plan. To be eligible for benefits, sworn Fire employees must retire from the City on or after July 1, 1997, be vested in a PERS pension, and retire from the City on or after age 50. Benefits commence immediately upon retirement. Benefits are payable for the retiree's lifetime and continue for his or her covered spouse's/domestic partner's lifetime. The amount the City contributes toward the Fire Employees Retiree Health Plan is 4.5% per year regardless of the amount of increase in the underlying premium rate. The establishment and amendments of benefit provisions are negotiated between the employee bargaining units and the City Labor Negotiating Team, and are approved by the City Manager and City Council. As of June 30, 2023, there were 131 active employees, 26 retirees deferred and 85 retirees receiving benefits.

The City's targeted funding policy is equal to the service cost for active employees plus an amount to amortize unfunded liabilities over 30 years (rolling 30-year amortization) as a level percentage of payroll. The City strives to contribute the annual required contribution of the

employer (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement 45.

For the FRFH, the City's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB asset for fiscal year 2022-23 and the four preceding years were as follows:

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Liability
6/30/2019	$2,326,493	36%	$19,633,312
6/30/2020	2,104,622	36	21,177,486
6/30/2021	2,575,970	35	23,873,248
6/30/2022	1,354,619	39	18,507,610
6/30/2023	3,659,767	36	22,908,062

The funded status of the FRFH as of June 30, 2023, the date of the most recent actuarial report, is set forth below:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)-Unit Credit	Unfunded Actuarial Accrued Liability-UAAL	Funded Ratio	Covered Payroll	UAAL as Percentage of covered Payroll
7/1/2023	$12,665,380	$35,573,442	$22,908,062	35.6%	$18,118,697	126.43%

City of Berkeley Miscellaneous Employees Retiree Health Premium Assistance Plan. The RHPAP is a single-employer defined benefit medical plan. It provides retiree health benefits to eligible retirees and his/her spouse or domestic partner. The establishment and amendments of benefit provisions are negotiated between the employee bargaining units and the City and are approved by the City Council.

Retirees who are at least age 50, with at least 8 years of service with the City at the time of separation from service are eligible to receive retiree health benefits commencing at age 55. Benefits are payable for the retiree's lifetime and continue for his or her covered spouse's/domestic partner's lifetime. The City pays the monthly cost of the monthly premiums up to a participant's applicable percentage of the base dollar amount and subject to annual 4.5% increases regardless of the amount of increase in the underlying premium rate. As of June 30, 2023, there were 1,097 active employees.

The City's targeted funding policy is equal to the normal cost for active employees plus an amount to amortize unfunded liabilities over 30 years as a level percentage of payrolls. The City is required to contribute the annual required contribution of the employer (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement 45. Any changes to the contribution requirements of the plan are negotiated by the bargaining units and City negotiating staff, and approved by the City Council.

For the RHPAP, the City's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for fiscal year 2022-23 and the four preceding years were as follows:

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
6/30/2019	$5,051,655	43.3%	$37,219,746
6/30/2020	5,534,572	32.7	60,659,492
6/30/2021	4,871,995	42.9	41,895,470
6/30/2022	2,071,289	50.2	29,470,744
6/30/2023	6,017,367	52.3	29,845,739

The funded status of the RHPAP as of June 30, 2023, the most recent actuarial report, is set forth below:

Actuarial Valuation Date	Actuarial Accrued Liability (AAL)	Actuarial Value of Assets	Unfunded Actuarial Accrued Liability-UAAL	Funded Ratio	Covered Payroll	UAAL as Percentage of covered Payroll
7/1/2023	$62,589,364	$32,743,625	$29,845,739	52.3%	$110,614,150	26.98%

Police Retiree Premium Assistance Plan. Effective September 19, 2012, the City replaced the "Berkeley Police Retirement Income Benefit Plan" with the "Retiree Health Premium Assistance Coverage Plan" for any police employees hired on or after that date, as well as any current employees who retire on or after such date. Under the newly established retiree health premium assistance plan, benefits will be the paid by the City directly to the provider who is providing retiree health coverage to the retiree or his or her surviving spouse. The maximum amount will be equal in value to the City sponsored health plan.

In order to be eligible for the Retiree Health Premium Assistance Coverage a "Retiree" must meet all of the following criteria:

(a) A person who is vested in, and
(b) Has reached the age of 50, and
(c) Has retired from the City at age 50 or thereafter, and
(d) Has applied for and is receiving a pension from at the time of retirement.

The maximum amount the City will contribute toward the payment of medical insurance premiums is based on the employee's years of service as a sworn member of the Berkeley Police Department at time of retirement. The retiree must have at least 10 years of service as a sworn member of the Berkeley Police Department to qualify for this benefit.

Years of Service	City Percentage
10 to 14	25%
15 to 19	50
20 or more	100

Beginning September 19, 2012, each month after the employee retires the City will pay the health care service provider an appropriate percentage based on years of service above an amount equal to $1,200 per month for two-party coverage for the retiree and a qualifying spouse/domestic partner or $600 per month for single party coverage. Upon death of either the retiree or the retiree's spouse, the City will only pay the appropriate percentage of the single party rate to the provider on behalf of the surviving retiree or spouse/domestic partner. If there is no spouse/domestic partner at the time of retirement, the City shall only pay the single party rate. The retiree and/or surviving spouse/domestic partner will be responsible for payment of the difference between the amount the City contributes toward payment of the premium and the actual premium cost. The funds for this difference will come from the retiree's retirement account and the retiree must authorize such withdrawal of funds.

Beginning July 1, 2013 and effective each July 1 thereafter, the base rates the City contributes toward payment of the premium amount described in the preceding paragraph shall be increased by either the amount Kaiser increases the retiree medical premium for that year, or 6%, whichever is less. The retiree and/or surviving spouse/domestic partner shall pay the difference between the amount the City contributes toward payment of the premium and the actual premium cost. As of June 30, 2022, there were 158 active employees, 24 active retirees, and 17 retirees entitled to, but not yet receiving, benefits.

For the retiree health premium assistance plan, the City's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB asset for fiscal year 2022-23 and the four preceding years were as follows:

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Liability
6/30/2019	$5,155,293	6.0%	$46,252,565
6/30/2020	4,432,549	4.0	57,472,394
6/30/2021	5,076,625	5.0	49,355,501
6/30/2022	4,636,861	6.2	32,429,614
6/30/2023	5,245,557	5.8	35,423,408

The actuarial cost method used for determining the benefit obligations is the Projected Unit Credit Cost Method. Under this method, the actuarial present value of projected benefits is the value of benefits expected to be paid for current actives and retirees and is calculated based on the assumptions and census data described this report. The Actuarial Accrued Liability (AAL) is the actuarial present value of benefits attributed to employee service rendered prior to the valuation date. The AAL equals the present value of benefits multiplied by a fraction equal to service to data over service at expected retirement. The Normal Cost is the actuarial present value of benefits attributed to one year of service. This equals the present value of benefits divided by service at expected retirement. Since retirees are not accruing any more service, their normal cost is zero. In determining the Annual Required Contribution, the Unfunded AAL is amortized as a level percentage of payroll over 30 years.

As of July 1, 2023, the most recent actuarial valuation date, the plan was 5.8% funded. The actuarial accrued liability for benefit was $37.6 million, and the actuarial value of assets was $2.2 million, resulting in an unfunded accrued liability of $35.4 million. The covered payroll (annual payroll of active employees covered by the plan) was approximately $21.6 million. The fair value of the assets was determined using market values as of the date of the actuarial report. The schedule of funding progress, presented as required supplementary information following the

notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits. Funded status of the plan as of June 30, 2023, the most recent actuarial valuation date is as follows:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL)-Unit Credit	Unfunded Actuarial Accrued Liability-UAAL	Funded Ratio	Covered Payroll	UAAL as Percentage of covered Payroll
7/1/2023	$2,182,190	$37,605,598	$35,423,408	5.8%	$21,578,636	164.2%

Defined Contribution Plans

The City offers certain supplemental retirement and income plans to retirees. See Appendix B, Note 12 for information about the City's defined contribution plans.

Labor Relations

As of May 1, 2024, the City employed approximately 1,655 full-time equivalent budgeted employees. There are six employee unions as shown below. In addition, the City employs approximately 132 unrepresented employees that include Executive Management, Confidential professional or Confidential Office support positions. The City has not experienced any work stoppages or strikes by its employees.

CITY OF BERKELEY
Labor Relations

Labor Organization	Employees	Contract Expiration Date
Berkeley Fire Fighters Association/I.A.F.F. Local 1227	144	06/30/2026
Berkeley Police Association	148	06/30/2026
I. B. E. W. Local 1245	9	06/30/2025
Service Employees International Local 1021 Maintenance and Clerical Chapters	535	06/26/2024
Service Employees International Local 1021 Community Services and Part-Time Recreation Leaders Association Chapters	488	06/26/2024
Public Employees Local 1	199	06/26/2024
Unrepresented Employees	132	06/26/2024

Source: City of Berkeley.

Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, or restriction of assets; errors or omissions; injuries to employees; or acts of God.

The City is self-insured for liability claims below $350,000. The City is a member of the Bay Cities Joint Powers Insurance Authority ("**BCJPIA**"). The BCJPIA consists of 20 municipal or public agency members, all located within the metropolitan San Francisco Bay Area. The BCJPIA provides general liability, auto liability, and errors and omissions coverage between $350,000 and $1,000,000. The California Affiliated Risk Management Authority ("**CARMA**") provides additional coverage to the BCJPIA and its member entities for claims in excess of $1,000,000, up to $29,000,000.

The City is self-insured for workers' compensation. Payments are made to the Workers' Compensation Self-Insurance Internal Service Fund by transfers from the City's general fund and other funds of the City on a pay-as-you-go basis.

The City requires pre-employment physical examinations for high risk, high hazard employees as well as annual examination for all uniformed officers. As part of its workers' compensation program, copies of all injured employee medical reports are monitored by a third-party agent to ensure that injured employees receive proper care.

At June 30, 2023, $6,303,833 and $39,825,000 have been accrued for public liability and workers' compensation claims, respectively. These accruals represent estimates of amounts to ultimately be paid for reported claims and, upon past experience, recent claim settlement trends and other information. It is the City's practice to obtain an actuarial study on an annual basis. Although the amount of actual losses incurred through June 30, 2023 are dependent on future developments, based upon information from the administrators and others involved with the administration of the programs, the City's management believes that the aggregate accrual is adequate to cover such losses.

City Debt Structure

Short-Term Debt. The City has issued Tax and Revenue Anticipation Notes ("**TRANs**") in each recent year. The City's TRANs are a general obligation of the City, payable from the City's general fund and any other lawfully available moneys. The fiscal year 2023-24 TRANs have an outstanding principal amount of $23,620,000 and mature on July 24, 2024.

General Fund Obligations. The City currently has outstanding long-term General Fund debt and lease obligations described below. The City has never defaulted on the payment of principal of or interest on any of its indebtedness.

Certificates of Participation. On June 2, 2021, Berkeley Joint Powers Financing Authority (the "**Authority**") executed and delivered certificates of participation in the aggregate principal amount of $3,975,000 (the "**Certificates of Participation**"). The City's underlying rental obligation is a general fund obligation of the City. The bonds bear interest at rates between 2.00%-5.00%, and the final maturity date is October 1, 2039. As of April 1, 2024, the principal balance outstanding was $3,975,000.

Lease Revenue Bonds. In October 2012, Authority issued lease revenue bonds on behalf of the City in the aggregate principal amount of $27,260,000 to refund the

Authority's 1999 Lease Revenue Bonds and 2003 Certificates of Participation. The City's underlying rental obligation is a general fund obligation of the City. The bonds bear interest at rates between 3.00%-5.00%, and the final maturity date is October 1, 2037. As of April 1, 2024, the principal balance outstanding was $13,375,000.

General Obligation Bonds. The City has previously issued general obligation and general obligation refunding bonds that are secured by ad valorem taxes levied and collected in the City.

Employment

The unemployment rate in the Oakland-Hayward-Berkeley MD was 4.7% in March 2024, down from a revised 5.0% in February 2024, and above the year-ago estimate of 3.7%. This compares with an unadjusted unemployment rate of 5.3% for California and 3.9% for the nation during the same period. The unemployment rate was 4.6% in the County and 4.7% in Contra Costa County.

The table below list employment by industry group for Alameda and Contra Costa Counties for the years 2019 to 2023.

OAKLAND- HAYWARD-BERKELEY MD
(Alameda and Contra Costa Counties)
Annual Averages Civilian Labor Force, Employment and Unemployment,
Employment by Industry
(March 2023 Benchmark)

	2019	2020	2021	2022	2023
Civilian Labor Force [1]	1,403,400	1,362,300	1,352,300	1,382,300	1,376,700
Employment	1,360,500	1,239,100	1,268,700	1,333,200	1,320,300
Unemployment	42,900	123,200	83,600	49,100	56,400
Unemployment Rate	3.1%	9.0%	6.2%	3.6%	4.1%
Wage and Salary Employment: [2]					
Agriculture	1,400	1,500	1,600	1,900	1,900
Mining and Logging	200	200	200	300	300
Construction	75,500	70,700	73,000	74,300	75,100
Manufacturing	101,000	98,700	105,200	111,000	111,900
Wholesale Trade	45,400	42,100	41,300	41,200	41,400
Retail Trade	111,800	101,100	105,300	105,200	105,600
Transportation, Warehousing, Utilities	43,700	45,200	48,600	54,100	54,400
Information	27,600	25,800	25,000	24,900	24,200
Finance and Insurance	37,200	35,900	34,700	34,200	32,300
Real Estate and Rental and Leasing	18,100	16,700	16,800	18,200	18,400
Professional and Business Services	193,200	184,800	189,900	195,800	189,500
Educational and Health Services	198,400	191,300	198,200	207,400	216,500
Leisure and Hospitality	121,000	84,700	91,700	103,900	112,100
Other Services	41,200	33,100	35,000	38,500	41,300
Federal Government	13,400	14,200	13,500	13,100	13,300
State Government	39,600	38,200	37,900	33,700	33,700
Local Government	121,800	113,500	111,900	116,200	118,000
Total, All Industries [3]	1,190,300	1,097,700	1,129,700	1,176,300	1,189,900

(1) Labor force data is by place of residence; includes self-employed individuals, unpaid family workers, household domestic workers, and workers on strike.
(2) Industry employment is by place of work; excludes self-employed individuals, unpaid family workers, household domestic workers, and workers on strike.
(3) Totals may not add due to rounding.
Source: State of California Employment Development Department.

The following tables show the major employers in the City and the County.

CITY OF BERKELEY
Major Employers
2023

Employer	Number of Employees	% of Total Employment
University of California Berkeley	13,213	20.07%
Lawrence Berkeley National Laboratory	3,470	5.27
Sutter East Bay Medical Foundation/Hospitals	1,773	2.69
Berkeley Unified School District	1,710	2.60
City of Berkeley	1,602	2.43
Bayer Corporation	1,043	1.58
Kaiser Permanente Medical Group	944	1.43
Siemens Corporation/Healthcare Diagnostics, Inc.	679	1.03
Lifelong Medical Care	533	0.81
Berkeley Bowl Produce	523	0.79

Source: City of Berkeley, Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2023.

COUNTY OF ALAMEDA
Major Employers (Listed Alphabetically)
May 2024

Employer Name	Location	Industry
Alameda County Law Enforcement	Oakland	Government Offices-County
Alameda County Sheriff's Dept	San Leandro	Government Offices-County
Alameda County Sheriff's Ofc	Oakland	Sheriff
Alameda Health System	Oakland	Health Care Management
Alta Bates Summit Med Ctr Alta	Berkeley	Hospitals
BART PD	Oakland	Transit Lines
California State Univ East Bay	Hayward	Schools-Universities & Colleges Academic
Cooper Vision Inc	Pleasanton	Optical Goods-Wholesale
Dell EMC	Pleasanton	Computer Storage Devices (mfrs)
East Bay Muni Utility Dist	Oakland	Water & Sewage Companies-Utility
Kaiser Permanente Oakland Med	Oakland	Hospitals
Lawerence Berkeley Lab	Berkeley	Laboratories-Research & Development
Lawrence Livermore Natl Lab	Livermore	University-College Dept/Facility/Office
Peoplesoft Inc	Pleasanton	Computer Software-Manufacturers
Ross Stores Inc	Dublin	Department Stores
Sanfrancisco Bayarea Rapid	Oakland	Transit Lines
Stanford Health Care-Vllycr	Livermore	Clinics
Transportation Dept-California	Oakland	Government Offices-State
UCSF Benioff Children's Hosp	Oakland	Hospitals
University of CA Berkeley	Berkeley	Schools-Universities & Colleges Academic
University of Ca-Berkeley	Berkeley	University-College Dept/Facility/Office
University-Ca-Berkeley Dept	Berkeley	University-College Dept/Facility/Office
Valley Care Health System	Livermore	Health Services
Washington Hospital Healthcare	Fremont	Health Care Management
Western Digital Corp	Fremont	Computer Storage Devices (mfrs)

Source: State of California Employment Development Department, extracted from The America's Labor Market Information System (ALMIS) Employer Database, 2024 2nd Edition.

Effective Buying Income

"Effective Buying Income" is defined as personal income less personal tax and nontax payments, a number often referred to as "disposable" or "after-tax" income. Personal income is the aggregate of wages and salaries, other labor-related income (such as employer contributions to private pension funds), proprietor's income, rental income (which includes imputed rental income of owner-occupants of non-farm dwellings), dividends paid by corporations, interest income from all sources, and transfer payments (such as pensions and welfare assistance). Deducted from this total are personal taxes (federal, state and local), nontax payments (fines, fees, penalties, etc.) and personal contributions to social insurance. According to U.S. government definitions, the resultant figure is commonly known as "disposable personal income."

The following table summarizes the total effective buying income for the City of Berkeley, the County of Alameda, the State and the United States for the period 2020 through 2024.

CITY OF BERKELEY AND COUNTY OF ALAMEDA
Effective Buying Income
As of January 1, 2020 through 2024

Year	Area	Total Effective Buying Income (000's Omitted)	Median Household Effective Buying Income
2020	Berkeley	$5,843,576	$76,294
	Alameda County	72,243,436	84,435
	California	1,243,564,816	65,870
	United States	9,487,165,436	55,303
2021	Berkeley	$6,203,796	$79,437
	Alameda County	77,794,202	88,389
	California	1,290,894,604	67,956
	United States	9,809,944,764	56,790
2022	Berkeley	$6,646,946	$88,676
	Alameda County	85,225,529	99,940
	California	1,452,426,153	77,058
	United States	11,208,582,541	64,448
2023	Berkeley	$6,074,419	$88,720
	Alameda County	80,766,211	98,721
	California	1,461,799,662	77,175
	United States	11,454,846,397	65,326
2024	Berkeley	$6,251,098	$89,175
	Alameda County	84,213,255	101,689
	California	1,510,708,521	80,973
	United States	11,987,185,826	67,876

Source: Claritas, LLC.

Construction Activity

Provided below are the building permits and valuations for the City of Berkeley for calendar years 2018 through 2022. Annual figures for calendar year 2023 are not yet available.

CITY OF BERKELEY
Total Building Permit Valuations
(Valuations in Thousands)

	2018	2019	2020	2021	2022
Permit Valuation					
New Single-family	$13,808.7	$9,666.3	$6,444.7	$13,533.1	$9,058.9
New Multi-family	24,506.9	7,513.6	12,643.5	53,032.6	12,373.6
Res. Alterations/Additions	80,130.0	40,596.9	26,204.9	47,099.2	28,834.2
Total Residential	118,445.6	57,776.8	45,293.1	113,664.9	50,266.7
New Commercial	18,732.1	10,816.3	25,867.1	15,167.2	5,577.0
New Industrial	0.0	0.0	0.0	0.0	0.0
New Other	3,236.6	4,718.7	272.0	1,760.3	3,501.9
Com. Alterations/Additions	52,522.6	12,885.4	23,290.5	65,213.8	13,158.1
Total Nonresidential	74,491.3	28,420.4	49,429.6	82,141.3	22,237.0
New Dwelling Units					
Single Family	63	46	21	69	40
Multiple Family	129	42	117	286	72
TOTAL	192	88	138	355	112

Source: Construction Industry Research Board, Building

APPENDIX B

THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR YEAR ENDED JUNE 30, 2023

APPENDIX C

FORM OF OPINION OF BOND COUNSEL

APPENDIX D

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "**Disclosure Certificate**") is executed and delivered by the City of Berkeley (the "**City**") in connection with the issuance by the City, of the $_____ City of Berkeley 2024-25 Tax and Revenue Anticipation Notes (the "**Notes**"). The Notes are being issued pursuant to a resolution adopted by the City Council of the City on June 25, 2024 (the "**Resolution**"). The City covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the City for the benefit of the holders and beneficial owners of the Notes and in order to assist the Participating Underwriters in complying with S.E.C. Rule 15c2-12(b)(5).

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"***Dissemination Agent***" shall mean NHA Advisors, LLC, or any successor Dissemination Agent designated in writing by the City and which has filed with the City a written acceptance of such designation.

"***Listed Events***" shall mean any of the events listed in Section 3(a) of this Disclosure Certificate.

"***MSRB***" means the Municipal Securities Rulemaking Board, which has been designated by the Securities and Exchange Commission as the sole repository of disclosure information for purposes of the Rule.

"***Participating Underwriter***" shall mean any of the original underwriters of the Notes required to comply with the Rule in connection with offering of the Notes.

"***Rule***" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Section 3. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 3, the City shall give, or cause to be given, notice of the occurrence of any of the following Listed Events with respect to the Notes:

(1) Principal and interest payment delinquencies.

(2) Non-payment related defaults, if material.

(3) Unscheduled draws on debt service reserves reflecting financial difficulties.

(4) Unscheduled draws on credit enhancements reflecting financial difficulties.

(5) Substitution of credit or liquidity providers, or their failure to perform.

(6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security.

(7) Modifications to rights of security holders, if material.

(8) Bond calls, if material, and tender offers.

(9) Defeasances.

(10) Release, substitution, or sale of property securing repayment of the securities, if material.

(11) Rating changes.

(12) Bankruptcy, insolvency, receivership or similar event of the City or other obligated person.

(13) The consummation of a merger, consolidation, or acquisition involving the City or an obligated person, or the sale of all or substantially all of the assets of the City or an obligated person (other than in the ordinary course of business), the entry into a definitive agreement to undertake such an action, or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material.

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(15) Incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material.

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

(b) Whenever the City obtains knowledge of the occurrence of a Listed Event, the City shall, or shall cause the Dissemination Agent (if not the City) to, file a notice of such occurrence with the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of 10 business days after the occurrence of the Listed Event. Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8) and (9) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to holders of affected Notes under the Resolution.

(c) The City acknowledges that the events described in subparagraphs (a)(2), (a)(7), (a)(8) (if the event is a bond call), (a)(10), (a)(13), and (a)(14) of this Section 3 contain the qualifier

"if material." The City shall cause a notice to be filed as set forth in paragraph (b) above with respect to any such event only to the extent that the City determines the event's occurrence is material for purposes of U.S. federal securities law.

(d) For purposes of this Disclosure Certificate, any event described in paragraph (a)(12) above is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

(e) For purposes of Section 3(a)(15) and (16), "financial obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term financial obligation shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

Section 4. Termination of Reporting Obligation. The City's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Notes. If such termination occurs prior to the final maturity of the Notes, the City shall give notice of such termination in the same manner as for a Listed Event under Section 3(b).

Section 5. Dissemination Agent. The City may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be NHA Advisors, LLC.

Section 6. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the City may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) if the amendment or waiver relates to the provisions of Section 3(a) it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of an obligated person with respect to the Notes, or type of business conducted;

(b) the undertakings herein, as proposed to be amended or waived, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the primary offering of the Notes, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) the proposed amendment or waiver either (i) is approved by holders of the Notes, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the holders or beneficial owners of the Notes.

Section 7. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the City chooses to include any information in any notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the City shall have no obligation under this Disclosure Certificate to update such information or include it in any future notice of occurrence of a Listed Event.

Section 8. Default. In the event of a failure of the City to comply with any provision of this Disclosure Certificate any holder or beneficial owner of the Notes may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Resolution, and the sole remedy under this Disclosure Certificate in the event of any failure of the City to comply with this Disclosure Certificate shall be an action to compel performance.

Section 9. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the City agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the City under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Notes.

Section 10. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the City, the Dissemination Agent, the Participating Underwriters and holders and beneficial owners from time to time of the Notes and shall create no rights in any other person or entity.

Date: _____, 2024

CITY OF BERKELEY

By _____
City Manager

APPENDIX E

DTC AND THE BOOK-ENTRY ONLY SYSTEM

*The following description of the Depository Trust Company ("**DTC**"), the procedures and record keeping with respect to beneficial ownership interests in the Notes, payment of principal, interest and other payments on the Notes to DTC Participants or Beneficial Owners, confirmation and transfer of beneficial ownership interest in the Notes and other related transactions by and between DTC, the DTC Participants and the Beneficial Owners is based solely on information provided by DTC. Accordingly, no representations can be made concerning these matters and neither the DTC Participants nor the Beneficial Owners should rely on the foregoing information with respect to such matters, but should instead confirm the same with DTC or the DTC Participants, as the case may be.*

*Neither the issuer of the Notes (the "**Issuer**") nor the trustee, fiscal agent or paying agent appointed with respect to the Notes (the "**Agent**") take any responsibility for the information contained in this Appendix.*

*No assurances can be given that DTC, DTC Participants or Indirect Participants will distribute to the Beneficial Owners (a) payments of interest, principal or premium, if any, with respect to the Notes, (b) certificates representing ownership interest in or other confirmation or ownership interest in the Notes, or (c) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Notes, or that they will so do on a timely basis, or that DTC, DTC Participants or DTC Indirect Participants will act in the manner described in this Appendix. The current "**Rules**" applicable to DTC are on file with the Securities and Exchange Commission and the current "**Procedures**" of DTC to be followed in dealing with DTC Participants are on file with DTC.*

1. The Depository Trust Company ("**DTC**"), New York, NY, will act as securities depository for the securities (the "**Securities**"). The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Security certificate will be issued for each issue of the Securities, each in the aggregate principal amount of such issue, and will be deposited with DTC. If, however, the aggregate principal amount of any issue exceeds $500 million, one certificate will be issued with respect to each $500 million of principal amount, and an additional certificate will be issued with respect to any remaining principal amount of such issue.

2. DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("**Direct Participants**") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust

companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("**DTCC**"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

3. Purchases of Securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Securities on DTC's records. The ownership interest of each actual purchaser of each Security ("**Beneficial Owner**") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Securities are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.

4. To facilitate subsequent transfers, all Securities deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. or such other name as may be requested by an authorized representative of DTC. The deposit of Securities with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Securities; DTC's records reflect only the identity of the Direct Participants to whose accounts such Securities are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Securities may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Securities, such as redemptions, tenders, defaults, and proposed amendments to the Security documents. For example, Beneficial Owners of Securities may wish to ascertain that the nominee holding the Securities for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

6. Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI

Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and interest payments on the Securities will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from Issuer or Agent on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, Agent, or Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of Issuer or Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. DTC may discontinue providing its services as securities depository with respect to the Securities at any time by giving reasonable notice to Issuer or Agent. Under such circumstances, in the event that a successor depository is not obtained, Security certificates are required to be printed and delivered.

10. Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Security certificates will be printed and delivered to DTC.

11. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that Issuer believes to be reliable, but Issuer takes no responsibility for the accuracy thereof.

Kate Harrison
Councilmember, District 4

ACTION CALENDAR
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison

Subject: Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit

RECOMMENDATION

Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit.

POLICY COMMITTEE RECOMMENDATION

On November 13, 2023, the Health, Life Enrichment, Equity, and Community Committee adopted the following action: M/S/C (Hahn/Humbert) to send the item to Council with a qualified positive recommendation to approve the Ordinance with substantial edits and as may be necessary for legal and administrative purposes. Vote: All Ayes.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

Golden Gate Fields is one of the last remaining tracks in the Bay Area and has wide-reaching economic and institutional power. Unfortunately, Golden Gate Fields (GGF), spanning both Berkeley and Albany, remains a disturbing display of sanctioned animal abuse in our City. So far in 2023 alone, 16 horses have died at its facility.[1] The horses at GGF have succumbed to a range of causes of death including broken legs, abdominal issues, head injuries, sepsis, and neurological problems. Many fatalities in the horseracing industry are euthanizations after horses suffer non-fatal injuries, cutting their lives unnaturally short. When CBS Bay Area reported on the most recent horse death at GGF in May of this year it cited the fact that “domesticated horses live into their 30s, but the average age of active racehorses is [only] three to five years old”.[2] Some

[1] This is a 100% increase since this ordinance was introduced in June of 2023.
[2] Bay City News Service. “Injured Horse Euthanized at Golden Gate Fields; 8th Horse to Die at Track in 2023.” *CBS News*, 22 May 2023, www.cbsnews.com/sanfrancisco/news/injured-horse-euthanized-at-golden-gate-fields-8th-horse-to-die-at-track-in-2023/.

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data, however, shows that domesticated horses can live until their mid 40s if they have access to healthy living conditions.[3]

As horse deaths continue to rise at the horse racing tracks within City limits, it is overdue that the community ensure the well-being and safety of racehorses. Half of Golden Gate Fields deaths happen on the Berkeley side of the facilities. As a charter city, Berkeley has the authority to establish regulations and the jurisdiction to protect and promote the public health, safety and welfare by establishing safeguards for horses as long as they do not conflict with or duplicate state and federal law. It is in the public interest to adopt an ordinance prohibiting inhumane or abusive treatment of horses held, owned, used, exhibited or otherwise kept for sport, entertainment or profit within the City limits.

BACKGROUND

In just the last three months, two nationally recognized racetracks have shut down because of the increasing number of horse deaths at their tracks. Churchill Downs, home to the Kentucky Derby, is suspending racing at its primary location following an investigation by the Kentucky Horse Racing Commission[4] after twelve horses died in two months. Just one month before Churchill Downs halted racing, a trainer was barred from participating in any further events at Churchill Downs or related tracks after two of his horses suddenly collapsed. At GGF, three horses have died under the same trainer this year, but Golden Gate Fields remains business as usual.

Baltimore's Laurel Racetrack also suspended horse racing indefinitely. In 2023, 13 horses died at Laurel Racetrack in 2023 and the two most recent euthanizations occurred after racing injuries.

Of the physical problems that lead to regular stable deaths, the three most common causes are (1) colic, (2) laminitis, and (3) pleuropneumonia, all of which are worsened by excessive confinement. According to Dr. Nathaniel White, Professor of Surgery at Marion DuPont Scott Equine Medical Center, one of the three primary situations that present a higher-than-normal risk factor for colic in horses is being confined to a stall for more than 12 hours per day.[5] VCA Veterinary Hospitals reports that "severe colic pain can cause a horse to roll and throw itself about in an uncontrolled and dangerous manner.[6] In extreme cases, the confined horse can violently lunge its body or head into

[3] University of California, Davis. "Humane Disposition of Horse Carcasses." Center for Equine Health, https://ceh.vetmed.ucdavis.edu/sites/g/files/dgvnsk4536/files/local_resources/pdfs/pubs-HR24-3-bkm-sec.pdf.

[4] Fuente, Homero De la, and Zoe Sottile. "Churchill Downs to Suspend All Racing Operations to Further Evaluate Safety Measures amid Increase in Horse Deaths." *CNN*, 2 June 2023, www.cnn.com/2023/06/02/sport/churchill-downs-suspension-horse-deaths/index.html.

[5] Dr. Nathaniel A. White II DVM, MS. "Prevalence, Demographics, and Risk Factors for Colic." *Presented at: AAPE Focus on Colic, Quebec City, Quebec, 2005.*

[6] *Colic in Horses*, vcahospitals.com/know-your-pet/colic-in-horses. Accessed 20 June 2023. See also, Jennifer Rice, DVM. "Colic in Horses." *PetMD*, 27 Apr. 2022, www.petmd.com/horse/conditions/digestive/c_hr_equine_colic.

a wall or other solid object…the horse might also 'throw itself' to the ground."[7] Horses likely will incur serious self-injury during these explosive episodes, leading to the severe injury and blunt force trauma that cause many of the stable deaths.

In contrast, providing a turnout in which a horse can graze helps reduces the chance of colic, reduces stress and stable vices/behavioral issues, and reduces the chance of respiratory system illness among other benefits.[8]

Beyond the severe physical problems that stabling causes, are the severe psychological problems. When a horse's special, dietary, and social needs are thwarted, so-called stereotypies, or repetitive behaviors that do not have an apparent goal or function, occur. In horses, the classic stereotypies are including cribbing, wind-sucking, bobbing, weaving, pacing, stall-circling, digging, kicking, bucking, spinning, headshaking, or self-mutilation.[9] Through these repetitive activities, endorphins are released which reinforce the behavior as a habit. These are the same symptoms of deep psychological distress commonly seen in other animals in captivity, such as circus elephants and bears.

According to Dr. Nicholas Dodman, Animal Behaviorist and Professor Emeritus at Tufts University:

> "[t]he longer horses are confined per day the more stall vices/stereotypies they will exhibit. Racehorses are the prime example of that with long periods of confinement (up to 23 hours per day), so they exhibit an unusually high prevalence of stereotypies. The suffering can be described by referencing the suffering of people in solitary confinement. A recently released man who had spent years in solitary said he sometimes felt anxiety, paranoia, panic, hallucinations etc. The only way he could help suppress the dysphoria was to walk back and forth in his cell until the line he walked was soaked in his sweat. That's what equine stall walkers do - walk endlessly in circles (or in the case of weavers, walk to and fro)."[10]

Confining a 1200-pound animal to a 12x12 stall is akin to confining an elephant to a box car or a killer whale to a swimming pool. Equine veterinarian, Dr. Kraig Kulikowski, compared this to locking a child in a 4x4 closet for 23 hours a day, abuse punishable by law.[11] The United Nations deems solitary confinement as "cruel and unusual punishment." Prison reserves solitary confinement for the most violent criminal as the worst punishment.

Our office has edited the ordinance to be in accordance with the recommended edits from the November 13 HLEEC Committee Meeting.

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[7] *Id.*

[8] "Turnout Areas." *All Horse Care*, allhorsecare.weebly.com/turnout-areas.html. Accessed 20 June 2023.

[9] Fernanda C. Camargo. *University of Kentucky College of Agriculture, Stereotypic Behavior In ...*, www2.ca.uky.edu/agcomm/pubs/ASC/ASC212/ASC212.pdf. Accessed 20 June 2023.

[10] Sue McDonnell. *Equine Self-Mutilation*, 28 Feb. 2019, thehorse.com/16597/equine-self-mutilation/.

[11] Battuello, Patrick. "Equine Vet: 'What Impact Would 23 1/2 Hours of Standing in a Closet Have on the Mental Health of a Child?'" *Horseracing Wrongs*, 6 Aug. 2019, horseracingwrongs.org/2019/08/06/equine-vet-what-impact-would-23-1-2-hours-of-standing-in-a-closet-have-on-the-mental-health-of-a-child/.

- Changed the term racehorse to horse to encompass a wider breadth of animals
- Included a definitions section to specify the meanings of: “Full turnout,” “Horse,” and “Overwork”
- Included all grammar revisions
- Deleted the felony stipulation under the “Penalties” section
- Changed the enforcement role of the City Manager to only be responsible for enforcing provisions under section 12.75.030 C
- Deleted the language around regulating all animal abuse to protect from state and federal preemption and duplication.
- Deleted “mental and physical abuse” to just say, “abuse”
- To ensure the penalties do not unjustly do legal harm to low-wage workers, who may also be subject to unhealthy work and housing conditions. The Ordinance penalizes the owner of the horse and/or the facility where the violation occurred, not the stable-hands, jockeys, or trainers.

Ordinance Overview

This proposed ordinance:

1. Makes it illegal to confine a horse to a stable for more than 10 hours per day and;
2. Requires every horse access to a full turnout with access to a minimum of 1,000 square feet of pasture, where the horse can freely roam, unrestricted and untethered.
3. Prohibits manual, electrical, mechanical, or other devices, implements, instruments or any method or modality that can cause injury, pain, suffering, overwork, and death, except as otherwise authorized by state or federal law.

This legislation is designed to govern only those areas not already directly covered by State and Federal laws. It specifically focuses on a limited set of conditions to supplement the existing regulatory framework.

Enforcement of the ordinance would be carried out by City officials, including police officers and the City’s Animal control officers. The City Attorney is also empowered to conduct inquiries or investigate complaints of violations of this Ordinance, and may seek injunctive relief in the courts or otherwise. Private parties may bring a private action for injunctive relief, penalties, or both, to prevent or remedy a violation of this Ordinance after the prospective plaintiff has (1) provided the City and the prospective defendant at least 30 days prior written notice of the alleged violation; and (2) the City has failed to initiate enforcement proceedings, or after initiation, has failed to diligently prosecute. In any action prosecuted under this Ordinance a court may award attorney’s fees to a prevailing party.

FISCAL IMPACTS OF RECOMMENDATION
Staff time will be necessary for implementation and enforcement.

ENVIRONMENTAL SUSTAINABILITY

Horse breeding is extremely resource (including food, water, and medicine) and environmentally intensive. The senseless waste of precious animal life currently associated with horse racing also results in needless waste of limited and precious environmental resources.

CONTACT PERSON

Councilmember Kate Harrison, (510) 981-7140

ATTACHMENTS

1. Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit

ORDINANCE NO. –N.S.

ADDING CHAPTER 12.75 TO THE BERKELEY MUNICIPAL CODE
TO ESTABLISH PROTECTIONS RELATING TO HORSES HELD, OWNED, USED, EXHIBITED OR OTHERWISE KEPT FOR RACING OR OTHER SPORT, ENTERTAINMENT OR PROFIT

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Chapter 12.75 of the Berkeley Municipal Code is added to read as follows:

Chapter 12.75

HORSE PROTECTION POLICY

Sections:
12.75.010 Findings and Purpose
12.75.020 Horse Protection Policy
12.75.030 Enforcement, Private Right of Action
12.75.040 Penalties
12.75.050 Severability
12.75.060 Effective Date

12.75.010 Findings and Purpose.

The Council of the City of Berkeley finds and declares as follows:

A. Article XI, section 7 of the California Constitution recognizes the police power of cities to “make and enforce within [their] limits, all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.”

B. The home rule provision of the California Constitution authorizes a charter city to exercise plenary authority over municipal affairs, free from any constraint imposed by the general law and subject only to constitutional limitations.

C. The City of Berkeley, as a Charter City, has authority to make and enforce all ordinances and regulations in respect to municipal affairs.

D. California provides laws and regulations for the licensing and associated operations of horse racing tracks, which preempt the City’s authority to impose laws and regulations that conflict with such state laws and regulations or intrude into the state’s regulatory scheme.

E. The humane protection and care for horses is a matter of local concern essential to the public health, safety and general welfare of Berkeley residents and is a proper

subject of regulation by the City acting pursuant to its police powers separate and apart from issues of licensing and racetrack operations preempted by the state or federal government. To the extent that state and federal laws and regulations implicate the health and safety of horses, those provisions are limited in scope and overly narrow, necessitating additional safeguards adopted pursuant to the City of Berkeley's police power.

F. According to the American Association of Equine Practitioners, as pasture provides additional health benefits to horses, allowing them to move and exercise and regular pasture turnout should be part of a horse's daily routine.

G. The UC Davis Center for Equine Health indicates that horses should not be "-confine[d] … to a stall unless absolutely necessary for medical reasons." The UC Davis Center for Equine Health defines "Abuse and Cruelty" to include "use of excessive restraint such as tethering or confining movement for long periods of time" and/or "failure to provide adequate feed, water, care or protection."

H. The City of Berkeley desires, within its jurisdiction and authority, to establish regulations that protect health, safety, and welfare by prohibiting abusive treatment of horses held, owned, used, exhibited or otherwise kept for sport, entertainment or profit within its jurisdiction and authority.

I. This Ordinance aims to protect and promote public health, safety and welfare by establishing safeguards, protections and assurances for horses held, owned, used, exhibited or otherwise kept for sport, entertainment or profit within the City's jurisdiction and authority and, to the fullest extent feasible and consistent with federal, state and local law, to prevent and deter infliction of any and all abuse, overwork, and injury and death.

12.75.020 Definitions

A. "Full turnout" means the practice of giving a horse unfettered access to a dedicated paddock, pasture, or other safe and fully fenced outdoor space in which it can roam freely, graze, and socialize with other horses.

B. "Horse" has the same meaning as in California Code of Regulations Title 4 Part 1420(g), i.e. "horse" means an equine and includes a stallion, gelding, mare, colt, filly or ridgling and includes mule, jack, jenny, ginnet, and hinney.

C. "Overwork" means to push a horse uncomfortably past its physical capacity such that it becomes exhausted, overheated, or otherwise distressed. Indica of overwork can include but are not limited to a strained or slowing gait, a lolling tongue, strained breathing, a slowing pace, decreased responsiveness to aids, and reduced coordination.

12.75.030 Horse Protection Policy

A. Except as otherwise authorized by state or federal law, it shall be unlawful to use on any horse, manual, electrical, mechanical, or other devices, implements, instruments, or any method or modality that can cause injury, pain, suffering, overwork, and death.

B. It shall be unlawful to confine a horse to a stable for more than 10 hours per day.

C. During the remaining hours of the day, it shall be required to provide every horse with a full turnout with access to a minimum of 1,000 square feet per horse of pasture where the horses can freely roam, unrestricted and untethered. Where a facility houses more than one horse, pasture shall be shared amongst all horses at the facility via one contiguous shared pasture equal to 1,000 square feet or greater per horse.

12.75.040 Enforcement, Private Right of Action

A. City officials shall have the power and authority to enforce the provisions of 12.75.030 C and perform all duties imposed by, or as reasonably necessary to implement, the provisions of this Section.

B. The City Attorney may conduct inquiries or investigate complaints of violations of this Ordinance. The City Attorney may seek injunctive relief, penalties, or both, or any other type of relief, in the courts or otherwise to enforce the provisions of this Ordinance. In any action prosecuted under this subdivision, the court may award reasonable attorneys' fees to the City.

C. Any resident of the City may bring a private action for injunctive relief, penalties, or both, to prevent or remedy a violation of this Ordinance. No action may be brought under this Subsection C. unless and until the prospective plaintiff has provided the City and the prospective defendant at least 30 days prior written notice of the alleged violation. In any action prosecuted under this subdivision, the court may award reasonable attorneys' fees to any prevailing party.

D. Nothing in this chapter shall be interpreted as authorizing a right of action against the City.

12.75.050 Penalties

Any violation of this Chapter shall be deemed a violation by the owner of the horse and/or the facility where the violation occurred. Agents or employees of the owner of the horse or the facility where the violation occurred, such as but not limited to stable-hands, jockeys, or trainers, shall not be deemed to have violated this Chapter. A violation of this Chapter is a misdemeanor punishable by imprisonment for a period of not less than 30 days and not exceeding six months or a fine of not less than $1,000 per animal, per violation, per day. Any subsequent violation of this Chapter by the same actor is a misdemeanor punishable by imprisonment for a period of not less than 60

days and not exceeding six months or a fine of not less than $1,000 per animal, per violation, per day.

12.75.060 Severability

If any section, subsection, paragraph, or word of this Ordinance, or any application thereof to any person or circumstance, either on its face or as applied, is held to be invalid, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this act, and the applications thereof; and to that end the sections, subsections, paragraphs, sentences, and words of this act shall be deemed to be severable. The City Council of the City of Berkeley hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid without regard to whether any other portion of this Ordinance or application would be subsequently declared invalid.

12.75.080 Effective Date

This Ordinance shall become effective immediately for immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency and is passed by a two-thirds vote of the City Council. Otherwise, this ordinance shall become effective 30-days after its final passage.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

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Office of the City Manager

ACTION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance

Subject: Accept the Risk Analysis for Long-Term Debt (Bonding Capacity) Report provided by Government Finance Officers Association

RECOMMENDATION

Accept the report titled 'Risk-Based Analysis and Stress Test of Long-Term Debt Affordability' as provided by the Government Finance Officers Association (GFOA). This report is based on their research and development of a risk-modeling tool to address issuing long-term debt related to City of Berkeley Vision 2050.

POLICY COMMITTEE RECOMMENDATION

No final action was taken by the Budget & Finance Committee. Item is automatically returning to the Council agenda pursuant to the time limit for items referred to policy committees.

FISCAL IMPACTS OF RECOMMENDATION

There are no fiscal impacts of accepting the report

CURRENT SITUATION AND ITS EFFECTS

The Risk-Based Analysis and Stress Test of Long-Term Debt Affordability (Bonding Capacity) report is a Strategic Plan Priority Project, advancing our goal to:

- Provide an efficient and financially-healthy City government

The City engaged GFOA to conduct this analysis of the City's bonding capacity through their risk-modeling approach. This analysis will support the City's later development of a thirty-year borrowing plan, which will enable the City to replace its aging infrastructure assets, maintain its General Obligation Bond rating at AA+ at S & P Global and Aa1 at Moody's, and keep the bond property tax rate at an affordable level (which was .0540% at June 30, 2020). The GFOA's risk model and report look at a comprehensive financial analysis with particular focus on options to maintain the City's debt affordability within the framework of the City's huge unfunded pensions and other post-employment benefits (OPEB) and overall City operations.

The study and report are intended to help develop recommendations for a combination of infrastructure-focused revenue measures slated for November 2022 and beyond.

The context provided for GFOA to build the risk model and draft the subsequent report was framed through initially providing these items to GFOA:

1. Vision 2050
2. Unfunded Liabilities Report
3. Capital Improvement Plan in the most recent biennial budget and five-year planning horizon
4. Annual Comprehensive Financial Reports (ACFR)
5. GO Bonds, Revenue Bonds, and Certificates of Participation Debt Repayment Schedules
6. Current Bond Authority and Outstanding Amounts (GO Bonds for the past 20 years as of 7/12/21)
7. City's Debt Policy
8. S and P Global Ratings Letter Re: GO Bonds
9. S and P Global Ratings Letter Re: Lease Revenue Bonds
10. Analysis of City's Debt and Contingent Liability Profile
11. GO Rating Report – April 2021
12. GO Rating Report – February 2020

The GFOA report details these and additional factors that GFOA researched and incorporated into their construction of the risk model and their drafting of the final report.

BACKGROUND

The City has an extensive portfolio of capital assets and infrastructure, including 95 public buildings; 254 miles of public sanitary sewer mains and 130 miles of public sewer laterals; 52 parks, two pools; three camps; and 42 different facilities served by the City's IT systems. Maintaining these assets is costly and requires significant resources and constant attention. As an older city, 50% of Berkeley's $837 million of capital assets have exceeded their useful life.

The City's FY 2021 Capital Plan called for spending of $57 million/year on capital and maintenance needs. Even at this increased level of funding, Berkeley's infrastructure will deteriorate faster than it is being repaired and replaced, and construction cost escalation at four (4) percent/year will significantly increase replacement costs.

To modernize these old physical structures with resilient, durable, and climate-smart infrastructure will require substantial new investments. To adequately address the $882 million in unfunded infrastructure liabilities, the City needs to double its annual capital spending over the next decade to $80 million/year. Capital expenditures are typically funded through a combination of debt financing (pay-as-you-use) and cash (pay-as-you-go). Paying in cash avoids the cost of interest, but requires the City to accumulate sufficient cash to fund the project, while construction costs escalate. Using debt to finance

capital projects incurs interest expense but allows the project to start earlier, thereby avoiding escalation costs.

The City has an infrastructure system that has allowed it to thrive for over 100 years. Now, the City wants to incorporate new technologies and be able to adapt to meet environmental trends so that the infrastructure systems can continue to support the City for another 100 years. The risk analysis report shows the potential impact of multiple factors on the City's capacity to issue debt during the next thirty years.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There are no identifiable effects or opportunities associates with this item.

RATIONALE FOR RECOMMENDATION
The City administered Request for Proposals #21-11459-C for consulting services to determine the City's bonding capacity. The RFP was published twice with neither publication generating responses from the market. In the course of staff researching why no responses were received, staff met with GFOA. GFOA provided their relatively new risk-modeling approach to the bonding capacity topic. Thus, it was determined, since a traditional RFP was not generating market response, that it would be advantageous to contract with GFOA for their services to research and develop the risk-model for City of Berkeley to evaluate its capacity for issuance of long-term debt.

ALTERNATIVE ACTIONS CONSIDERED
Not conducting the study

CONTACT PERSON
Henry Oyekanmi, Director, Finance, 981-7326

Attachments:
1: Report: Risk-Based Analysis and Stress Test of Long-Term Debt Affordability (from GFOA, 2022)

Risk Analysis for Long-Term Debt (Bonding Capacity) Report

Budget and Finance Policy Committee

14 September 2023

OVERVIEW

- Council received report on 4/26/22: “Risk-Based Analysis and Stress Test of Long-Term Debt Affordability”

- Report produced by GFOA based on research and development of a risk-modeling tool to address issuing long-term debt related to City of Berkeley Vision 2050

- Report referred to Budget and Finance Policy Committee

STATUS UPDATE

Recommended Item	Status
Consideration of reserves policies for operational funds other than the General Fund	Ongoing. CMO working with GFOA on a risk-based probability model to assess General Fund reserves. The outcome of this model will be used to help establish reserve policies for other citywide funds. Draft policies will be presented to the Budget and Finance Policy Committee and then Council for adoption once completed.
Potential reduction of the maximum indebtedness rate from 15% of assessed property value down to 4-8% range	Completed. Council adoption of revisions to Debt Management and Disclosure Policy on 6/27/23 changed debt capacity from 15% to 6%. Revised language: “The City is subject to debt capacity limit for its general obligation bonds: 6% of assessed value”.

STATUS UPDATE

Recommended Item	Status
A new policy to not incur indebtedness when interest rates go above 5% or a different specific threshold	Ongoing. This scope is under review, especially with the current interest rate of the Federal Reserve Board and markets.
Tools for increased transparency for taxpayers	Ongoing. CMO researching cloud-based budgeting software and other tools to increase transparency.
Updated report and discussion of pension and healthcare costs	Completed. Council received Unfunded Liability Obligations and Unfunded Infrastructure Needs report; held a special meeting on 5/23/23 on pension and retiree healthcare costs.
Refer the full Report to the Budget & Finance Committee for consideration	Discussion of item on 9/14/23.

Office of the City Manager

Date: April 25, 2023

To: Budget & Finance Policy Committee

From: Dee Williams-Ridley, City Manager

Submitted by: Sharon Friedrichsen, Budget Manager
Henry Oyekanmi, Finance Director

Subject: Risk Analysis for Long-Term Debt (Bonding Capacity) Report

RECOMMENDATION

Receive a status update on recommendations and analysis related to the Risk Analysis for Long-Term Debt (Bonding Capacity) Report and provide direction to staff.

BACKGROUND

On April 26, 2022, the City Council considered accepting a report titled 'Risk-Based Analysis and Stress Test of Long-Term Debt Affordability' as provided by the Government Finance Officers Association (GFOA). Upon receiving the report, City Council referred this item to the City Manager and Budget & Finance Policy Committee to return to Council with recommendations or analysis on as many of the following items as possible by October 2022, if feasible. The purpose of this action item is to receive an update on the status of these items.

1. Consideration of reserves policies for operational funds other than the General Fund

   Status: The City Manager's Office is working with the GFOA on a risk-based probability model to assess the appropriate level of General Fund reserves. The outcome of this model will be used to help establish reserve policies for other citywide funds. An internal working group comprised of the City Manager's Office, Finance, Planning, PRW and Public Works has been formed to develop reserve policies for enterprise funds. The draft policies will be presented to the Budget and Finance Policy Committee and then Council for adoption once completed.

2. Potential reduction of the maximum indebtedness rate from 15% of assessed property value down to 4-8% range

   Status: The analysis is currently being conducted and completion is targeted for the June 27, 2023 Council date in conjunction with the statutory Annual GAAN Limit and Investment policy changes.

3. A new policy to not incur indebtedness when interest rates go above 5% or a different specific threshold

   Status: This scope is also being reviewed especially with the current interest rate regime of the Federal Reserve Board and the markets. The target of completion is June 27, 2023.

4. Tools for increased transparency for taxpayers

   Status: The City Manager's Office has begun research on cloud-based budget and performance management software systems that would allow a more interactive interface and transparency regarding the City's budget. However, additional time is needed to continue to explore these systems as well as other tools for increased transparency.

5. Updated report and discussion of pension and healthcare costs

   Status: The Unfunded Liability Obligations and Unfunded Infrastructure Needs report, which includes a discussion on pension and other-post employment benefits, including retiree healthcare costs, was placed on the April 11, 2023 Council agenda. The item is being rescheduled for a future meeting date.

6. Refer the full Report to the Budget & Finance Committee for consideration

   Status: The report has been submitted to the Committee for consideration.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities associated with receiving an update on the bonding capacity report.

CONTACT PERSON

Sharon Friedrichsen, Budget Manager, City Manager's Office, 981-7000
Henry Oyekanmi, Finance Director, 981-7200

A Risk-Based Analysis and Stress Test of Long-Term Debt Affordability for the City of Berkeley, California

April 2022

Produced by:

The Government Finance Officers Association

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Section 1 – Introduction

Long-term debt is an important tool for municipal governments to invest in long-term assets that serve their community. The City of Berkeley, California (City) is considering seeking authorization from its voters on a large amount of long-term debt, perhaps up to $600 million, to support the City of Berkeley's infrastructure needs included in its Vision 2050 plan. The debt would be used to fund assets like streets, public buildings, and more. This would be the largest amount of debt the City has sought to authorize in at least the last 20 years.[1] Therefore, the City has, prudently, decided to analyze the long-term affordability of this debt and has engaged the Government Finance Officers Association (GFOA) to perform this analysis.

GFOA is a non-profit association of more than 21,000 state and local government finance professionals and elected officials from across the United States and Canada. A key part of GFOA's mission is to promote best practices in public finance, including analyzing important financial risks like the affordability of long-term debt. GFOA's approach to risk analysis is distinctive because we use the same basic methods used by insurance companies and climate scientists to evaluate risk. We use computer simulation to build hundreds, if not thousands, of scenarios of how the City's financial situation could play out over 30 years. Each scenario changes important variables that influence how affordable the City's debt might be. For example, each scenario features a different interest rate environment. The variation in these variables is governed by parameters we set, where the parameters keep the variation within the realm of possibility. To continue our interest rate example, we gathered data on the rate of change in bond interest rates since 1970. This information was used to create the parameters for the interest rate environments generated for each scenario. We then see how often the City's debt remains affordable over those thousands of scenarios. If the debt is shown to be affordable under a high proportion of those scenarios, then that suggests there is a good chance that the debt will ultimately be affordable in the real world. Conversely, if the debt is not affordable under a high portion of the scenarios that suggests the debt is unlikely to be affordable in the real world. This computer simulation is built in Microsoft Excel using open standards for the data.[2] We'll refer to this computer simulation as the GFOA "Risk Model". The Risk Model is completely available to the City to use as it sees fit, including the ability to adjust many of the assumptions utilized for the simulations.

The rest of this report is divided into the following sections:

- **Defining What is "Affordable" Debt.** This section describes our rationale for using a typical bond ratings analysis as the basis for determining what is "affordable" for the City government.
- **Key Financial Indicators and Assumptions.** This section examines the key indicators of debt affordability that are taken into consideration by bond ratings companies and our method of approximating how the indicators suggest debt affordability in our simulation of the City government's future.

[1] History of the City's bond issuances compiled with the help of the City Clerk.
[2] Visit probabilitymanagement.org for more information on the standards we use.

- **Results of the Analysis and Recommendations.** In this section, we will address the findings from our analysis, including recommendations to help the City retain its credit rating.

Section 2 – Defining What is "Affordable" Debt

The definition of what is "affordable" debt is at the foundation of this analysis.

The first step to defining what is affordable is defining the type of debt the City is considering. The City is considering "general obligation (GO) debt". This debt is paid for by a dedicated property tax levy. Thus, the City **does not** have to pay for this debt out of its existing revenue streams. This means that taking on more general obligation debt **will not** have a **direct** impact on the City's operating budget. There is **indirect** impact – for example, perhaps the higher tax bills faced by taxpayers would cause them to vote against future tax measures intended to support the operating budget. Or, maybe residents or businesses feel the impact of higher taxes in their businesses or personal finances and decide to move. These are important considerations, but are outside the scope of this analysis, which is focused on the **direct** impacts to City government. That said, the financial indicators we will examine do include measures of personal income and the size of the tax base relative to the size of the population, which do provide some insight into affordability to taxpayers. It is also worth remembering that, according to California law, debt like the City is considering must be approved by two-thirds of voters in an election. If approval is not obtained, the debt cannot be issued. Thus, taxpayers evaluate the affordability of the proposed debt themselves by choosing to approve it or not. However, affordability to the taxpayers might not be that simple. We'll have more to say on this topic later in the report.

The impact of general obligation debt on the City government's finances is to add to the City's total debt burden. Generally, the more debt a City takes on the less attractive its debt becomes to investors, all else being equal.[3] This is because, in theory, the more debt a City has, the less likely it is that it will be able to pay it all back. This is important because if the City's debt becomes too unattractive, it will need to offer higher interest rates to investors. That would make it more expensive to borrow and, thus, more expensive for the City to make future investments in long-term assets. **Thus, we will define debt affordability as the extent to which issuing more debt in support of any City Council program might cause the City's debt to cross a threshold point where the City has to offer a higher interest rate to attract investors**.

Threshold points where higher interest rates must be offered are known as bond ratings. There are three major agencies that issue bond ratings: Moody's Investors Service, Standard and Poor's, and Fitch Ratings. Each rating agency has its own approach, but there are broad similarities between all three. For purposes of this analysis, we will focus on Moody's approach. This is because Moody's method is: A) well documented; and B) makes use of quantitative financial information to help standardize the approach to issuing ratings. This means we can collect the same financial information Moody's would collect and evaluate it in a similar, albeit much simplified, manner. By doing this, our Risk Model was able to essentially duplicate the City's current rating, which is "Aa", according to Moody's. Aa is the second best rating on Moody's scale (which is similar to the scales used by the other rating agencies). The complete scale is shown in the accompanying table. The reader should note that rating agencies also make finer grained distinctions within the rating tiers. For example, technically, the City's rating is "Aa1", which

[3] Municipal governments might issue more debt, but their tax base and revenues might also continue to grow. In this case, all else has not remained equal so the debt of that municipality may not become less attractive.

indicates the City is a strong Aa or at the upper end of what is considered Aa. An Aa2 would be in the middle and Aa3 would be considered a weak Aa. For the majority of this report we will not refer to these finer grained distinctions. This is, first, in the interest of simplicity. Using just the ratings scale showing in our accompanying table, the reader will be required to track six different categories of ratings. Multiplying the number of categories by three might make this analysis much more difficult to follow. Second, we do not have access to reliable historical data on how big a difference these finer distinctions would make on the interest rate the City could obtain for its bonds. We have data back to 1970 for the differences between the tiers shown in our table. Therefore, most the analysis will take place at the level of these six tiers. Occasionally, though, we will refer to the finer distinctions (e.g., Aa1 vs. Aa2 vs. Aa3) to discuss how the City's credit rating could change in response to different conditions.

If the City's debt were to be downgraded to an "A" we would expect the City to have to pay a higher interest rate on future debt. How much more would depend on the interest rate environment at the time. Historically, the difference between the interest rate of Aa and A has ranged from 1.05 to 0.08 percentages points, with an average of 0.26 percentage points. If, for example, a $100 million 30-year bond sold at 2.26% interest rather than 2.00% interest, this would translate to $5 million more in total interest cost over the life of the bond.

Moody's Rating Scale	
The best->	Aaa
	Aa
	A
	Baa
	Ba
The worst->	B or below

To evaluate the affordability of the City of Berkeley's borrowing plan including its Vision 2050 debt issuance plan we can do the following:

1. Update the key financial indicators used within the Moody's rating system to reflect what the indicators would look like with the additional debt over the 30-year analysis period covered by our Risk Model.
2. Use computer simulation to vary key variables that impact the financial indicators over the 30-year analysis period. We'll describe what these variables are and the assumptions our analysis makes in the next section.

Section 3 – Key Financial Indicators and Assumptions

The purpose of this section is to summarize the key financial indicators used to help frame bond ratings and to describe key assumptions we have made with respect to future values of the important variables that go into the analysis. Our analysis considers the next 30 years, so we had to make assumptions about how key variables would behave. Before we delve into these topics, we'd like to bring five important points to the attention of the reader:

1. The amount of debt the City takes on is not the only, or even primary, factor that determines bond ratings. Bond ratings take into account a number of factors besides debt. Therefore, our analysis include other factors that impact bond ratings, such as pensions, fund balance and tax base, along with debt.
2. Bond ratings are intended, primarily, to help investors decide how risky it is to invest in a municipality's debt. Though many of the factors bond ratings take into account are reflective of

the general financial health of a municipality, the ratings are not a perfect measure of financial health. This is because ratings are intended to judge the ability of the City to pay back its bondholders and nothing more. This is a limited perspective on financial health.[4]

3. Bond ratings method are not a purely mechanical exercise where a given value for the financial indicators leads to a perfectly predictable bond rating. For example, Moody's rating method includes "notching factors", which are essentially the wiggle room to adjust a municipality's rating up or down, based on local circumstances and the judgment of bond rating analysts. Nevertheless, given that our approximation of the financial indicators that Moody's uses did produce the City's current rating in our Risk Model, we can assume that the financial indicators will produce useful insights into what the City's rating might be under different circumstances.
4. Our analysis is based largely on the future looking a lot like the past in many important respects. For example, we will see that the size of the City's tax base is regarded as a big strength by the Moody's evaluation method. We will assume it will continue to be. Of course, it is plausible that that a large natural disaster, like an earthquake, could severely damage property stock in Berkeley to the point where the tax base is seriously impaired and is no longer the strength it once was. These kinds of extreme scenarios (e.g., natural catastrophes) are not within the scope of our analysis. This is not to say such scenarios are not important. In fact, GFOA analyzes the impact of catastrophic scenarios on municipal financial health on a regular basis. However, given the scope for this project we focused on the key financial indicators of the City's financial health that are described in the following pages and not on catastrophe events. The Risk Model is not intended as a perfect representation of reality. It has been said "all models are wrong, but some are useful". We would suggest that focusing on the trajectory of key financial indicators given the decisions that City makes is a useful perspective on the affordability of its debt plan.
5. Readers who are not interested in the details of the Moody's methods and the assumptions we made about the future of the City's finances are invited to skip the rest of this section and go directly to the next section for our findings and recommendations.

The rest of this section will delve into key financial indicators that are salient to bond ratings and which underlies how we are defining "debt affordability" for this study.

The key financial indicators Moody's considers are described by what Moody's calls its "scorecard". Moody's has four broad factors for its bond rating scorecard and a number of sub-factors, which are shown in Exhibit 3.1.[5] We will summarize each immediately following. With respect to the overview provided by Exhibit 3.1, the reader should note the factor weightings. We see that measures of the City's debt constitute only 10% of the total scorecard. Thus, the City's plan to issue more debt, by itself, can only have a marginal impact on the score. The City's actions with respect to its financial position, in whole, will be what really matters for debt affordability.

[4] A comprehensive approach can be found in GFOA's Financial Foundations for Thriving Communities.

[5] Our primary source on Moody's methods is "US Local Government General Obligation Debt" dated January 26, 2021, published by Moody's Investors Service.

Exhibit 3.1 – Moody's Scorecard Factors and Weights (for Local Governments)

Broad Scorecard Factors	Factor Weighting	Sub-factors	Sub-factor Weighting
Economy/Tax Base	30%	Tax Base Size (full value)	10%
		Full Value Per Capita	10%
		Wealth (median family income)	10%
Finances	30%	Fund Balance (% of revenues)	10%
		Fund Balance Trend (5-year change)	5%
		Cash Balance (% of revenues)	10%
		Cash Balance Trend (5-year change)	5%
Management	20%	Institutional Framework	10%
		Operating History	10%
Debt/Pensions	20%	Debt to Full Value	5%
		Debt to Revenue	5%
		Moody's-adjusted Net Pension Liability (3-year average) to Full Value	5%
		Moody's-adjusted Net Pension Liability (3-year average) to Revenue	5%

Source: Moody's Investor Service

Economy / Tax Base

The tax base ultimately determines if a city can pay back its debt. There are three sub-factors considered:

Tax-base size: The size of the property tax base is where a municipality draws its revenue from. Currently, full value of the property in the City's tax base is almost double what is necessary to receive the highest possible score on Moody's scorecard. We did not find a reason to think that a radical decline in the value of property in the tax base was a probable risk. Of course, events like the 2008 recession and bursting of the housing bubble can cause a temporary decline. These kinds of variations are captured in the Risk Model. The Risk Model assumes that tax base will grow (and occasionally shrink) at rate that is broadly consistent with historical patterns, but the Risk Model does not assume a constant rate of growth. For example, the Risk Model simulates market pullbacks like the Great Recession (and worse). However, we did not find a reason to think that a dramatic, long-term decline in the City's property values was a high-probability risk. The Risk Model does provide the user with the ability to easily change growth rate assumptions in order to see the effect of more optimistic or pessimistic outlooks.

Full-value per capita: This indicator adds in population size to the size of the tax base. The per resident property wealth shows the availability of tax-generating resources relative to the users of public services. This measure is almost 1/3 above what is necessary to receive the highest score on Moody's scorecard. We did not find reason to believe that the City's population would outpace the growth in property values to the point where it would risk the City falling below the Moody's threshold for the best score. In fact, a long-term forecast sourced from Association of Bay Area Governments (ABAG) shows the City's population forecasted to grow just over 1% per year over the next 30 years. This growth does not seem to be so great that it puts a strain on City finances and, thus, pose a risk to the City's bond ratings.

Median Family Income: A community with high-income taxpayers may have greater ability to cover the cost of debt. The City is almost exactly in the middle of the two threshold values that bound the second highest score on Moody's scale. Presumably, the large number of college students in Berkeley exert downward pressure on this measure. That said, we did not uncover a high probability risk that the City would fall out of the second-highest category over the next 30 years.

Finances

This factor considers a local government's cushion against the unexpected, the City's ability to meet existing financial obligations, and its flexibility to adjust to new ones. There are four sub-factors considered:

Fund Balance: Fund balance describes the net financial resources available to a municipality in the short term. It is essentially the "rainy day fund" or "self-insurance" to react to unplanned, unavoidable costs (like natural disasters). More fund balance would presumably reduce the risk of a local government failing to repay debt because of a natural disaster or other catastrophe. For the City, this measure is currently almost 2/3 above what is necessary to receive the highest score on Moody's scorecard (Aaa). That said, fund balance is not nearly as stable a quantity as the economic forces we reviewed above. For example, in the years 2007 to 2013 the City's annually available reserves were less than half of what they've been in the last few years. In fact, the City would have been in the Aa, rather than Aaa, equivalent tier for six of the last 15 years (though not too far below the Aaa tier, at least). This means that we shouldn't take for granted that the City will continue to maintain reserves high enough to receive Moody's highest scores for the entire 30-year analysis period. The Risk Model assumes the City has a chance of falling out of the Aaa equivalent tier for fund balance. That chance is determined by the City's historical experience. Over the last 15 years the City was below the Aaa threshold six times. So, the Risk Model assumes a six in 15 chance (or two in five chance) per year that the City falls below the Aaa tier.

Five-Year Dollar Change in Fund Balance as % of Revenues: The reason for this measure is much the same as stated above, except this takes longer-term perspective on fund balance. Fund balance can change fairly rapidly, year to year, compared to some of the other indicators in the Moody's scorecard. So, this measure checks to see if fund balance is growing or shrinking and by how much. Currently, the City is just above the threshold required for the highest score. However, this is an example of a measure that is highly relevant to the interest of bondholders, but not as well aligned with the interests of the people who live in Berkeley. From the perspective of bondholders, it would not be a bad thing if the City continued to build its fund balance indefinitely. That continues to reduce the risk of a default. However, from the citizens' perspective there is a clear upper limit on the amount of fund balance a local government should hold. At some point the opportunity cost (in terms of higher taxes or foregone services) is not worth the benefit the public receives from the City having a larger fund balance. Thus, given that the City already, by Moody's own standards, has a large fund balance, it is questionable whether the City would continue to grow the fund balance in the future at the same rate it has in the past. Thus, it seems unlikely the City would continue to achieve the highest score under the Moody's rating system. However, that said, Moody's documentation does imply that local governments with a strong fund balance might be given consideration for maintaining that fund balance rather than continuing to grow it - Moody's might adjust ratings upwards to reward maintaining stability of a high level of fund balance. This means that the City

may not enjoy the top-rated scores it had gotten in the past on this measure, but if it maintains a high level of fund balance, it might only drop to the second highest score. The Risk Model gives the user the option to choose the growth rate, from maintaining a rate of growth equivalent to Aaa to remaining flat (equivalent to an A rating). For the purposes of this report, we chose to make this indicator equivalent to an Aa rating. The rationale is that the City probably can't keep historic levels of growth indefinitely, but the high amount of fund balance the City usually carries would, hopefully, be enough to avoid falling down to an A rating.

Cash Balance: Cash is a similar measure to fund balance – but focuses on "money in the bank", whereas fund balance can include some non-liquid resources. For the City, this measure is currently almost three times above what is necessary to receive the highest score on Moody's scorecard. At the City, cash balances and fund balance levels tend to mirror each other. So, just as the City did not have nearly the same level of fund balance in the past as it does today, it did not have the same level of cash either. Thus, like fund balance, this means that we shouldn't take for granted that the City will continue to maintain cash high enough to receive Moody's highest scores for the entire 30-year analysis period. That said, given that cash appears to be so far above what Moody's is looking for that it would take much more extraordinary circumstances for the City's cash to fall below Aaa equivalence. The Risk Model assumes that the City has a 2 in 15 chance of falling to the Aa tier, each year. This chance is smaller than fund balances falling to the Aa tier. The rationale is the City's cash amounts are very high above the Aaa threshold, so would have a long way to fall to reach Aa territory.

Five-Year Dollar Change in Cash Balance as % of Revenues: The rationale and issues related to this measure are much the same as discussed above. Cash is a more liquid resource for dealing with unplanned, unavoidable expenditures and this measure shows the rate and direction of growth. The City is currently well above the amount required for Moody's highest score, but, again, the same rate of growth probably cannot keep up indefinitely. Like fund balance, though, it seems possible that Moody's might not penalize the City for mere stability in its amounts of cash on hand, if the amounts on hand were kept high. The Risk Model uses identical assumptions for this measure as for the fund balance trend, described above.

Management

The legal structure of a local government and management under which it operates influence the government's ability to maintain a balanced budget, fund services, and continue to derive resources from the local economy. There are two measures in this category.

Institutional Framework: This factor measures the municipality's legal ability to match revenues with expenditures based on its constitutionally and legislatively conferred powers and responsibilities. For example, a local government with many mandated responsibilities, but with little ability to raise revenues would score poorly on this measure. Our examination of the City's prior Moody's bond ratings suggest that the City, for this measure, was rated consistently with is overall rating: Aa. In other words, the second best possible score. We found no high probability risk that the City's legal powers and responsibilities would change dramatically in the coming years, so we assume the City's score on this measure will remain constant throughout the analysis period.

Operating History: Operating history is essentially the extent to which the City runs annual surpluses or deficits. The City's current measure is well above what is required for Moody's highest score. However, because surpluses and deficits are determined annually, we shouldn't assume stability in this measure over a long-term period. We looked at the last 15 years of the City's history to see the size of surpluses (there were no deficits) and used those to simulate what surpluses will be in the future. This results in a more conservative assumption than simply continuing the most recent trends indefinitely into the future.

Debt / Pensions

Debt and pension burdens are measures of the financial leverage of a community. The more leveraged a tax base is, the more difficult it is to service existing debt and to afford additional debt, and the greater the likelihood there will be difficulties funding debt service. There are four measures in this category.

We gave this category the most analytical attention for a number of reasons. First, debt was the primary focus of the City in commissioning this study. The amount of debt the City is considering issuing will have a direct impact on some of the measures in this category. Second, as we will see, the City's current performance on debt indicators is already weak compared to the other indicators we have reviewed. Third, this section includes pensions, which, as we will see, are the weak spot in the City's performance on the Moody's scorecard.

We will first briefly overview the four measures in this category and then go into details on the assumptions made for future values of these indicators.

Debt to Full Value: This evaluates net direct debt relative to full value of the property in the City's tax base. This metric tells us how onerous future debt service payments could be to the tax base. Currently, the City is in the second best category for scoring on this measure.

Debt to Revenues: This compares debt to the City's regular revenue stream. Moody's does not subtract from the calculation any debt whose principal and interest is paid by taxes, even if those costs are external to the General Fund. Under this definition, the City gets a score on the Moody's scorecard equivalent to an "A" rating.

Three-year Average of Moody's-Adjusted Net Pension Liability to Full Value. This measures the magnitude of a local government's pension obligations relative to its tax base.[6] Similar to the debt burden evaluation, the tax base serves as a proxy for future revenue-generating capacity to amortize accrued pension obligations. The City's score here is equivalent to a "Baa" bond rating.

Three-year Average of Moody's-Adjusted Net Pension Liability to Operating Revenues. This metric seeks to measure pension obligations relative to the size of the local government's budget. The metric attempts to reflect that amortization of accrued net pension obligations could divert revenues out of future budgets and lead to funding shortfalls. The City's score here is equivalent to a "Ba" bond rating (the second worst rating).

[6] Note that Moody's adjusts the standard net pension liability measure found in government financial reports to include less favorable assumptions on the discount rate for pension investments. The details behind these calculations are available in the Risk Model supplied to the City by GFOA.

Assumptions for Future Indebtedness:

- The Risk Model includes all repayment schedules for the City's existing debt and assumes debt will be repaid in the times and amounts currently scheduled.
- The Risk Model includes three categories of "new" debt. The detailed assumptions behind the new debt are described in more detail later, but the general categories of new debt are:
    - Debt that the voters have previously authorized, but which the City has not issued. This is in the amount of $117 million in principal.
    - Debt issued to support Vision 2050 or other programs. The user defines the amount of principal in the Risk Model. The Risk Model assumes that the number entered by the user will be approved by the voters.
    - Debt issued in the far future. Given we are taking a long-term (30 years) perspective, we should not assume that future City Councils will not issue any more debt. The amounts and timings of these simulate future debt issues are described as part of the following bullets.
- For all new debt, the user can choose the length of the repayment schedule. For the purposes of this report, we assumed 30 years. This is consistent with the City's past practices and current plans. We assume level repayment schedules (i.e., no front or back loading of repayment schedules). We assume no debt refunding, refinancing, etc.
- For all new debt, we simulate the interest rate, where historical rates are used as a model. Here are some key points:
    - We use forecasts of the yield on ten-year US Treasuries for the next two years to simulate the interest rate environment for the next two years. We do this so that the Risk Model does not generate short-term results that are divergent from short-term expectations.
    - After two years, the Risk Model randomly generates future interest rates, where the rate of change in the rates is entirely consistent with the rate of change in the interest rates for Aaa-rated GO bonds and US Treasuries since 1977. We used the historical rate of change to simulate downward, upward, and stable trajectories for long-term interest rates.
    - The Risk Model assumes bond interest rates will not go below zero. The user has the option to adjust this rate floor.
    - The Risk Model includes the City's informal policy that the City will not borrow if rates are above 5%. If rates are simulated to go above 5% in any year any simulated, then borrowing is deferred until rates go back below 5%.
    - For the purpose of this report, the Risk Model assumes that rates are just as likely to go up in the future as they are to go down, with the exception of the first two years. As discussed above, the next first years are determined by the 10-year US Treasury forecasts produced by other organizations. For the years after that, the user is able to adjust how likely rates are to go up or down to explore assumptions other than what we assumed for this report. So, if the user wanted the Risk Model to simulate an interest environment where it is twice as likely rates would go up, then that assumption could be entered. In no case will the rates rise at a greater rate of change than has been observed historically.

- The Risk Model assumes that the City will issue new debt that has been previously authorized by voters, but which have not yet been issued. This amounts to $117 million in additional principal that is added to the City's debt burden over the next five years. The debt is issued according to a user-defined schedule.
- For the debt to support more borrowing, including the City of Berkeley Vision 2050, in the Risk Model, the user can choose the amount of debt the City will issue. The Risk Model allows the user to choose between the options below. The options are completely user definable so the City can add, change, or delete options as it likes:
    - An option for $300 million in debt, which represents the lower end of what the City Council has discussed. Note that the City Council has discussed supplementing this amount of debt with a parcel tax. The parcel tax would not impact the City government's performance on the key indicators in the Moody's scorecard other than requiring the City issue less debt. Hence, the parcel tax is not included in the Risk Model.
    - An option for $600 million in debt, which represents the upper end of what the City Council has discussed.
    - An option for $900 million in debt. This is included just for demonstration purposes, so the user can see what a larger amount of debt would do to the model results.
- Debt issued to support more borrowing for the 2050 Vision Plan are assumed to be issued in increments evenly throughout the 30-year analysis period. The user can change this assumption and make the debt issued on any schedule they would like.
- We should not assume that the debt issued to support the City of Berkeley Vision 2050 will be the last debt the City issues for 30 years. Since 2000, the City has tried to gain voters' approval to issue new debt in seven of ten election years. Thus, we must assume that future City Councils will have plans to issue debt to support future projects. The model simulates this under the following assumptions:
    - The City will not try to issue new debt again until 2028. This assumption can be easily changed by the user.
    - For any election year after 2028, there is a 70% chance that the City will try to gain approval to issue new debt. This is based on the fact the City has historically tried in 70% of election years, though this assumption can be adjusted by users.
    - The amount of debt the City attempts to issue in any given election year varies between $13 million and $150 million. This is based on the inflation adjusted amounts the City has tried to issue in the past. The Risk Model adjusts this amount upwards in future years to account for the effects of inflation.
    - The public approves proposed new issues at the same rate it has in the past, including partial approvals.

Assumptions for Future Pension Liabilities

For pension liabilities, we developed a single alternative pension assumption, based on the work of the City's CPA firm. This assumption assumes a negative 1 percentage point adjustment to the discount rate applied to pension investments. So, if the baseline, status quo assumption is 7.15%, then the alternative would be 6.15%. The user can activate or deactivate the alternative assumption on the Risk Model

dashboard. If activated, the alternative assumption is applied across all of the thousands of scenarios the risk model produces. If is not activated, it is not applied to any of the scenarios.

The Risk Model also includes an assumption for annual increase in pension liability and the current annual rate of 3.96%. GFOA would like to acknowledge the assistance of Dan Matusiewicz, Senior Finance Consultant, at GovInvest for providing assistance on formulating this assumption, which is based on a 6.8% discount rate and wage growth of 2.5%.

Section 4 – Results of the Analysis and Recommendations

In this section, we will address the finding from our analysis, including recommendations to help the City retain its credit rating.

Let's Put Debt in Context of the Financial Indicators Used to Estimate Debt Affordability

The City's level of debt only impacts the financial indicators that comprise a total of 10% of the Moody's scorecard. Put another way, 90% of the scorecard result is determined by factors other than the City's debt! That means that long-term affordability of the City's debt will be influenced by things like how the City manages its tax base, fund balance, its pensions, and its budget. Exhibit 3.1 provided details on the relative importance of the different factors in the Moody's scorecard. To recap some of the more notable items:

- Pensions are equal to 10% of the scorecard result, or the same as debt.
- Fund balance and cash are equal to 30% or are three times the importance of debt.
- A balanced budget is equal to 10% of the scorecard result.
- Economic factors, like full value and median family income, are equal to 30% of the scorecard result.

According to our re-creation of the Moody's scoring method, today, the City is just short of a score that would be consistent with an Aaa rating. The City's pension liabilities are the main culprit for keeping the City from that score. This conclusion seems consistent with what bond analysts have conveyed to the City: that the City would have an Aaa rating if not for its pension situation. This means that the City has some "distance to fall" in order to get down to an A rating, at least according to the quantified scoring system and the assumptions we described in this report.

All this means that the City's decision to issue debt must be done in the context of the other factors that impact affordability when trying to determine the chance that additional debt will reduce the City's bond rating.

So, to review, the City' strengths are:

- The City's economic base is firmly in Aaa territory and there does not seem to be a plausible risk of it falling out of that tier. The economic base accounts for almost 1/3 of the rating.
- The City's fund balance and cash are firmly in Aaa territory as well. Even though these measures are, by nature, more volatile than the measures of the economic base there seems to be low risk that they would fall completely out of Aaa territory much less all the way down to an A-rating territory (assuming the City maintains a strong reserve policy, as further described in our recommendations). Fund balance and cash measures also constitute almost one-third of the rating.
- The City has also consistently maintained a balanced budget.

And, the City's weaknesses are:

- The City's pensions are in Baa territory currently. Some observers believe there is a case for a lower discount rate to estimate the City's pension liability. A lower discount rate would make the liability to go up substantially. The City's CPA firm produced the calculation for a 1 percentage point reduction and we included it in the Risk Model as an option for the user to activate, if they wish. If this scenario came to fruition, pensions would become an even greater drag on the City. In fact, the Risk Model shows a good chance that pensions reach B territory (the worst rating) well before the end of the 30-year analysis period. Finally, it is worth noting that the Risk Model shows that one of the pension measures in the scorecard (pension liabilities compared to revenues) is at risk of slipping down to a score equivalent to the next lower rating tier (Ba) within in the next five years. As we will discuss more later, a continued downward trajectory on pensions could influence bond ratings analysts to give the City a lower rating.
- Though the City's current indebtedness is not nearly the problem that pensions are, it is not helping the City's bond rating either. Currently, debt measures sit between Aa and A territory.

More debt reduces the City's score on the indicators. We can illustrate with the table below. The table shows the City's scores under different simulations, starting with the City's current score and ending with the City's simulated score at the end of 30 years. The simulation does not produce a single score for the end of 30 years, but rather produces a range of possible scores. For this reason, we show the average, optimistic, and pessimistic outcomes.[7] The table uses assumptions identical to that described earlier in this report and assumes $600 million of new debt in support of the City's programs, including Vision 2050, plus debt issued by future City Councils, as described earlier. We can see that the score at the end of the 30 years is worse than the City's current score under all three perspectives in the table (average, optimistic, pessimistic). The good news is that when we consider just debt, at least the scores do remain broadly consistent with an Aa rating. But, what about if we consider more than just debt? Other factors do enter into the final bond rating of course.

Exhibit 4.1 – Simulated Results on Moody's Scorecard under the Assumptions Described Earlier in the Report

	Score for Each Rating		City's Current Score	Average Score at end of 30 years	Optimistic Score at end of 30 years	Pessimistic Score at end of 30 years
Rating	**Min**	**Max**				
Aaa	0.05	1.5				
Aa	1.5	2.5	**1.65**	**2.14**	**2.00**	**2.30**
A	2.5	3.5				
Baa	3.5	4.5				
Ba	4.5	5.5				
B or below	5.5	6.5				

[7] Optimistic and pessimistic are defined as the points at which 5% of the outcomes produced by the model are above or below the point indicated on the table.

To examine the other considerations that go into a rating, Exhibit 4.2 changes the assumptions in the Risk Model to be less favorable for the City, including: a lower discount rate on pensions (1 percentage point) and performance equivalent to an Aa rating for fund balances, cash balances, and operating history (which would be less favorable than the City's recent history would suggest). We can see that the City's scores now deteriorate enough that the pessimistic outcome places the City in the "A" rating equivalent scoring tier. What the table does not show is how the scores change for periods less than 30 years. The Risk Model tells us that the risk of a downgrade is present in the near-term future, not just the long-term future. This is because the City is close enough to the next lower tier of scoring for its debt and pension measures that it is plausible that the City will reach these lower tiers in five to ten years. We'll discuss this more detail in the next section. Over the long-term, the City's strong property tax base (and growth in that base) can balance out some of the nearer-term challenges (assuming the challenges don't also get worse).

Exhibit 4.2 – Simulated Results on Moody's Scorecard under Less Favorable Assumptions

	Score for Each Rating		City's Current Score	Average Score at end of 30 years	Optimistic Score at end of 30 years	Pessimistic Score at end of 30 years
Rating	**Min**	**Max**				
Aaa	0.05	1.5				
Aa	1.5	2.5	**1.65**	**2.39**	**2.30**	
A	2.5	3.5				**2.50**
Baa	3.5	4.5				
Ba	4.5	5.5				
B or below	5.5	6.5				

The reader will notice that even on this second table, the scores are certainly not disastrous, by any means: the average score is still within the Aa equivalent tier. That said, we must remember that the final bond rating a municipality receives is not a purely mechanical exercise, where the key financial indicators dictate the bond rating. According to Moody's: "The scorecard is not a calculator. Its purpose is not to determine the final rating, but rather to provide a standard platform from which to begin viewing and comparing local government credits. It therefore acts as a starting point for a more thorough and individualistic analysis." Put another way, the rest of the rating is subject to a human element: the rating analyst. In a real-life scenario characterized by unfavorable performance across the indicators that Moody's looks at we can't discount the possibility that the analyst might decide to "put a thumb on the scale" and raise the chance of a downgrade. For example, perhaps a significant amount of new debt along with further deterioration in the City's pension situation dampens the rating analyst's enthusiasm for the City of Berkeley's debt even more than the Moody's scorecard suggests. Finally, it could be possible that rating agencies could change the weightings of the indicators they consider. GFOA has observed that the measures favored by rating agencies and the relative weight placed on them has evolved over time. It seems unlikely that debt and pensions would come to occupy a less important place in rating considerations given that they currently constitute a relatively small consideration compared to fund balance / cash and tax base. Given that pensions and debt are biggest risk to future debt affordability, we'll examine this risk more in the next subsection.

Finally, the model can address different interest rate environments and property markets. Some observers believe that sustained higher interest rates may result from efforts to combat inflation. This would result in economic stagnation and impact on the housing market. In fact, the Federal Reserve Bank of Dallas recently stated that the property market is showing "signs of a brewing U.S. housing bubble". The implication is that bubbles pop, with the types of consequences we saw in the 2008. To explore these concerns further, we adjusted the model assumptions to give more weight to a rising interest rate environment and to reduce, by half, the chances of growth in the City's revenue and property values. Note that the baseline assumptions in the Risk Model **did not** assume uninterrupted growth in property values, but did assume a good chance of a long-term upward trajectory. These new assumptions result in a good chance of long-term stagnation. Under these assumptions, unsurprisingly, the City's is at significantly greater risk of slipping below an Aa equivalent score. Interestingly, the City's informal policy of not borrowing at rates above 5% makes a noticeable difference in the high interest rate environment: the City stops borrowing at a certain point and pays back existing debt, which helps its score. The take-away is that unfavorable turns in the economic environment will have a noticeable impact on the financial indicators and increase the risk of a ratings downgrade.

Pension, Debt and the Risk Posed to the City's Bond Rating

Though pension and debt do not dominate the Moody's scorecard and are not the most important consideration in bond ratings, they still can influence bond ratings. For example, especially poor performance or notable deterioration from previous performance might capture the attention of the bond ratings analyst. To illustrate, the table below displays results from one of thousands of simulations the Risk Model produced, using the more unfavorable assumptions described in the previous section. We chose to illustrate using the more unfavorable assumptions because it helps make the point we wish to make more clearly. Also, keep in mind this is just one of the thousands of simulations we developed, so it's not intended to show generalizable results (unlike the tables in the last section which summarized results from across the thousands of simulations).

The top set of rows in the table shows the City's current values for the key financial indicators associated with debt and pension in the Moody's scorecard. The next set of rows shows the scores the indicators receive under the Moody's methodology. The scores can range from 1 to 6, where 1 is the best (Aaa equivalent) and 6 is the worst (equivalent to B or below). The final row is the average of all indicators in the Moody's scorecard, which includes indicators not shown in the rows above (e.g., tax base, fund balance, etc.). Remember that the average is weighted towards the indicators Moody's deems most important (see Exhibit 3.1).

We see that the City's current score across all indicators is a 1.65 (bottom left corner), consistent with a strong Aa rating. However, as we move to right and further into the future, we see City's score on debt and pensions deteriorate (the numbers on the 1 through 6 scale get higher). We can also see the average score move upwards. The movement upwards is not as dramatic because debt and pensions only account for 20% of the total score. The measures that account for the other 80% perform well, often in Aaa territory. Nevertheless, we see that although the City's score remains consistent with an Aa rating, it has become consistent with a weak Aa (or Aa3 in Moody's terminology). It should be noted that the cutoff

points used in the table to differentiate strong from weak come directly from Moody's documentation.[8] With this in mind, it becomes more understandable why an analyst might decide to downgrade the City to an A rating, if they observe the City's scorecard result fall from a strong to a weak Aa. They might conclude that the possibility of continued decline, for example, merits a lower rating.

Exhibit 4.3 – Example Results from a Simulation the Risk Model Produced

		Years into the Future									
	Now	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**
VALUES FOR INDICATORS											
Net Direct Debt / Full Value	1.3%	2.2%	2.3%	2.2%	3.0%	2.9%	2.7%	3.5%	3.8%	3.8%	3.8%
Net Direct Debt / Operating revenues (x)	0.76	1.29	1.34	1.86	1.78	1.69	2.08	2.28	2.20	2.10	2.01
Adjusted Net Pension Liability (3-Year Average) to Full Value (%)	8.7%	13.7%	13.7%	13.8%	14.0%	14.1%	14.7%	15.2%	16.4%	17.7%	18.8%
Adjusted Net Pension Liability (3-Year Average) to Revenues (x)	5.24	7.73	8.26	8.49	8.72	8.90	8.80	9.17	9.44	9.67	9.93
SCORE FOR DEBT & PENSION INDICATORS (1 THRU 6 SCALE)											
Net Direct Debt / Full Value	2	3	3	3	3	3	3	3	3	3	3
Net Direct Debt / Operating revenues (x)	3	3	3	3	3	3	3	3	3	3	3
Adjusted Net Pension Liability (3-Year Average) to Full Value (%)	4	5	5	5	5	5	5	5	5	5	6
Adjusted Net Pension Liability (3-Year Average) to Revenues (x)	4	5	5	6	6	6	6	6	6	6	6
SCORE FOR TOTAL OF ALL INDICATORS (1 THRU 6 SCALE)	1.65	2.2	2.2	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.3
	^	^	^	^	^	^	^	^	^	^	^
	Strong Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa	Weak Aa

Finally, the Risk Model can be used to explore different weightings on financial indicators. For instance, we could give greater weight to pensions and debt and less to cash and fund balances (perhaps because cash and fund balance measures are very similar, so weighting both heavily in the analysis could be seen as "double counting"). This feature of the Risk Model could be used to mimic how a ratings analyst might decide to weigh the indicators differently than Moody's standard documentation suggests. Unsurprisingly, weighting debt and pensions more puts downward pressure on the City's scores.

Develop and Maintain Strong Financial Policies

Financial policies can help the City maintain its good bond rating. An example is the City's General Fund Reserve Policy. GFOA's review of the City's policy finds that it includes all the critical features of a good policy and calls for a reserve equal to Moody's Aaa equivalent threshold. That said, it is important to recall that Moody's looks across all "operating funds", which includes more than the General Fund. **Hence, there could be an argument for defining reserve policies for other critical operating funds.**

The City also has a debt policy. The policy has many of the features of a good policy, but there may be some opportunities for improvement. Particularly salient to our discussion of bond ratings is debt affordability. The City's debt policy notes that "the City is subject to debt capacity limit for its general obligation bonds: 15% of assessed value." This amount of debt would be equivalent to the second lowest rating, Ba, under Moody's scoring. **Hence, there may be a case for defining a more locally appropriate debt affordability policy.** For example, even under the most aggressive assumptions of how much debt the City might issue, the Risk Model did not show that there was a high chance that debt issued in support of the Vison 2050 would bring the City's scorecard result below an "A" equivalent score on the measure

[8] Note that Moody's doesn't use the terms "strong" and "weak", but rather a numeric code. We elected to use the more descriptive terms of "strong" and "weak" in order to make the table more understandable.

comparing debt to property value of the tax base. The A rating is defined as debt equal to between 1.75% and 4% of property value. This might be a good starting point for defining a locally affordable limit. The City could "stress test" affordability by simulating larger issues to see how much pressure is placed on the scorecard result by increasing the amount of debt. It could be that the City's strong tax base and fund balance / cash practices would make it practical to incur debt beyond 4% of property value without putting the score at too much risk, but perhaps 15% is still too much. Of course, we must remind ourselves that bond ratings consider only the interest of the City's creditors. Just because creditors are willing to lend does not mean the City should borrow. More debt also places more of a burden on taxpayers. Taxpayer burden should be analyzed as part of developing a debt affordability policy. We'll discuss this more in one of our other recommendations, later in this report.

Another opportunity for improvement of the City's debt policy might be to define interest rate ceilings for issuing debt. GFOA understands that the City has an informal policy that considers "5%" the interest rate ceiling beyond which the City will not issue debt. Formalizing this policy, or something like it, could help make a positive impression on rating analysts. The GFOA Risk Model can be used to help the City stress test different policy choices because the user can customize the interest rate ceiling the Risk Model uses and adjust assumed behavior of the interest rate environment.

Finally, **a structurally balanced budget policy could be helpful**. The City has a good history of running budget surpluses. A municipal government is subject to legislative requirements to pass a balanced budget. However, the definition of a balanced budget is just that inflows equal outflows for the year and says nothing about the long-term sustainability of how the budget is balanced. For example, according to the law, an asset could be sold to pay for the compensation of permanent City staff positions. An asset is a one-time revenue while staff compensation is a recurring expenditure, so this strategy would not be advisable even if it is legal. A structurally balanced budget policy commits a local government to adopting a budget that is balanced using sustainable strategies. GFOA is happy to provide the City with templates for such a policy, if the City is interested in pursuing it. This kind of policy would support both a strong score in the "operating history" and, perhaps, the "institutional framework" measures in the Moody's system. For example, Moody's recognizes "unusually strong budget management and planning" as a "notching factor" that could justify a higher score for a municipality than the ratios in the scorecard might suggest. A structurally balanced budget policy could be an illustration strong budget management and planning.

Manage the Risk Posed by Pensions

As we've discussed, pensions are the Achilles' heel of the City's bond rating. The City has been considering strategies to manage its pension risk and has established an irrevocable supplemental (Section 115) pension trust. This could help support a good bond rating. This is supported by conversations the City's Finance Director has had with bond rating agencies: the City's current pension challenges has kept it from achieving an Aaa rating and continued deterioration in pension position could even lead to the City slipping to an A or a lower rating.

Support a Strong Tax Base

If pensions are the City's Achilles heel, then its aegis is its tax base. Not only is the tax base directly responsible for 30% of the City's score on the Moody's scorecard, it directly impacts other measures as well. For example, the Moody's scorecard method compares debt and pensions to the full value of taxable property in the City. Of course, the tax base also determines how much revenue the City can raise, which influences fund balances and the City's ability to balance its budget. Therefore, the City should take active steps to preserve and to enhance its tax base. GFOA has found that there are unrealized opportunities for municipal governments to better reflect the financial interests of municipal government in land use planning. After all, land use planning will have an important influence on how the tax base develops and how the tax base develops will have an important impact on the quality of life in Berkeley (like the City's ability to invest in infrastructure!). The City can learn more about GFOA's findings and recommendations for how to make the connection between land use planning and city finances in this report **[Note to reader: as of the date the City of Berkeley's report was posted the GFOA report on the intersection between land use planning and municipal finances has not be released to the public. It will be available soon]**.

Develop and Maintain Measures of Tax Burden

General Obligation (GO) debt is paid for by a special tax levy. Therefore, more GO debt does not place a direct pressure on the City's budget. It does, however, place burden on the City's taxpayers. Voters approve the City's ability to authorize debt. In that way, voters are speaking as to whether debt is affordable to them or not. However, voters are unlikely to have a perfect understanding of the long-term implications of debt for their tax burden. In the past, the City has developed measures that show the average tax burden for a City of Berkeley homeowner. It may be wise to develop the ongoing capacity to monitor and project tax burden, especially if the City plans to continue making use of GO bonds and tax measures. The scope of the GFOA Risk Model covers only City government finances, but the Risk Model does provide much of the information that the City would need to examine the tax burden placed on residents and businesses by future debt. For example, it gives the full range of principal and interest that would need to be covered by taxes every year of the 30-year analysis period. It also provides range of the potential size of the tax base.

Be Strategic about Debt Issuance

The City already has $117 million in previously authorized debt that it plans to issue in the next few years. This is included in the Risk Model and in the information we've presented in this report. What the risk model doesn't capture is the City staff's capacity to manage the debt issuance and, critically, to manage

the projects that the debt is intended to finance. Prioritizing projects to make sure the City doesn't take on more than it can handle will not only make the best use of limited staff capacity it will help limit the total amount of debt the City takes on. The City has old debt that will gradually be paid down in the coming years. There is some opportunity to moderate the increase in the City's total debt burden by timing the issuance of new debt with expiration of old debt. That said, we must recognize that the amounts of new debt being contemplated do significantly exceed the amount by which old debt will decrease in the next number of years. So, a total increase in the City's debt burden would be inevitable under the assumption that there $117 million would be issued along with some significant additional amount to support other projects including the Vision 2050 project.

Section 5 – Conclusion and Summary

In conclusion, the City's performance on the key financial indicators used in the Moody's scorecard appears to be robust under a variety of circumstances. That said, the final bond rating the City receives is not purely a function of these indicators. Human judgment, applied by bond ratings analysts, determine the final score. Their judgment could be swayed, negatively, by the risks posed by debt and pensions, which we described earlier in this report. We have outlined a number of opportunities for the City to take proactive measures to preserve and protect its bond rating and, thus, its capacity to borrow at favorable interest rates.

To conclude, let's recap the key take-aways from this report.

- The City has important strengths that bolster its ability to borrow, including a strong tax base, fund balances, and a history of balanced budgets. That said, the City's current policy identifies a limit on borrowing equal to 15% of assessed value. Borrowing this much would place the City at the equivalent of a Ba score or the second lowest score for the key financial indicator of debt compared to the value of property in the City. That would, of course, exert strong downward pressure on the City's bond rating. The City should develop a more locally appropriate debt limit, rather than relying on statutory limits (which are set without regard to local context). For example, debt equal to 4% of property value would still provide room for the City to issue more debt (the City is currently at less than 2%), while keeping that measure with the scoring tier equivalent to an A rating. The GFOA Risk Model can be used to "stress test" different policies.
- An unfavorable turn in the economic environment could impact the City's bond rating. The Risk Model can be used to simulate high interest rate environments and stagnant (or even declining) housing markets. Unsurprisingly, these conditions increase the chances that the key financial indicators we analyzed will slip into territory associated with a lower bond rating. This is important because some observers believe that a higher interest rate environment and stagnant or declining property market are real possibilities.
- Growth in the City's tax base supports borrowing and repayment of debt. Hence, the City should consider how it can use the City's land use planning capabilities to support the financial capacity of City government. Land use planning could be used to improve the revenue productivity of the land uses in the City's jurisdiction.
- The City's pension liabilities are a drag on the City and its capacity to borrow. Pensions are clearly the weak spot in the City's bond rating given how the pensions stand today. Some observers believe that the current discount rates assumed for the pensions' investments may be too optimistic. Lower discount rates would increase the size of the liability even further. This emphasizes the need for the City to find ways to manage its pension debt.
- The City can adopt certain financial policies to maintain good management practices. This will help make a positive impression on bond rating analysts. It is important to remember that even though our Risk Models shows the City is likely to perform consistently with an Aa rating in most scenarios: A) in many scenarios the City's position deteriorates from strong Aa to a weak Aa; and B) ratings are ultimately the product of the judgment of the bond ratings analyst. An analyst's

enthusiasm for the City's debt might dampened enough by this deterioration that the analyst decides on a ratings downgrade for the City.

- Though our analysis focused on the direct impact of debt on the finances of City government, the City should also be mindful of the burden on taxpayers. The Risk Model provides much of the information the City would need to estimate burdens on taxpayers under different scenarios.
- The City already has $117 million in previously authorized debt that it plans it issue in the next few years. Given the City's interest in issuing more debt to support the Vision 2050 and other programs, the City should remain mindful of the City staff's capacity to manage new debt issuance and, critically, to manage the projects that the debt is intended to finance. Prioritizing projects to make sure the City doesn't take on more than it can handle will not only make the best use of limited staff capacity, it will help limit the total amount of debt the City takes on.
- By following a prudent borrowing strategy, managing pensions, and following other recommendations in this report the City should have a good chance of making a positive impression on bond ratings analysts and maintaining its ratings, all while preserving some additional capacity for the City to borrow.

Appendix 1 – Limitations of GFOA's Analysis

This section highlights the most important limitations of our analysis.

Our analysis is not predictive. GFOA does not forecast bond ratings. Rather, our model generates hundreds or even thousands of different scenarios to show how the future could unfold. This helps the City think more broadly about risk so that it can be more prepared for whatever future event does eventually come to pass. Finally, it is important to note that low probability events are still possible events. Hence, even if our model says an event has a low probability, then that does not mean it won't occur.

GFOA is not a risk management consultant. We worked with the City to find out which risks to bond ratings are most salient and then modeled those risks quantitatively to judge the potential impact. It is not our place to determine what the City's attitude towards risk should be or to substitute GFOA's attitude towards risk for the City's. GFOA builds models to help you explore the questions, but ultimately you have to make the decisions.

Our analysis is based on historical records. Historical data is often a good way to model potential future outcomes. However, historical data will not be perfect.

Our analysis is not inclusive of every risk the City could possibly face. We examined the City's past history and worked with City staff to identify the risks that posed the most clear and present danger to the City's bond rating. However, it is possible that the City could experience a shock that no one was expecting or that the City could be impacted by a low probability, but high consequence event.

The calculation of the key indicators is subject to some interpretation. Though Moody's does produce detailed documentation of their methods, there is still some interpretation required. For example, the measure of fund balance is supposed to include all "operating funds". It is ultimately up to the analyst to decide which funds are operating funds and which aren't. It could be that GFOA would have a different interpretation than Moody's. That said, given that our Risk Model did duplicate the City's current score, our interpretation should at least be close.

Good decisions do not always lead to good outcomes. Excel simulation tools can enhances one's perception and understanding of uncertainty and risk.[9] However, when dealing with uncertainty, even the best decision may not lead to a good outcome, if luck goes against you.[10]

[9] "To survive in an increasingly unpredictable world, we need to train our brains to embrace uncertainty," Emre Soyer, Quartz Magazine, January 9, 2017 https://qz.com/879162/to-survive-in-an-increasingly-unpredictable-world-we-need-to-train-our-brains-to-embrace-uncertainty/.

[10] This is one of the primary lessons in: Annie Duke. *Thinking in Bets: Making Smarter Decisions When You Don't Have All the Facts*. Portfolio. 2019.

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Kate Harrison
Councilmember District 4

ACTION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison

Subject: Adopt an Ordinance Adding a New Chapter 12.01 to the Berkeley Municipal Code Establishing Emergency Greenhouse Gas Limits, Process for Updated Climate Action Plan, Monitoring, Evaluation, Reporting and Regional Collaboration

RECOMMENDATION

1. Adopt an ordinance adding a new Chapter 12.01 to the Berkeley Municipal Code (BMC) establishing Emergency Greenhouse Gas Limits with an effective date of [ ], 2022.

2. Refer to the FY23-24 Budget Process $[ ] consistent with implementing the requirements of Sections 12.01.040, 12.01.050, 12.01.060.

POLICY COMMITTEE RECOMMENDATION

No final action was taken by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee. Item is automatically returning to the Council agenda pursuant to the time limit for items referred to policy committees.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

Scientific evidence indicates that between the industrial period of 1850 and 2021, economic systems, namely state and free-market forms of capital accumulation and economic growth have increased global atmospheric carbon dioxide levels to a staggering 418 parts per million (ppm), beyond the established planetary boundary of 350 ppm, and warmed global average temperature by approximately 1.1 degrees Celsius. Available scientific evidence indicates there is no ‘safe’ level of warming beyond 350 ppm, only gradations of risk with respect to habitability.

Berkeley is already experiencing unprecedented negative effects of warming associated with 1 degree of warming, and current global growth trends and policies could push humanity past 1.5 degrees by mid-century, leading to a devastating 2-4 degrees by the

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end of the century. The 'Global North,' which includes Berkeley, has far exceeded its fair share of the emissions comprising and exceeding the boundary, and must reduce its emissions rapidly and justly.

The City of Berkeley has engaged with the issue of global warming for at least three decades and has unquestionably been a leader in certain climate actions. Yet, in light of the current gravity of the climate emergency, current strategies and targets are not adequate. Exceptionally risky "mitigation" strategies, namely midcentury 'net-zero' pledges have provided for unbridled economic and emissions growth and thus severely dwindled carbon budgets, effectively rendering Berkeley's gradual reduction goals: 80% by 2050 (Measure G, 2005 and Resolution 64,480-N.S., 2009) and net-zero by 2045 (Resolution 69,852–N.S., 2021), untenable. The majority of risk associated with each additional ton of greenhouse gas emitted will be borne by generations who will have not consented to current reduction goals and strategies. Current policies could exacerbate or lead to exceedingly dangerous new tipping points.

This item is timely in light of ongoing reports that national "pledges" under Paris Agreement could lead to at least 3 degrees of catastrophic warming, the inability for Congress to pass meaningful domestic and international climate policies and legislation, and the failure of world leaders to reach an effective and substantive agreement at the 26th UN Climate Change Conference of the Parties (COP26) in Glasgow.

BACKGROUND

The ordinance establishes emergency greenhouse gas limits aimed at reducing sector-based greenhouse gas emissions 90% below 2000 levels and consumption-based emissions 90% below 2013 levels by 2030. These limits would bring Berkeley closer to its global 'fair share' and science-based reduction obligations, and could help achieve reductions at scale as part of a program of regional coordination and collaboration.

While such targets are ambitious, mitigating and minimizing global warming risk and maximizing adaptation, resilience and adherence to planetary boundaries earlier in the century rather than later will likely result in less disruption to society over the long term, and will generate opportunities for more inclusive and sound democratic decision making as compared to waiting until atmospheric carbon levels reach increasingly catastrophic levels.

These limits are consistent with the City's 2006 "precautionary principle" established by BMC 12.29, and which states:

> "The purpose of this chapter is to promote the health, safety, and general welfare of the community by minimizing health risks, improving air quality, protecting the quality of ground and surface water, minimizing consumption of resources, and minimizing the City' s contribution to global climate change by implementing in a phased manner, as provided in this chapter, the City's use of a precautionary principle approach in its decisions."

As enacted by Council, BMC 12.29 requires the City to apply the following precautionary principle tenets in the course of action and decision-making:

1. Anticipatory Action: Anticipatory action may prevent harm. Government, business, community groups, and the public share this responsibility.

2. Right to Know: The community has a right to know complete and accurate information on potential health and environmental impacts associated with the selection of products, services, operations or plans.

3. Alternatives Assessment: Examine a full range of alternatives and select the alternative with the least potential impact on health and the environment including the alternative of doing nothing.

4. Consideration of Significant Costs: Consider significant short-term and long-term costs in comparing product alternatives, when feasible. This includes evaluation of significant costs expected during the lifetime of a product, (e.g. raw materials, manufacturing and production, transportation, use, clean-up, acquisition, extended warranties, operation, supplies, maintenance, disposal costs, long and short-term environmental and health impacts); and that expected lifetime compared to other alternatives.

5. Participatory Decision Process: Decisions applying the Precautionary Principle should be transparent, participatory by including community input, and informed by the best available information.

The ordinance requires the City to develop a new Climate Action Plan and consistent with these GHG limits and precautionary principle tenets, and to establish relevant legislative and budgetary timelines to help the City reach its objectives.

In addition, the ordinance requires the City to consider post-growth climate mitigation strategies and policies as potential alternatives to the growth and market-based and other policies that created the crisis and remain a persistent obstacle to meaningful action. The City's policies and programs *must not* aim to merely increase economic growth for growth's sake, but rather to support the provision of basic human needs and happiness.

It also provides an institutional framework to build solidarity with neighboring Bay Area communities and jurisdictions to achieve collective limits that could change rate of global warming while simultaneously providing sister cities in other countries precious time to improve living standards and pursue decarbonization.

ENVIRONMENTAL SUSTAINABILITY

This item is consistent with the latest climate science and the precautionary principle established by BMC 12.29.

ATTACHMENTS

1. Proposed Ordinance adding a new Chapter 12.01.

FINANCIAL IMPLICATIONS

Staff time will be necessary to implement the new ordinance. This item refers $[ ] to the FY23-24 Budget Process consistent with implementing the requirements of Sections 12.01.040, 12.01.050, 12.01.060.

CONTACT PERSON

Councilmember Kate Harrison, Council District 4, (510) 981-7140

ORDINANCE NO. –N.S.

ADDING CHAPTER 12.01 TO THE BERKELEY MUNICIPAL CODE TO ESTABLISH EMERGENCY GREENHOUSE GAS EMISSIONS LIMITS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Chapter 12.01 of the Berkeley Municipal Code is added to read as follows:

Chapter 12.01

EMERGENCY GREENHOUSE GAS EMISSIONS LIMITS

Sections:

12.01.010 Findings and purpose.
12.01.020 Definitions.
12.01.030 Greenhouse Gas Emissions Limits.
12.01.040 Climate Action Plan.
12.01.050 Monitoring, Evaluation, And Reporting.
12.01.060 Regional Collaboration.
12.01.070 Severability.
12.01.080 Construction.
12.01.090 Effective date.

12.01.010 Findings and purpose.

The Council of the City of Berkeley finds and declares as follows:

A. Available scientific evidence indicates that between the industrial period of 1850 and 2021 economic systems, namely state and free-market forms of capital accumulation and economic growth, have increased global atmospheric carbon dioxide levels to a staggering 418 parts per million (ppm) beyond the established planetary boundary of 350 ppm, and warmed global average temperature by approximately 1.1 degrees Celsius. The 'Global North,' which includes Berkeley, has far exceeded its fair share the emissions comprising and exceeding the boundary, and must reduce its emissions rapidly and equitably.

B. Available scientific evidence indicates there is no 'safe' level of warming beyond 350 ppm, only gradations of risk with respect to habitability. Berkeley, California, the United States, and the world is already experiencing unprecedented negative effects of warming associated with 1 degree of warming, and current global growth trends and policies will push humanity past 1.5 degrees as early as the 2030s and 3 to 4 degrees by the end of the century. Global warming between 1.5 to 2 degrees Celsius is expected to further accelerate existential risks to health and safety including but not limited to, extreme weather, mass extinction, water and food shortages, violent conflict, fire, forced migration, economic collapse, disease, heat stress, and sea level rise. The majority of risk associated with each additional ton of greenhouse gas emitted will be borne by generations who will have not consented to current reduction strategies.

C. In the twenty-first century, Berkeley, California, and the United States have largely and irresponsibly relied on ineffective market-based mechanisms, unrealistic expectations of absolutely decoupling GDP growth from energy use, speculative mass deployment of negative emission reduction technologies and 'net-zero' practices to offset continued fossil fuel production and consumption, and underappreciation of irreversible tipping points, aerosol masking, and non-carbon greenhouse gasses. In light of the current gravity of the climate emergency, these strategies have unequivocally failed; between Measure G and 2018, each jurisdiction only reduced greenhouse gasses by a respective 10%, 12%, and 26%, while at the same time globally, nearly a third of all anthropogenic carbon dioxide was emitted. Exceptionally risky strategies pursued by the Global North, namely midcentury 'net-zero' pledges have provided for unbridled economic and emissions growth and thus severely dwindled carbon budgets, effectively rendering Berkeley's gradual reduction goals: 80% by 2050 (Measure G, 2005 and Resolution 64,480-N.S., 2009) and net-zero by 2045 (Resolution 69,852–N.S., 2021), untenable.

D. It is the intent of the Council to adopt stringent and equitable science-based greenhouse gas emissions limits and related action plans and reports, consistent with the precautionary principle approach established by Chapter 12.29, for the purpose of achieving the rapid, far-reaching, unprecedented and just changes in all aspects of society associated with mitigating and minimizing global warming risk and maximizing adaptation, resilience and adherence to planetary boundaries.

E. The Council further intends to endeavor to build solidarity with neighboring communities and jurisdictions to achieve collective limits that could change rate of global warming while simultaneously providing sister cities in other countries precious time to improve living standards and pursue decarbonization.

12.01.020 Definitions.

A. "Climate Action Plan" means the document required under Section 12.01 outlining the specific actions the City will endeavor to take to reduce Greenhouse gas emissions and to mitigation, resilience and adaptation efforts with respect to climate impacts.

B. “Consumption-Based Greenhouse Gas Emissions” means all the Greenhouse Gas emissions associated with producing, transporting, using, and disposing of products and services consumed by a particular community or entity in a given time period, including emissions generated outside the boundaries of the community or the geographic area where the entity is located.

C. “Greenhouse Gas” means any and all of the following gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

D. “Sector-Based Greenhouse Gas Emissions” means all of the Greenhouse Gas emissions generated within the geographic boundaries of the City in a given time period.

E. “Responsible Production and Consumption” means improving how materials and products are extracted, manufactured, delivered, acquired, used, reused, recycled, and disposed of to ensure that the production and consumption of materials and products promote basic human needs, are distributed in a socially equitable manner, and carried out in a way that minimizes environmental impacts over the lifecycle of those materials and products while matching the carrying capacity of the earth’s resources and adding value so as not to jeopardize present and future generations. “Lifecycle” means the complete material life of a product, good, or service, including resource extraction, manufacture, assembly, construction, maintenance, transportation, operations or use, and end of life (reuse, recycling/composting, and disposal). “Carrying capacity” means the number or amount of people, plants, and other living organisms that an ecosystem can support indefinitely without causing environmental degradation.

F. “Post-Growth Emissions Mitigation” means Greenhouse Gas mitigation strategies and policies that acknowledge and support the following:

(1) rapid emissions reductions may not be compatible with economic policies that support limitless growth, especially growth in the production and consumption of commodities that do not support basic human needs,

(2) in jurisdictions with high aggregate wealth there may be a disassociation between additional capital accumulation, economic growth, and GDP, and key social outcomes, to include but not limited to, health, social wellbeing, happiness and equity,

(3) fairer distribution of income and wealth, and guaranteed access to universal public services.

12.01.030 Emergency Greenhouse Gas Emissions Limits.

A. The following Greenhouse Gas emissions limits are hereby established:

(1) By 2030, reduce Sector-Based Greenhouse Gas Emissions [90%] below 2000 levels.

(2) By 2030, reduce Consumption-Based Greenhouse Gas Emissions to [5] mtCO2e per household or less, equivalent to a [90%] reduction compared to 2013 levels.

(3) By 2026, the Council shall determine an appropriate deadline for achieving 100% zero emissions across both Sector and Consumption-Based inventories.

12.01.040 Climate Action Plan.

A. By [ ], 2022, the City Manager or designee shall prepare and submit for relevant Council policy committee and Council approval a Climate Action Plan (CAP) which shall

do all of the following:
(1) Align with the emissions limits established in Section 12.01.030.
(2) Consider equitable Post-growth Climate Mitigation strategies and policies.
(3) Incorporate an equity framework that addresses historic racial, class-based, and social inequalities; prioritizes social, economic, and environmental benefits derived from implementing the CAP; and ensures an equitable distribution of those benefits. This framework shall consider:
(a) The engagement and prioritization of those who are most impacted by climate change and have historically had the least influence in decision-making processes, including low-income communities of color, communities with disabilities, and other impacted populations;
(b) Burdens and/or unintended consequences of related actions, especially for low-income communities of color, communities with disabilities, and other vulnerable populations; and
(c) Social interventions needed to secure workers' rights and livelihoods when economies are shifting to responsible production and consumption, collectively referred to as a “just transition” framework, and other impacts on workforce and job opportunities.
(4) Include, but not be limited to, the following elements: energy supply; transportation and land use; building operations; housing; Responsible Production and Consumption; carbon sequestration and water conservation.
(5) Identify strategies and/or make recommendations to achieve emissions limits for all elements. The CAP shall recommend approaches on goals and principles. Each strategy or recommendation shall:
(a) Identify parties responsible for implementation;
(b) Incorporate an estimated cost; and
(c) Incorporate estimated legislative and budgetary timelines based consistent with Section 12.01.030; and
(d) Contain key performance indicators and explicit equity metrics to measure progress.
B. The City Manager or their designee shall update the Climate Action Plan at least every two years.

12.01.050 Monitoring, Evaluation, And Reporting.
A. The City shall demonstrate its long-term commitment to reducing Greenhouse Gas emissions and advancing racial and social equity by measuring and reporting emissions, tracking key performance indicators and equity metrics, and monitoring the City’s progress on meeting its climate action goals and commitments.
B. The City Manager or their designee shall, with the assistance from relevant City agencies:
(1) Measure and monitor Sector-Based Greenhouse Gas Emissions, including municipal emissions, using best available global protocols for preparing Citywide Greenhouse Gas emission inventories.
(2) Measure production and consumption emissions using best available global methodologies for preparing consumption-based emission inventories.
(3) Evaluate Sector-Based Greenhouse Gas Emissions against set limits, document production and consumption emissions, and produce an annual Greenhouse Gas emissions report.
(4) Establish a monitoring and reporting process for the implementation of the CAP that:
(a) Tracks key performance indicators and equity metrics for strategies to help

monitor their progress and implementation;
(5) Request and receive data from City departments to support:
(a) The annual Greenhouse Gas emissions inventory. City departments may be asked to provide data on, but not limited to, the following: their energy use; types of fuels used for their operations; fuel volume; vehicle-miles travelled (if applicable) within their jurisdictions; and private sector Greenhouse Gas emission sources regulated by the department. Departments may also be requested to verify emission estimates and assumptions and review resulting reports;
(b) Monitoring and reporting of Climate Action Plan implementation. City departments may be asked to provide data on key performance indicators and equity metrics related to adopted strategies and actions; and
(6) Coordinate with other City agencies to monitor, track, and report on climate action progress to local, state, national, and global partners.
(7) Report its findings in a progress report to the Council and public every year.
(8) Report on at least a biannual basis to relevant Council policy committees and commissions to support policy and budget development consistent with reduction limits established in Section 12.01.030.

12.01.060 Regional Collaboration.
The Council and City staff, working alongside the public, shall endeavor to build solidarity and coalitions with neighboring communities, jurisdictions, and agencies to achieve equitable collective Greenhouse Gas limits and observe planetary boundaries.

11.63.070 Severability.
If any word, phrase, sentence, part, section, subsection, or other portion of this Chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this Chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional.

12.01.080 Construction.
This Chapter is intended to be a proper exercise of the City's police power, to operate only upon its own officers, agents, employees and facilities and other persons acting within its boundaries, and not to regulate inter-city or interstate commerce. It shall be construed in accordance with that intent.

12.01.090 Effective date.
The provisions in this ordinance are effective [ ], 2022.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be

filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Rashi Kesarwani
Councilmember, District 1

ACTION CALENDAR
June 25, 2024

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author) and Councilmembers Mark Humbert and Susan Wengraf (Co-Sponsors)

SUBJECT: Referral for Development of Request for Proposal (RFP) to Support Berkeley-Based Non-Profit Food Assistance Providers Serving Food Insecure Households

RECOMMENDATION

Refer to the City Manager to develop and fund a Request for Proposal (RFP) process to support Berkeley-based non-profit food assistance providers serving food insecure households. Funds are intended for (but not limited to) the following needs:

- Expansion of capacity to serve more people experiencing food insecurity, such as one-time purchase of equipment;
- Hiring of additional staff to serve more people; and/or
- Other emerging needs to be determined.

Refer $200,000 annually in funding to the biennial FY 2024-25 to FY 2025-26 budget process to fund qualified proposals resulting from the RFP.

POLICY COMMITTEE RECOMMENDATION

On May 16, 2024, the Health, Life Enrichment, Equity & Community Committee adopted the following action: M/S/C (Kesarwani/Bartlett) to send the item to the City Council with a positive recommendation and with an added amendment:

- Refer the issue of food assistance to the Community Agency RFP process the next time the RFP is developed.

CURRENT SITUATION AND ITS EFFECTS

Community Agency RFP Does Not Directly Address Food Insecurity . . . The RFP process for community agency funding is one of the City's mechanisms to ensure City funds are allocated to agencies addressing key priorities, such as housing, education, and job training. However, the RFP does not directly address food insecurity.

. . . But Food Prices Are On the Rise and Federal Pandemic-Related Food Aid Ended Earlier This Year. From August 2022 through August 2023, food prices in the San

Francisco area increased by 4.5 percent.[1] At the same time, federal food assistance associated with the pandemic ended earlier this year in March 2023. When the pandemic began in 2020, recipients of CalFresh (California's food stamps program) were allotted the maximum benefit available for their household size, likely contributing to rising enrollment over the last several years. When the emergency allotments ended, CalFresh benefits were reduced, sometimes dramatically. For some single-person households, CalFresh benefits dropped from $281 to as little as $23 per month.[2] As a result, food banks throughout the state are seeing increasing numbers of people served.

Berkeley-Based Non-Profit Food Assistance Providers Report Increasing Demand. The Berkeley Food Pantry is a non-profit organization providing emergency groceries to Berkeley and Albany residents four days per week, two hours each day.[3] The Berkeley Food Network (BFN) provides an on-site pantry in addition to mobile pantries throughout the city and distribution to other local pantries like the Berkeley Food Pantry.[4] Both organizations have reported significant increases in the number of households they are serving in recent years, as shown in Exhibit 1.

Exhibit 1: Growth in Number of Households Served (2021-2023)

	Berkeley Food Pantry Number of Households Served	**Berkeley Food Network Number of Households Served**
Sept. 2021	**766**	**1,518**
Sept. 2022	**1,047**	**2,601**
Sept. 2023	**1,290**	**3,182**
Overall Percent Growth (Sept. 2021-Sept. 2023)	**68.4%**	**109.6%**

Sources: Berkeley Food Pantry and Berkeley Food Network

Alameda County Community Food Bank Reports a 52 Percent Increase in Food Distribution. The Oakland-based Alameda County Community Food Bank (ACCFB), which partners with more than 400 institutions to provide food assistance to Alameda County families and individuals, reports an increase in demand throughout the county. The ACCFB has gone from distributing 38 million pounds of food during pre-COVID years to 58 million pounds of food most recently.[5] As of October 2, 2023, 11.4 percent of Alameda County

[1] U.S. Bureau of Labor Statistics, Consumer Price Index, San Francisco Area - August 2023: https://docs.google.com/document/d/11ri1T7aIsDOPOnwV3Ob_OmQXFXKgF36dwIviZbvxvTI/edit
[2] Cal Matters August 8, 2023 article: "How Hungry is California? Millions Struggle to Eat Well in an Abundant State" https://calmatters.org/explainers/california-hunger-crisis/#2b5159b1-a710-41cb-839b-aac1ea2791e4
[3] Berkeley Food Pantry's website for a full description of services provided: https://www.berkeleyfoodpantry.org/
[4] Berkeley Food Network's website for a full description of services and programs provided: https://www.berkeleyfoodnetwork.org/who-we-are/about/
[5] Alameda County Community Food Bank website: https://www.accfb.org/about-us/what-we-do/

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residents are experiencing food insecurity–up three percent from just April 10, 2023, shortly after the federal pandemic-related food assistance ended.[6]

BACKGROUND

Food Insecurity Impacts One in Five Californians. Limited or uncertain access to adequate food and nutrition can have long-term physical and mental health effects on adults and children alike.[7] The number of food insecure individuals and families is steadily climbing and food banks throughout the state are struggling to keep up.

Increasing Demand for Food Assistance Is Impacting the Wider Bay Area. The Food Bank of Contra Costa and Solano, for instance, is now serving 350,000 people across the two counties monthly, which is double their pre-pandemic levels of service. The San Francisco-Marin food bank went from serving 32,000 households weekly to more recently serving 56,000 households weekly. Food banks throughout the state are functioning more like supermarkets in terms of peoples' regular food procurement venue rather than sources of emergency aid.[8]

FISCAL IMPACT

$200,000 annually to fund the RFP, and staff time to develop the RFP and review and select qualified proposals.

ENVIRONMENTAL IMPACT

There is no significant environmental impact associated with this referral.

CONTACT PERSON

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

[6] California Pulse Website for Alameda County: https://stanford-datalab.github.io/covid-19-ca/alameda/#food-insufficiency

[7] California Association of Food Banks website:https://www.cafoodbanks.org/hunger-data-reports/

[8] Cal Matters June 12, 2023 article: "A Catastrophic Hunger Crisis? California Food Banks are Being Flooded by Families Seeking Help:" https://calmatters.org/california-divide/2023/06/california-food-banks/

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Office of the City Manager

INFORMATION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Sharon Friedrichsen, Budget Manager

Subject: Voluntary Time Off Program for Fiscal Year 2025

INTRODUCTION

As a citywide cost-saving measure, the City Manager is designating 16 Voluntary Time Off (VTO) days in Fiscal Year 2025 (July 1, 2024 to June 30, 2025) and authorizing certain City offices and non-essential services to temporarily close for those days.

CURRENT SITUATION AND ITS EFFECTS

The proposed 16 VTO dates will fall on a schedule similar to Fiscal Year 2024, with City offices generally closing on every second Friday, with additional days the last week in December 2024 (December 23 - December 27). The following are the proposed VTO Days:

Date (2024)	Day	Date (2025)	Day
July 12	Friday	January 10	Friday
August 9	Friday	February 14	Friday
September 13	Friday	March 14	Friday
October 11	Friday	April 11	Friday
November 5*	Tuesday	May 9	Friday
December 13	Friday	June 13	Friday
December 23	Monday		
December 24	Tuesday		
December 26	Thursday		
December 27	Friday		
	10 days (2024)		**6 days (2025)**

* *VTO day in November is moved to Tuesday, November 5, due to 2024 Election day.*

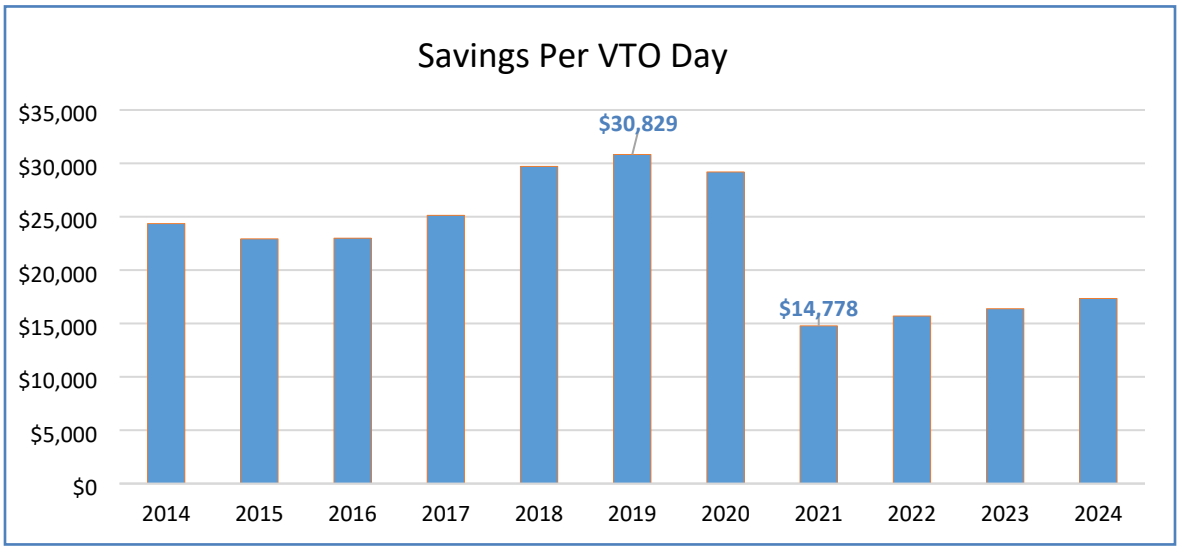
The purpose of VTO days is to generate savings to help balance the budget. The program is projected to achieve a savings of $277,427 on an all funds basis in Fiscal Year 2024. The actual savings per VTO day since FY 2021 was lower than previous fiscal years because of city building closure and staff working remotely due to the COVID-19 pandemic. Hybrid schedule for City employees is still in effect to date. Nonetheless, the program is still recommended to continue in Fiscal Year 2025.

Voluntary Time Off Salary Savings

Fiscal Year	Number of VTO Days	Base Salary Savings	Savings Per VTO Day
2014	16	$ 389,706	$ 24,357
2015	16	$ 366,853	$ 22,928
2016	16	$ 367,821	$ 22,989
2017	16	$ 402,070	$ 25,129
2018	16	$ 475,400	$ 29,713
2019	17	$ 524,086	$ 30,829
2020	16	$ 467,108	$ 29,194
2021	17	$ 251,229	$ 14,778
2022	16	$ 251,148	$ 15,697
2023	16	$ 261,628	$ 16,352
2024	16	**$ * 277,427**	**$ 17,339**

*Annualized projection

The VTO program is recommended to continue in Fiscal Year 2025 and will be reevaluated at a later time to determine whether the VTO program will also be implemented in Fiscal Year 2026. As shown in the chart below, the average savings per VTO day within the last decade ranged from $14,800 to $30,800.



In Fiscal Year 2024, staff considered the impact that the VTO days had on City services. It was determined that the VTO days were, in general, not having a significant detrimental effect on the City's ability to provide quality services. Potential inconveniences to residents were mitigated in several ways, including keeping the 311 Customer Call Center open on VTO days, adjusting due dates for fines, and posting clear signs in advance of closure dates.

BACKGROUND

The concept for a VTO program was proposed in 2004 by the labor unions representing non-sworn employees as an alternative to a mandatory closure of City offices ("furloughs") and staff layoffs. The VTO program designates certain days City offices are closed to the public while allowing staff to take paid or unpaid leave, or voluntarily report to work. The VTO closures have permitted staff to reduce their vacation leave balances, and eliminate the costly past practice of buying back vacation leave balances, which in turn has allowed the City to reduce its cost to pay out accrued vacation leave upon an employee's separation from employment. It has also been used by departments to help them reach their annual target savings.

Likewise, the City Council approved a recommendation that designates any Statewide Election, including Primary and Special Statewide Elections, as VTO days[1]. Election Day occurs on the Tuesday after the first Monday in November of each even-numbered year, with the corresponding Primary Day occurring on the Tuesday after the first Monday of March.

Service Impacts: The VTO program has generated minimal complaints from the public regarding the office closures and reduced services because many key services remain open to the public, while other services can be provided on a callback basis.

During VTO days, customer service counters at the Finance Customer Service Center and Permit Service Center are closed to the public. When Customer Service Center offices are closed, customers may access the drop box which is located outside 1947 Center building. Customers are redirected to access the drop box through signage to the Rent Board Office at 2125 Milvia Street on VTO days in the last week of December. When the Permit Service Center is closed, building inspection services continue to be available to the public when City approvals are required for time-sensitive projects. The permit mailbox has been configured to accept emails from applicants on VTO days including applications for all types of building related permits. In addition, Permit Service Center cashiers work most of the VTO days to return customer calls and process payments. The City will continue to notify the public of City VTO closure dates through public noticing, the press, voicemail messages, and signage.

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1 https://records.cityofberkeley.info/PublicAccess/api/Document/AfIClpxxSiesVU%C3%81UeV6uHvDcSM347Ko0EvBQfWOAcMZctkvZVLhegoOT5Gsbt38OjQY6FVXdfzeIiGPO5gabOg4=/

The Voluntary Time Off Program for Fiscal Year 2025 is a Strategic Plan Priority, advancing our goal to provide an efficient and financially-healthy City government.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

VTO days may reduce vehicle miles traveled associated with City employees' work commute. Otherwise, there are no identifiable environmental and climate effects or opportunities associated with the subject of this report.

POSSIBLE FUTURE ACTION

We are continuing the VTO program in Fiscal Year 2025. However, the City Manager will reassess the economic impact as well as the cost benefit to the public of continuing these temporary closures of City offices for Fiscal Year 2026.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Cost savings are achieved on an annual basis from the VTO program. Since Fiscal Year 2014, annual cost savings ranging from $251,000 to $524,000 have been achieved from the VTO program.

CONTACT PERSON

Aram Kouyoumdjian, Director of Human Resources, 981-6800
Sharon Friedrichsen, Budget Manager, 981-7000

Office of the City Manager

INFORMATION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee William-Ridley, City Manager

Submitted by: Sharon Friedrichsen, Budget Manager

Subject: Status Report - Berkeley's Financial Condition (FY 2012 – FY 2021): Pension Liabilities and Infrastructure Need Attention

INTRODUCTION

On May 24, 2022, the City Auditor submitted a Financial Conditions audit report[1] to City Council with recommendations to build on the City's financial strengths in order to: (1) help address the City's unfunded capital and deferred maintenance needs and pension liabilities; (2) help the City prepare for unforeseen economic challenges by assessing the risk of the reserves, and ensuring that enterprise funds can balance and avoid recurring shortfalls and (3) to update the City's debt policy to help strengthen the City's ability to assess its general obligation debt capacity.

The purpose of this information item is to update City Council on the status of implementation of the audit report's recommendations. This is the third status report regarding this audit. We previously issued a report on June 27, 2023.[2]

CURRENT SITUATION AND ITS EFFECTS

The City Auditor's report included five recommendations. As of the writing of this report, three recommendations have been partly implemented, one recommendation has been started and one recommendation has been implemented. Please see Attachment 1 for a detailed table of audit report recommendations and implementation progress. The next status report to Council is expected to be presented in June 2025.

BACKGROUND

The audit provides a high-level overview of the City's financial condition over 10 fiscal years. By broadening the scope of financial reporting to incorporate long-term financial

[1] Audit-Berkeley's Financial Condition (FY 2012 - FY 2021): Pension Liabilities and Infrastructure Need Attention: https://berkeleyca.gov/sites/default/files/documents/2022-05-24%20Item%2018%20Berkeley%E2%80%99s%20Financial%20Condition.pdf

[2] https://berkeleyca.gov/sites/default/files/documents/2023-06-27%20Item%2058%20Status%20Report%20-%20Berkeley%E2%80%99s%20Financial.pdf

trends, financial condition analysis can introduce long-term considerations into the budgeting process, clarify the City's fiscal strengths and weaknesses, and help highlight financial risks that the City needs to address including its unfunded capital and pension liabilities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACT

There are no identifiable environmental effects or opportunities associated with the subject of this report.

POSSIBLE FUTURE ACTION

The City Manager's Office will continue to work on implementing the various recommendations, including conducting a risk assessment of the General Fund reserve and developing recommendations regarding fund balance for the various enterprise funds. The Finance Department will continue to assess the debt capacity threshold and update the debt management policy. In addition, the City Manager's Office will continue to assess Council fiscal policies and make recommendations regarding long-term funding strategies to address the City's pension and capital infrastructure liabilities.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTIONS

The audit recommendations are intended to build on the City's financial strengths and help mitigate risks associated with the City's unfunded liabilities.

CONTACT PERSON

Sharon Friedrichsen, Budget Manager, 510.981.7000

Attachments:

1. Audit Findings, Recommendations, and Status Updates

Audit Title: Berkeley's Financial Condition (FY 2012-FY 2021): Pension Liabilities and Infrastructure Need Attention				
Issue Date: May 5, 2022				
Finding	**Recommendation**	**Department**	**Status of Audit Recommendations, Corrective Plan, and Progress Summary**	**Previous status update**
The COVID-19 pandemic slowed the City's progress toward its 2027 reserve funding goal.	1.1 To better prepare the City for unforeseen economic challenges, we recommend that the City Manager complete the risk assessment required by the City's reserve policy as scheduled and propose to the City Council a plan to replenish the Stability and Catastrophic Reserves based on the results of the assessment. This may include revising the funding goal for 2027 to align with the City's financial reality and projected risk level.	City Manager	<u>Partly implemented:</u> The City entered into a contract with the Government Finance Officers Association (GFOA) for technical assistance with the reserves risk assessment in June 2023.	Started
All of the City's enterprise funds faced at least one annual shortfall between FY 2016 and FY 2021.	1.2 To ensure the City's enterprise funds can balance and avoid recurring annual shortfalls, we recommend the City Manager assess the appropriate fund balance for each of the City's enterprise funds, report findings to the City Council and explore financial policy options to manage enterprise fund balances.	City Manager	<u>Started:</u> Staff have started to conduct research and have formed an internal working group consisting of the City Manager's Office, Finance, Parks, Recreation and Waterfront, Planning and Public Works to discuss current approaches utilized by departments and best practices as the first step in developing fund balance policies. The outcome of the update to the General Fund reserve policy (recommendation 1.1) will also help inform recommendations pertaining to fund balance policies.	Started

The City's limit for general obligation bond debt is set at 15 percent of total assessed property value.	2.1	To strengthen the City's debt management, we recommend that the Finance Department update the Debt Management Policy. The Finance Department may consider revising its current general obligation bond threshold of 15 percent of assessed property value or building upon the City's existing general obligation bond debt limit by considering additional debt capacity factors such as debt per capita, debt to personal income, and/or debt service payments as a proportion of General Fund revenues.	Finance Department	Implemented: The Finance Department updated its debt management policy, which City Council approved in June 2023, and changed the general obligation bond threshold from 15 percent of assessed value to a more locally appropriate threshold of 6 percent.	Started
The City has taken steps to increase pension funding.	3.1	To maximize the benefit of the Section 115 Trust, we recommend that the City Manager present a plan for adoption by the City Council to assure sufficient contributions to the Trust. This may include taking the steps proposed by the Budget and Finance Committee to increase contributions to the Trust. It may also include a strategy to ensure that the City is able to meet its yearly contribution goals, such as allocating contributions at the beginning of the budget cycle.	City Manager	Partly Implemented: The City budgeted funds for the Section 115 Trust and adopted fiscal policies to fund the Section 115 Trust as part of the FY 2023/24 biennial budget process. The City's actuary has recommended maintaining the target contribution goal of $5.5 million.	Partly Implemented
The City reported $1.2 billion in unfunded capital and deferred maintenance needs in FY 2021.	4.1	To address rising costs for unmet capital needs, we recommend that the City Manager collaborate with the Department of Public Works to implement a funding plan aimed at 1) reducing the City's unfunded capital and deferred maintenance needs, and 2) ensuring regular maintenance of city assets to prevent excessive deferred maintenance costs in the future. This may include prioritizing capital assets that generate the highest deferred maintenance costs.	City Manager	Partly Implemented: The City has updated its fiscal policies to include strategies, such as the use of investment revenues over the baseline budget, to increase funding for unfunded capital and deferred maintenance needs.	Partly Implemented

Public

Office of the City Manager

INFORMATION CALENDAR
JUNE 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department

Subject: FY 2024 Second Quarter Investment Report: Ended December 31, 2023

SUMMARY

The City's investment policy requires that a quarterly investment report be submitted to the City Council on the status of the investment portfolio. The report includes all investments managed by the City of Berkeley and provides information on the types, values (par, book, and market), term, and yield of each security.

- The return on pooled investments for the quarter ended December 31, 2023 was 2.94%, 87 basis points less than the 3.81% earned by the State Local Agency Investment Fund (State LAIF), which is the benchmark for investment performance used by the City. The returns earned on State LAIF's monthly portfolio are currently higher because it has a much shorter maturity and the yield curve is inverted (i.e., short-term rates are significantly higher than medium and long-term rates).

  The return on pooled investments of 2.94% for the quarter ended December 31, 2023 was 6 basis points less than the rate of 3.00% earned in the quarter ended September 30, 2023.

- The average return on all Retiree Medical Trust Fund investments was 5.05% for the quarter ended December 31, 2023.

CURRENT SITUATION AND ITS EFFECTS

Attached is a summary of the quarterly report for fiscal year 2024 Second Quarter ending December 31, 2023 representing the status of the City's investment portfolio. The report includes all investments managed by the City of Berkeley and provides information on the values (par, book, and market), term, and yield of each security.

Summary information by type of security and detailed information on each security is provided on Exhibit 2-A. An evaluation of portfolio performance for this accounting period compared to the previous three accounting periods is also included in Attachment 1.

A. Portfolio Results

As a result of the differences in the investment policies of different cities, including responsible investing policies, maturity restrictions, investment restrictions, etc., it was difficult for the City of Berkeley to come up with a reasonable performance measure for pooled cash investments. In order to provide some measure of the relative performance of the City's investment returns, many years ago the City established the State Local Agency Investment Fund (LAIF) as the performance measure to be reported in the quarterly investment reports, since many local governments invested significant portions of their investment portfolios in LAIF.

LAIF was intended to be a reference point to compare the City's investment performance against, rather than a true performance measure, since most cities typically earn a yield higher than LAIF in normal interest rate environments, and because LAIF's average maturity of its investments is generally shorter than that of most cities. As a result, past City Councilmembers requested that information about the rates earned by other California cities be included in the quarterly investment reports for comparison purposes, despite the differences in the investment policies of the various cities. It should be pointed out that the yield curve has been inverted for many months (i.e., short term rates are significantly higher than long term rates, which is abnormal), and cities with a shorter average maturity will have a higher average yield than those cities with a longer average maturity.

1. Liquidity of Portfolio:
   The average investment in the pooled portfolio matures in 1,182 days as of December 31, 2023. This is 55 days less than the 1,237 maturity days as of September 30, 2023.

2. Comparison of Results to Performance Measures – Pooled investments: Quarter Ended December 31, 2023
   The City's yield on investments for the quarter ended December 31, 2023 was 2.94%, a decrease of 6 basis points (.06%) from the 3.00 earned during the quarter ended September 30, 2023. The average yield on a 91-day Treasury bill at the end of the quarter ended December 31, 2023 was 5.35%, a decrease of 10 basis points (0.10%) from the 5.45% at the end of the previous quarter.

   As summarized in Table 1, staff's overall results were under the performance measure for the quarter by 87 basis points. Staff's performance was under the performance measure in October by approximately 79 basis points (-.79%); under the performance measure in November by approximately 92 basis points (-.92%); and, was under the performance measure in December by approximately 90 basis

points (-.90%). The performance measure for the return on investments is compared to the rate of return of the State LAIF.

Table 1

For Quarter Ending December 31, 2023			
Period	**City**	**State LAIF**	**Difference**
Oct-23	2.88%	3.67%	-0.79%
Nov-23	2.92%	3.84%	-0.92%
Dec-23	3.03%	3.93%	-0.90%
Oct 1-Dec 31	2.94%	3.81%	-0.87%

3. Investment Results-Retiree Health Insurance Funds:

   Average interest rates earned on the retiree health insurance trust funds for the quarter ended December 31, 2023 compared to the quarter ended September 30 2023, were as follows:

Table 2

EARNED INTEREST RATES		
For Quarter Ended 12/31/2023 Compared To 9/30/2023		
Trust Fund	**2nd Qtr 12/31/23**	**1st Qtr 9/30/23**
Retiree Medical Trust Fund (Misc Employees)	5.42%	5.42%
Fire Retiree Medical Trust Fund	5.13%	5.13%
Police Retiree Medical Trust Fund	4.59%	5.24%

The rates earned on these plans are expected to continue to increase, as staff is using the investment authority granted by Council to purchase long-term bonds as rates move higher.

Details related to retiree health trust fund investments are in Attachment 3, Exhibits 3-A, 3-B, and 3-C of this report.

B. Discussion of Interest Rate Environment and Outlook

In its December 13, 2023 Statement, the Federal Open Market Committee said recent indicators suggest that growth of economic activity has slowed from its strong pace in the Current Year third quarter. Job gains have moderated since earlier in the year but remain strong, and the unemployment rate has remained low. Inflation has eased over the past year but remains elevated.

The U.S. banking system is sound and resilient. Tighter financial and credit conditions for households and businesses are likely to weigh on economic activity, hiring, and inflation. The extent of these effects remain

ns uncertain. The Committee remains highly attentive to inflation risks. The Committee seeks to achieve maximum employment and inflation at the rate of 2 percent over the longer run.

Yield Trend

In support of these goals, the Committee decided to maintain the target range for the federal funds rate at 5-1/4 to 5-1/2 percent. The Committee will continue to assess additional information and its implications for monetary policy. In determining the extent of any additional policy firming that may be appropriate to return inflation to 2 percent over time, the Committee will take into account the cumulative tightening of monetary policy, the lags with which monetary policy affects economic activity and inflation, and economic and financial developments. In addition, the Committee will continue reducing its holdings of Treasury securities and agency debt and agency mortgage-backed securities, as described in its previously announced plans. The Committee is strongly committed to returning inflation to its 2 percent objective.

In assessing the appropriate stance of monetary policy, the Committee will continue to monitor the implications of incoming information for the economic outlook. The Committee would be prepared to adjust the stance of monetary policy as appropriate if risks emerge that could impede the attainment of the Committee's goals. The Committee's assessments will take into account a wide range of information, including readings on labor market conditions, inflation pressures and inflation expectations, and financial and international developments.

Since the Federal Reserve change its zero-interest rate policy in March 2017 to combat high inflation, the Federal Reserve Board has raised the Federal Funds rate 11 times for a total of 5.25%-5.50%, as follows:

Table 3

DATE	RATE CHANGE	FEDERAL FUNDS RATE
03/17/22	.25%	.25%-.50%
05/05/22	.50%	.75%-1.00%
06/16/22	.75%	1.50%-1.75%
07/27/22	.75%	2.25%-2.50%
09/21/22	.75%	3.00%-3.25%
11/02/2022	.75%	3.75%-4.00%
12/14/2022	.50%	4.25%-4.50%
2/1/2023	.25%	4.50%-4.75%
3/23/2023	.25%	4.75%-5.00%
5/3/2023	.25%	5.00%-5.25%
7/26/2023	.25%	5.25%-5.50%

Since the rate hike on March 23, 2023, there were four large regional bank failures: Silicon Valley Bank, Signature Bank, First Republic Bank and Republic First Bank, and two small regional banks (Citizens Bank of Sac City and Heartland Tri-State Bank). The Fed rate hikes and these bank failures have resulted in (1) banks' raising their lending standards and reducing the number of loans granted; (2) mortgage rates rising to nearly 7.5%; and (3) some Analysts predicting a slowdown or recession in the US economy in 2025.

In addition, since July 2023, the Core Personal Consumption Expenditures (PCE) index (the Fed's favored inflation index) has declined from 4.2% in November 2023 to 2.9% in December 2023, close to the Fed's 2.0% target. However, the Fed has indicated that it won't start lowering rates until it is confident that the 2% target has been met and can be sustained.

Therefore, under these circumstances, it appears that the Fed should be lowering rates, but they will be reluctant to do so in the near future.

Change in Strategy

Prior to the Fed's change in monetary policy starting March 17, 2022, staff's basic strategy consisted of not purchasing any Agency or Medium-Term corporate note securities with a maturity beyond three years, unless the securities were step-up securities (i.e., securities whose interest rates increased periodically, if they were not called). After the Fed changed to a tighter monetary policy in March 2022, the City's investment strategy changed to extending the investment maturities of securities purchased beyond three years and locking in rates.

In the short term, this strategy has resulted in a lower yield than the City could have achieved by not locking in rates on long-term securities purchased, because the yield curve is inverted (i.e., short-term rates are higher than medium and long-term rates). As money is pulled out of short-term investments to lock in rates on long-term investments, the City's yield suffers in the short-term. However, this underperformance will reverse when the Fed starts lowering short-term rates, probably towards the end of Current Year 2024.

Quite a few Analysts in the market are now predicting that the Fed will start lowering rates in July 2024 and lower them twice in CY 2024. However, Staff believes the decline in rates could start later in CY 2024, for the following reasons:

1. The Fed Chairman indicated that the Fed will continue its program of selling $95 billion/month (or $1.14 trillion/year) of Agency and Mortgage-Backed securities from its Balance Sheet instead of purchasing them as it did before this program began. This decision will result in a significant increase in bond supply without a corresponding increase in bond demand, which should increase the rates on medium and long-term bonds; and,

2. The projected US CY 2024 budget deficit of $1.8 trillion means the US will have to issue an additional $1.8 trillion of bonds to fund this budget deficit. This additional huge supply of bonds may overwhelm demand for Agency and Mortgage-Backed bonds and put further upward pressure on medium and long-term interest rates.

These two factors may keep medium-term and long-term interest rates higher for most of CY 2024 and also impact short-term rates.

On a short-term basis, the City's earned rate is expected to be below the City's benchmark (State LAIF) because the yield curve is inverted. However, this should change after the Fed starts lowering rates. The City's return is expected to be comparable to rates earned by other cities with a similar average maturity and lower than cities with a shorter average maturity in California. A sample of rates earned by Northern and Southern California cities is reflected in table 3 below (previously only Northern California cities were included):

Table 4

Other California Cities Earned Interest Rates	
For the Quarter Ending December 31, 2023	
City	**Rates Earned**
Oakland	4.40%
San Diego	3.49%
San Francisco	3.30%
Burbank	3.25%
San Jose	3.11%
Berkeley	**2.94%**
Los Angeles	2.79%
Sacramento	2.63%
Hayward	2.45%
Palo Alto	2.39 %

BACKGROUND

- Pooled Investments

  Short-term cash is invested primarily in government sponsored enterprises (referred to as Federal Agency securities) notes, medium-term corporate notes and municipal securities for periods of one to ten years. Additional cash is invested in money market funds or overnight securities to meet the liquidity needs of the City.

  In some cases, the City may have investments with a current market value that is greater or less than the recorded cost. These changes in market value are due to fluctuations in the market and have no effect on yield, as the City does not intend to sell securities prior to maturity.

- Retiree Health Trust Fund Investments

  The City agreed to provide retiree Health insurance coverage for fire, police and miscellaneous employees under certain terms and conditions. An actuarial study commissioned by the City many years ago determined that, in addition to City Contributions, an average rate of return of 7% on miscellaneous employees trust fund assets invested must be achieved to fund the retiree health benefit at the desired 70% level. Primarily as a result of the Federal Reserve Board's decision to keep short-term rates near zero from 2008 to March 2020, the average rate currently earned is significantly below that 7% level. City Finance Department staff manages these investment portfolios.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The Investment Policy provides opportunities to make environmentally responsible investments that support the City's environmental sustainability goals.

CONTACT PERSON

Henry Oyekanmi, Director, Finance Department, 981-7326

ATTACHMENTS

1. Portfolio Evaluation FY 2024 Second Quarter
2. Investment Report Analysis FY 2024 Second Quarter
    a. Exhibit 2-A: Pooled Cash and Investments
    b. Exhibit 2-B.1 through 2-B.3: Interest Earnings October 1, 2023 – December 31, 2023
    c. Exhibit 2-C: Book Value By Investment Type
    d. Exhibit 2-D: Current Holdings vs. Policy Limits
    e. Exhibit 2-E: Investment Portfolio Trend
3. Summary of Pooled and Cash Investments FY 2024 Second Quarter –Trust Funds
    a. Exhibit 3-A: Retiree Medical Trust Funds –Misc.
    b. Exhibit 3-B: Retiree Medical Trust Funds –Fire
    c. Exhibit 3-C: Retiree Medical Trust Funds –Police

Attachment 1

Portfolio Evaluation
Quarter Ended December 31, 2023

	QUARTER ENDING			
	December 2023	**September 2023**	**June 2023**	**March 2023**
Total Portfolio				
Pooled Cash and Investments (COB)	$ 680,764,634	$ 614,759,558	$ 712,329,294	$ 667,712,171
Pooled Cash and Investments (Trust)	57,430,853	53,459,009	54,012,972	54,330,791
Total Cash and Investments	$ 738,195,487	$ 668,218,567	$ 766,342,266	$ 722,042,962
Average Life of Investment Portfolio				
Pooled Investments (CoB)	1,182	1,237	1,286	1,322
Trust Investments	7.772 years	7.883 years	7.852 years	8.047 years
Weighted Yield				
Pooled Investments (CoB)	2.941%	2.999%	3.062%	2.761%
Trust Investments	5.045%	5.261%	5.063%	5.081%
Prime Rate	8.500%	8.500%	8.250%	8.000%
91-day Treasury Bill Rate	5.353%	5.446%	5.284%	4.693%
2-year Treasury Note Rate	4.250%	5.044%	4.895%	4.025%

Cash and Investments Maturity								
Within one year	$ 161,959,249	21.94%	$ 104,135,475	15.58%	$ 234,655,408	30.62%	$ 208,919,256	28.93%
Between 1 to 3 years	378,624,293	51.29%	374,559,348	56.05%	270,060,770	35.24%	103,151,808	14.29%
Between 3 to 5 years	74,998,313	10.16%	72,751,770	10.89%	164,373,440	21.45%	317,003,276	43.90%
Between 5 to 10 years	111,396,595	15.09%	105,896,100	15.85%	86,070,641	11.23%	81,672,587	11.31%
Over 10 years	11,217,037	1.52%	10,875,874	1.63%	11,182,007	1.46%	11,296,035	1.56%
Total	$ 738,195,487	100.00%	$ 668,218,567	100.00%	$ 766,342,266	100.00%	$ 722,042,962	100.00%

Attachment 2



Investment Report Analysis
As of December 31, 2023

Investments	Pooled Investments	Pension and OPEB Trust Investments	Total
Portfolio	$ 573,550,427	$ 54,966,284	$ 628,516,711
Unrecognized gain/(loss)	(22,242,976)	(1,358,836)	(23,601,812)
Total Investments	551,307,451	53,607,447	604,914,898

Cash	Pooled Cash	Pension and OPEB Trust Cash	Total
Cash with Fidelity Money Market	34,509,427	-	34,509,427
Cash with Fiscal Agents	1,132	-	1,132
Cash Deposits in Banks	98,770,031	-	98,770,031
Pooled Cash Adjustment	(3,823,406)	3,823,406	-
Total Cash	129,457,183	3,823,406	133,280,589
Adjusted Grand Total (All Cash and Investments)	**$ 680,764,634**	**$ 57,430,853**	**$ 738,195,487**

Pooled Cash Portfolio Breakdown As of December 31, 2023	Book Value	Market Value
Investments	$ 573,550,427	$ 551,307,451

NOTE:

1. The pooled cash includes Rent Board cash $5,257,204.59
2. The pooled cash does not include Section 115 cash of $7,686,199.87

Exhibit 2-A

City of Berkeley
Pooled Cash and Investments
As of December 31, 2023

CUSIP	Investment #	Issuer	Book Value	Par Value	Market Value	Current Rate	YTM/C 365	Maturity Date	Days To Maturity	Moody's Rating
Medium Term Notes										
88579YAR2	14659	3M COMPANY	4,916,278.43	5,000,000.00	4,846,000.00	3.000	4.120	08/07/2025	584	A3
008252AM0	14582	Affiliated Managers Group	1,002,255.02	1,000,000.00	997,610.00	4.250	2.300	02/15/2024	45	A3
04685A2L4	14590	Athene Global Funding	5,960,418.70	5,950,000.00	5,731,278.00	2.500	2.320	01/14/2025	379	A1
04685A2L4	14602	Athene Global Funding	4,964,236.67	5,000,000.00	4,816,200.00	2.500	3.250	01/14/2025	379	A1
20030NBN0	14563	Comcast Corp	5,020,097.70	5,000,000.00	4,882,650.00	3.375	3.100	08/15/2025	592	A3
233851CU6	14571	Daimler Finance	5,034,530.84	5,000,000.00	4,829,900.00	3.450	3.190	01/06/2027	1,101	A2
233851CU6	14574	Daimler Finance	3,769,909.60	3,725,000.00	3,598,275.50	3.450	3.000	01/06/2027	1,101	A2
24422EWK1	14663	John Deere Cap	4,983,398.29	5,000,000.00	4,967,600.00	4.150	4.250	09/15/2027	1,353	A2
375558BF9	14570	Gilead Sciences	5,051,584.96	5,000,000.00	4,898,550.00	3.650	3.118	03/01/2026	790	A3
30303M8G0	14660	Meta Platforms Inc	4,861,024.76	5,000,000.00	4,868,900.00	3.500	4.360	08/15/2027	1,322	A1
617446HD4	14670	Morgan Stanley	10,778,780.90	10,000,000.00	11,789,500.00	7.250	6.000	04/01/2032	3,013	A1
747525AT0	14564	Qualcomm Inc	4,997,330.24	5,000,000.00	4,952,200.00	2.900	3.050	05/20/2024	140	A2
747525AU7	14587	Qualcomm Inc	6,112,680.29	5,963,000.00	5,772,243.63	3.250	2.435	05/20/2027	1,235	A2
828807CS4	14606	Simon Property Group	4,999,119.54	5,000,000.00	4,922,550.00	3.375	3.353	10/01/2024	274	A3
07330MAA5	14588	Truist Bank	5,186,522.57	5,000,000.00	4,790,700.00	3.800	2.365	10/30/2026	1,033	A2
		Subtotal and Average	**77,638,168.51**	**76,638,000.00**	**76,664,157.13**		**3.573**		**1,086**	
Federal Agency Coupon Securities										
3133ENN22	14664	Federal Farm Credit Bank	4,988,706.17	5,000,000.00	4,945,700.00	3.750	3.890	09/22/2025	630	AAA
3133ENP95	14666	Federal Farm Credit Bank	4,987,848.47	5,000,000.00	4,986,100.00	4.250	4.400	09/30/2025	638	AAA
3133ENS50	14667	Federal Farm Credit Bank	4,999,413.15	5,000,000.00	5,014,900.00	4.125	4.128	10/14/2027	1,382	AAA
3133ENN30	14668	Federal Farm Credit Bank	4,660,968.92	5,000,000.00	4,843,550.00	3.875	4.863	09/20/2032	3,185	AAA
3133ENV72	14669	Federal Farm Credit Bank	4,988,490.05	5,000,000.00	5,047,400.00	4.500	4.600	07/27/2026	938	AAA
3133EPGG4	14686	Federal Farm Credit Bank	4,961,281.84	5,000,000.00	4,870,550.00	4.000	4.102	04/20/2033	3,397	AAA
3133EPGS8	14687	Federal Farm Credit Bank	4,996,489.94	5,000,000.00	4,982,350.00	4.250	4.300	07/24/2025	570	AAA
3133EPPE9	14689	Federal Farm Credit Bank	4,980,810.65	5,000,000.00	5,024,250.00	4.375	4.540	07/06/2026	917	AAA
3133EPPF6	14690	Federal Farm Credit Bank	4,957,891.66	5,000,000.00	5,033,950.00	4.125	4.300	07/05/2029	2,012	AAA
		Subtotal and Average	**44,521,900.85**	**45,000,000.00**	**44,748,750.00**		**4.343**		**1,504**	
Medium-Term Notes - Callable										
22553PWD7	14652	Credit Suisse AG	5000000.00	5000000.00	4850550.00	4.050	4.050	05/25/2025	510	A3
22553PXJ3	14655	Credit Suisse AG	5000000.00	5000000.00	4528150.00	5.000	5.001	05/31/2032	3,073	A3
693475AV7	14557	PNC Financial Services	5000358.08	5000000.00	4992700.00	3.500	3.370	01/23/2024	22	A3
751212AC5	14566	Ralph Lauren	5048761.19	5000000.00	4895200.00	3.750	3.106	09/15/2025	623	A3
857477CD3	14698	State Street Corp.	4000000.00	4000000.00	4058120.00	5.272	5.272	08/03/2026	945	A1
91159HHU7	14562	US Bancorp	5079418.69	5000000.00	4916650.00	3.950	2.848	11/17/2025	686	A3
91159HHM5	14684	US Bancorp	4763171.51	5000000.00	4791400.00	3.100	5.348	04/27/2026	847	A3
91159HHW3	14693	US Bancorp	4262644.45	5000000.00	4525050.00	3.000	6.212	07/30/2029	2,037	A3
		Subtotal and Average	**38,154,353.92**	**39,000,000.00**	**37,557,820.00**		**4.332**		**1,078**	

Exhibit 2-A

City of Berkeley
Pooled Cash and Investments
As of December 31, 2023

CUSIP	Investment #	Issuer	Book Value	Par Value	Market Value	Current Rate	YTM/C 365	Maturity Date	Days To Maturity	Moody's Rating
Federal Agency Callable										
3133EN6K1	14676	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,844,200.00	4.220	4.220	01/23/2030	2,214	AAA
3133EN6K1	14677	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,844,200.00	4.220	4.220	01/23/2030	2,214	AAA
3133EPAJ4	14679	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,888,050.00	4.000	4.000	02/09/2033	3,327	AAA
3130ARXL0	14649	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,921,600.00	3.000	3.000	11/25/2024	329	AAA
3130AULM4	14678	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,980,050.00	5.620	5.620	01/26/2033	3,313	AAA
3130AXDU9	14700	Federal Home Loan Banks	4,954,090.58	5,000,000.00	5,003,600.00	5.000	5.220	10/18/2028	1,752	AAA
			29,954,090.58	**30,000,000.00**	**29,481,700.00**		**4.379**		**2,192**	
Federal Agency Continuously Callable										
31422XJW3	14638	Farmer Mac	10,000,000.00	10,000,000.00	9,371,900.00	1.500	0.300	07/20/2026	931	N/A
31422XZ47	14681	Farmer Mac	5,000,000.00	5,000,000.00	4,962,950.00	5.675	5.675	03/20/2030	2,270	N/A
3133ENUV0	14644	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,783,350.00	4.000	4.000	04/19/2032	3,031	AAA
3133ENVV9	14647	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,857,550.00	3.630	3.630	05/03/2027	1,218	AAA
3133ENWW6	14653	Federal Farm Credit Bank	4,995,384.53	5,000,000.00	4,870,000.00	4.370	4.384	05/17/2032	3,059	AAA
3133EN5C0	14675	Federal Farm Credit Bank	4,995,006.49	5,000,000.00	4,997,550.00	5.370	5.394	12/27/2028	1,822	AAA
3133EPEK7	14682	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,947,450.00	4.620	4.620	04/03/2025	458	AAA
3133EPQT5	14695	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,998,650.00	5.650	5.292	07/25/2033	3,493	AAA
3130AMAV4	14611	Federal Home Loan Banks	5,600,000.00	5,600,000.00	5,102,664.00	1.250	1.125	04/29/2027	1,214	AAA
3130ALZA5	14612	Federal Home Loan Banks	9,000,000.00	9,000,000.00	8,591,220.00	1.000	0.500	04/29/2026	849	AAA
3130AMEX6	14613	Federal Home Loan Banks	15,000,000.00	15,000,000.00	14,173,950.00	1.000	0.590	05/27/2026	877	AAA
3130AMF72	14615	Federal Home Loan Banks	15,000,000.00	15,000,000.00	14,028,000.00	1.300	1.040	05/27/2026	877	AAA
3130AMFQ0	14616	Federal Home Loan Banks	15,000,000.00	15,000,000.00	13,976,550.00	1.150	1.020	05/26/2026	876	AAA
3130AMFT4	14617	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,340,700.00	1.250	1.000	05/27/2026	877	AAA
3130AMG22	14618	Federal Home Loan Banks	20,000,000.00	20,000,000.00	18,712,800.00	1.000	0.500	05/27/2026	877	AAA
3130AMGG1	14619	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,412,700.00	0.600	0.600	05/26/2026	876	AAA
3130AMFN7	14620	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,418,500.00	0.750	0.500	05/26/2026	876	AAA
3130AMG55	14622	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,162,600.00	1.375	1.219	05/27/2027	1,242	AAA
3130AMG22	14624	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,356,400.00	1.000	0.500	05/27/2026	877	AAA
3130AMLS9	14627	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,406,800.00	1.150	0.950	06/17/2026	898	AAA
3130AMN24	14628	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,316,900.00	1.150	1.034	06/03/2026	884	AAA
3130AMN57	14629	Federal Home Loan Banks	20,000,000.00	20,000,000.00	18,620,200.00	1.100	1.013	06/03/2026	884	AAA
3130AMP71	14630	Federal Home Loan Banks	20,000,000.00	20,000,000.00	18,610,400.00	1.200	1.077	06/18/2026	899	AAA
3130AMPL0	14631	Federal Home Loan Banks	15,000,000.00	15,000,000.00	13,978,350.00	1.150	0.375	06/08/2026	889	AAA
3130AMMW9	14632	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,404,800.00	1.500	0.500	06/10/2026	891	AAA
3130AMWM0	14634	Federal Home Loan Banks	4,250,000.00	4,250,000.00	3,938,475.00	1.050	0.500	06/30/2026	911	AAA
3130AN5U0	14642	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,366,600.00	1.000	0.500	07/29/2026	940	AAA
3130ANJY7	14643	Federal Home Loan Banks	40,000,000.00	40,000,000.00	36,874,400.00	1.000	0.400	08/26/2026	968	AAA
3130ARTE1	14645	Federal Home Loan Banks	6,425,000.00	6,425,000.00	6,074,644.75	4.100	4.100	04/26/2032	3,038	AAA

Exhibit 2-A

City of Berkeley
Pooled Cash and Investments
As of December 31, 2023

CUSIP	Investment #	Issuer	Book Value	Par Value	Market Value	Current Rate	YTM/C 365	Maturity Date	Days To Maturity	Moody's Rating
3130ARX71	14648	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,899,450.00	3.000	3.000	05/23/2025	508	AAA
3130ARYA3	14651	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,902,300.00	4.000	4.000	05/26/2027	1,241	AAA
3130AS7K9	14654	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,790,000.00	4.440	4.440	05/26/2032	3,068	AAA
3130ASGF0	14656	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,969,950.00	4.000	4.003	06/30/2025	546	AAA
3130ATDV6	14662	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,955,200.00	5.000	5.000	09/30/2027	1,368	AAA
3130AXDY1	14699	Federal Home Loan Banks	5,000,000.00	5,000,000.00	5,005,650.00	5.550	5.550	09/26/2025	634	AAA
3134GXRS5	14646	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,892,200.00	3.100	3.100	04/29/2025	484	AAA
3134GXC28	14657	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,940,700.00	4.100	4.100	07/18/2025	564	AAA
3134GXC36	14658	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,959,250.00	4.000	4.003	12/30/2024	364	AAA
3134GYPL0	14685	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,978,350.00	5.250	5.250	05/01/2028	1,582	AAA
3134GYWC2	14694	Federal Home Loan Mortgage Co	4,998,172.22	5,000,000.00	4,988,450.00	6.000	6.009	07/26/2028	1,668	AAA
3134GYXR8	14696	Federal Home Loan Mortgage Co	2,000,000.00	2,000,000.00	1,995,780.00	6.000	5.327	07/27/2028	1,669	AAA
			377,263,563.24	**377,275,000.00**	**356,934,333.75**		**1.700**		**1,101**	
Medium Term Notes Continuous Callable Bonds										
06051GLG2	14688	Bank of America Corporation	1,000,000.00	1,000,000.00	1,006,190.00	5.202	5.202	04/25/2029	1,941	A1
		Subtotal and Average	**1,000,000.00**	**1,000,000.00**	**1,006,190.00**		**5.202**		**1,941**	
Municipal Bonds										
13063DGB8	14559	General Obligation Unlimited	5,018,350.20	5,000,000.00	4,914,500.00	3.375	3.087	04/01/2025	456	AA2
		Subtotal and Average	**5,018,350.20**	**5,000,000.00**	**4,914,500.00**		**3.087**		**456**	
Total Investments and Average			**573,550,427.30**	**573,913,000.00**	**551,307,450.88**		**2.492**		**1,182**	

Total Investments (Book Value)	**573,550,427.30**
Cash	**129,457,183.00**
Total Investments (Book Value) and Cash	**703,007,610.30**
Increase / (Decrease) in Market Value of Securities	**(22,242,976.42)**
Total Investments (Market Value) and Cash	**680,764,633.88**

Exhibit 2-B.1

Pooled Investments Selected Funds
Interest Earnings
Sorted by Fund - Fund
October 1, 2023 - October 31, 2023
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130AMWM0	14634	010	MC5	4,250,000.00	4,250,000.00	4,250,000.00	06/30/2026	1.050	1.030	3,718.75	0.00	3,718.75
3130AMPL0	14631	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	06/08/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AMP71	14630	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/18/2026	1.200	1.177	20,000.00	0.00	20,000.00
3130AMMW9	14632	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/10/2026	1.500	1.472	12,500.00	0.00	12,500.00
3130AN5U0	14642	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/29/2026	1.000	0.981	8,333.33	0.00	8,333.33
3130ANJY7	14643	010	MC5	40,000,000.00	40,000,000.00	40,000,000.00	08/26/2026	1.000	0.981	33,333.33	0.00	33,333.33
3130ARYA3	14651	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2027	4.000	3.925	16,666.67	0.00	16,666.67
3130ARXL0	14649	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	11/25/2024	3.000	2.944	12,500.00	0.00	12,500.00
3130ARTE1	14645	010	MC5	6,425,000.00	6,425,000.00	6,425,000.00	04/26/2032	4.100	4.023	21,952.08	0.00	21,952.08
3130ARX71	14648	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/23/2025	3.000	2.944	12,500.00	0.00	12,500.00
3130AMN57	14629	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/03/2026	1.100	1.079	18,333.33	0.00	18,333.33
3130AMN24	14628	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/03/2026	1.150	1.128	9,583.33	0.00	9,583.33
3130ALZA5	14612	010	MC5	9,000,000.00	9,000,000.00	9,000,000.00	04/29/2026	1.000	0.981	7,500.00	0.00	7,500.00
3130AMAV4	14611	010	MC5	5,600,000.00	5,600,000.00	5,600,000.00	04/29/2027	1.250	1.226	5,833.33	0.00	5,833.33
3130AMEX6	14613	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.000	0.981	12,500.00	0.00	12,500.00
3130AMFQ0	14616	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/26/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AMF72	14615	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.300	1.276	16,250.00	0.00	16,250.00
3130AMG22	14624	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	0.900	0.883	7,500.00	0.00	7,500.00
3130AMLS9	14627	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/17/2026	1.000	0.981	8,333.33	0.00	8,333.33
3130AMG55	14622	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2027	1.375	1.349	11,458.33	0.00	11,458.33
3130AMGG1	14619	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.600	0.589	5,000.00	0.00	5,000.00
3130AMFN7	14620	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.750	0.736	6,250.00	0.00	6,250.00
3130AMFT4	14617	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.250	1.226	10,416.67	0.00	10,416.67
3130AMG22	14618	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	05/27/2026	0.900	0.883	15,000.00	0.00	15,000.00
3130AS7K9	14654	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2032	4.440	4.356	18,500.00	0.00	18,500.00
3130ASGF0	14656	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	06/30/2025	4.000	3.925	16,666.67	0.00	16,666.67
3130ATDK0	14661	010	FAC	5,000,000.00	4,999,009.37	4,999,245.46	12/08/2023	3.875	3.907	16,145.83	443.56	16,589.39
3130AXDY1	14699	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/26/2025	5.550	5.446	23,125.00	0.00	23,125.00
3130AXDU9	14700	010	MC4	5,000,000.00	0.00	2,236,544.02	10/18/2028	5.000	4.935	9,027.78	345.58	9,373.36
3130AULM4	14678	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/26/2033	5.620	5.514	23,416.67	0.00	23,416.67

Pooled Investments Selected Funds
Interest Earnings
October 1, 2023 - October 31, 2023

Exhibit 2-B.1

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130ATDV6	14662	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/30/2027	5.000	4.906	20,833.33	0.00	20,833.33
3133EPGS8	14687	010	FAC	5,000,000.00	4,995,928.83	4,996,028.38	07/24/2025	4.250	4.217	17,708.33	187.03	17,895.36
3133EPPE9	14689	010	FAC	5,000,000.00	4,978,902.31	4,979,240.89	07/06/2026	4.375	4.461	18,229.17	636.12	18,865.29
3133EPGG4	14686	010	FAC	5,000,000.00	4,960,241.34	4,960,425.94	04/20/2033	4.000	4.038	16,666.67	346.83	17,013.50
3133EPPF6	14690	010	FAC	5,000,000.00	4,955,981.50	4,956,320.40	07/05/2029	4.125	4.234	17,187.50	636.72	17,824.22
3133EPQT5	14695	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/25/2033	5.650	5.544	23,541.67	0.00	23,541.67
3133ENWW6	14653	010	MC5	5,000,000.00	4,995,246.80	4,995,271.24	05/17/2032	4.370	4.303	18,208.33	45.91	18,254.24
3133EPEK7	14682	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/03/2025	4.620	4.533	19,250.00	0.00	19,250.00
3133ENN22	14664	010	FAC	5,000,000.00	4,987,069.38	4,987,359.78	09/22/2025	3.750	3.818	15,625.00	545.59	16,170.59
3133ENV72	14669	010	FAC	5,000,000.00	4,987,371.38	4,987,569.85	07/27/2026	4.500	4.514	18,750.00	372.89	19,122.89
3133ENN30	14668	010	FAC	5,000,000.00	4,651,248.37	4,652,972.98	09/20/2032	3.875	4.906	16,145.83	3,240.18	19,386.01
3133EN5C0	14675	010	MC5	5,000,000.00	4,994,756.26	4,994,800.65	12/27/2028	5.370	5.294	22,375.00	83.41	22,458.41
3133ENUV0	14644	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/19/2032	4.000	3.925	16,666.67	0.00	16,666.67
3133EN6K1	14676	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.33	0.00	17,583.33
3133ENP95	14666	010	FAC	5,000,000.00	4,986,109.77	4,986,417.63	09/30/2025	4.250	4.318	17,708.33	579.57	18,287.90
3133ENS50	14667	010	FAC	5,000,000.00	4,999,374.40	4,999,381.28	10/14/2027	4.125	4.051	17,187.50	12.92	17,200.42
3133EPAJ4	14679	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	02/09/2033	4.000	3.925	16,666.67	0.00	16,666.67
3133EN6K1	14677	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.33	0.00	17,583.33
3133ENVV9	14647	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/03/2027	3.630	3.562	15,125.00	0.00	15,125.00
3134GXC36	14658	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	12/30/2024	4.000	3.925	16,666.67	0.00	16,666.67
3134GXRS5	14646	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/29/2025	3.100	3.042	12,916.67	0.00	12,916.67
3134GXC28	14657	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/18/2025	4.100	4.023	17,083.33	0.00	17,083.33
3134GYWC2	14694	010	MC5	5,000,000.00	4,998,072.22	4,998,089.96	07/26/2028	6.000	5.897	25,000.00	33.34	25,033.34
3134GYPL0	14685	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/01/2028	5.250	5.151	21,875.00	0.00	21,875.00
3134GYXR8	14696	010	MC5	2,000,000.00	2,000,000.00	2,000,000.00	07/27/2028	6.000	5.887	10,000.00	0.00	10,000.00
617446HD4	14670	010	MTN	10,000,000.00	10,802,380.32	10,798,193.33	04/01/2032	7.250	5.730	60,416.67	-7,866.47	52,550.20
06051GLG2	14688	010	MC6	1,000,000.00	1,000,000.00	1,000,000.00	04/25/2029	5.202	5.104	4,335.00	0.00	4,335.00
31422XJW3	14638	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/20/2026	1.500	1.472	12,500.00	0.00	12,500.00
31422XZ47	14681	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	03/20/2030	5.675	5.568	23,645.83	0.00	23,645.83
24422EUM9	14554	010	MTN	0.00	5,000,489.94	1,774,272.57	10/12/2023	3.650	3.375	5,576.39	-489.94	5,086.45
24422EWK1	14663	010	MTN	5,000,000.00	4,982,278.24	4,982,476.96	09/15/2027	4.150	4.174	17,291.67	373.35	17,665.02
693475AV7	14557	010	MC3	5,000,000.00	5,001,822.95	5,001,563.05	01/23/2024	3.500	3.318	14,583.33	-488.29	14,095.04
13063DGB8	14559	010	MUN	5,000,000.00	5,022,020.24	5,021,369.11	04/01/2025	3.375	3.011	14,062.50	-1,223.34	12,839.16
05531FBF9	14561	010	MC3	5,000,000.00	5,006,163.93	5,004,649.71	12/06/2023	3.750	3.007	15,625.00	-2,844.89	12,780.11
91159HHW3	14693	010	MC3	5,000,000.00	4,229,612.09	4,235,460.83	07/30/2029	3.000	6.536	12,500.00	11,010.79	23,510.79
91159HHM5	14684	010	MC3	5,000,000.00	4,737,675.62	4,742,199.08	04/27/2026	3.100	5.317	12,916.67	8,498.63	21,415.30
91159HHU7	14562	010	MC3	5,000,000.00	5,089,992.18	5,088,116.24	11/17/2025	3.950	2.993	16,458.33	-3,524.50	12,933.83

Pooled Investments Selected Funds
Interest Earnings
October 1, 2023 - October 31, 2023

Exhibit 2-B.1

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
20030NBN0	14563	010	MTN	5,000,000.00	5,023,194.94	5,022,645.43	08/15/2025	3.375	3.055	14,062.50	-1,032.41	13,030.09
747525AU7	14587	010	MTN	5,963,000.00	6,123,731.34	6,121,770.67	05/20/2027	3.250	2.398	16,149.79	-3,683.69	12,466.10
747525AT0	14564	010	MTN	5,000,000.00	4,995,601.63	4,995,908.32	05/20/2024	2.900	2.984	12,083.33	576.20	12,659.53
751212AC5	14566	010	MC3	5,000,000.00	5,055,908.60	5,054,640.51	09/15/2025	3.750	3.085	15,625.00	-2,382.47	13,242.53
375558BF9	14570	010	MTN	5,000,000.00	5,057,537.07	5,056,481.05	03/01/2026	3.650	3.079	15,208.33	-1,984.04	13,224.29
233851CU6	14574	010	MTN	3,725,000.00	3,773,634.82	3,772,973.89	01/06/2027	3.450	2.955	10,709.38	-1,241.74	9,467.64
233851CU6	14571	010	MTN	5,000,000.00	5,037,395.15	5,036,886.97	01/06/2027	3.450	3.137	14,375.00	-954.77	13,420.23
008252AM0	14582	010	MTN	1,000,000.00	1,006,867.57	1,006,049.22	02/15/2024	4.250	2.346	3,541.67	-1,537.51	2,004.16
07330MAA5	14588	010	MTN	5,000,000.00	5,202,996.60	5,200,079.69	10/30/2026	3.800	2.342	15,833.33	-5,491.35	10,341.98
04685A2L4	14590	010	MTN	5,950,000.00	5,962,932.59	5,962,486.58	01/14/2025	2.500	2.282	12,395.83	-837.96	11,557.87
04685A2L4	14602	010	MTN	5,000,000.00	4,955,607.45	4,957,138.44	01/14/2025	2.500	3.157	10,416.67	2,876.41	13,293.08
828807CS4	14606	010	MTN	5,000,000.00	4,998,826.05	4,998,878.12	10/01/2024	3.375	3.335	14,062.50	97.83	14,160.33
22553PXJ3	14655	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/31/2032	5.000	4.906	20,833.33	0.00	20,833.33
22553PWD7	14652	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/25/2025	4.050	3.974	16,875.00	0.00	16,875.00
88579YAR2	14659	010	MTN	5,000,000.00	4,903,196.93	4,905,517.84	08/07/2025	3.000	4.047	12,500.00	4,360.50	16,860.50
30303M8G0	14660	010	MTN	5,000,000.00	4,851,432.91	4,853,134.69	08/15/2027	3.500	4.314	14,583.33	3,197.29	17,780.62
857477CD3	14698	010	MC3	4,000,000.00	4,000,000.00	4,000,000.00	08/03/2026	5.272	5.173	17,573.33	0.00	17,573.33
			Subtotal	**583,913,000.00**	**583,585,611.09**	**582,597,560.76**			**2.642**	**1,304,417.47**	**2,917.28**	**1,307,334.75**
Fund: Fidelity MM - Regular												
SYS14265	14265	040	RRP	54,568,598.42	62,905,289.66	58,862,170.59		0.003	5.267	263,308.76	0.00	263,308.76
			Subtotal	**54,568,598.42**	**62,905,289.66**	**58,862,170.59**			**5.267**	**263,308.76**	**0.00**	**263,308.76**
			Total	**638,481,598.42**	**646,490,900.75**	**641,459,731.35**			**2.883**	**1,567,726.23**	**2,917.28**	**1,570,643.51**

Exhibit 2-B.2

Pooled Investments Selected Funds
Interest Earnings
Sorted by Fund - Fund
November 1, 2023 - November 30, 2023
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130AMWM0	14634	010	MC5	4,250,000.00	4,250,000.00	4,250,000.00	06/30/2026	1.050	1.065	3,718.75	0.00	3,718.75
3130AMPL0	14631	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	06/08/2026	1.150	1.166	14,375.00	0.00	14,375.00
3130AMP71	14630	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/18/2026	1.200	1.217	20,000.00	0.00	20,000.00
3130AMMW9	14632	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/10/2026	1.500	1.521	12,500.00	0.00	12,500.00
3130AN5U0	14642	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/29/2026	1.000	1.014	8,333.33	0.00	8,333.33
3130ANJY7	14643	010	MC5	40,000,000.00	40,000,000.00	40,000,000.00	08/26/2026	1.000	1.014	33,333.33	0.00	33,333.33
3130ARYA3	14651	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2027	4.000	4.056	16,666.67	0.00	16,666.67
3130ARXL0	14649	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	11/25/2024	3.000	3.042	12,500.00	0.00	12,500.00
3130ARTE1	14645	010	MC5	6,425,000.00	6,425,000.00	6,425,000.00	04/26/2032	4.100	4.157	21,952.08	0.00	21,952.08
3130ARX71	14648	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/23/2025	3.000	3.042	12,500.00	0.00	12,500.00
3130AMN57	14629	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/03/2026	1.100	1.115	18,333.33	0.00	18,333.33
3130AMN24	14628	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/03/2026	1.150	1.166	9,583.33	0.00	9,583.33
3130ALZA5	14612	010	MC5	9,000,000.00	9,000,000.00	9,000,000.00	04/29/2026	1.000	1.014	7,500.00	0.00	7,500.00
3130AMAV4	14611	010	MC5	5,600,000.00	5,600,000.00	5,600,000.00	04/29/2027	1.250	1.267	5,833.33	0.00	5,833.33
3130AMEX6	14613	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.000	1.014	12,500.00	0.00	12,500.00
3130AMFQ0	14616	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/26/2026	1.150	1.166	14,375.00	0.00	14,375.00
3130AMF72	14615	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.300	1.318	16,250.00	0.00	16,250.00
3130AMG22	14624	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.000	0.926	7,611.11	0.00	7,611.11
3130AMLS9	14627	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/17/2026	1.000	1.014	8,333.33	0.00	8,333.33
3130AMG55	14622	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2027	1.375	1.394	11,458.33	0.00	11,458.33
3130AMGG1	14619	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.600	0.608	5,000.00	0.00	5,000.00
3130AMFN7	14620	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.750	0.760	6,250.00	0.00	6,250.00
3130AMFT4	14617	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.250	1.267	10,416.67	0.00	10,416.67
3130AMG22	14618	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	05/27/2026	1.000	0.926	15,222.22	0.00	15,222.22
3130AS7K9	14654	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2032	4.440	4.502	18,500.00	0.00	18,500.00
3130ASGF0	14656	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	06/30/2025	4.000	4.056	16,666.67	0.00	16,666.67
3130ATDK0	14661	010	FAC	5,000,000.00	4,999,452.93	4,999,682.11	12/08/2023	3.875	4.037	16,145.83	443.57	16,589.40
3130AXDY1	14699	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/26/2025	5.550	5.627	23,125.00	0.00	23,125.00
3130AXDU9	14700	010	MC4	5,000,000.00	4,952,495.58	4,952,907.63	10/18/2028	5.000	5.314	20,833.33	797.50	21,630.83
3130AULM4	14678	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/26/2033	5.620	5.698	23,416.67	0.00	23,416.67

Pooled Investments Selected Funds
Interest Earnings
November 1, 2023 - November 30, 2023

Exhibit 2-B.2

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130ATDV6	14662	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/30/2027	5.000	5.069	20,833.33	0.00	20,833.33
3133EPGS8	14687	010	FAC	5,000,000.00	4,996,115.86	4,996,212.50	07/24/2025	4.250	4.358	17,708.33	187.04	17,895.37
3133EPPE9	14689	010	FAC	5,000,000.00	4,979,538.43	4,979,867.08	07/06/2026	4.375	4.609	18,229.17	636.11	18,865.28
3133EPGG4	14686	010	FAC	5,000,000.00	4,960,588.17	4,960,767.37	04/20/2033	4.000	4.173	16,666.67	346.84	17,013.51
3133EPPF6	14690	010	FAC	5,000,000.00	4,956,618.22	4,956,947.19	07/05/2029	4.125	4.375	17,187.50	636.72	17,824.22
3133EPQT5	14695	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/25/2033	5.650	5.728	23,541.67	0.00	23,541.67
3133ENWW6	14653	010	MC5	5,000,000.00	4,995,292.71	4,995,316.43	05/17/2032	4.370	4.446	18,208.33	45.91	18,254.24
3133EPEK7	14682	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/03/2025	4.620	4.684	19,250.00	0.00	19,250.00
3133ENN22	14664	010	FAC	5,000,000.00	4,987,614.97	4,987,896.87	09/22/2025	3.750	3.944	15,625.00	545.60	16,170.60
3133ENV72	14669	010	FAC	5,000,000.00	4,987,744.27	4,987,936.93	07/27/2026	4.500	4.664	18,750.00	372.89	19,122.89
3133ENN30	14668	010	FAC	5,000,000.00	4,654,488.55	4,656,162.64	09/20/2032	3.875	5.066	16,145.83	3,240.18	19,386.01
3133EN5C0	14675	010	MC5	5,000,000.00	4,994,839.67	4,994,882.76	12/27/2028	5.370	5.470	22,375.00	83.41	22,458.41
3133ENUV0	14644	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/19/2032	4.000	4.056	16,666.67	0.00	16,666.67
3133EN6K1	14676	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.279	17,583.33	0.00	17,583.33
3133ENP95	14666	010	FAC	5,000,000.00	4,986,689.34	4,986,988.78	09/30/2025	4.250	4.462	17,708.33	579.56	18,287.89
3133ENS50	14667	010	FAC	5,000,000.00	4,999,387.32	4,999,393.99	10/14/2027	4.125	4.186	17,187.50	12.92	17,200.42
3133EPAJ4	14679	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	02/09/2033	4.000	4.056	16,666.67	0.00	16,666.67
3133EN6K1	14677	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.279	17,583.33	0.00	17,583.33
3133ENVV9	14647	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/03/2027	3.630	3.680	15,125.00	0.00	15,125.00
3134GXC36	14658	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	12/30/2024	4.000	4.056	16,666.67	0.00	16,666.67
3134GXRS5	14646	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/29/2025	3.100	3.143	12,916.67	0.00	12,916.67
3134GXC28	14657	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/18/2025	4.100	4.157	17,083.33	0.00	17,083.33
3134GYWC2	14694	010	MC5	5,000,000.00	4,998,105.56	4,998,122.78	07/26/2028	6.000	6.094	25,000.00	33.33	25,033.33
3134GYPL0	14685	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/01/2028	5.250	5.323	21,875.00	0.00	21,875.00
3134GYXR8	14696	010	MC5	2,000,000.00	2,000,000.00	2,000,000.00	07/27/2028	6.000	6.083	10,000.00	0.00	10,000.00
617446HD4	14670	010	MTN	10,000,000.00	10,794,513.85	10,790,449.50	04/01/2032	7.250	5.925	60,416.67	-7,866.47	52,550.20
06051GLG2	14688	010	MC6	1,000,000.00	1,000,000.00	1,000,000.00	04/25/2029	5.202	5.274	4,335.00	0.00	4,335.00
31422XJW3	14638	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/20/2026	1.500	1.521	12,500.00	0.00	12,500.00
31422XZ47	14681	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	03/20/2030	5.675	5.754	23,645.83	0.00	23,645.83
24422EWK1	14663	010	MTN	5,000,000.00	4,982,651.59	4,982,844.49	09/15/2027	4.150	4.313	17,291.67	373.35	17,665.02
693475AV7	14557	010	MC3	5,000,000.00	5,001,334.66	5,001,082.38	01/23/2024	3.500	3.429	14,583.33	-488.29	14,095.04
13063DGB8	14559	010	MUN	5,000,000.00	5,020,796.90	5,020,164.83	04/01/2025	3.375	3.112	14,062.50	-1,223.35	12,839.15
05531FBF9	14561	010	MC3	5,000,000.00	5,003,319.04	5,001,849.18	12/06/2023	3.750	3.109	15,625.00	-2,844.89	12,780.11
91159HHW3	14693	010	MC3	5,000,000.00	4,240,622.88	4,246,311.78	07/30/2029	3.000	6.736	12,500.00	11,010.78	23,510.78
91159HHM5	14684	010	MC3	5,000,000.00	4,746,174.25	4,750,565.21	04/27/2026	3.100	5.485	12,916.67	8,498.63	21,415.30
91159HHU7	14562	010	MC3	5,000,000.00	5,086,467.68	5,084,646.70	11/17/2025	3.950	3.095	16,458.33	-3,524.49	12,933.84
20030NBN0	14563	010	MTN	5,000,000.00	5,022,162.53	5,021,629.11	08/15/2025	3.375	3.157	14,062.50	-1,032.42	13,030.08

Pooled Investments Selected Funds
Interest Earnings
November 1, 2023 - November 30, 2023

Exhibit 2-B.2

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
747525AU7	14587	010	MTN	5,963,000.00	6,120,047.65	6,118,144.42	05/20/2027	3.250	2.479	16,149.79	-3,683.68	12,466.11
747525AT0	14564	010	MTN	5,000,000.00	4,996,177.83	4,996,475.54	05/20/2024	2.900	3.083	12,083.33	576.21	12,659.54
751212AC5	14566	010	MC3	5,000,000.00	5,053,526.13	5,052,295.19	09/15/2025	3.750	3.189	15,625.00	-2,382.47	13,242.53
375558BF9	14570	010	MTN	5,000,000.00	5,055,553.03	5,054,527.95	03/01/2026	3.650	3.183	15,208.33	-1,984.03	13,224.30
233851CU6	14574	010	MTN	3,725,000.00	3,772,393.08	3,771,751.51	01/06/2027	3.450	3.054	10,709.38	-1,241.74	9,467.64
233851CU6	14571	010	MTN	5,000,000.00	5,036,440.38	5,035,947.08	01/06/2027	3.450	3.242	14,375.00	-954.77	13,420.23
008252AM0	14582	010	MTN	1,000,000.00	1,005,330.06	1,004,535.67	02/15/2024	4.250	2.427	3,541.67	-1,537.52	2,004.15
07330MAA5	14588	010	MTN	5,000,000.00	5,197,505.25	5,194,668.06	10/30/2026	3.800	2.422	15,833.33	-5,491.34	10,341.99
04685A2L4	14590	010	MTN	5,950,000.00	5,962,094.63	5,961,661.68	01/14/2025	2.500	2.359	12,395.83	-837.97	11,557.86
04685A2L4	14602	010	MTN	5,000,000.00	4,958,483.86	4,959,970.00	01/14/2025	2.500	3.261	10,416.67	2,876.41	13,293.08
828807CS4	14606	010	MTN	5,000,000.00	4,998,923.88	4,998,974.43	10/01/2024	3.375	3.446	14,062.50	97.83	14,160.33
22553PXJ3	14655	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/31/2032	5.000	5.071	20,841.14	0.00	20,841.14
22553PWD7	14652	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/25/2025	4.050	4.106	16,875.00	0.00	16,875.00
88579YAR2	14659	010	MTN	5,000,000.00	4,907,557.43	4,909,810.36	08/07/2025	3.000	4.178	12,500.00	4,360.50	16,860.50
30303M8G0	14660	010	MTN	5,000,000.00	4,854,630.20	4,856,282.13	08/15/2027	3.500	4.455	14,583.33	3,197.28	17,780.61
857477CD3	14698	010	MC3	4,000,000.00	4,000,000.00	4,000,000.00	08/03/2026	5.272	5.345	17,573.33	0.00	17,573.33
			Subtotal	**583,913,000.00**	**583,540,678.37**	**583,542,672.25**			**2.741**	**1,310,987.77**	**3,859.14**	**1,314,846.91**
Fund: Fidelity MM - Regular												
SYS14265	14265	040	RRP	34,355,426.37	54,568,598.42	43,091,492.68		0.003	5.275	186,827.95	0.00	186,827.95
			Subtotal	**34,355,426.37**	**54,568,598.42**	**43,091,492.68**			**5.275**	**186,827.95**	**0.00**	**186,827.95**
			Total	**618,268,426.37**	**638,109,276.79**	**626,634,164.93**			**2.916**	**1,497,815.72**	**3,859.14**	**1,501,674.86**

Exhibit 2-B.3

Pooled Investments Selected Funds
Interest Earnings
Sorted by Fund - Fund
December 1, 2023 - December 31, 2023
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130AMGG1	14619	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.600	0.589	5,000.00	0.00	5,000.00
3130ARXL0	14649	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	11/25/2024	3.000	2.944	12,500.00	0.00	12,500.00
3130AMFN7	14620	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.750	0.736	6,250.00	0.00	6,250.00
3130ARX71	14648	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/23/2025	3.000	2.944	12,500.00	0.00	12,500.00
3130ARYA3	14651	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2027	4.000	3.925	16,666.66	0.00	16,666.66
3130AMG22	14618	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	05/27/2026	1.000	0.981	16,666.67	0.00	16,666.67
3130AMFT4	14617	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.250	1.226	10,416.67	0.00	10,416.67
3130ATDV6	14662	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/30/2027	5.000	4.906	20,833.33	0.00	20,833.33
3130ATDK0	14661	010	FAC	0.00	4,999,896.50	1,129,022.24	12/08/2023	3.875	4.037	3,767.36	103.50	3,870.86
3130AS7K9	14654	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2032	4.440	4.356	18,500.00	0.00	18,500.00
3130ASGF0	14656	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	06/30/2025	4.000	3.925	16,666.67	0.00	16,666.67
3130ARTE1	14645	010	MC5	6,425,000.00	6,425,000.00	6,425,000.00	04/26/2032	4.100	4.023	21,952.09	0.00	21,952.09
3130AMG55	14622	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2027	1.375	1.349	11,458.33	0.00	11,458.33
3130AMMW9	14632	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/10/2026	1.500	1.472	12,500.00	0.00	12,500.00
3130AMP71	14630	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/18/2026	1.200	1.177	20,000.00	0.00	20,000.00
3130AMN57	14629	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/03/2026	1.100	1.079	18,333.33	0.00	18,333.33
3130AMLS9	14627	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/17/2026	1.150	1.050	8,916.66	0.00	8,916.66
3130AMN24	14628	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/03/2026	1.150	1.128	9,583.33	0.00	9,583.33
3130ANJY7	14643	010	MC5	40,000,000.00	40,000,000.00	40,000,000.00	08/26/2026	1.000	0.981	33,333.33	0.00	33,333.33
3130AN5U0	14642	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/29/2026	1.000	0.981	8,333.33	0.00	8,333.33
3130AMPL0	14631	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	06/08/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AMWM0	14634	010	MC5	4,250,000.00	4,250,000.00	4,250,000.00	06/30/2026	1.050	1.030	3,718.75	0.00	3,718.75
3130AMFQ0	14616	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/26/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AULM4	14678	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/26/2033	5.620	5.514	23,416.67	0.00	23,416.67
3130AMAV4	14611	010	MC5	5,600,000.00	5,600,000.00	5,600,000.00	04/29/2027	1.250	1.226	5,833.34	0.00	5,833.34
3130AXDY1	14699	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/26/2025	5.550	5.446	23,125.00	0.00	23,125.00
3130AXDU9	14700	010	MC4	5,000,000.00	4,953,293.08	4,953,717.56	10/18/2028	5.000	5.141	20,833.33	797.50	21,630.83
3130AMG22	14624	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.000	0.981	8,333.33	0.00	8,333.33
3130AMEX6	14613	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.000	0.981	12,500.00	0.00	12,500.00
3130ALZA5	14612	010	MC5	9,000,000.00	9,000,000.00	9,000,000.00	04/29/2026	1.000	0.981	7,500.00	0.00	7,500.00
3130AMF72	14615	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.300	1.276	16,250.00	0.00	16,250.00
3133EPEK7	14682	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/03/2025	4.620	4.533	19,250.00	0.00	19,250.00

Pooled Investments Selected Funds
Interest Earnings
December 1, 2023 - December 31, 2023

Exhibit 2-B.3

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3133EN6K1	14677	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.34	0.00	17,583.34
3133EPAJ4	14679	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	02/09/2033	4.000	3.925	16,666.67	0.00	16,666.67
3133EPGG4	14686	010	FAC	5,000,000.00	4,960,935.01	4,961,119.61	04/20/2033	4.000	4.038	16,666.66	346.83	17,013.49
3133EPGS8	14687	010	FAC	5,000,000.00	4,996,302.90	4,996,402.45	07/24/2025	4.250	4.217	17,708.33	187.04	17,895.37
3133EPQT5	14695	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/25/2033	5.650	5.544	23,541.67	0.00	23,541.67
3133EPPE9	14689	010	FAC	5,000,000.00	4,980,174.54	4,980,513.11	07/06/2026	4.375	4.460	18,229.17	636.11	18,865.28
3133EPPF6	14690	010	FAC	5,000,000.00	4,957,254.94	4,957,593.84	07/05/2029	4.125	4.233	17,187.50	636.72	17,824.22
3133EN6K1	14676	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.34	0.00	17,583.34
3133EN5C0	14675	010	MC5	5,000,000.00	4,994,923.08	4,994,967.47	12/27/2028	5.370	5.294	22,375.00	83.41	22,458.41
3133ENWW6	14653	010	MC5	5,000,000.00	4,995,338.62	4,995,363.06	05/17/2032	4.370	4.303	18,208.34	45.91	18,254.25
3133ENVV9	14647	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/03/2027	3.630	3.562	15,125.00	0.00	15,125.00
3133ENN22	14664	010	FAC	5,000,000.00	4,988,160.57	4,988,450.97	09/22/2025	3.750	3.817	15,625.00	545.60	16,170.60
3133ENP95	14666	010	FAC	5,000,000.00	4,987,268.90	4,987,576.76	09/30/2025	4.250	4.317	17,708.34	579.57	18,287.91
3133ENV72	14669	010	FAC	5,000,000.00	4,988,117.16	4,988,315.64	07/27/2026	4.500	4.514	18,750.00	372.89	19,122.89
3133ENS50	14667	010	FAC	5,000,000.00	4,999,400.24	4,999,407.11	10/14/2027	4.125	4.051	17,187.50	12.91	17,200.41
3133ENN30	14668	010	FAC	5,000,000.00	4,657,728.73	4,659,453.35	09/20/2032	3.875	4.899	16,145.83	3,240.19	19,386.02
3133ENUV0	14644	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/19/2032	4.000	3.925	16,666.67	0.00	16,666.67
3134GXC36	14658	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	12/30/2024	4.000	3.925	16,666.67	0.00	16,666.67
3134GXRS5	14646	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/29/2025	3.100	3.042	12,916.66	0.00	12,916.66
3134GXC28	14657	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/18/2025	4.100	4.023	17,083.33	0.00	17,083.33
3134GYPL0	14685	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/01/2028	5.250	5.151	21,875.00	0.00	21,875.00
3134GYWC2	14694	010	MC5	5,000,000.00	4,998,138.89	4,998,156.63	07/26/2028	6.000	5.897	25,000.00	33.33	25,033.33
3134GYXR8	14696	010	MC5	2,000,000.00	2,000,000.00	2,000,000.00	07/27/2028	6.000	5.887	10,000.00	0.00	10,000.00
617446HD4	14670	010	MTN	10,000,000.00	10,786,647.38	10,782,460.38	04/01/2032	7.250	5.738	60,416.67	-7,866.48	52,550.19
06051GLG2	14688	010	MC6	1,000,000.00	1,000,000.00	1,000,000.00	04/25/2029	5.202	5.104	4,335.00	0.00	4,335.00
31422XZ47	14681	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	03/20/2030	5.675	5.568	23,645.83	0.00	23,645.83
31422XJW3	14638	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/20/2026	1.500	1.472	12,500.00	0.00	12,500.00
24422EWK1	14663	010	MTN	5,000,000.00	4,983,024.94	4,983,223.66	09/15/2027	4.150	4.174	17,291.66	373.35	17,665.01
693475AV7	14557	010	MC3	5,000,000.00	5,000,846.37	5,000,586.47	01/23/2024	3.500	3.319	14,583.34	-488.29	14,095.05
13063DGB8	14559	010	MUN	5,000,000.00	5,019,573.55	5,018,922.41	04/01/2025	3.375	3.012	14,062.50	-1,223.35	12,839.15
05531FBF9	14561	010	MC3	0.00	5,000,474.15	806,482.20	12/06/2023	3.750	3.110	2,604.17	-474.15	2,130.02
91159HHU7	14562	010	MC3	5,000,000.00	5,082,943.19	5,081,067.24	11/17/2025	3.950	2.997	16,458.33	-3,524.50	12,933.83
91159HHW3	14693	010	MC3	5,000,000.00	4,251,633.66	4,257,482.40	07/30/2029	3.000	6.502	12,500.00	11,010.79	23,510.79
91159HHM5	14684	010	MC3	5,000,000.00	4,754,672.88	4,759,196.34	04/27/2026	3.100	5.298	12,916.67	8,498.63	21,415.30
20030NBN0	14563	010	MTN	5,000,000.00	5,021,130.11	5,020,580.60	08/15/2025	3.375	3.056	14,062.50	-1,032.41	13,030.09
747525AU7	14587	010	MTN	5,963,000.00	6,116,363.97	6,114,403.30	05/20/2027	3.250	2.401	16,149.79	-3,683.68	12,466.11
747525AT0	14564	010	MTN	5,000,000.00	4,996,754.04	4,997,060.73	05/20/2024	2.900	2.983	12,083.33	576.20	12,659.53
751212AC5	14566	010	MC3	5,000,000.00	5,051,143.66	5,049,875.57	09/15/2025	3.750	3.088	15,625.00	-2,382.47	13,242.53
375558BF9	14570	010	MTN	5,000,000.00	5,053,569.00	5,052,512.98	03/01/2026	3.650	3.082	15,208.33	-1,984.04	13,224.29
233851CU6	14574	010	MTN	3,725,000.00	3,771,151.34	3,770,490.41	01/06/2027	3.450	2.956	10,709.37	-1,241.74	9,467.63

Pooled Investments Selected Funds
Interest Earnings
December 1, 2023 - December 31, 2023

Exhibit 2-B.3

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
233851CU6	14571	010	MTN	5,000,000.00	5,035,485.61	5,034,977.43	01/06/2027	3.450	3.138	14,375.00	-954.77	13,420.23
008252AM0	14582	010	MTN	1,000,000.00	1,003,792.54	1,002,974.18	02/15/2024	4.250	2.353	3,541.67	-1,537.52	2,004.15
07330MAA5	14588	010	MTN	5,000,000.00	5,192,013.91	5,189,097.01	10/30/2026	3.800	2.347	15,833.33	-5,491.34	10,341.99
04685A2L4	14602	010	MTN	5,000,000.00	4,961,360.27	4,962,891.26	01/14/2025	2.500	3.154	10,416.67	2,876.40	13,293.07
04685A2L4	14590	010	MTN	5,950,000.00	5,961,256.66	5,960,810.65	01/14/2025	2.500	2.283	12,395.83	-837.96	11,557.87
828807CS4	14606	010	MTN	5,000,000.00	4,999,021.71	4,999,073.78	10/01/2024	3.375	3.335	14,062.50	97.83	14,160.33
22553PWD7	14652	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/25/2025	4.050	3.974	16,875.00	0.00	16,875.00
22553PXJ3	14655	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/31/2032	5.000	4.961	21,067.41	0.00	21,067.41
88579YAR2	14659	010	MTN	5,000,000.00	4,911,917.93	4,914,238.84	08/07/2025	3.000	4.040	12,500.00	4,360.50	16,860.50
30303M8G0	14660	010	MTN	5,000,000.00	4,857,827.48	4,859,529.26	08/15/2027	3.500	4.308	14,583.34	3,197.28	17,780.62
857477CD3	14698	010	MC3	4,000,000.00	4,000,000.00	4,000,000.00	08/03/2026	5.272	5.173	17,573.33	0.00	17,573.33
			Subtotal	**573,913,000.00**	**583,544,537.51**	**575,482,996.91**			**2.648**	**1,288,564.77**	**5,889.79**	**1,294,454.56**
Fund: Wells Fargo MM- Regular												
SYS14701	14701	025	RRP	108,449,357.69	0.00	62,570,761.17			5.166	274,525.25	0.00	274,525.25
			Subtotal	**108,449,357.69**	**0.00**	**62,570,761.17**			**5.166**	**274,525.25**	**0.00**	**274,525.25**
Fund: Fidelity MM - Regular												
SYS14265	14265	040	RRP	34,509,426.91	34,355,426.37	34,365,361.89		0.003	5.442	158,822.00	0.00	158,822.00
			Subtotal	**34,509,426.91**	**34,355,426.37**	**34,365,361.89**			**5.442**	**158,822.00**	**0.00**	**158,822.00**
			Total	**716,871,784.60**	**617,899,963.88**	**672,419,119.97**			**3.025**	**1,721,912.02**	**5,889.79**	**1,727,801.81**

Exhibit 2-C

Pooled Cash and Investments
(Market Value)
as of December 31, 2023

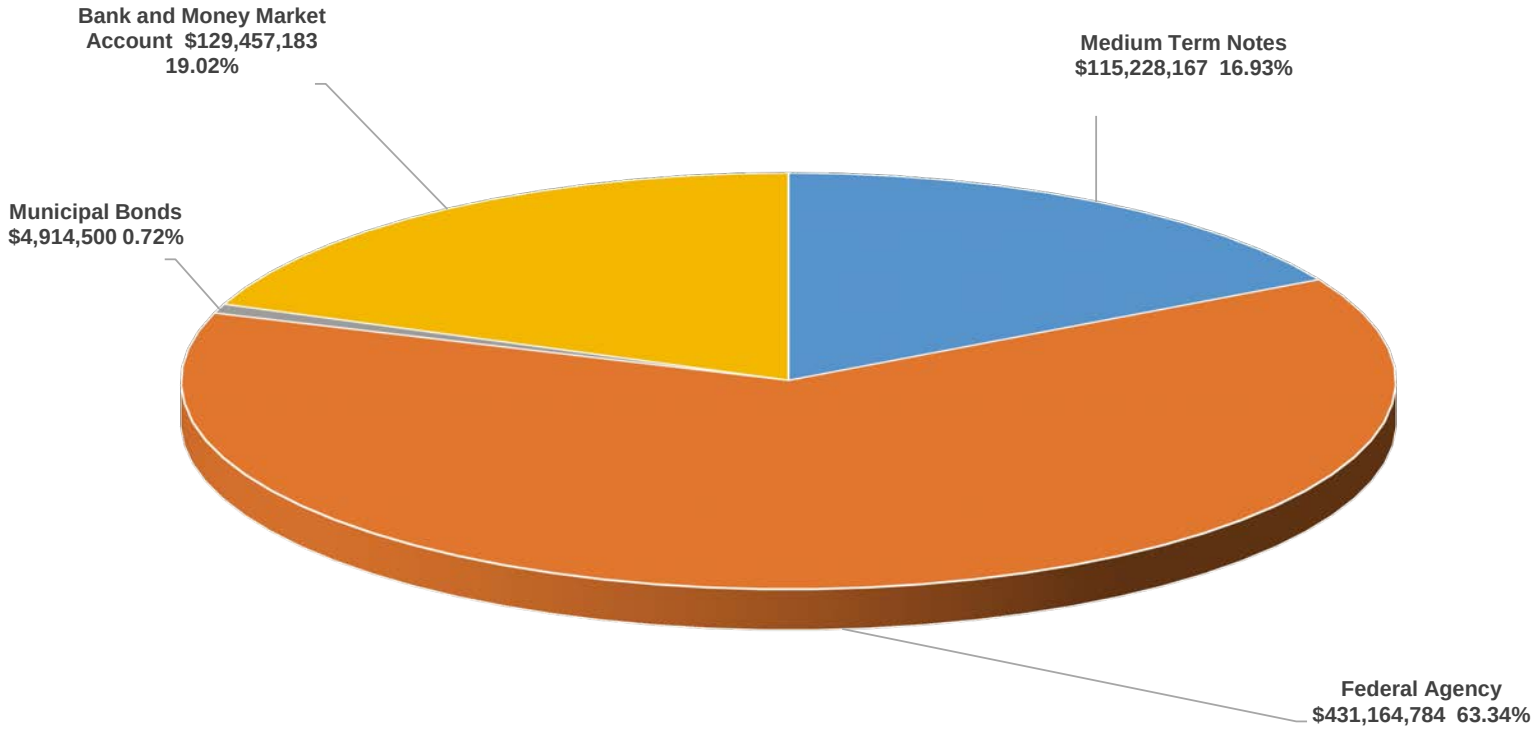


Exhibit 2-D

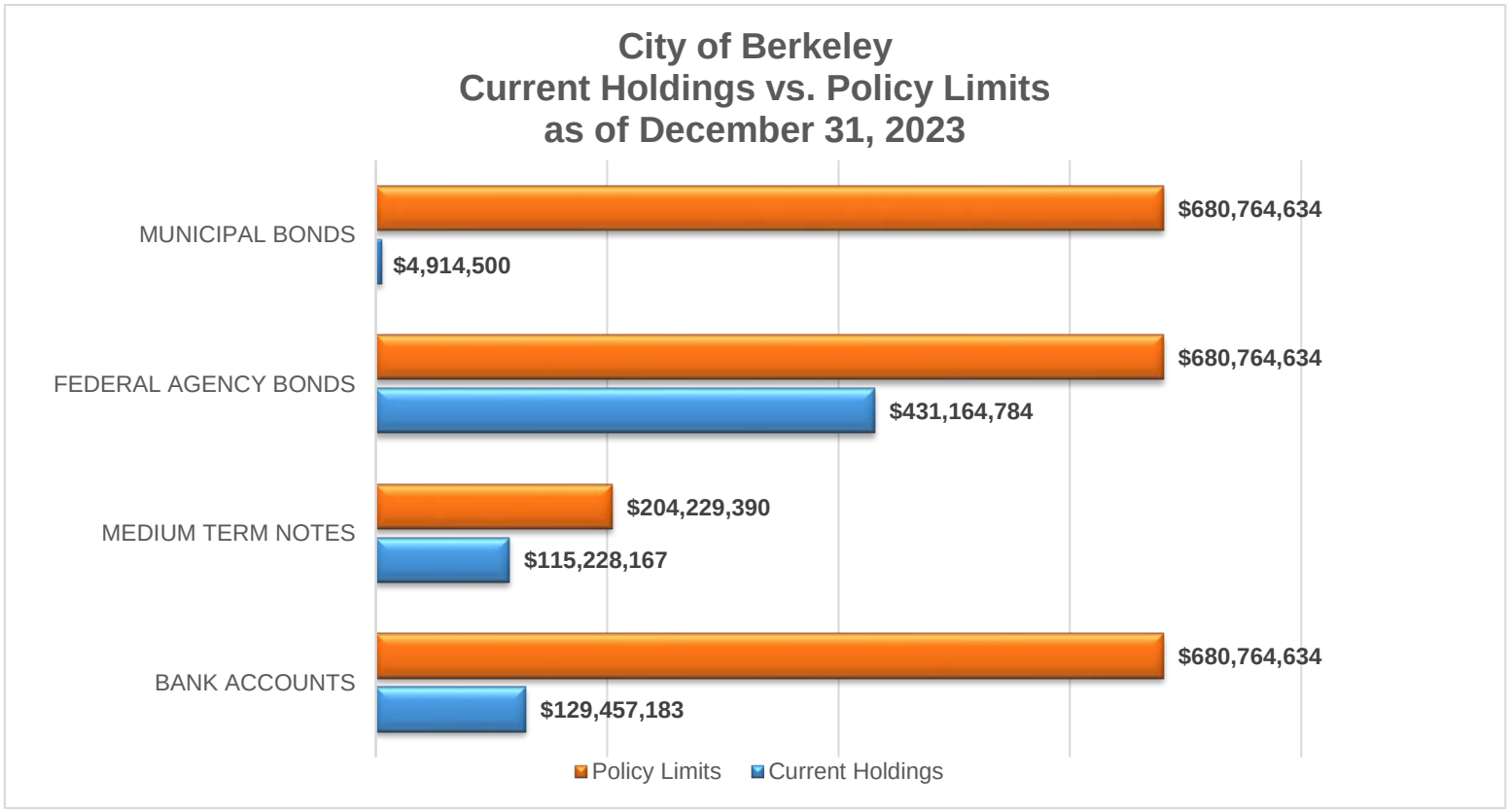
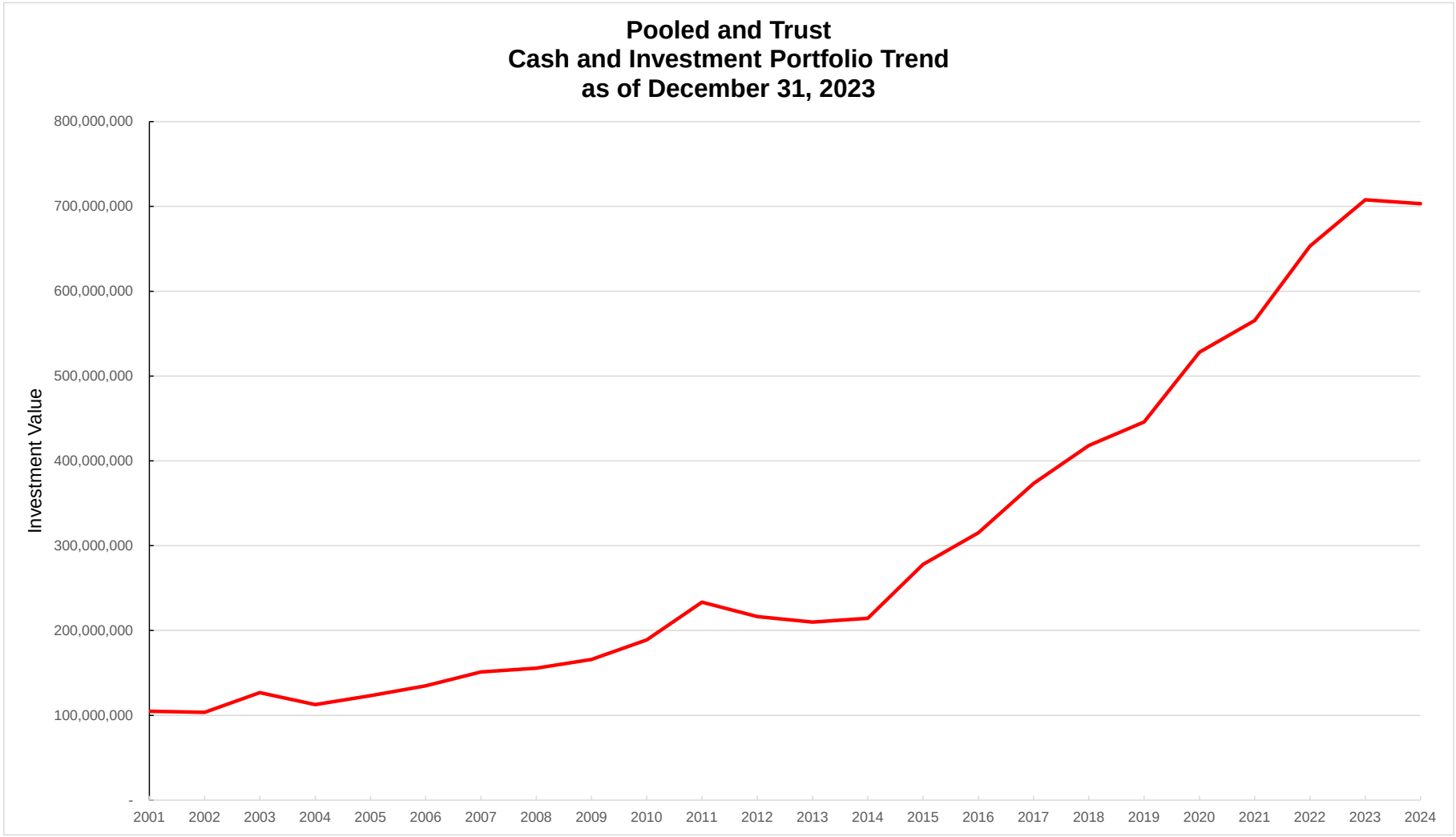

City of Berkeley
Current Holdings vs. Policy Limits
as of December 31, 2023
MUNICIPAL BONDS
$680,764,634
$4,914,500
FEDERAL AGENCY BONDS
$680,764,634
$431,164,784
MEDIUM TERM NOTES
$204,229,390
$115,228,167
BANK ACCOUNTS
$680,764,634
$129,457,183
Policy Limits
Current Holdings

Exhibit 2-E


Pooled and Trust
Cash and Investment Portfolio Trend
as of December 31, 2023
Investment Value
800,000,000
700,000,000
600,000,000
500,000,000
400,000,000
300,000,000
200,000,000
100,000,000
-
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

Attachment 3

Summary of Pooled Cash and Investments - Trust Funds
(Market Value)
As of December 31, 2023

		Pooled Cash	Investments (Book Value)	Gain/Loss on Investments	Pooled Cash & Investments (Market Value)
Retiree Medical Trust Fund					
Fund No.					
721	BHA	$ 69,665	$ 576,225	$ 37,500	$ 683,390
722	M1=IBEW	(89,715)	92,940	(4,998)	(1,773)
723	M2=Local 1	1,199,732	11,293,543	208,571	12,701,846
724	MUI=Z1	83,725	2,030,548	(121,395)	1,992,877
725	MUI=Z2 to Z6	271,476	2,909,956	(69,713)	3,111,719
726	M535= Local 535	987,037	10,476,389	(292,451)	11,170,975
727	M3=Local 790	546,046	6,588,323	(18,006)	7,116,363
Total Retiree Medical Trust Fund		**3,067,966.00**	**33,967,923**	**(260,492)**	**36,775,398**
Fire Medical Trust Fund					
736	Fire Medical Trust Fund	638,081	13,897,128	(655,685)	13,879,524
Total Fire Medical Trust Fund		**638,081**	**13,897,128**	**(655,685)**	**13,879,524**
Police Medical Trust Fund					
731	Police EE Retiree HLT Assistance Plan	52,306	2,514,412	(177,051)	2,389,667
701	Safety Members Pension Fund	221,957	-	-	221,957
706	Police Medical Trust Fund	(156,904)	4,586,820	(265,608)	4,164,308
Total Police Medical Trust Fund		**117,359**	**7,101,232**	**(442,660)**	**6,775,931**
	Total Trust Funds	**$ 3,823,406**	**$ 54,966,284**	**$ (1,358,836)**	**$ 57,430,853**

Exhibit 3-A

Retiree Medical Trust Fund
Fund 721 - 727
Interest Earnings
October 01 to December 31, 2023

			Investments As of December 31, 2023						Interest Earnings October 01 to December 31, 2023				
												Adjusted Interest Earnings	
CUSIP	Investment #	Issuer	Par Value	Beginning Book Value	Ending Book Value	Market Value	Maturity Date	Moody's Rating	Current Rate	Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Federal Agency Coupon Securities													
3133EFQT7	14361	Fed Farm Credit Bank	2,600,000.00	2,603,911.02	2,603,456.25	2,522,650.00	11/25/2025	AAA	2.700	2.605	17,550.00	(454.77)	17,095.23
Medium Term Notes - Callable													
665859AX2	14671	Northern Trust Corp	10,000,000.00	10,015,472.18	10,015,046.47	10,738,300.00	11/02/2032	A2	6.125	6.049	153,125.00	(425.71)	152,699.29
Federal Agency Continuous Callable													
3133EPMQ5	14691 Misc	Federal Farm Credit Bank	4,746,000.00	4,711,279.23	4,712,173.33	4,730,005.98	06/16/2033	AAA	5.360	5.430	63,596.40	894.10	64,490.50
3133EPNL5	14692 Misc	Federal Farm Credit Bank	3,796,800.00	3,582,619.07	3,588,123.43	3,839,096.35	06/23/2033	AAA	5.180	6.050	49,168.56	5,504.36	54,672.92
Continous Callable Bonds													
797440CD4	14680	San Diego Gas & Electric	2,000,000.00	1,979,350.82	1,979,525.81	2,023,380.00	04/01/2053	A1	5.350	5.397	26,750.00	174.99	26,924.99
Municipal Bonds													
786091AG3	14316	SACGEN	5,000,000.00	5,099,064.96	5,085,556.10	5,146,300.00	08/01/2025	A1	7.250	6.008	90,625.00	(13,508.86)	77,116.14
Savo Island Loan													
SYS10988	10988	EMPMED	104,000.00	104,000.00	104,000.00	104,000.00	09/01/2025	N/A	8.000	8.022	2,102.85	-	2,102.85
Preferred Securities													
00206R706	14591	AT&T Inc.	1,680,033.60	1,680,033.60	1,680,033.60	1,315,359.64	N/A	N/A	4.596	4.623	19,577.79	-	19,577.79
00206R706	14596	AT&T Inc.	1,680,008.40	1,680,008.40	1,680,008.40	1,315,339.91	N/A	N/A	4.640	4.652	19,697.91	-	19,697.91
00206R706	14597	AT&T Inc.	2,520,000.00	2,520,000.00	2,520,000.00	1,973,000.01	N/A	N/A	4.643	4.654	29,559.14	-	29,559.14
		Total	**34,126,842.00**	**33,975,739.28**	**33,967,923.39**	**33,707,431.89**				**5.418**	**$ 471,752.65**	**$ (7,815.89)**	**$ 463,936.76**

Total Investments (Book Value)	**$ 33,967,923.39**
Gain/Loss on Investments	**(260,491.50)**
Total Investments (Market Value)	**33,707,431.89**
Temporarily Invested with Pooled Cash & Investments	**3,067,966.00**
Total Pooled Cash and Investments	**$ 36,775,397.89**

Exhibit 3-B

Fire Retiree Medical
Fund 736
Interest Earnings
October 01 to December 31, 2023

			Investments As of December 31, 2023						Interest Earnings October 01 to December 31, 2023				
												Adjusted Interest Earnings	
CUSIP	Investment #	Issuer	Par Value	Beginning Book Value	Ending Book Value	Market Value	Maturity Date	Moody's Rating	Current Rate	Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Medium Term Notes													
6174467X1	14318	Morgan Stanley DW DTC#0015	2,000,000.00	2,016,575.94	2,014,646.01	1,997,040.00	11/24/2025	BAA1	5.000	4.541	25,000.00	(1,929.93)	23,070.07
Federal Agency Coupon Securities													
3133EFQT7	14362	Fed Farm Credit Bank	2,300,000.00	2,303,459.75	2,303,057.45	2,231,575.00	11/25/2025	AAA	2.700	2.605	15,525.00	(402.30)	15,122.70
Federal Agency Continuously Callable													
3133EPMQ5	14691 Fire	Federal Farm Credit Bank	35,500.00	35,240.29	35,246.98	35,380.37	06/16/2033	AAA	5.360	5.430	475.70	6.69	482.39
3133EPNL5	14691 Fire	Federal Farm Credit Bank	28,400.00	28,197.76	28,202.96	28,716.38	06/23/2033	AAA	5.180	5.247	367.78	5.20	372.98
3130AUB78	14672	Federal Home Loan Banks	4,000,000.00	4,000,000.00	4,000,000.00	3,987,960.00	12/28/2037	AAA	6.230	6.179	62,300.00	-	62,300.00
3130AUB86	14673	Federal Home Loan Banks	2,996,000.00	2,996,000.00	2,996,000.00	2,987,790.96	12/29/2042	WR	6.540	6.487	48,984.60	-	48,984.60
Preferred Securities													
00206R706	14592	AT&T Inc.	1,679,983.20	1,679,983.20	1,679,983.20	1,315,320.18	N/A	N/A	4.596	4.623	19,577.21	-	19,577.21
00206R706	14594	AT&T Inc.	839,991.60	839,991.60	839,991.60	657,660.09	N/A	N/A	4.640	4.652	9,848.80	-	9,848.80
		Total	**$ 13,879,874.80**	**$ 13,899,448.54**	**$ 13,897,128.20**	**$ 13,241,442.98**				**5.131**	**$ 182,079.09**	**$ (2,320.34)**	**$ 179,758.75**

Total Investments (Book Value)	**$ 13,897,128.20**
Gain/Loss on Investments	**(655,685.22)**
Total Investments (Market Value)	**13,241,442.98**
Temporarily Invested with Pooled Cash & Investments	**638,081.00**
Total Pooled Cash and Investments	**$ 13,879,523.98**

Exhibit 3-C

Police Retiree Medical
Fund 731 and 706
Interest Earnings
October 01 to December 31, 2023

			Investments As of December 31, 2023						Interest Earnings October 01 to December 31, 2023				
												Adjusted Interest Earnings	
CUSIP	Investment #	Issuer	Par Value	Beginning Book Value	Ending Book Value	Market Value	Maturity Date	Moody's Rating	Current Rate	Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Medium Term Notes													
6174467X1	14319	Morgan Stanley DW DTC#0015	500,000.00	504,143.98	503,661.50	499,260.00	11/24/2025	BAA1	5.000	4.541	6,250.00	(482.49)	5,767.51
Federal Agency Coupon Securities													
3133EFQT7	14363	Fed. Farm Credit Banks	2,300,000.00	2,303,459.75	2,303,057.45	2,231,575.00	11/25/2025	AAA	2.700	2.633	15,525.00	(402.29)	15,122.71
Federal Agency Continuously Callable													
3133EPMQ5	14691 Pol	Federal Farm Credit Bank	218,500.00	216,901.50	216,942.66	217,763.66	06/16/2033	AAA	5.360	5.430	2,927.90	41.16	2,969.06
3133EPNL5	14692 Pol	Federal Farm Credit Bank	174,800.00	173,555.24	173,587.23	176,747.27	06/23/2033	AAA	5.180	5.247	2,263.66	31.99	2,295.65
3130AUB86	14674	Federal Home Loan Banks	2,224,000.00	2,224,000.00	2,224,000.00	2,217,906.24	12/29/2042	WR	6.540	6.487	36,362.40	-	36,362.40
Preferred Securities													
00206R706	14593	AT&T Inc.	1,679,983.20	1,679,983.20	1,679,983.20	1,315,320.18	N/A	N/A	4.596	4.623	19,577.21	-	19,577.21
		Total	**$ 7,097,283.20**	**$ 7,102,043.67**	**$ 7,101,232.04**	**$ 6,658,572.35**				**4.586**	**$ 82,906.17**	**$ (811.63)**	**$ 82,094.54**

Total Investments (Book Value)	**$ 7,101,232.04**
Gain/Loss on Investments	**(442,659.69)**
Total Investments (Market Value)	**6,658,572.35**
Temporarily Invested with Pooled Cash & Investments	**117,359.00**
Total Pooled Cash and Investments	**$ 6,775,931.35**

Office of the City Manager

INFORMATION CALENDAR
JUNE 25, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department

Subject: FY 2024 Third Quarter Investment Report: Ended March 31, 2024

SUMMARY

The City's investment policy requires that a quarterly investment report be submitted to the City Council on the status of the investment portfolio. The report includes all investments managed by the City of Berkeley and provides information on the types, values (par, book, and market), term, and yield of each security.

- The return on pooled investments for the quarter ended March 31, 2024 was 3.13%, 100 basis points less than the 4.13% earned by the State Local Agency Investment Fund (State LAIF), which is the benchmark for investment performance used by the City. The returns earned on State LAIF's monthly portfolio are currently higher because it has a much shorter maturity and the yield curve is inverted (i.e., short-term rates are significantly higher than medium and long-term rates).

  The return on pooled investments of 3.13% for the quarter ended March 31, 2024 was 19 basis points more than the rate of 2.94% earned in the quarter ended December 31, 2023.

- The average return on all Retiree Medical Trust Fund investments was 5.02% for the quarter ended March 31, 2024.

CURRENT SITUATION AND ITS EFFECTS

Attached is a summary of the quarterly report for fiscal year 2024 Third Quarter ending March 31, 2024 representing the status of the City's investment portfolio. The report includes all investments managed by the City of Berkeley and provides information on the values (par, book, and market), term, and yield of each security.

Summary information by type of security and detailed information on each security is provided on Exhibit 2-A. An evaluation of portfolio performance for this accounting period compared to the previous three accounting periods is also included in Attachment 1.

A. Portfolio Results

As a result of the differences in the investment policies of different cities, including responsible investing policies, maturity restrictions, investment restrictions, etc., it was difficult for the City of Berkeley to come up with a reasonable performance measure for pooled cash investments. In order to provide some measure of the relative performance of the City's investment returns, many years ago the City established the State Local Agency Investment Fund (LAIF) as the performance measure to be reported in the quarterly investment reports, since many local governments invested significant portions of their investment portfolios in LAIF.

LAIF was intended to be a reference point to compare the City's investment performance against, rather than a true performance measure, since most cities typically earn a yield higher than LAIF in normal interest rate environments, and because LAIF's average maturity of its investments is generally shorter than that of most cities. As a result, past City Councilmembers requested that information about the rates earned by other California cities be included in the quarterly investment reports for comparison purposes, despite the differences in the investment policies of the various cities. It should be pointed out that the yield curve has been significantly inverted for many months (i.e., short term rates are higher than long term rates, which is abnormal), and cities with a shorter average maturity will have higher average yields than those cities with a longer average maturity, until the yield curve returns to normal. Some Analysts take this as a sign of an impending recession.

1. Liquidity of Portfolio:
   The average investment in the pooled portfolio matures in 1,099 days as of March 31, 2024. This is 83 days less than the 1,182 maturity days as of December 31, 2023.

2. Comparison of Results to Performance Measures – Pooled investments: Quarter Ended March 31, 2024
   The City's yield on investments for the quarter ended March 31, 2024 was 3.13%, an increase of 19 basis points (.19%) from the 2.94 earned during the quarter ended December 31, 2023. The average yield on a 91-day Treasury bill at the end of the quarter ended March 31, 2024 was 5.37%, an increase of 2 basis points (0.02%) from the 5.35% at the end of the previous quarter.

   As summarized in Table 1, staff's overall results were under the performance measure for the quarter by 100 basis points. Staff's performance was under the performance measure in January by approximately 89 basis points (-.89%); under the performance measure in February by approximately 89 basis points (-.89%); and, was under the performance measure in March by approximately 122 basis points (-1.22%). The performance measure for the return on investments is compared to the rate of return of the State LAIF.

Table 1

For Quarter Ending March 31, 2024			
Period	**City**	**State LAIF**	**Difference**
Jan-24	3.12%	4.01%	-0.89%
Feb-24	3.23%	4.12%	-0.89%
Mar-24	3.05%	4.27%	-1.22%
Jan 1-Mar 31	3.13%	4.13%	-1.00%

3. Investment Results-Retiree Health Insurance Funds:

   Average interest rates earned on the retiree health insurance trust funds for the quarter ended March 31, 2024 compared to the quarter ended December 31 2023, were as follows:

Table 2

EARNED INTEREST RATES		
For Quarter Ended 3/31/2024 Compared To 12/31/2023		
Trust Fund	**3rd Qtr 3/31/24**	**2nd Qtr 12/31/23**
Retiree Medical Trust Fund (Misc Employees)	5.47%	5.42%
Fire Retiree Medical Trust Fund	4.97%	5.13%
Police Retiree Medical Trust Fund	4.63%	4.59%

The rates earned on these plans are expected to continue to increase, as staff is using the investment authority granted by Council to purchase long-term bonds as rates move higher.

Details related to retiree health trust fund investments are in Attachment 3, Exhibits 3-A, 3-B, and 3-C of this report.

B. Discussion of Interest Rate Environment and Outlook

At its March 20, 2024 meeting, the Fed's Statement indicated that recent indicators suggest that economic activity has been expanding at a solid pace. Job gains have remained strong, and the unemployment rate has remained low. Inflation has eased over the past year but remains elevated.

The Committee seeks to achieve maximum employment and inflation at the rate of 2 percent over the longer run. The Committee judges that the risks to achieving its employment and inflation goals are moving into better balance. The economic outlook is uncertain, and the Committee remains highly attentive to inflation risks.

Yield Trend

In support of its goals, the Committee decided to maintain the target range for the federal funds rate at 5-1/4 to 5-1/2 percent. In considering any adjustments to the target range for the federal funds rate, the Committee will carefully assess incoming data, the evolving outlook, and the balance of risks. The Committee does not expect it will be appropriate to reduce the target range until it has gained greater confidence that inflation is moving sustainably toward 2 percent. In addition, the Committee will continue reducing its holdings of Treasury securities and agency debt and agency mortgage-backed securities, as described in its previously announced plans. The Committee is strongly committed to returning inflation to its 2 percent objective.

In assessing the appropriate stance of monetary policy, the Committee will continue to monitor the implications of incoming information for the economic outlook. The Committee would be prepared to adjust the stance of monetary policy as appropriate if risks emerge that could impede the attainment of the Committee's goals. The Committee's assessments will consider a wide range of information, including readings on labor market conditions, inflation pressures and inflation expectations, and financial and international developments.

Since the Federal Reserve change its zero-interest rate policy in March 2017 to combat high inflation, the Federal Reserve Board has raised the Federal Funds rate 11 times for a total of 5.25%-5.50%, as follows:

Table 3

DATE	RATE CHANGE	FEDERAL FUNDS RATE
03/17/22	.25%	.25%-.50%
05/05/22	.50%	.75%-1.00%
06/16/22	.75%	1.50%-1.75%
07/27/22	.75%	2.25%-2.50%
09/21/22	.75%	3.00%-3.25%
11/02/2022	.75%	3.75%-4.00%
12/14/2022	.50%	4.25%-4.50%
2/1/2023	.25%	4.50%-4.75%
3/23/2023	.25%	4.75%-5.00%
5/3/2023	.25%	5.00%-5.25%

7/26/2023	.25%	5.25%-5.50%

Since the rate hike on March 23, 2023, there have been four large regional bank failures (Silicon Valley Bank, Signature Bank, First Republic Bank and Republic First Bank), and two small regional banks (Citizens Bank of Sac City and Heartland Tri-State Bank). The Fed rate hikes and these bank failures have resulted in (1) banks' raising their lending standards and reducing the number of loans granted; (2) mortgage rates rising to nearly 7.5%; and (3) some Analysts predicting a slowdown or recession in the US economy in 2025.

In addition, since July 2023, the Personal Consumption Expenditures (PCE) index (the Fed's favored inflation index) has declined from 4.2% in November 2023 to 2.8% in March 2024, close to the Fed's 2.0% target. However, the Fed has indicated that it won't start lowering rates until it is confident that the 2% target has been met and can be sustained.

Therefore, under these circumstances, it appears that the Fed should be lowering rates, but they will be reluctant to do so in the near future.

Change in Strategy

Prior to the Fed's change in monetary policy starting March 17, 2022, staff's basic strategy consisted of not purchasing any Agency or Medium-Term corporate note securities with a maturity beyond three years, unless the securities were step-up securities (i.e., securities whose interest rates increased periodically, if they were not called). After the Fed changed to a tighter monetary policy in March 2022, the City's investment strategy changed to extending the investment maturities of securities purchased beyond three years and locking in rates.

In the short term, this strategy has resulted in a lower yield than the City could have achieved by not locking in rates on long-term securities purchased, because the yield curve is inverted (i.e., short-term rates are higher than medium and long-term rates). As money is pulled out of short-term investments to lock in rates on long-term investments, the City's yield suffers in the short-term. However, this underperformance will reverse when the Fed starts lowering short-term rates, probably towards the end of CY 2024.

Quite a few Analysts in the market are now predicting that the Feds will start lowering rates in July 2024 and lower them twice in CY 2024. However, Staff believes the decline in rates could come later in CY 2024, for the following reasons:

1. The Feds Chairman indicated that the Feds will continue its program of selling $95 billion/month (or $1.14 trillion/year) of Agency and Mortgage-Backed securities from its Balance Sheet instead of purchasing them as it did before this program began. This decision will result in a significant increase in bond supply without a corresponding increase in bond demand, which would increase the rates on medium and long-term bonds; and,
2. The projected US CY 2024 budget deficit of $1.8 trillion means the US will have to issue an additional $1.8 trillion of bonds to fund this budget deficit. This additional

huge supply of bonds may overwhelm demand for Agency and Mortgage-Backed bonds and put further upward pressure on medium and long-term interest rates.

These two factors may keep medium-term and long-term interest rates higher for most of CY 2024 and impact short-term rates.

On a short-term basis, the City's earned rate is expected to be below the City's benchmark (State LAIF) because the yield curve is inverted. However, this should change after the Feds starts lowering rates. The City's return is expected to be comparable to rates earned by other cities with a similar average maturity and lower than cities with a shorter average maturity in California. A sample of rates earned by Northern and Southern California cities is reflected in table 3 below (previously only Northern California cities were included):

Table 4

Other California Cities Earned Interest Rates	
For the Quarter Ending March 31, 2024	
City	**Rates Earned**
Oakland	4.52%
San Diego	3.71%
San Francisco	3.51%
Burbank	3.46%
San Jose	3.45%
Berkeley	**3.13%**
Los Angeles	2.93%
Sacramento	2.82%
Palo Alto	2.52 %
Hayward	2.46%

BACKGROUND

- Pooled Investments

  Short-term cash is invested primarily in government sponsored enterprises (referred to as Federal Agency securities) notes, medium-term corporate notes and municipal securities for periods of one to ten years. Additional cash is invested in a money market fund or overnight securities to meet the liquidity needs of the City.

  In some cases, the City may have investments with a current market value that is greater or less than the recorded cost. These changes in market value are due to fluctuations in the market and have no effect on yield, as the City does not intend to sell securities prior to maturity.

- Retiree Health Trust Fund Investments

  The City agreed to provide retiree Health insurance coverage for fire, police and miscellaneous employees under certain terms and conditions. An actuarial study commissioned by the City many years ago determined that, in addition to City Contributions, an average rate of return of 7% on miscellaneous employees trust fund assets invested must be achieved to fund the retiree health benefit at the desired 70% level. Primarily as a result of the Federal Reserve Board's decision to keep short-term rates near zero from 2008 to March 2020, the average rate currently earned is significantly below that 7% level. City Finance Department staff manages these investment portfolios.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The Investment Policy provides opportunities to make environmentally responsible investments that support the City's environmental sustainability goals.

CONTACT PERSON

Henry Oyekanmi, Director, Finance Department, 981-7326

ATTACHMENTS

1. Portfolio Evaluation FY 2024 Third Quarter
2. Investment Report Analysis FY 2024 Third Quarter
    a. Exhibit 2-A: Pooled Cash and Investments
    b. Exhibit 2-B.1 through 2-B.3: Interest Earnings January 1, 2024 – March 31, 2024
    c. Exhibit 2-C: Book Value By Investment Type
    d. Exhibit 2-D: Current Holdings vs. Policy Limits
    e. Exhibit 2-E: Investment Portfolio Trend
3. Summary of Pooled and Cash Investments FY 2024 Third Quarter –Trust Funds
    a. Exhibit 3-A: Retiree Medical Trust Funds –Misc.
    b. Exhibit 3-B: Retiree Medical Trust Funds –Fire
    c. Exhibit 3-C: Retiree Medical Trust Funds –Police

Attachment 1

Portfolio Evaluation
Quarter Ended March 31, 2024

	QUARTER ENDING			
	March 2024	**December 2023**	**September 2023**	**June 2023**
Total Portfolio				
Pooled Cash and Investments (COB)	$ 664,362,679	$ 680,764,634	$ 614,759,558	$ 712,329,294
Pooled Cash and Investments (Trust)	57,831,711	57,430,853	53,459,009	54,012,972
Total Cash and Investments	$ 722,194,390	$ 738,195,487	$ 668,218,567	$ 766,342,266
Average Life of Investment Portfolio				
Pooled Investments (CoB)	1,099	1,182	1,237	1,286
Trust Investments	7.401 years	7.772 years	7.883 years	7.852 years
Weighted Yield				
Pooled Investments (CoB)	3.131%	2.941%	2.999%	3.062%
Trust Investments	5.022%	5.045%	5.261%	5.063%
Prime Rate	8.500%	8.500%	8.500%	8.250%
91-day Treasury Bill Rate	5.368%	5.353%	5.446%	5.284%
2-year Treasury Note Rate	4.628%	4.250%	5.044%	4.895%

Cash and Investments Maturity								
Within one year	$ 169,170,380	23.42%	$ 161,959,249	21.94%	$ 104,135,475	15.58%	$ 234,655,408	30.62%
Between 1 to 3 years	370,649,554	51.32%	378,624,293	51.29%	374,559,348	56.05%	270,060,770	35.24%
Between 3 to 5 years	66,226,147	9.17%	74,998,313	10.16%	72,751,770	10.89%	164,373,440	21.45%
Between 5 to 10 years	105,625,485	14.63%	111,396,595	15.09%	105,896,100	15.85%	86,070,641	11.23%
Over 10 years	10,522,824	1.46%	11,217,037	1.52%	10,875,874	1.63%	11,182,007	1.46%
Total	$ 722,194,390	100.00%	$ 738,195,487	100.00%	$ 668,218,567	100.00%	$ 766,342,266	100.00%

Attachment 2



Investment Report Analysis
As of March 31, 2024

Investments	Pooled Investments	Pension and OPEB Trust Investments	Total
Portfolio	$ 562,574,401	$ 54,302,836	$ 616,877,237
Unrecognized gain/(loss)	(23,808,512)	(1,508,545)	(25,317,057)
Total Investments	538,765,888	52,794,291	591,560,179

Cash	Pooled Cash	Pension and OPEB Trust Cash	Total
Cash with Fidelity Money Market	34,963,155	-	34,963,155
Cash with Fiscal Agents	1,132	-	1,132
Cash Deposits in Banks	95,669,924	-	95,669,924
Pooled Cash Adjustment	(5,037,420)	5,037,420	-
Total Cash	125,596,791	5,037,420	130,634,211
Adjusted Grand Total (All Cash and Investments)	**$ 664,362,679**	**$ 57,831,711**	**$ 722,194,390**

Pooled Cash Portfolio Breakdown As of March 31, 2024	Book Value	Market Value
Investments	$ 562,574,401	$ 538,765,888

NOTE:

1. The pooled cash includes Rent Board cash $4,081,857.55
2. The pooled cash does not include Section 115 cash of $8,008,574.87

Exhibit 2-A

City of Berkeley
Pooled Cash and Investments
As of March 31, 2024

CUSIP	Investment #	Issuer	Book Value	Par Value	Market Value	Current Rate	YTM/C 365	Maturity Date	Days To Maturity	Moody's Rating
Medium Term Notes										
88579YAR2	14659	3M COMPANY	4,929,359.92	5,000,000.00	4,856,900.00	3.000	4.120	08/07/2025	493	A3
04685A2L4	14590	Athene Global Funding	5,957,904.80	5,950,000.00	5,801,369.00	2.500	2.320	01/14/2025	288	A1
04685A2L4	14602	Athene Global Funding	4,972,865.89	5,000,000.00	4,875,100.00	2.500	3.250	01/14/2025	288	A1
20030NBN0	14563	Comcast Corp	5,017,000.45	5,000,000.00	4,886,300.00	3.375	3.100	08/15/2025	501	A3
233851CU6	14571	Daimler Finance	5,031,666.53	5,000,000.00	4,812,950.00	3.450	3.190	01/06/2027	1,010	A2
233851CU6	14574	Daimler Finance	3,766,184.38	3,725,000.00	3,585,647.75	3.450	3.000	01/06/2027	1,010	A2
24422EWK1	14663	John Deere Cap	4,984,518.35	5,000,000.00	4,910,850.00	4.150	4.250	09/15/2027	1,262	A2
375558BF9	14570	Gilead Sciences	5,045,632.85	5,000,000.00	4,871,500.00	3.650	3.118	03/01/2026	699	A3
30303M8G0	14660	Meta Platforms Inc	4,870,616.61	5,000,000.00	4,810,700.00	3.500	4.360	08/15/2027	1,231	A1
617446HD4	14670	Morgan Stanley	10,755,181.48	10,000,000.00	11,407,500.00	7.250	6.000	04/01/2032	2,922	A1
747525AT0	14564	Qualcomm Inc	4,999,058.86	5,000,000.00	4,981,750.00	2.900	3.050	05/20/2024	49	A2
747525AU7	14587	Qualcomm Inc	6,101,629.24	5,963,000.00	5,713,985.12	3.250	2.435	05/20/2027	1,144	A2
828807CS4	14606	Simon Property Group	4,999,413.03	5,000,000.00	4,944,000.00	3.375	3.353	10/01/2024	183	A3
07330MAA5	14588	Truist Bank	5,170,048.55	5,000,000.00	4,802,400.00	3.800	2.365	10/30/2026	942	A2
		Subtotal and Average	**76,601,080.94**	**75,638,000.00**	**75,260,951.87**		**3.590**		**1,008**	
Federal Agency Coupon Securities										
3133ENN22	14664	Federal Farm Credit Bank	4,990,342.95	5,000,000.00	4,924,850.00	3.750	3.890	09/22/2025	539	AAA
3133ENP95	14666	Federal Farm Credit Bank	4,989,587.16	5,000,000.00	4,956,000.00	4.250	4.400	09/30/2025	547	AAA
3133ENS50	14667	Federal Farm Credit Bank	4,999,451.90	5,000,000.00	4,945,600.00	4.125	4.128	10/14/2027	1,291	AAA
3133ENN30	14668	Federal Farm Credit Bank	4,670,689.46	5,000,000.00	4,800,050.00	3.875	4.863	09/20/2032	3,094	AAA
3133ENV72	14669	Federal Farm Credit Bank	4,989,608.73	5,000,000.00	4,990,700.00	4.500	4.600	07/27/2026	847	AAA
3133EPGG4	14686	Federal Farm Credit Bank	4,962,322.34	5,000,000.00	4,825,450.00	4.000	4.102	04/20/2033	3,306	AAA
3133EPGS8	14687	Federal Farm Credit Bank	4,997,051.05	5,000,000.00	4,961,300.00	4.250	4.300	07/24/2025	479	AAA
3133EPPE9	14689	Federal Farm Credit Bank	4,982,718.98	5,000,000.00	4,968,950.00	4.375	4.540	07/06/2026	826	AAA
3133EPPF6	14690	Federal Farm Credit Bank	4,959,801.81	5,000,000.00	4,960,400.00	4.125	4.300	07/05/2029	1,921	AAA
		Subtotal and Average	**44,541,574.38**	**45,000,000.00**	**44,333,300.00**		**4.344**		**1,414**	
Medium-Term Notes - Callable										
22553PWD7	14652	Credit Suisse AG	5,000,000.00	5,000,000.00	4,897,550.00	4.050	4.050	05/25/2025	419	A3
22553PXJ3	14655	Credit Suisse AG	5,000,000.00	5,000,000.00	4,706,300.00	5.000	5.001	05/31/2032	2,982	A3
751212AC5	14566	Ralph Lauren	5,041,613.78	5,000,000.00	4,889,700.00	3.750	3.106	09/15/2025	532	A3
857477CD3	14698	State Street Corp.	4,000,000.00	4,000,000.00	4,021,600.00	5.272	5.272	08/03/2026	854	A1
91159HHU7	14562	US Bancorp	5,068,845.19	5,000,000.00	4,898,050.00	3.950	2.848	11/17/2025	595	A3
91159HHM5	14684	US Bancorp	4,788,667.40	5,000,000.00	4,795,450.00	3.100	5.348	04/27/2026	756	A3
91159HHW3	14693	US Bancorp	4,295,676.80	5,000,000.00	4,466,850.00	3.000	6.212	07/30/2029	1,946	A3
		Subtotal and Average	**33,194,803.17**	**34,000,000.00**	**32,675,500.00**		**4.481**		**1,147**	
Federal Agency Callable										
3133EN6K1	14676	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,825,500.00	4.220	4.220	01/23/2030	2,123	AAA
3133EN6K1	14677	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,825,500.00	4.220	4.220	01/23/2030	2,123	AAA
3133EPAJ4	14679	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,847,150.00	4.000	4.000	02/09/2033	3,236	AAA

Exhibit 2-A

City of Berkeley
Pooled Cash and Investments
As of March 31, 2024

CUSIP	Investment #	Issuer	Book Value	Par Value	Market Value	Current Rate	YTM/C 365	Maturity Date	Days To Maturity	Moody's Rating
3130ARXL0	14649	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,931,600.00	3.000	3.000	11/25/2024	238	AAA
3130AULM4	14678	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,973,900.00	5.620	5.620	01/26/2033	3,222	AAA
3130AXDU9	14700	Federal Home Loan Banks	4,956,483.08	5,000,000.00	5,000,500.00	5.000	5.220	10/18/2028	1,661	AAA
			29,956,483.08	**30,000,000.00**	**29,404,150.00**		**4.379**		**2,101**	
Federal Agency Continuously Callable										
31422XJW3	14638	Farmer Mac	10,000,000.00	10,000,000.00	9,308,000.00	1.500	0.300	07/20/2026	840	N/A
31422XZ47	14681	Farmer Mac	5,000,000.00	5,000,000.00	4,958,750.00	5.675	5.675	03/20/2030	2,179	N/A
3133ENUV0	14644	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,727,800.00	4.000	4.000	04/19/2032	2,940	AAA
3133ENVV9	14647	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,833,300.00	3.630	3.630	05/03/2027	1,127	AAA
3133ENWW6	14653	Federal Farm Credit Bank	4,995,522.26	5,000,000.00	4,810,450.00	4.370	4.384	05/17/2032	2,968	AAA
3133EN5C0	14675	Federal Farm Credit Bank	4,995,256.72	5,000,000.00	4,981,650.00	5.370	5.394	12/27/2028	1,731	AAA
3133EPEK7	14682	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,943,200.00	4.620	4.620	04/03/2025	367	AAA
3133EPQT5	14695	Federal Farm Credit Bank	5,000,000.00	5,000,000.00	4,945,400.00	5.650	5.292	07/25/2033	3,402	AAA
3130AMAV4	14611	Federal Home Loan Banks	5,600,000.00	5,600,000.00	5,088,272.00	1.250	1.125	04/29/2027	1,123	AAA
3130ALZA5	14612	Federal Home Loan Banks	9,000,000.00	9,000,000.00	8,595,540.00	1.000	0.500	04/29/2026	758	AAA
3130AMEX6	14613	Federal Home Loan Banks	15,000,000.00	15,000,000.00	14,163,600.00	1.000	0.666	05/27/2026	786	AAA
3130AMF72	14615	Federal Home Loan Banks	15,000,000.00	15,000,000.00	13,986,300.00	1.300	1.040	05/27/2026	786	AAA
3130AMFQ0	14616	Federal Home Loan Banks	15,000,000.00	15,000,000.00	13,940,400.00	1.150	1.020	05/26/2026	785	AAA
3130AMFT4	14617	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,314,100.00	1.250	1.000	05/27/2026	786	AAA
3130AMG22	14618	Federal Home Loan Banks	20,000,000.00	20,000,000.00	18,685,800.00	1.000	0.500	05/27/2026	786	AAA
3130AMGG1	14619	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,406,500.00	0.600	0.600	05/26/2026	785	AAA
3130AMFN7	14620	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,410,700.00	0.750	0.500	05/26/2026	785	AAA
3130AMG55	14622	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,101,300.00	1.375	1.219	05/27/2027	1,151	AAA
3130AMG22	14624	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,342,900.00	1.000	0.500	05/27/2026	786	AAA
3130AMLS9	14627	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,394,100.00	1.150	0.950	06/17/2026	807	AAA
3130AMN24	14628	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,291,500.00	1.150	1.034	06/03/2026	793	AAA
3130AMN57	14629	Federal Home Loan Banks	20,000,000.00	20,000,000.00	18,570,400.00	1.100	1.013	06/03/2026	793	AAA
3130AMP71	14630	Federal Home Loan Banks	20,000,000.00	20,000,000.00	18,556,400.00	1.200	1.077	06/18/2026	808	AAA
3130AMPL0	14631	Federal Home Loan Banks	15,000,000.00	15,000,000.00	13,938,600.00	1.150	0.375	06/08/2026	798	AAA
3130AMMW9	14632	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,368,900.00	1.500	0.500	06/10/2026	800	AAA
3130AMWM0	14634	Federal Home Loan Banks	4,250,000.00	4,250,000.00	3,927,510.00	1.050	0.500	06/30/2026	820	AAA
3130AN5U0	14642	Federal Home Loan Banks	10,000,000.00	10,000,000.00	9,373,000.00	1.750	0.500	07/29/2026	849	AAA
3130ANJY7	14643	Federal Home Loan Banks	40,000,000.00	40,000,000.00	36,747,200.00	1.000	0.400	08/26/2026	877	AAA
3130ARTE1	14645	Federal Home Loan Banks	6,425,000.00	6,425,000.00	6,111,074.50	4.100	4.100	04/26/2032	2,947	AAA
3130ARX71	14648	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,895,950.00	3.000	3.000	05/23/2025	417	AAA
3130ARYA3	14651	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,874,350.00	4.000	4.000	05/26/2027	1,150	AAA
3130AS7K9	14654	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,859,750.00	4.440	4.440	05/26/2032	2,977	AAA
3130ASGF0	14656	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,942,950.00	4.000	4.000	06/30/2025	455	AAA
3130ATDV6	14662	Federal Home Loan Banks	5,000,000.00	5,000,000.00	4,986,850.00	5.000	5.000	09/30/2027	1,277	AAA
3130AXDY1	14699	Federal Home Loan Banks	5,000,000.00	5,000,000.00	5,003,950.00	5.550	5.550	09/26/2025	543	AAA
3134GXRS5	14646	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,902,850.00	3.100	3.100	04/29/2025	393	AAA
3134GXC28	14657	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,944,250.00	4.100	4.103	07/18/2025	473	AAA

Exhibit 2-A

City of Berkeley
Pooled Cash and Investments
As of March 31, 2024

CUSIP	Investment #	Issuer	Book Value	Par Value	Market Value	Current Rate	YTM/C 365	Maturity Date	Days To Maturity	Moody's Rating
3134GXC36	14658	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,958,350.00	4.000	4.000	12/30/2024	273	AAA
3134GYPL0	14685	Federal Home Loan Mortgage Co	5,000,000.00	5,000,000.00	4,982,050.00	5.250	5.250	05/01/2028	1,491	AAA
3134GYXR8	14696	Federal Home Loan Mortgage Co	2,000,000.00	2,000,000.00	1,996,740.00	6.000	5.327	07/27/2028	1,578	AAA
			372,265,778.98	**372,275,000.00**	**351,170,686.50**		**1.645**		**1,003**	
Medium Term Notes Continuous Callable Bonds										
06051GLG2	14688	Bank of America Corporation	1,000,000.00	1,000,000.00	1,000,950.00	5.202	5.202	04/25/2029	1,850	A1
		Subtotal and Average	**1,000,000.00**	**1,000,000.00**	**1,000,950.00**		**5.202**		**1,850**	
Municipal Bonds										
13063DGB8	14559	General Obligation Unlimited	5,014,680.16	5,000,000.00	4,920,350.00	3.375	3.087	04/01/2025	**365**	AA2
		Subtotal and Average	**5,014,680.16**	**5,000,000.00**	**4,920,350.00**		**3.087**		**365**	
Total Investments and Average			**562,574,400.71**	**562,913,000.00**	**538,765,888.37**		**2.456**		**1,099**	

Total Investments (Book Value)	**562,574,400.71**
Cash	**125,596,791.00**
Total Investments (Book Value) and Cash	**688,171,191.71**
Increase / (Decrease) in Market Value of Securities	**(23,808,512.34)**
Total Investments (Market Value) and Cash	**664,362,679.37**

Exhibit 2-B.1

Pooled Investments Selected Funds
Interest Earnings
Sorted by Fund - Fund
January 1, 2024 - January 31, 2024
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130AMGG1	14619	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.600	0.589	5,000.00	0.00	5,000.00
3130ARXL0	14649	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	11/25/2024	3.000	2.944	12,500.00	0.00	12,500.00
3130AMFN7	14620	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.750	0.736	6,250.00	0.00	6,250.00
3130ARX71	14648	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/23/2025	3.000	2.944	12,500.00	0.00	12,500.00
3130ARYA3	14651	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2027	4.000	3.925	16,666.67	0.00	16,666.67
3130AMG22	14618	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	05/27/2026	1.000	0.981	16,666.67	0.00	16,666.67
3130AMFT4	14617	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.250	1.226	10,416.66	0.00	10,416.66
3130ATDV6	14662	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/30/2027	5.000	4.906	20,833.34	0.00	20,833.34
3130AS7K9	14654	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2032	4.440	4.356	18,500.00	0.00	18,500.00
3130ASGF0	14656	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	06/30/2025	4.000	3.925	16,666.66	0.00	16,666.66
3130ARTE1	14645	010	MC5	6,425,000.00	6,425,000.00	6,425,000.00	04/26/2032	4.100	4.023	21,952.08	0.00	21,952.08
3130AMG55	14622	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2027	1.375	1.349	11,458.33	0.00	11,458.33
3130AMMW9	14632	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/10/2026	1.500	1.472	12,500.00	0.00	12,500.00
3130AMP71	14630	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/18/2026	1.200	1.177	20,000.00	0.00	20,000.00
3130AMN57	14629	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/03/2026	1.100	1.079	18,333.33	0.00	18,333.33
3130AMLS9	14627	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/17/2026	1.150	1.128	9,583.34	0.00	9,583.34
3130AMN24	14628	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/03/2026	1.150	1.128	9,583.34	0.00	9,583.34
3130ANJY7	14643	010	MC5	40,000,000.00	40,000,000.00	40,000,000.00	08/26/2026	1.000	0.981	33,333.33	0.00	33,333.33
3130AN5U0	14642	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/29/2026	1.750	1.030	8,750.00	0.00	8,750.00
3130AMPL0	14631	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	06/08/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AMWM0	14634	010	MC5	4,250,000.00	4,250,000.00	4,250,000.00	06/30/2026	1.050	1.030	3,718.75	0.00	3,718.75
3130AMFQ0	14616	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/26/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AULM4	14678	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/26/2033	5.620	5.514	23,416.67	0.00	23,416.67
3130AMAV4	14611	010	MC5	5,600,000.00	5,600,000.00	5,600,000.00	04/29/2027	1.250	1.226	5,833.33	0.00	5,833.33
3130AXDY1	14699	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/26/2025	5.550	5.446	23,125.00	0.00	23,125.00
3130AXDU9	14700	010	MC4	5,000,000.00	4,954,090.58	4,954,515.06	10/18/2028	5.000	5.140	20,833.34	797.50	21,630.84
3130AMG22	14624	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.000	0.981	8,333.34	0.00	8,333.34
3130AMEX6	14613	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.000	0.981	12,500.00	0.00	12,500.00
3130ALZA5	14612	010	MC5	9,000,000.00	9,000,000.00	9,000,000.00	04/29/2026	1.000	0.981	7,500.00	0.00	7,500.00
3130AMF72	14615	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.300	1.276	16,250.00	0.00	16,250.00
3133EPEK7	14682	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/03/2025	4.620	4.533	19,250.00	0.00	19,250.00
3133EN6K1	14677	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.33	0.00	17,583.33

Pooled Investments Selected Funds
Interest Earnings
January 1, 2024 - January 31, 2024

Exhibit 2-B.1

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3133EPAJ4	14679	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	02/09/2033	4.000	3.925	16,666.67	0.00	16,666.67
3133EPGG4	14686	010	FAC	5,000,000.00	4,961,281.84	4,961,466.44	04/20/2033	4.000	4.038	16,666.67	346.83	17,013.50
3133EPGS8	14687	010	FAC	5,000,000.00	4,996,489.94	4,996,589.49	07/24/2025	4.250	4.217	17,708.33	187.04	17,895.37
3133EPQT5	14695	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/25/2033	5.650	5.544	23,541.66	0.00	23,541.66
3133EPPE9	14689	010	FAC	5,000,000.00	4,980,810.65	4,981,149.22	07/06/2026	4.375	4.459	18,229.16	636.11	18,865.27
3133EPPF6	14690	010	FAC	5,000,000.00	4,957,891.66	4,958,230.56	07/05/2029	4.125	4.233	17,187.50	636.72	17,824.22
3133EN6K1	14676	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.33	0.00	17,583.33
3133EN5C0	14675	010	MC5	5,000,000.00	4,995,006.49	4,995,050.88	12/27/2028	5.370	5.294	22,375.00	83.41	22,458.41
3133ENWW6	14653	010	MC5	5,000,000.00	4,995,384.53	4,995,408.97	05/17/2032	4.370	4.303	18,208.33	45.91	18,254.24
3133ENVV9	14647	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/03/2027	3.630	3.562	15,125.00	0.00	15,125.00
3133ENN22	14664	010	FAC	5,000,000.00	4,988,706.17	4,988,996.56	09/22/2025	3.750	3.816	15,625.00	545.59	16,170.59
3133ENP95	14666	010	FAC	5,000,000.00	4,987,848.47	4,988,156.32	09/30/2025	4.250	4.317	17,708.33	579.56	18,287.89
3133ENV72	14669	010	FAC	5,000,000.00	4,988,490.05	4,988,688.53	07/27/2026	4.500	4.513	18,750.00	372.90	19,122.90
3133ENS50	14667	010	FAC	5,000,000.00	4,999,413.15	4,999,420.03	10/14/2027	4.125	4.051	17,187.50	12.92	17,200.42
3133ENN30	14668	010	FAC	5,000,000.00	4,660,968.92	4,662,693.53	09/20/2032	3.875	4.895	16,145.83	3,240.18	19,386.01
3133ENUV0	14644	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/19/2032	4.000	3.925	16,666.67	0.00	16,666.67
3134GXC36	14658	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	12/30/2024	4.000	3.925	16,666.66	0.00	16,666.66
3134GXRS5	14646	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/29/2025	3.100	3.042	12,916.67	0.00	12,916.67
3134GXC28	14657	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/18/2025	4.100	4.023	17,083.34	0.00	17,083.34
3134GYPL0	14685	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/01/2028	5.250	5.151	21,875.00	0.00	21,875.00
3134GYWC2	14694	010	MC5	0.00	4,998,172.22	4,030,795.70	07/26/2028	6.000	6.094	20,833.33	27.78	20,861.11
3134GYXR8	14696	010	MC5	2,000,000.00	2,000,000.00	2,000,000.00	07/27/2028	6.000	5.887	10,000.00	0.00	10,000.00
617446HD4	14670	010	MTN	10,000,000.00	10,778,780.90	10,774,593.91	04/01/2032	7.250	5.743	60,416.67	-7,866.47	52,550.20
06051GLG2	14688	010	MC6	1,000,000.00	1,000,000.00	1,000,000.00	04/25/2029	5.202	5.104	4,335.00	0.00	4,335.00
31422XZ47	14681	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	03/20/2030	5.675	5.568	23,645.83	0.00	23,645.83
31422XJW3	14638	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/20/2026	1.500	1.472	12,500.00	0.00	12,500.00
24422EWK1	14663	010	MTN	5,000,000.00	4,983,398.29	4,983,597.01	09/15/2027	4.150	4.174	17,291.67	373.35	17,665.02
693475AV7	14557	010	MC3	0.00	5,000,358.08	3,548,508.38	01/23/2024	3.500	3.430	10,694.44	-358.08	10,336.36
13063DGB8	14559	010	MUN	5,000,000.00	5,018,350.20	5,017,699.07	04/01/2025	3.375	3.013	14,062.50	-1,223.34	12,839.16
91159HHU7	14562	010	MC3	5,000,000.00	5,079,418.69	5,077,542.75	11/17/2025	3.950	2.999	16,458.33	-3,524.50	12,933.83
91159HHW3	14693	010	MC3	5,000,000.00	4,262,644.45	4,268,493.19	07/30/2029	3.000	6.485	12,500.00	11,010.78	23,510.78
91159HHM5	14684	010	MC3	5,000,000.00	4,763,171.51	4,767,694.97	04/27/2026	3.100	5.289	12,916.66	8,498.63	21,415.29
20030NBN0	14563	010	MTN	5,000,000.00	5,020,097.70	5,019,548.18	08/15/2025	3.375	3.056	14,062.50	-1,032.42	13,030.08
747525AU7	14587	010	MTN	5,963,000.00	6,112,680.29	6,110,719.62	05/20/2027	3.250	2.402	16,149.79	-3,683.68	12,466.11
747525AT0	14564	010	MTN	5,000,000.00	4,997,330.24	4,997,636.94	05/20/2024	2.900	2.983	12,083.33	576.21	12,659.54
751212AC5	14566	010	MC3	5,000,000.00	5,048,761.19	5,047,493.10	09/15/2025	3.750	3.089	15,625.00	-2,382.47	13,242.53
375558BF9	14570	010	MTN	5,000,000.00	5,051,584.96	5,050,528.94	03/01/2026	3.650	3.083	15,208.34	-1,984.04	13,224.30
233851CU6	14574	010	MTN	3,725,000.00	3,769,909.60	3,769,248.67	01/06/2027	3.450	2.957	10,709.38	-1,241.74	9,467.64
233851CU6	14571	010	MTN	5,000,000.00	5,034,530.84	5,034,022.66	01/06/2027	3.450	3.139	14,375.00	-954.77	13,420.23
008252AM0	14582	010	MTN	1,000,000.00	1,002,255.02	1,001,436.67	02/15/2024	4.250	2.356	3,541.66	-1,537.51	2,004.15

Pooled Investments Selected Funds
Interest Earnings
January 1, 2024 - January 31, 2024

Exhibit 2-B.1

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
07330MAA5	14588	010	MTN	5,000,000.00	5,186,522.57	5,183,605.66	10/30/2026	3.800	2.349	15,833.34	-5,491.34	10,342.00
04685A2L4	14602	010	MTN	5,000,000.00	4,964,236.67	4,965,767.66	01/14/2025	2.500	3.152	10,416.67	2,876.41	13,293.08
04685A2L4	14590	010	MTN	5,950,000.00	5,960,418.70	5,959,972.68	01/14/2025	2.500	2.283	12,395.84	-837.97	11,557.87
828807CS4	14606	010	MTN	5,000,000.00	4,999,119.54	4,999,171.61	10/01/2024	3.375	3.335	14,062.50	97.83	14,160.33
22553PWD7	14652	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/25/2025	4.050	3.974	16,875.00	0.00	16,875.00
22553PXJ3	14655	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/31/2032	5.000	4.961	21,067.42	0.00	21,067.42
88579YAR2	14659	010	MTN	5,000,000.00	4,916,278.43	4,918,599.34	08/07/2025	3.000	4.036	12,500.00	4,360.50	16,860.50
30303M8G0	14660	010	MTN	5,000,000.00	4,861,024.76	4,862,726.54	08/15/2027	3.500	4.305	14,583.33	3,197.29	17,780.62
857477CD3	14698	010	MC3	4,000,000.00	4,000,000.00	4,000,000.00	08/03/2026	5.272	5.173	17,573.33	0.00	17,573.33
			Subtotal	**563,913,000.00**	**573,550,427.30**	**571,134,768.85**			**2.642**	**1,275,221.02**	**6,385.12**	**1,281,606.14**
Fund: Wells Fargo MM- Regular												
SYS14701	14701	025	RRP	101,407,401.62	108,449,357.69	100,847,353.87			5.179	443,593.85	0.00	443,593.85
			Subtotal	**101,407,401.62**	**108,449,357.69**	**100,847,353.87**			**5.179**	**443,593.85**	**0.00**	**443,593.85**
Fund: Fidelity MM - Trans												
SYS14190	14190	030	RRP	11,861,078.33	0.00	11,811,647.69		0.002	5.092	51,078.33	0.00	51,078.33
			Subtotal	**11,861,078.33**	**0.00**	**11,811,647.69**			**5.092**	**51,078.33**	**0.00**	**51,078.33**
Fund: Fidelity MM - Regular												
SYS14265	14265	040	RRP	22,802,577.19	34,509,426.91	22,702,754.34		0.003	5.100	98,328.82	0.00	98,328.82
			Subtotal	**22,802,577.19**	**34,509,426.91**	**22,702,754.34**			**5.100**	**98,328.82**	**0.00**	**98,328.82**
			Total	**699,984,057.14**	**716,509,211.90**	**706,496,524.74**			**3.124**	**1,868,222.02**	**6,385.12**	**1,874,607.14**

Exhibit 2-B.2

Pooled Investments Selected Funds
Interest Earnings
Sorted by Fund - Fund
February 2, 2024 - February 29, 2024
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130AMGG1	14619	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.600	0.630	4,833.33	0.00	4,833.33
3130ARXL0	14649	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	11/25/2024	3.000	3.150	12,083.33	0.00	12,083.33
3130AMFN7	14620	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.750	0.788	6,041.67	0.00	6,041.67
3130ARX71	14648	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/23/2025	3.000	3.150	12,083.33	0.00	12,083.33
3130ARYA3	14651	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2027	4.000	4.200	16,111.11	0.00	16,111.11
3130AMG22	14618	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	05/27/2026	1.000	1.050	16,111.11	0.00	16,111.11
3130AMFT4	14617	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.250	1.313	10,069.45	0.00	10,069.45
3130ATDV6	14662	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/30/2027	5.000	5.250	20,138.89	0.00	20,138.89
3130AS7K9	14654	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2032	4.440	4.662	17,883.33	0.00	17,883.33
3130ASGF0	14656	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	06/30/2025	4.000	4.200	16,111.11	0.00	16,111.11
3130ARTE1	14645	010	MC5	6,425,000.00	6,425,000.00	6,425,000.00	04/26/2032	4.100	4.305	21,220.34	0.00	21,220.34
3130AMG55	14622	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2027	1.375	1.444	11,076.39	0.00	11,076.39
3130AMMW9	14632	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/10/2026	1.500	1.575	12,083.33	0.00	12,083.33
3130AMP71	14630	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/18/2026	1.200	1.260	19,333.34	0.00	19,333.34
3130AMN57	14629	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/03/2026	1.100	1.155	17,722.22	0.00	17,722.22
3130AMLS9	14627	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/17/2026	1.150	1.208	9,263.89	0.00	9,263.89
3130AMN24	14628	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/03/2026	1.150	1.208	9,263.89	0.00	9,263.89
3130ANJY7	14643	010	MC5	40,000,000.00	40,000,000.00	40,000,000.00	08/26/2026	1.000	1.050	32,222.23	0.00	32,222.23
3130AN5U0	14642	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/29/2026	1.750	1.838	14,097.23	0.00	14,097.23
3130AMPL0	14631	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	06/08/2026	1.150	1.208	13,895.83	0.00	13,895.83
3130AMWM0	14634	010	MC5	4,250,000.00	4,250,000.00	4,250,000.00	06/30/2026	1.050	1.103	3,594.79	0.00	3,594.79
3130AMFQ0	14616	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/26/2026	1.150	1.208	13,895.83	0.00	13,895.83
3130AULM4	14678	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/26/2033	5.620	5.902	22,636.11	0.00	22,636.11
3130AMAV4	14611	010	MC5	5,600,000.00	5,600,000.00	5,600,000.00	04/29/2027	1.250	1.313	5,638.89	0.00	5,638.89
3130AXDY1	14699	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/26/2025	5.550	5.828	22,354.17	0.00	22,354.17
3130AXDU9	14700	010	MC4	5,000,000.00	4,954,914.67	4,955,301.07	10/18/2028	5.000	5.501	20,138.89	770.91	20,909.80
3130AMG22	14624	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.000	1.050	8,055.55	0.00	8,055.55
3130AMEX6	14613	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.000	1.050	12,083.34	0.00	12,083.34
3130ALZA5	14612	010	MC5	9,000,000.00	9,000,000.00	9,000,000.00	04/29/2026	1.000	1.050	7,250.00	0.00	7,250.00
3130AMF72	14615	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.300	1.365	15,708.34	0.00	15,708.34
3133EPEK7	14682	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/03/2025	4.620	4.851	18,608.34	0.00	18,608.34
3133EN6K1	14677	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.431	16,997.22	0.00	16,997.22

Pooled Investments Selected Funds
Interest Earnings
February 2, 2024 - February 29, 2024

Exhibit 2-B.2

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3133EPAJ4	14679	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	02/09/2033	4.000	4.200	16,111.11	0.00	16,111.11
3133EPGG4	14686	010	FAC	5,000,000.00	4,961,640.23	4,961,808.28	04/20/2033	4.000	4.321	16,111.11	335.28	16,446.39
3133EPGS8	14687	010	FAC	5,000,000.00	4,996,683.21	4,996,773.83	07/24/2025	4.250	4.513	17,118.06	180.80	17,298.86
3133EPQT5	14695	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/25/2033	5.650	5.933	22,756.94	0.00	22,756.94
3133EPPE9	14689	010	FAC	5,000,000.00	4,981,467.96	4,981,776.17	07/06/2026	4.375	4.772	17,621.53	614.91	18,236.44
3133EPPF6	14690	010	FAC	5,000,000.00	4,958,549.60	4,958,858.11	07/05/2029	4.125	4.529	16,614.58	615.50	17,230.08
3133EN6K1	14676	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.431	16,997.22	0.00	16,997.22
3133EN5C0	14675	010	MC5	5,000,000.00	4,995,092.68	4,995,133.09	12/27/2028	5.370	5.666	21,629.16	80.63	21,709.79
3133ENWW6	14653	010	MC5	5,000,000.00	4,995,431.97	4,995,454.21	05/17/2032	4.370	4.605	17,601.39	44.38	17,645.77
3133ENVV9	14647	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/03/2027	3.630	3.812	14,620.84	0.00	14,620.84
3133ENN22	14664	010	FAC	5,000,000.00	4,989,269.95	4,989,534.30	09/22/2025	3.750	4.084	15,104.17	527.41	15,631.58
3133ENP95	14666	010	FAC	5,000,000.00	4,988,447.35	4,988,728.16	09/30/2025	4.250	4.619	17,118.05	560.24	17,678.29
3133ENV72	14669	010	FAC	5,000,000.00	4,988,875.38	4,989,056.05	07/27/2026	4.500	4.830	18,125.00	360.46	18,485.46
3133ENS50	14667	010	FAC	5,000,000.00	4,999,426.50	4,999,432.76	10/14/2027	4.125	4.335	16,614.58	12.49	16,627.07
3133ENN30	14668	010	FAC	5,000,000.00	4,664,317.10	4,665,887.05	09/20/2032	3.875	5.236	15,607.64	3,132.18	18,739.82
3133ENUV0	14644	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/19/2032	4.000	4.200	16,111.11	0.00	16,111.11
3134GXC36	14658	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	12/30/2024	4.000	4.200	16,111.11	0.00	16,111.11
3134GXRS5	14646	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/29/2025	3.100	3.255	12,486.11	0.00	12,486.11
3134GXC28	14657	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/18/2025	4.100	4.305	16,513.89	0.00	16,513.89
3134GYPL0	14685	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/01/2028	5.250	5.513	21,145.83	0.00	21,145.83
3134GYXR8	14696	010	MC5	2,000,000.00	2,000,000.00	2,000,000.00	07/27/2028	6.000	6.301	9,666.66	0.00	9,666.66
617446HD4	14670	010	MTN	10,000,000.00	10,770,652.21	10,766,840.72	04/01/2032	7.250	6.150	58,402.77	-7,604.26	50,798.51
06051GLG2	14688	010	MC6	1,000,000.00	1,000,000.00	1,000,000.00	04/25/2029	5.202	5.463	4,190.50	0.00	4,190.50
31422XZ47	14681	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	03/20/2030	5.675	5.959	22,857.64	0.00	22,857.64
31422XJW3	14638	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/20/2026	1.500	1.575	12,083.33	0.00	12,083.33
24422EWK1	14663	010	MTN	5,000,000.00	4,983,784.09	4,983,964.99	09/15/2027	4.150	4.466	16,715.28	360.91	17,076.19
13063DGB8	14559	010	MUN	5,000,000.00	5,017,086.08	5,016,493.34	04/01/2025	3.375	3.225	13,593.75	-1,182.57	12,411.18
91159HHU7	14562	010	MC3	5,000,000.00	5,075,776.71	5,074,069.00	11/17/2025	3.950	3.212	15,909.73	-3,407.02	12,502.71
91159HHW3	14693	010	MC3	5,000,000.00	4,274,022.26	4,279,357.25	07/30/2029	3.000	6.923	12,083.34	10,643.76	22,727.10
91159HHM5	14684	010	MC3	5,000,000.00	4,771,953.42	4,776,071.21	04/27/2026	3.100	5.650	12,486.11	8,215.35	20,701.46
20030NBN0	14563	010	MTN	5,000,000.00	5,019,030.87	5,018,530.64	08/15/2025	3.375	3.272	13,593.75	-998.01	12,595.74
747525AU7	14587	010	MTN	5,963,000.00	6,108,873.82	6,107,088.99	05/20/2027	3.250	2.572	15,611.47	-3,560.90	12,050.57
747525AT0	14564	010	MTN	5,000,000.00	4,997,925.66	4,998,204.84	05/20/2024	2.900	3.192	11,680.56	557.00	12,237.56
751212AC5	14566	010	MC3	5,000,000.00	5,046,299.31	5,045,144.94	09/15/2025	3.750	3.308	15,104.16	-2,303.06	12,801.10
375558BF9	14570	010	MTN	5,000,000.00	5,049,534.79	5,048,573.48	03/01/2026	3.650	3.301	14,701.39	-1,917.90	12,783.49
233851CU6	14574	010	MTN	3,725,000.00	3,768,626.47	3,768,024.81	01/06/2027	3.450	3.166	10,352.39	-1,200.35	9,152.04
233851CU6	14571	010	MTN	5,000,000.00	5,033,544.25	5,033,081.64	01/06/2027	3.450	3.360	13,895.84	-922.95	12,972.89
008252AM0	14582	010	MTN	0.00	1,000,666.26	464,428.48	02/15/2024	4.250	2.438	1,534.72	-666.26	868.46
07330MAA5	14588	010	MTN	5,000,000.00	5,180,848.18	5,178,187.50	10/30/2026	3.800	2.517	15,305.55	-5,308.29	9,997.26
04685A2L4	14602	010	MTN	5,000,000.00	4,967,208.96	4,968,602.65	01/14/2025	2.500	3.371	10,069.44	2,780.53	12,849.97

Pooled Investments Selected Funds
Interest Earnings
February 2, 2024 - February 29, 2024

Exhibit 2-B.2

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
04685A2L4	14590	010	MTN	5,950,000.00	5,959,552.80	5,959,146.79	01/14/2025	2.500	2.444	11,982.64	-810.03	11,172.61
828807CS4	14606	010	MTN	5,000,000.00	4,999,220.63	4,999,268.03	10/01/2024	3.375	3.569	13,593.75	94.57	13,688.32
22553PWD7	14652	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/25/2025	4.050	4.253	16,312.50	0.00	16,312.50
22553PXJ3	14655	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/31/2032	5.000	5.301	20,334.30	0.00	20,334.30
88579YAR2	14659	010	MTN	5,000,000.00	4,920,784.28	4,922,897.04	08/07/2025	3.000	4.316	12,083.33	4,215.14	16,298.47
30303M8G0	14660	010	MTN	5,000,000.00	4,864,328.62	4,865,877.78	08/15/2027	3.500	4.605	14,097.22	3,090.71	17,187.93
857477CD3	14698	010	MC3	4,000,000.00	4,000,000.00	4,000,000.00	08/03/2026	5.272	5.536	16,987.56	0.00	16,987.56
			Subtotal	**562,913,000.00**	**563,558,836.27**	**563,026,597.21**			**2.809**	**1,205,955.93**	**7,311.56**	**1,213,267.49**
Fund: Wells Fargo MM- Regular												
SYS14701	14701	025	RRP	78,433,656.70	101,776,222.29	83,535,860.73			5.156	330,391.43	0.00	330,391.43
			Subtotal	**78,433,656.70**	**101,776,222.29**	**83,535,860.73**			**5.156**	**330,391.43**	**0.00**	**330,391.43**
Fund: Fidelity MM - Trans												
SYS14190	14190	030	RRP	11,910,502.95	11,861,078.33	11,862,843.49		0.002	5.244	47,720.57	0.00	47,720.57
			Subtotal	**11,910,502.95**	**11,861,078.33**	**11,862,843.50**			**5.244**	**47,720.57**	**0.00**	**47,720.57**
Fund: Fidelity MM - Regular												
SYS14265	14265	040	RRP	22,897,594.57	22,802,577.19	22,805,970.67		0.003	5.244	91,741.39	0.00	91,741.39
			Subtotal	**22,897,594.57**	**22,802,577.19**	**22,805,970.67**			**5.244**	**91,741.39**	**0.00**	**91,741.39**
			Total	**676,154,754.22**	**699,998,714.08**	**681,231,272.10**			**3.221**	**1,675,809.32**	**7,311.56**	**1,683,120.88**

Exhibit 2-B.3

Pooled Investments Selected Funds
Interest Earnings
Sorted by Fund - Fund
March 1, 2024 - March 31, 2024
Yield on Average Book Value

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3130AMGG1	14619	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.600	0.589	5,000.00	0.00	5,000.00
3130ARXL0	14649	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	11/25/2024	3.000	2.944	12,500.00	0.00	12,500.00
3130AMFN7	14620	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/26/2026	0.750	0.736	6,250.00	0.00	6,250.00
3130ARX71	14648	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/23/2025	3.000	2.944	12,500.00	0.00	12,500.00
3130ARYA3	14651	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2027	4.000	3.925	16,666.66	0.00	16,666.66
3130AMG22	14618	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	05/27/2026	1.000	0.981	16,666.67	0.00	16,666.67
3130AMFT4	14617	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.250	1.226	10,416.67	0.00	10,416.67
3130ATDV6	14662	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/30/2027	5.000	4.906	20,833.33	0.00	20,833.33
3130AS7K9	14654	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/26/2032	4.440	4.356	18,500.00	0.00	18,500.00
3130ASGF0	14656	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	06/30/2025	4.000	3.925	16,666.67	0.00	16,666.67
3130ARTE1	14645	010	MC5	6,425,000.00	6,425,000.00	6,425,000.00	04/26/2032	4.100	4.023	21,952.09	0.00	21,952.09
3130AMG55	14622	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2027	1.375	1.349	11,458.33	0.00	11,458.33
3130AMMW9	14632	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/10/2026	1.500	1.472	12,500.00	0.00	12,500.00
3130AMP71	14630	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/18/2026	1.200	1.177	20,000.00	0.00	20,000.00
3130AMN57	14629	010	MC5	20,000,000.00	20,000,000.00	20,000,000.00	06/03/2026	1.100	1.079	18,333.33	0.00	18,333.33
3130AMLS9	14627	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/17/2026	1.150	1.128	9,583.33	0.00	9,583.33
3130AMN24	14628	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	06/03/2026	1.150	1.128	9,583.33	0.00	9,583.33
3130ANJY7	14643	010	MC5	40,000,000.00	40,000,000.00	40,000,000.00	08/26/2026	1.000	0.981	33,333.33	0.00	33,333.33
3130AN5U0	14642	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/29/2026	1.750	1.717	14,583.33	0.00	14,583.33
3130AMPL0	14631	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	06/08/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AMWM0	14634	010	MC5	4,250,000.00	4,250,000.00	4,250,000.00	06/30/2026	1.050	1.030	3,718.75	0.00	3,718.75
3130AMFQ0	14616	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/26/2026	1.150	1.128	14,375.00	0.00	14,375.00
3130AULM4	14678	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/26/2033	5.620	5.514	23,416.67	0.00	23,416.67
3130AMAV4	14611	010	MC5	5,600,000.00	5,600,000.00	5,600,000.00	04/29/2027	1.250	1.226	5,833.34	0.00	5,833.34
3130AXDY1	14699	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	09/26/2025	5.550	5.446	23,125.00	0.00	23,125.00
3130AXDU9	14700	010	MC4	5,000,000.00	4,955,685.58	4,956,110.06	10/18/2028	5.000	5.139	20,833.33	797.50	21,630.83
3130AMG22	14624	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	05/27/2026	1.000	0.981	8,333.33	0.00	8,333.33
3130AMEX6	14613	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.000	0.981	12,500.00	0.00	12,500.00
3130ALZA5	14612	010	MC5	9,000,000.00	9,000,000.00	9,000,000.00	04/29/2026	1.000	0.981	7,500.00	0.00	7,500.00
3130AMF72	14615	010	MC5	15,000,000.00	15,000,000.00	15,000,000.00	05/27/2026	1.300	1.276	16,250.00	0.00	16,250.00
3133EPEK7	14682	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/03/2025	4.620	4.533	19,250.00	0.00	19,250.00
3133EN6K1	14677	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.34	0.00	17,583.34

Pooled Investments Selected Funds
Interest Earnings
March 1, 2024 - March 31, 2024

Exhibit 2-B.3

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
3133EPAJ4	14679	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	02/09/2033	4.000	3.925	16,666.67	0.00	16,666.67
3133EPGG4	14686	010	FAC	5,000,000.00	4,961,975.51	4,962,160.11	04/20/2033	4.000	4.037	16,666.66	346.83	17,013.49
3133EPGS8	14687	010	FAC	5,000,000.00	4,996,864.01	4,996,963.56	07/24/2025	4.250	4.217	17,708.33	187.04	17,895.37
3133EPQT5	14695	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/25/2033	5.650	5.544	23,541.67	0.00	23,541.67
3133EPPE9	14689	010	FAC	5,000,000.00	4,982,082.87	4,982,421.45	07/06/2026	4.375	4.458	18,229.17	636.11	18,865.28
3133EPPF6	14690	010	FAC	5,000,000.00	4,959,165.10	4,959,503.99	07/05/2029	4.125	4.232	17,187.50	636.71	17,824.21
3133EN6K1	14676	010	MC4	5,000,000.00	5,000,000.00	5,000,000.00	01/23/2030	4.220	4.141	17,583.34	0.00	17,583.34
3133EN5C0	14675	010	MC5	5,000,000.00	4,995,173.31	4,995,217.70	12/27/2028	5.370	5.294	22,375.00	83.41	22,458.41
3133ENWW6	14653	010	MC5	5,000,000.00	4,995,476.35	4,995,500.79	05/17/2032	4.370	4.302	18,208.34	45.91	18,254.25
3133ENVV9	14647	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/03/2027	3.630	3.562	15,125.00	0.00	15,125.00
3133ENN22	14664	010	FAC	5,000,000.00	4,989,797.36	4,990,087.76	09/22/2025	3.750	3.815	15,625.00	545.59	16,170.59
3133ENP95	14666	010	FAC	5,000,000.00	4,989,007.59	4,989,315.45	09/30/2025	4.250	4.316	17,708.34	579.57	18,287.91
3133ENV72	14669	010	FAC	5,000,000.00	4,989,235.84	4,989,434.31	07/27/2026	4.500	4.513	18,750.00	372.89	19,122.89
3133ENS50	14667	010	FAC	5,000,000.00	4,999,438.99	4,999,445.86	10/14/2027	4.125	4.051	17,187.50	12.91	17,200.41
3133ENN30	14668	010	FAC	5,000,000.00	4,667,449.28	4,669,173.89	09/20/2032	3.875	4.889	16,145.83	3,240.18	19,386.01
3133ENUV0	14644	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/19/2032	4.000	3.925	16,666.67	0.00	16,666.67
3134GXC36	14658	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	12/30/2024	4.000	3.925	16,666.67	0.00	16,666.67
3134GXRS5	14646	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	04/29/2025	3.100	3.042	12,916.66	0.00	12,916.66
3134GXC28	14657	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	07/18/2025	4.100	4.023	17,083.33	0.00	17,083.33
3134GYPL0	14685	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	05/01/2028	5.250	5.151	21,875.00	0.00	21,875.00
3134GYXR8	14696	010	MC5	2,000,000.00	2,000,000.00	2,000,000.00	07/27/2028	6.000	5.887	10,000.00	0.00	10,000.00
617446HD4	14670	010	MTN	10,000,000.00	10,763,047.95	10,758,860.96	04/01/2032	7.250	5.751	60,416.67	-7,866.47	52,550.20
06051GLG2	14688	010	MC6	1,000,000.00	1,000,000.00	1,000,000.00	04/25/2029	5.202	5.104	4,335.00	0.00	4,335.00
31422XZ47	14681	010	MC5	5,000,000.00	5,000,000.00	5,000,000.00	03/20/2030	5.675	5.568	23,645.83	0.00	23,645.83
31422XJW3	14638	010	MC5	10,000,000.00	10,000,000.00	10,000,000.00	07/20/2026	1.500	1.472	12,500.00	0.00	12,500.00
24422EWK1	14663	010	MTN	5,000,000.00	4,984,145.00	4,984,343.72	09/15/2027	4.150	4.173	17,291.66	373.35	17,665.01
13063DGB8	14559	010	MUN	5,000,000.00	5,015,903.51	5,015,252.37	04/01/2025	3.375	3.014	14,062.50	-1,223.35	12,839.15
91159HHU7	14562	010	MC3	5,000,000.00	5,072,369.69	5,070,493.75	11/17/2025	3.950	3.003	16,458.33	-3,524.50	12,933.83
91159HHW3	14693	010	MC3	5,000,000.00	4,284,666.02	4,290,514.76	07/30/2029	3.000	6.452	12,500.00	11,010.78	23,510.78
91159HHM5	14684	010	MC3	5,000,000.00	4,780,168.77	4,784,692.23	04/27/2026	3.100	5.270	12,916.67	8,498.63	21,415.30
20030NBN0	14563	010	MTN	5,000,000.00	5,018,032.86	5,017,483.35	08/15/2025	3.375	3.058	14,062.50	-1,032.41	13,030.09
747525AU7	14587	010	MTN	5,963,000.00	6,105,312.92	6,103,352.26	05/20/2027	3.250	2.405	16,149.79	-3,683.68	12,466.11
747525AT0	14564	010	MTN	5,000,000.00	4,998,482.66	4,998,789.35	05/20/2024	2.900	2.982	12,083.33	576.20	12,659.53
751212AC5	14566	010	MC3	5,000,000.00	5,043,996.25	5,042,728.16	09/15/2025	3.750	3.092	15,625.00	-2,382.47	13,242.53
375558BF9	14570	010	MTN	5,000,000.00	5,047,616.89	5,046,560.87	03/01/2026	3.650	3.085	15,208.33	-1,984.04	13,224.29
233851CU6	14574	010	MTN	3,725,000.00	3,767,426.12	3,766,765.19	01/06/2027	3.450	2.959	10,709.38	-1,241.74	9,467.64
233851CU6	14571	010	MTN	5,000,000.00	5,032,621.30	5,032,113.12	01/06/2027	3.450	3.140	14,375.00	-954.77	13,420.23
07330MAA5	14588	010	MTN	5,000,000.00	5,175,539.89	5,172,622.98	10/30/2026	3.800	2.354	15,833.33	-5,491.34	10,341.99
04685A2L4	14602	010	MTN	5,000,000.00	4,969,989.49	4,971,520.48	01/14/2025	2.500	3.148	10,416.67	2,876.40	13,293.07
04685A2L4	14590	010	MTN	5,950,000.00	5,958,742.77	5,958,296.75	01/14/2025	2.500	2.284	12,395.83	-837.97	11,557.86

Pooled Investments Selected Funds
Interest Earnings
March 1, 2024 - March 31, 2024

Exhibit 2-B.3

CUSIP	Investment #	Fund	Security Type	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings: Interest Earned	Adjusted Interest Earnings: Amortization/ Accretion	Adjusted Interest Earnings: Adjusted Interest Earnings
Fund: Pooled Investment - Long Term												
828807CS4	14606	010	MTN	5,000,000.00	4,999,315.20	4,999,367.27	10/01/2024	3.375	3.335	14,062.50	97.83	14,160.33
22553PWD7	14652	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/25/2025	4.050	3.974	16,875.00	0.00	16,875.00
22553PXJ3	14655	010	MC3	5,000,000.00	5,000,000.00	5,000,000.00	05/31/2032	5.000	4.852	20,604.39	0.00	20,604.39
88579YAR2	14659	010	MTN	5,000,000.00	4,924,999.42	4,927,320.33	08/07/2025	3.000	4.029	12,500.00	4,360.50	16,860.50
30303M8G0	14660	010	MTN	5,000,000.00	4,867,419.33	4,869,121.11	08/15/2027	3.500	4.300	14,583.34	3,197.28	17,780.62
857477CD3	14698	010	MC3	4,000,000.00	4,000,000.00	4,000,000.00	08/03/2026	5.272	5.173	17,573.33	0.00	17,573.33
			Subtotal	**562,913,000.00**	**562,566,147.83**	**562,570,533.94**			**2.624**	**1,245,521.89**	**8,252.88**	**1,253,774.77**
Fund: Wells Fargo MM- Regular												
SYS14701	14701	025	RRP	96,873,165.78	78,433,656.70	83,862,873.89			4.840	344,767.63	0.00	344,767.63
			Subtotal	**96,873,165.78**	**78,433,656.70**	**83,862,873.89**			**4.840**	**344,767.63**	**0.00**	**344,767.63**
Fund: Fidelity MM - Trans												
SYS14190	14190	030	RRP	11,963,544.65	11,910,502.95	11,915,636.02		0.002	5.559	56,257.82	0.00	56,257.82
			Subtotal	**11,963,544.65**	**11,910,502.95**	**11,915,636.02**			**5.559**	**56,257.82**	**0.00**	**56,257.82**
Fund: Fidelity MM - Regular												
SYS14265	14265	040	RRP	22,999,610.24	22,897,594.57	22,907,467.05		0.003	5.561	108,198.58	0.00	108,198.58
			Subtotal	**22,999,610.24**	**22,897,594.57**	**22,907,467.05**			**5.561**	**108,198.58**	**0.00**	**108,198.58**
			Total	**694,749,320.67**	**675,807,902.05**	**681,256,510.91**			**3.047**	**1,754,745.92**	**8,252.88**	**1,762,998.80**

Exhibit 2-C

Pooled Cash and Investments
(Market Value)
as of March 31, 2024

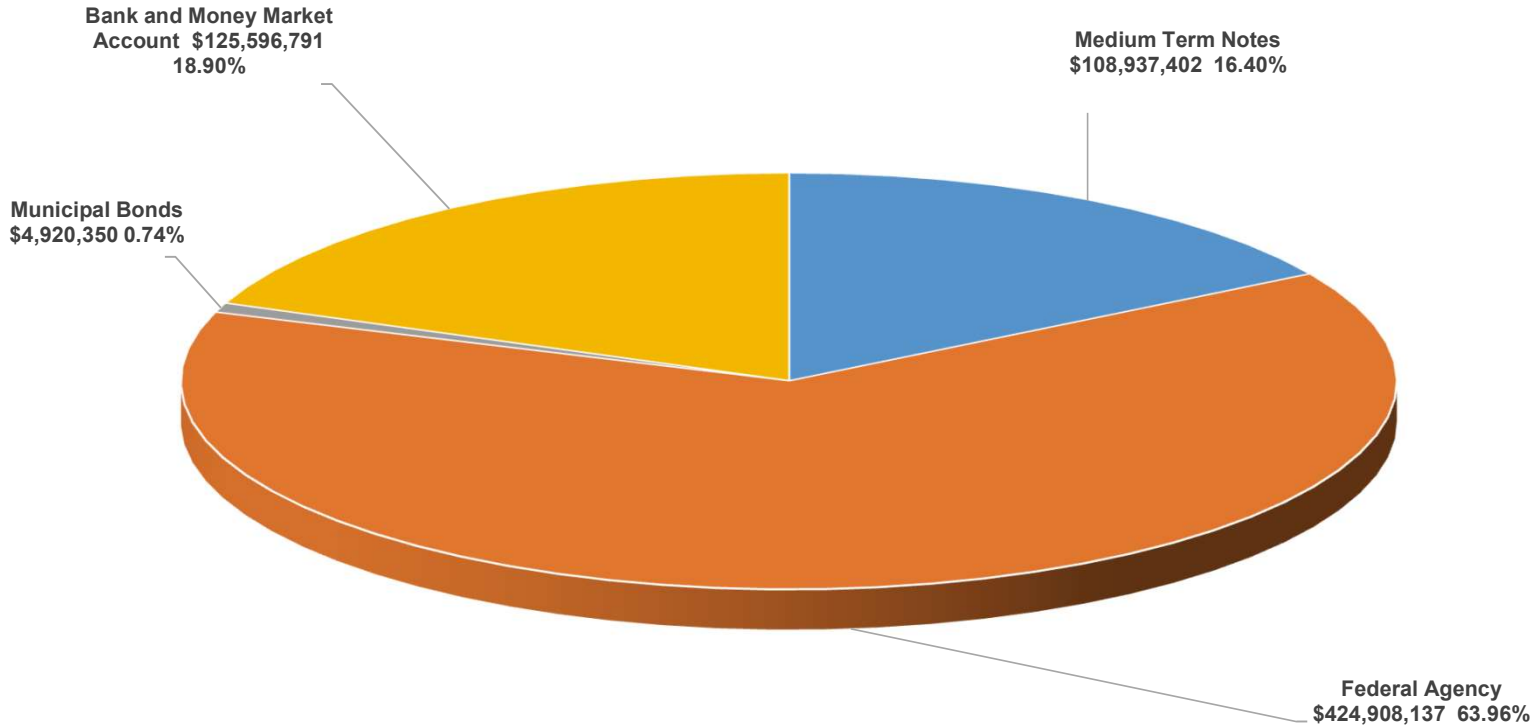


Exhibit 2-D

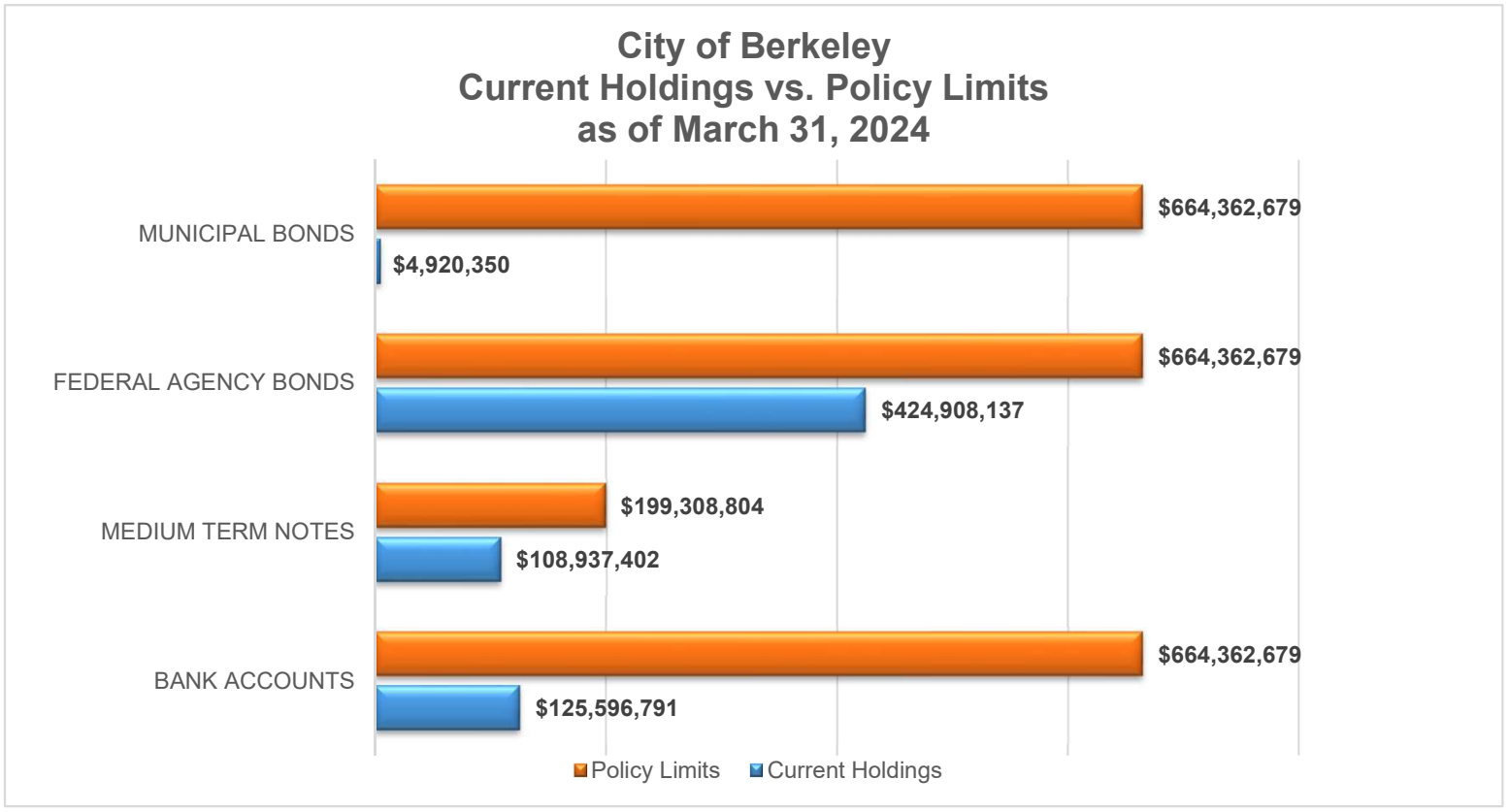
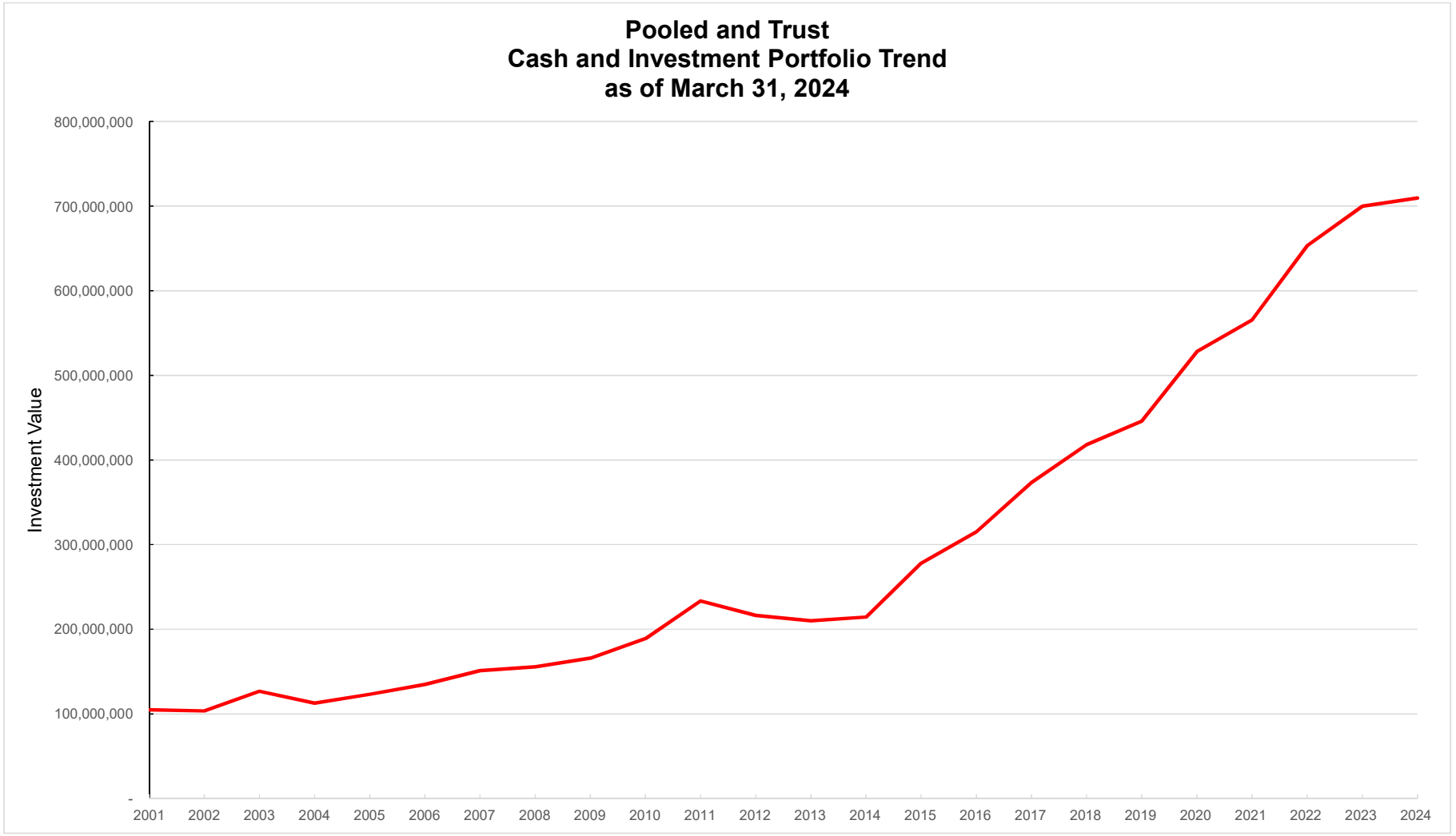

City of Berkeley
Current Holdings vs. Policy Limits
as of March 31, 2024
MUNICIPAL BONDS
$664,362,679
$4,920,350
FEDERAL AGENCY BONDS
$664,362,679
$424,908,137
MEDIUM TERM NOTES
$199,308,804
$108,937,402
BANK ACCOUNTS
$664,362,679
$125,596,791
Policy Limits
Current Holdings

Exhibit 2-E


Pooled and Trust
Cash and Investment Portfolio Trend
as of March 31, 2024
Investment Value
800,000,000
700,000,000
600,000,000
500,000,000
400,000,000
300,000,000
200,000,000
100,000,000
-
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

Attachment 3

Summary of Pooled Cash and Investments - Trust Funds
(Market Value)
As of March 31, 2024

		Pooled Cash	Investments (Book Value)	Gain/Loss on Investments	Pooled Cash & Investments (Market Value)
Retiree Medical Trust Fund					
Fund No.					
721	BHA	$ 85,690	$ 576,227	$ 33,753	$ 695,671
722	M1=IBEW	(90,047)	92,838	(4,705)	(1,915)
723	M2=Local 1	1,551,576	11,291,673	141,649	12,984,898
724	MUI=Z1	115,329	2,029,696	(133,112)	2,011,913
725	MUI=Z2 to Z6	334,163	2,909,045	(86,245)	3,156,963
726	M535= Local 535	1,214,722	10,473,511	(358,997)	11,329,236
727	M3=Local 790	676,959	6,587,116	(51,943)	7,212,132
Total Retiree Medical Trust Fund		**3,888,392.00**	**33,960,107**	**(459,601)**	**37,388,899**
Fire Medical Trust Fund					
736	Fire Medical Trust Fund	1,218,341	13,242,308	(623,141)	13,837,508
Total Fire Medical Trust Fund		**1,218,341**	**13,242,308**	**(623,141)**	**13,837,508**
Police Medical Trust Fund					
731	Police EE Retiree HLT Assistance Plan	68,717	2,514,271	(169,772)	2,413,216
701	Safety Members Pension Fund	351,107	-	-	351,107
706	Police Medical Trust Fund	(489,137)	4,586,150	(256,032)	3,840,981
Total Police Medical Trust Fund		**(69,313)**	**7,100,420**	**(425,804)**	**6,605,304**
	Total Trust Funds	**$ 5,037,420**	**$ 54,302,836**	**$ (1,508,545)**	**$ 57,831,711**

Exhibit 3-A

Retiree Medical Trust Fund
Fund 721 - 727
Interest Earnings
January 01 to March 31, 2024

			Investments As of March 31, 2024						Interest Earnings January 01 to March 31, 2024				
												Adjusted Interest Earnings	
CUSIP	Investment #	Issuer	Par Value	Beginning Book Value	Ending Book Value	Market Value	Maturity Date	Moody's Rating	Current Rate	Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Federal Agency Coupon Securities													
3133EFQT7	14361	Fed Farm Credit Bank	2,600,000.00	2,603,456.25	2,603,001.48	2,513,498.00	11/25/2025	AAA	2.700	2.634	17,550.00	(454.77)	17,095.23
Medium Term Notes - Callable													
665859AX2	14671	Northern Trust Corp	10,000,000.00	10,015,046.47	10,014,620.76	10,563,300.00	11/02/2032	A2	6.125	6.116	153,125.00	(425.71)	152,699.29
Federal Agency Continuous Callable													
3133EPMQ5	14691 Misc	Federal Farm Credit Bank	4,746,000.00	4,712,173.33	4,713,067.42	4,714,344.18	06/16/2033	AAA	5.360	5.489	63,596.40	894.09	64,490.49
3133EPNL5	14692 Misc	Federal Farm Credit Bank	3,796,800.00	3,588,123.43	3,593,627.79	3,837,387.79	06/23/2033	AAA	5.180	6.107	49,168.56	5,504.36	54,672.92
Continous Callable Bonds													
797440CD4	14680	San Diego Gas & Electric	2,000,000.00	1,979,525.81	1,979,700.80	1,969,860.00	04/01/2053	A1	5.350	5.455	26,750.00	174.99	26,924.99
Municipal Bonds													
786091AG3	14316	SACGEN	5,000,000.00	5,085,556.10	5,072,047.24	5,105,750.00	08/01/2025	A1	7.250	6.090	90,625.00	(13,508.86)	77,116.14
Savo Island Loan													
SYS10988	10988	EMPMED	104,000.00	104,000.00	104,000.00	104,000.00	09/01/2025	N/A	8.000	8.000	2,074.33	-	2,074.33
Preferred Securities													
00206R706	14591	AT&T Inc.	1,680,033.60	1,680,033.60	1,680,033.60	1,340,693.48	N/A	N/A	4.596	4.624	19,366.23	-	19,366.23
00206R706	14596	AT&T Inc.	1,680,008.40	1,680,008.40	1,680,008.40	1,340,673.37	N/A	N/A	4.640	4.652	19,484.34	-	19,484.34
00206R706	14597	AT&T Inc.	2,520,000.00	2,520,000.00	2,520,000.00	2,011,000.00	N/A	N/A	4.643	4.654	29,238.59	-	29,238.59
		Total	**34,126,842.00**	**33,967,923.39**	**33,960,107.49**	**33,500,506.82**				**5.470**	**$ 470,978.45**	**$ (7,815.90)**	**$ 463,162.55**

Total Investments (Book Value)	**$ 33,960,107.49**
Gain/Loss on Investments	**(459,600.67)**
Total Investments (Market Value)	**33,500,506.82**
Temporarily Invested with Pooled Cash & Investments	**3,888,392.00**
Total Pooled Cash and Investments	**$ 37,388,898.82**

Exhibit 3-B

Fire Retiree Medical
Fund 736
Interest Earnings
January 01 to March 31, 2024

			Investments As of March 31, 2024						Interest Earnings January 01 to March 31, 2024				
												Adjusted Interest Earnings	
CUSIP	Investment #	Issuer	Par Value	Beginning Book Value	Ending Book Value	Market Value	Maturity Date	Moody's Rating	Current Rate	Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Medium Term Notes													
6174467X1	14318	Morgan Stanley DW DTC#0015	2,000,000.00	2,014,646.01	2,012,716.08	1,987,640.00	11/24/2025	BAA1	5.000	4.595	25,000.00	(1,929.93)	23,070.07
Federal Agency Coupon Securities													
3133EFQT7	14362	Fed Farm Credit Bank	2,300,000.00	2,303,057.45	2,302,655.15	2,223,479.00	11/25/2025	AAA	2.700	2.634	15,525.00	(402.30)	15,122.70
Federal Agency Continuously Callable													
3133EPMQ5	14691 Fire	Federal Farm Credit Bank	35,500.00	35,246.98	35,253.66	35,263.21	06/16/2033	AAA	5.360	5.489	475.70	6.68	482.38
3133EPNL5	14692 Fire	Federal Farm Credit Bank	28,400.00	28,202.96	28,208.16	28,703.60	06/23/2033	AAA	5.180	5.304	367.78	5.20	372.98
3130AUB78	14672	Federal Home Loan Banks	4,000,000.00	4,000,000.00	4,000,000.00	3,993,960.00	12/28/2037	AAA	6.230	6.247	62,300.00	-	62,300.00
3130AUB86	14673	Federal Home Loan Banks	2,343,500.00	2,996,000.00	2,343,500.00	2,339,141.09	12/29/2042	WR	6.540	6.322	37,842.08	-	37,842.08
Preferred Securities													
00206R706	14592	AT&T Inc.	1,679,983.20	1,679,983.20	1,679,983.20	1,340,653.26	N/A	N/A	4.596	4.623	15,923.65	-	15,923.65
00206R706	14594	AT&T Inc.	839,991.60	839,991.60	839,991.60	670,326.63	N/A	N/A	4.640	4.652	9,742.02	-	9,742.02
		Total	**$ 13,227,374.80**	**$ 13,897,128.20**	**$ 13,242,307.85**	**$ 12,619,166.79**				**4.971**	**$ 167,176.23**	**$ (2,320.35)**	**$ 164,855.88**

Total Investments (Book Value)	**$ 13,242,307.85**
Gain/Loss on Investments	**(623,141.06)**
Total Investments (Market Value)	**12,619,166.79**
Temporarily Invested with Pooled Cash & Investments	**1,218,341.00**
Total Pooled Cash and Investments	**$ 13,837,507.79**

Exhibit 3-C

Police Retiree Medical
Fund 731 and 706
Interest Earnings
January 01 to March 31, 2024

			Investments As of March 31, 2024						Interest Earnings January 01 to March 31, 2024				
												Adjusted Interest Earnings	
CUSIP	Investment #	Issuer	Par Value	Beginning Book Value	Ending Book Value	Market Value	Maturity Date	Moody's Rating	Current Rate	Annualized Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Medium Term Notes													
6174467X1	14319	Morgan Stanley DW DTC#0015	500,000.00	503,661.50	503,179.02	496,910.00	11/24/2025	BAA1	5.000	4.595	6,250.00	(482.49)	5,767.51
Federal Agency Coupon Securities													
3133EFQT7	14363	Fed. Farm Credit Banks	2,300,000.00	2,303,057.45	2,302,655.15	2,223,479.00	11/25/2025	AAA	2.700	2.634	15,525.00	(402.29)	15,122.71
Federal Agency Continuously Callable													
3133EPMQ5	14691 Pol	Federal Farm Credit Bank	218,500.00	216,942.66	216,983.82	217,042.61	06/16/2033	AAA	5.360	5.489	2,927.90	41.16	2,969.06
3133EPNL5	14692 Pol	Federal Farm Credit Bank	174,800.00	173,587.23	173,619.22	176,668.61	06/23/2033	AAA	5.180	5.304	2,263.66	31.99	2,295.65
3130AUB86	14674	Federal Home Loan Banks	2,224,000.00	2,224,000.00	2,224,000.00	2,219,863.36	12/29/2042	WR	6.540	6.558	36,362.40	-	36,362.40
Preferred Securities													
00206R706	14593	AT&T Inc.	1,679,983.20	1,679,983.20	1,679,983.20	1,340,653.26	N/A	N/A	4.596	4.624	19,365.65	-	19,365.65
		Total	**$ 7,097,283.20**	**$ 7,101,232.04**	**$ 7,100,420.41**	**$ 6,674,616.84**				**4.625**	**$ 82,694.61**	**$ (811.63)**	**$ 81,882.98**

Total Investments (Book Value)	**$ 7,100,420.41**
Gain/Loss on Investments	**(425,803.57)**
Total Investments (Market Value)	**6,674,616.84**
Temporarily Invested with Pooled Cash & Investments	**(69,313.00)**
Total Pooled Cash and Investments	**$ 6,605,303.84**

Zero Waste Commission

INFORMATION CALENDAR
June 25, 2024

To: Honorable Mayor and Members of the City Council

From: Zero Waste Commission

Submitted by: Steven Sherman, Chairperson, Zero Waste Commission

Subject: Zero Waste Commission Fiscal Year 2024-25 Work Plan

INTRODUCTION

The Zero Waste Commission (ZWC) considers and advises City Council on solid waste policy and goals, including refuse, composting, and recycling services, budgets, and other decisions relating to solid waste. The ZWC adopted the FY 2024-25 Work Plan on April 18, 2024. M/S/C: Sherman/Grover; Ayes: 6; Abstain: 0; Absent: 0

CURRENT SITUATION AND ITS EFFECTS

The City is enacting important changes and improvements to its Zero Waste services and long-term plans, including:

- Continuing the process to design the re-build of the Solid Waste & Recycling Transfer Station (SW&RTS),
- Implementing various local ordinances and state laws to reduce the generation of discarded products, packaging and materials, and to increase the recycling of organic materials such as food scraps,
- Developing a division-level strategic plan for zero waste.

The City's longstanding goals regarding zero waste include:

1. Provide state-of-the-art, well-maintained publicly-owned infrastructure, amenities, and facilities;
2. Serve as a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

FISCAL YEAR 2024-25 WORK PLAN

The following goals and activities have been identified for fiscal year 2024-25:

Goal	Resources	Program activities	Outputs	Outcomes
Development of Zero Waste Strategic Plan	Consulting team, City staff	Various public presentations and workshops. Distribute information to increase public input.	Recommendations to Council as needed.	Support for the development of a comprehensive, detailed strategic plan to achieve City's zero waste goals.
Compliance with SB1383--Food Recovery and Organics Diversion	City staff, community partners	Continue updates from staff, explore community compost opportunities, invite community partners and related resources to discuss their efforts with Commission.	Recommendations to Council as needed.	Help in achieving compliance with SB1383 requirements and to promote local resiliency.
Strengthening existing and adopting new zero waste ordinances	City Staff, consulting team, Ecology Center, UC Berkeley/Cal Zero Waste, BUSD	Through sub-committees and then the commission as a whole, evaluate and recommend ways to strengthen existing City ordinances and to adopt new ones that further efforts to achieve zero waste goals.	Recommendations to Council as needed.	Support for strengthened and new zero waste ordinances.
Review and assessment of accepted materials: Inclusion or exclusion in City collection services	City Staff, Urban Ore, CCC, Ecology Center, CAW, NCRA, CPSC, StopWaste, Others	Presentations at ZWC by community partners, specialists. Review list of accepted materials, and recommend changes, if any.	Commission feedback	To help Council have an accurate understanding of City's collection services and the extent to which they align with the City's goals.
Review of regional and State proposed legislation	City Staff, Californians Against Waste, California Product Stewardship Council, Northern California Recycling Association	Presentations by outside organizations to help ZWC track and understand proposed legislation, for the purpose of advising Council.	Recommendations to Council as needed.	To help establish effective, fiscally-prudent laws that support City's zero waste goals

BACKGROUND

- Zero Waste Strategic Plan: Development of the draft plan began in 2023 and is continuing. It is anticipated that the draft plan will be ready for Council consideration of adoption in 2024.

- SB 1383—Food Recovery and Organics Diversion: This State of California law requires substantial effort by local governments to reduce the landfilling of compostable materials and to increase the recovery of otherwise discarded edible food, as a way to reduce climate change effects associated with methane emissions resulting from the landfilling of organic (carbon-containing) materials.

- Zero Waste Ordinances: The City has adopted various zero waste ordinances over time. Now that their effects are being observed in practice, some of them may merit modifications to improve their effectiveness. In addition, some new zero waste ordinances may be helpful in guiding businesses and residents toward following zero waste practices as standard operating procedures.

- Accepted Materials in City Collection Programs: Periodically, the list of accepted materials in City collection programs deserves review. Recycling tends to subject the City to the vagaries of international commodity markets, with considerable swings in demand and prices, changes in product specifications, ability to track custody and supply chains, and end uses. Composting is not a panacea for the large variety of hard/controversial-to-compost products and packaging, such as plastic-lined paper and potentially compostable plastics. As with recycling, composting processors' specifications and end uses can change over time. Meanwhile, some harder-to-recycle materials potentially could be added to City collection services, such as batteries.

- Proposed State Legislation: The City may take positions that could influence the outcome of proposed State of California legislation regarding zero waste.

ENVIRONMENTAL SUSTAINABILITY
Potential to reduce the disposal of products, packaging, and other materials via waste reduction, re-design, reuse, repair, recycling, and composting.

POSSIBLE FUTURE ACTION
Future Action Items that ZWC may send to City Council include:

- Resolution to support adoption of a new Zero Waste Strategic Plan;
- Resolutions to support adoption of modifications that strengthen existing ordinances and to adopt new ordinances that further zero waste efforts.
- Other zero waste-related recommendations to City Council.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION
The Zero Waste Strategic Plan will contain numerous recommendations that have potential fiscal impacts, particularly infrastructure upgrades, compliance requirements,

and program service expansion and will be addressed in FY 2025 by Adjustments to the Annual Appropriations Ordinance (AAO) or in future Fiscal Year budgets.

CONTACT PERSON

Julia A. Heath, Commission Secretary, Recycling Program Manager, Public Works, (510) 981-6357

Communications

All communications submitted to the City Council are public record. Communications are not published directly to the City's website. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

Records Online
https://records.cityofberkeley.info/

To search for communications associated with a particular City Council meeting using Records Online:

1. Select Search Type = “Public – Communication Query (Keywords)”
2. From Date: Enter the date of the Council meeting
3. To Date: Enter the date of the Council meeting (this may match the From Date field)
4. Click the “Search” button
5. Communication packets matching the entered criteria will be returned
6. Click the desired file in the Results column to view the document as a PDF