

PROCLAMATION CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

**Tuesday, July 30, 2024
3:00 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 – IGOR TREGUB

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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*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/1611538218>. 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: 161 153 8218. 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:

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.

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

- 1. Initiative Petition – Ordinance Creating a Parcel Tax for the Purpose of Funding Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths (Fix the Streets & Sidewalks) (Continued from July 9, 2024)**
From: City Manager
Recommendation:
 1. Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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:** No direct fiscal impacts
Contact: Mark Numainville, City Clerk, (510) 981-6900

- 2. Initiative Petition – Ordinance to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks, and Pedestrian Paths (SAFE STREETS) (Continued from July 9, 2024)**
From: City Manager
Recommendation:
 1. Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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:** No direct fiscal impacts
Contact: Mark Numainville, City Clerk, (510) 981-6900

Action Calendar

3. **Initiative Petition – Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger** *(Continued from July 9, 2024)*
(Item contains revised material)
From: City Manager
Recommendation:
1. Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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: No direct fiscal impacts
Contact: Mark Numainville, City Clerk, (510) 981-6900
4. **Initiative Petition – Initiative Ordinance Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings** *(Continued from July 9, 2024)*
From: City Manager
Recommendation:
1. Take action on the initiative petition to:
a. Adopt the provisions of the measure without alteration.
-OR-
b. Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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: No direct fiscal impacts
Contact: Mark Numainville, City Clerk, (510) 981-6900
5. **Community Survey Results and Direction on Potential November 2024 Arts & Culture Ballot Measure**
From: City Manager
Recommendation:
1. Receive the presentation of the results of the community survey; and
2. Provide direction to staff on whether to prepare final language for City Council approval or decide not to place the measure on the November 2024 ballot.
Financial Implications: None at this time
Contact: Anne Cardwell, City Manager's Office, (510) 981-7000

Action Calendar

- 6a. Ballot Measure – Tax Measure to Reauthorize the General Tax on the Distribution of Sugar-Sweetened Beverage Products**
From: City Attorney
Recommendation:
1. Adopt a Resolution placing the attached measure reauthorizing the general tax on the distribution of sugar-sweetened beverages on the ballot for 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:
Contact: Farimah Brown, City Attorney, (510) 981-6950
- 6b. Ballot Measure – Tax Measure to Fund Berkeley Public Library Operations and Services**
From: City Attorney
Recommendation:
1. Adopt a Resolution placing the attached special parcel tax measure for library operations and services on the ballot for 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: Farimah Brown, City Attorney, (510) 981-6950, Tess Mayer, Library, (510) 981-6100
- 6c. Ballot Measure – Increasing the Parks, Trees and Landscaping Maintenance Tax**
From: City Attorney
Recommendation:
1. Adopt a Resolution placing the attached measure to increase the parks, trees and landscaping maintenance tax 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: Farimah Brown, City Attorney, (510) 981-6950, LaTanya Bellow, City Manager's Office, (510) 981-7000

Action Calendar

6d. Ballot Measure Amending Chapter 7.52 of the Berkeley Municipal Code to Increase and Extend the General Real Property Transfer Tax

From: City Attorney

Recommendation:

1. Adopt a Resolution placing the attached measure to increase and extend the City's Real Property Transfer Tax 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: Farimah Brown, City Attorney, (510) 981-6950, LaTanya Bellow, City Manager's Office, (510) 981-7000

7. Placing the Berkeley Tenant Protection and Right to Organize Act on the November 5, 2024 Ballot

From: Councilmember Lunaparra (Author)

Recommendation:

1. Refer to staff to write a resolution submitting the Berkeley Tenant Protection and Right to Organize Act to a vote of the people 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: Cecilia Lunaparra, Councilmember, District 7, (510) 981-7170

8. Alternative Ballot Measure to Large Buildings Fossil Fuel Emissions Tax Ballot Initiative

From: Councilmember Tregub (Author)

Recommendation:

Adopt a Resolution to place on the ballot an alternative measure to the initiative-submitted Fossil Fuel Emission Tax Ballot Measure for Large Buildings. This alternative measure was crafted with input from various stakeholders, including labor, environmental organizations, and the small business and nonprofit community.

-OR-

Direct staff to provide analysis, by the August 5, 2024, Special Meeting of the Berkeley City Council, of placing on the ballot a companion measure to the above-referenced initiative-submitted Fossil Fuel Emission Tax Ballot Measure, and to recommend alternative actions to mitigate certain unintended consequences of the initiative should it be adopted by Berkeley voters.

Financial Implications: See report

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

Information Reports

9. **Analysis and Response to Questions regarding Two Pavement/Sidewalk-Related Voter Initiatives on the November 5, 2024 Ballot**
From: City Manager
Contact: Terrance Davis, Public Works, (510) 981-6300
10. **Section 9212 Report: Large Buildings Fossil Fuel Emissions Tax**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
11. **Analysis and Response regarding the Aerosols Requirements of the “Healthy City Buildings” Voter Initiative on the November 5, 2024 Ballot**
From: City Manager
Contact: Terrance Davis, Public Works, (510) 981-6300

Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on July 25, 2024.



Jesse Arreguin, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:



Date: July 25, 2024

Mark Numainville, City Clerk

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

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<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.

Please refrain from wearing scented products to this meeting.



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.

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 3. Initiative Petition – Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger

1. Tom Parrish, on behalf of Berkeley Repertory Theatre

Item 5. Community Survey Results and Direction on Potential November 2024 Arts & Culture Ballot Measure

2. Civic Arts Commission



Office of the City Manager

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ACTION CALENDAR
July 30, 2024
(Continued from July 9, 2024)

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Initiative Petition – Ordinance Creating a Parcel Tax for the Purpose of Funding Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths (Fix the Streets & Sidewalks)

RECOMMENDATION

- 1) Take action on the initiative petition to:
 - a) Adopt the provisions of the measure without alteration.
 - OR-
 - b) Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action.

CURRENT SITUATION AND ITS EFFECTS

An initiative petition titled “Ordinance Creating a Parcel tax for the Purpose of Funding Repairs and Improvement to Streets, Sidewalks and Pedestrian Paths (Fix the Streets & Sidewalks)” was filed with the City Clerk on May 9, 2024. The proponents of this petition submitted 4,366 prima facie signatures.

Under Berkeley City Charter Article XIII, a successful initiative petition must include valid signatures of at least 5% (2,985) of the votes for all candidates for Mayor in November 2020 (57,885).

The Alameda County Registrar of Voters verified the signatures by reviewing a random sampling of 500 signatures in accordance with State Elections Code §9215. This statistical sampling found 471 valid signatures. When this ratio of valid signatures is applied to the actual number of signatures submitted, it results in a validity rate of 124%, which exceeds the required threshold in the state Elections Code for the petition to be

deemed sufficient. Therefore, the petition was certified by the Registrar of Voters as being sufficient on May 23, 2024.

Additionally, with respect to who can author arguments for measures placed on the ballot by petition, Elections Code Section 9282 provides the City Council may authorize the Council as a whole, or members of the Council, to submit an argument against the initiative ordinance.

BACKGROUND

Pursuant to the City Charter, Article XIII §92, once a petition has been found to have a sufficient amount of signatures, the City Council must consider whether to a) Adopt said ordinance without alteration within twenty days after the attachment of the City Clerk's certificate of sufficiency to the accompanying petition (subject to a referendary vote, under the provision of Article XIV of this Charter); or b) Submit the ordinance to the voters of the City of Berkeley at the next general election.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The proposed action is mandated by state codes and the provisions of the City Charter.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. Resolution
 - Exhibit A: Full Text of Measure
2. City Clerk's Certificate of Sufficiency

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

SUBMITTING TO THE BERKELEY ELECTORATE AN INITIATIVE ORDINANCE CREATING A PARCEL TAX FOR THE PURPOSE OF FUNDING REPAIRS AND IMPROVEMENTS TO STREETS, SIDEWALKS AND PEDESTRIAN PATHS (FIX THE STREETS AND SIDEWALKS) FOR THE NOVEMBER 5, 2024 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, an initiative measure Creating a Parcel tax for the Purpose of Funding Repairs and Improvement to Streets, Sidewalks and Pedestrian Paths (Fix the Streets & Sidewalks); and

WHEREAS, certain actions are required in connection with said election; and

WHEREAS, the Council has requested that the Alameda County Board of Supervisors consolidate the General Municipal Election with the Presidential General Election; and

WHEREAS, the Council desires to submit all measures to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that full text of the measure and the City Attorney's analysis shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the Registrar of Voters of Alameda County is requested to perform services in connection with said election at the request of the City Clerk.

BE IT FURTHER RESOLVED that the City of Berkeley agrees to reimburse the County of Alameda in full for the cost of election services performed.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that said proposed initiative measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY INITIATIVE ORDINANCE	
Shall the measure creating a special parcel tax for the purposes of street and sidewalk repair, repaving and reconstruction, pedestrian safety projects, traffic-calming measures on bicycle boulevards, and environmental infrastructure, at a rate of \$0.13 per square foot of improvements, which may be increased annually for inflation, generating approximately \$10.5 million annually for 12 years, provided the City continues to fund street maintenance and repair at levels established in 2022, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the initiative ordinance be shown as Exhibit A, attached hereto and made a part hereof.

Exhibits

A: Text of Ordinance

RECEIVED

JAN 12 2024

CITY OF BERKELEY
CITY CLERK DEPARTMENT

Berkeleyans for Better Planning

MEASURE TO BE SUBMITTED TO THE VOTERS AUTHORIZING THE CITY OF BERKELEY TO LEVY A PARCEL TAX TO FINANCE STREET AND SIDEWALK REPAIRS AND PEDESTRIAN SAFETY PROJECTS

The people of the City of Berkeley do ordain as follows:

Section 1. Title

This measure shall be known as the Fix the Streets and Sidewalks Initiative.

Section 2. Findings

The People of the City of Berkeley find and declare as follows:

A. Berkeley's public streets and sidewalks are in dire need of repair. The City's *2022 Pavement Management Program Update* (dated March 2023) found that 42.25% of the City's pavement is in Poor to Failed condition and that Berkeley's overall Pavement Condition Index (PCI) is 55. Failure to make timely street repairs requires much more expensive repairs later and creates safety hazards for all users of Berkeley's streets. The PMP Update estimated deferred street maintenance to be \$259.8 million.

B. On July 26, 2022, in Resolution No. 70,456-N.S., the City Council committed to increase annual funding of street maintenance from the General Fund to approximately \$8 million, in addition to the approximately \$7.3 million in annual city, county, and state gas tax funds, for a total of \$15.3 million, and to continue that funding and increase it to account for inflation and maintenance costs once repairs have been made. Under this resolution, the latest five-year paving plan adopted by the City increases the combined funding to \$17.4 million, which will generate \$208.8 million over the 12-year life of this measure.

C. At this funding level, the PMP Update found that the overall PCI will decline by 2 points over the next five years and that the backlog of deferred maintenance will grow by about 25%.

D. Until recently, the City allocated only a small amount of funding to sidewalk repair—just \$32,529 in FY 2020. Existing City policy requires homeowners to pay half the cost of sidewalk repairs. However, all citizens use the sidewalks, and the backlog of unsafe sidewalks is unacceptable. According to a December 26, 2022, *Berkeleyside* article, the City estimates that \$50 million would fully fund sidewalk repair. The Berkeley Path Wanderers Association estimates that all pedestrian paths, which will facilitate evacuation from the hills in the event of wildfire, can be repaired with safety improvements for \$5 million. Thus, \$55 million will eliminate existing pedestrian safety hazards on our sidewalks and paths.

E. A special parcel tax of \$0.13/square foot, conditioned on maintaining the City's General Fund contributions to street maintenance, provides an equitable mechanism to augment General Fund contributions and gas taxes so that all streets, sidewalks, and paths will be safe and in good condition within 12 years.

F. An exemption from the tax for low-income homeowners will help ensure the cost of the measure is not a burden for residents on fixed or limited incomes.

G. Berkeley has an existing 15.8-mile bicycle boulevard network that was designed to provide safe, convenient, and low stress bikeways across most of the city, but it suffers from poor paving and a limited budget for traffic calming. Berkeley's Bicycle Plan envisions increasing that system to 66.3 miles, including 18.4 miles of new physically separated cycle tracks. That plan calls for a planning process to evaluate such improvements and states that such projects will not be implemented until Complete Corridor Studies are completed that include environmental analysis. However, the work program for the Public Works Department in the last two adopted City budgets included updating the Bicycle Plan, including conducting Complete Corridor Studies, but that work has not been completed. Therefore, this measure focuses on safety improvements to the existing bicycle boulevard system, including more than tripling the budget for traffic calming, providing cyclists and users of micro-mobility devices safe, low-traffic transportation corridors.

H. As indicated in Finding A, above, the most recent assessment of the backlog of deferred maintenance for the streets is \$259.8 million, in 2024 dollars. When combined with the \$55 million necessary to repair the sidewalks and paths, this results in a need for \$315 million in total funds to bring the streets, sidewalks, and paths to a safe condition. The City contribution identified in Finding B, \$208 million, will leave a shortfall of at least \$110 million, so there is a need for additional funding through either the City's General Fund or through a revenue measure. A parcel tax of \$0.13/sf on residential and commercial property will generate approximately \$12 million a year. Over a 12-year period, such a fee will generate approximately \$144 million, covering the shortfall and resulting in some additional funds that can be used for further improvements in pedestrian safety, traffic calming, and green infrastructure.

I. Green infrastructure addresses stormwater runoff pollution through street design features such as cool pavement, bioswales, and trees. Berkeley is required to develop and implement a Green Infrastructure Plan by existing regulations, and voters enacted a Clean Stormwater Fee in 1991 to pay for clean runoff. That fee is the appropriate funding mechanism to meet the minimum legal requirements. However, Berkeley voters have long supported additional Green Infrastructure in their support for Measures M and T1, which provided funds for road pavement and infrastructure. Therefore, this measure includes additional funding so that Berkeley can do more than the bare minimum.

J. As of 2025, a new California "daylighting" law will prohibit parking or stopping a vehicle along a curb at least 20 feet from a marked crosswalk, to make roadways safer for pedestrians, cyclists, and drivers. The law applies to the side of the road of the vehicle's approach to the crosswalk. Since the largest cause of collisions with pedestrians is the failure of drivers to yield at crosswalks, improving lines of sight so that pedestrians can be more readily seen will complement the effectiveness of this measure in improving pedestrian safety.

K. Berkeley adopted a 2020 Pedestrian Plan that identified the street segments that are most hazardous to pedestrians, and a table of projects (Table 10, page 65) that would address the highest priority safety conditions. However, the cost estimates for those projects vary widely—from \$18 to \$61 million—and many of those street segments like San Pablo, will be funded by other sources. Berkeley has been making progress in implementing that list, but neither updated cost estimates nor analysis of completed projects has been reported on either the Pedestrian Plan or Vision Zero website. This measure includes up to \$20 million for pedestrian safety, as well as funds for repairing sidewalks. This funding, with matching funding from Alameda County Transportation Authority should be sufficient to implement the highest priority pedestrian projects that are not being funded by other sources.

L. The U.S. Census American Community Survey for 2019 showed that Berkeley's commute mode for bicycles is only 6.2%, less than the 8.5% share when the Bicycle Plan was developed. Similarly, datausa.io reports Census Bureau data showing that 5.9% of Berkeleyans commuted by bicycles in 2021. The Council allocated \$24.8 million, 65% of the five-year paving budget (60% of street mileage), to bikeways for FY 2023-FY 2027 (2022 Resolution No. 70,204-N.S.) On November 28, 2023, the Council allocated \$29.7 million, approximately 34% of the five-year paving budget (50% of street mileage), to bikeways for FY 2024-FY 2028. Allocating limited funds to relatively expensive bicycle infrastructure projects reduces funding available for street rehabilitation, which improves safety for all street users, especially bicyclists and pedestrians.

M. The Berkeley Complete Streets Policy requires annual programmatic evaluations of how well the streets and transportation network of the City of Berkeley are serving each category of users by collecting baseline data, collecting follow-up data on a regular basis, and developing and updating appropriate performance metrics. The City's 2019 Vision Zero Action Plan, which seeks to eliminate traffic deaths and severe injuries through Complete Streets projects and other measures, states that Vision Zero "will be accountable, transparent, and data-driven" and that "annual monitoring, reporting, and evaluation [will be performed] through an equity lens." The most recent, June 28, 2022, Vision Zero Annual Report did not, however, include project evaluations.

Section 3. Code Amendment

A new Chapter 7.11 is hereby added to the Berkeley Municipal Code as follows:

Chapter 7.11

Fix the Streets and Sidewalks Tax.

7.11.010 Special Tax - Purpose

A. A special tax for the purpose of funding street and sidewalk repair, repaving, and reconstruction is hereby authorized to be imposed on all improvements in the City of Berkeley as more fully set forth in this Chapter. The intent of this measure is to augment current City funding for paving and sidewalk repair for a temporary period and allow long-deferred repairs to be made so that the overall condition of the roads will be made acceptable within 12 years and maintenance costs will be reduced. To accomplish that purpose, these funds are primarily intended to repair the existing infrastructure and not to develop new infrastructure. This measure is also intended to ensure that existing city, county, and state road funding is devoted to repair of the existing roads rather than to new infrastructure.

B. The Council may impose the tax authorized by this Chapter up to the rate, and subject to the inflation adjustments, set forth in Section 7.11.030.

C. This special tax is imposed under Article XIII A, Section 4, of the California Constitution and the City's constitutional authority as a charter city under Article XI, Section 5 of the California Constitution.

D. All funds received from the tax are subject to review, allocation, and approval by the City Council.

E. The proceeds of the tax imposed by this Chapter shall be placed in a special fund to be used only for the purposes of enhancing streets and sidewalks, including pedestrian paths, by funding the following types of projects:

1. Street and sidewalk repair, repaving, and reconstruction, including streets in the waterfront.
2. Street and sidewalk safety.

F. ALLOCATION AND FUNDING PRIORITIES

1. At least 36% of the funds, or approximately \$52 million, shall be allocated to street repair, repaving, and reconstruction. In developing annual and five-year paving projects, the City shall prioritize streets in failed condition (PCI under 25), beginning with bicycle boulevards and historically under-served neighborhoods in that category, moving next to streets in poor condition (PCI 49-25), beginning with bicycle boulevards and historically under-served neighborhoods in that category, and so on.
2. 35% of the funds, or about \$51 million, shall be allocated to sidewalk and pathway repair, repaving, and reconstruction.
3. Up to 13.5% of the funds, or about \$20 million, shall be allocated to the highest priority pedestrian safety projects;
4. Up to 7% of the funds, or about \$10 million, shall be allocated to traffic calming measures on bicycle boulevards.
5. Up to 7% of the funds, or about \$10 million, shall be allocated to green infrastructure and environmental enhancements such as natural vegetation and cool pavements. Since tire particles in street runoff are highly toxic to fish, all projects should include green infrastructure implementing the city's stormwater permit.

Note: these estimates of total dollars allocated are in 2024 dollars and shall be adjusted for inflation each year.

G. Proceeds of the tax may be used to pay or reimburse the City for actual, verifiable costs of City staff when they are performing work on, or necessary and incidental to, such projects.

H. Proceeds of the tax may not be used for repair, repaving, or reconstruction work on any street segment with a PCI above 70.

I. The goal of this tax is to raise Berkeley's overall PCI above 70 (rated as "Good" by the MTC), to repave every street with a PCI below 70, and to eliminate the backlog of damaged sidewalks before December 31st, 2036.

J. Current estimates are that this funding, combined with City, county, and state funding, should be sufficient to bring all streets up to a PCI of 70 in 12 years.

7.11.020 DURATION AND RENEWAL

This measure shall remain in place for 12 years from the effective date, unless extended by the voters, provided, however, that:

This measure shall only remain in place if the City continues to fund street maintenance and repair through the ESTABLISHING A FISCAL POLICY FOR A STREET MAINTENANCE ALLOCATION FROM THE GENERAL FUND ordinance, Resolution No. 70,456-N.S., adopted on July 26, 2022. If the adopted General Fund eliminates this contribution to fund street maintenance and repair,

this measure shall terminate. If the adopted General Fund reduces this contribution, this measure shall be reduced by the same proportion.

7.11.030 Tax Authorized - Tax Rate - Adjustments for Inflation

A. The City Council is hereby authorized to impose a special tax as follows:

1. For all dwelling units, the tax may be imposed at the rate of up to \$0.13 per square foot of improvements.
2. For all other property, including parking structures, the tax may be imposed at the rate of up to \$0.13 per square foot of improvements.

B. Annually in May, the City Council may increase the previous year's base rate by up to the greater of the cost of living in the immediate San Francisco Bay Area or per capita personal income growth in the state, as verified by official United States Bureau of Labor Statistics data, or other construction index as recommended by the City Manager. If either index referred to above is discontinued, the City shall use any successor index specified by the applicable agency, or if there is none, the most similar existing index then in existence.

7.11.040 Reporting, Oversight, Public Input, and Accountability

- A. The intent of this measure is to assure that careful monitoring of outcomes informs decision-making on funding the repair and possible upgrades of our streets, sidewalks, and bicycle network, including new infrastructure. In particular, the evaluation provisions of the Berkeley Complete Streets Policy shall be followed each year before decisions are made allocating any transportation funds. For compliance, the City is expected to:
 - a. Develop a baseline of use by vehicles, pedestrians, bicycles and micro-mobility devices;
 - b. Develop and use metrics to assess the impacts of improvements; and
 - c. Perform an annual programmatic evaluation of recent expenditures and the net impact on mobility in the city.
- B. This initiative shall create an Independent Oversight Commission (per Ordinance No. 7,699-N.S., the Citizens Redistricting Commission, adding Berkeley Municipal Code Chapter 2.10) per a new Chapter 7.6 in the City Charter. The Berkeley City Council shall use Municipal Code 2.10, the Citizens Redistricting Commission, the Independent Redistricting Commission document and the Bylaws of the Berkeley Independent Redistricting Commission to create the commission. (ref: City Charter Section V - Chapter 7.6)
- C. The Public Works Department shall prepare an annual report of performance metrics and accomplishments that reflects all street funding. To promote effective communication, the report shall include a dashboard with metrics for the streets paved, cost per mile, changes to the PCI, the condition of all streets as measured by the PCI, progress on green infrastructure, cool pavement technologies and tree planting, including identifying other funding sources, reduction of the backlog of damaged sidewalks and paths, and a schedule that estimates when streets with a PCI below 50 will be repaired.
- D. Increased public input for developing the five-year paving program shall be assured by holding at least three workshops annually in different areas of the city to augment the regular meetings of the Transportation and Infrastructure Commission meetings.

- E. All expenditures, and verification of progress towards the goal of an overall PCI of 70, and a PCI of at least 70 for every street, shall be accomplished by independent financial audit by the City Auditor, at least once every three years, to confirm that the tax expenditures and reports are accurate and consistent with the intent of this chapter.

7.11.050 Definitions

For the purposes of this chapter, the following terms shall be defined as set forth below:

A. "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "building" includes the word "structure."

B. "Improvements" shall mean all buildings or structures erected or affixed to the land.

C. "Square footage" shall mean the total gross horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls (which includes, notwithstanding paragraph 3 below, the square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.
2. Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools, and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building.
3. Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the public, and which are not designed or used as sales, display storage, service, or production areas.

D. "Structure" shall mean anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

E. "Parcel" shall mean a unit of real estate in one ownership as shown on the most current official roll of the Alameda County Assessor.

F. "Repair, repaving, and reconstruction" shall refer to a suite of interventions designed to restore and upgrade the physical integrity and functionality of streets, sidewalks, and pedestrian paths, including all ordinary and necessary expenses and features as required by applicable law.

7.11.060 Exemptions.

A. The tax imposed by this Chapter shall not apply to parcels and improvements exempt from taxation by the City pursuant to the laws or constitutions of the United States and the State of California.

B. The tax imposed by this Chapter shall not apply to any property owned by any person whose total personal income, from all sources, for the previous calendar year, does not exceed that level which shall constitute "very low-income," as may be established by resolution of the City Council. Any taxpayer claiming the exemption under this section shall be required to demonstrate their entitlement thereto annually by submitting an application and supporting documentation to the City Manager or their designee in the manner and at the time established in regulations and/or guidelines hereafter promulgated by the City Manager subject to review by the City Council in its discretion. Such applications shall be on forms provided by the City Manager, or their designee, and shall provide and/or be accompanied by such information as the City Manager shall require, including but not limited to, federal income tax returns and W-2 forms.

C. Any person or entity claiming an exemption from the tax imposed by this Chapter shall file a verified statement of exemption on a form prescribed by the City Manager prior to June 30th of the first fiscal year for which the exemption is sought.

D. "Parcel of Taxable Real Property" is defined as any unit of real property in the District that receives a separate tax bill for ad valorem property taxes from the Alameda County Treasurer-Tax Collector. All property that is otherwise exempt from or upon which no ad valorem property taxes are levied in any year shall also be exempt from this Special Tax in such year.

7.11.070 Duties and Authority of the City Manager.

It shall be the duty of the City Manager to collect and receive all taxes imposed by this Chapter and to keep an accurate record thereof. The City Manager is charged with the enforcement of this Chapter, except as otherwise provided herein, and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this chapter, including provisions for the re-examination and correction of returns and payments.

7.11.080 Collection with Property Tax - Penalties and Interest.

The special tax imposed by this Chapter shall be due in the same manner, on the same dates, and subject to the same penalties and interest as established by law for other charges and taxes fixed and collected by the County of Alameda on behalf of the City of Berkeley. The special tax imposed by this Chapter, together with all penalties and interest thereon, shall constitute a lien upon the parcel upon which it is levied until it has been paid, and shall constitute a personal obligation of the owners of the parcel on the date the tax is due.

7.11.090 Collection.

The amount of any tax, penalty, or interest imposed under the provisions of this chapter shall be deemed a debt to the City. Any person owing money under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount. The City shall be entitled to reasonable attorneys' fees and its costs of suit in any such action.

7.11.100 Refunds.

Whenever the amount of any tax, penalty, or interest has been paid more than once or has been erroneously or illegally collected or received by the City under this chapter, it may be refunded as provided in Chapter 7.20 of the Berkeley Municipal Code or any such successor chapter.

7.11.110 Savings clause - Severability.

The provisions of this chapter shall not apply to any person, association, corporation, entity, or property as to whom or which it is beyond the power of the City of Berkeley to impose the tax herein provided. If any sentence, clause, section, or part of this chapter, or any tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal, or invalid, such sentence, clause, section or part shall be severable and such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section, or part of this chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or other parts of this chapter. It is hereby declared to be the intention of the People of the City of Berkeley that this chapter would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

7.11.120 Violation- Penalty.

Any person who fails to perform any duty or obligation imposed by this chapter shall be guilty of an infraction as set forth in Chapter 1.20 of the Berkeley Municipal Code. The penalties provided in this section are in addition to the several remedies provided in this chapter.

7.11.130 Conflicting measures.

Intent. If any alternative street repair or broad infrastructure measure also qualifies for the 2024 ballot, it is the intent of the voters that, pursuant to California Elections Code Section 9221, that measure will be determined to be a conflicting measure. In that event, if the Fix the Streets and Sidewalks Initiative receives more affirmative votes, that initiative shall control and the conflicting measure shall have no effect.

Section 4. Increase appropriations limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City of Berkeley is hereby increased by the aggregate sum authorized to be levied by this special tax for each of the twelve fiscal years from 2025 through 2036.

Section 5. Effective date.

The tax imposed by this Chapter shall be operative on January 1, 2025.

Section 6. California Environmental Quality Act Requirements.

This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., including without limitation, Public Resources Code section 21065 and CEQA Guidelines sections 15378(b)(3) and 15378(b)(4).

Section 7. Special Tax; Majority Vote Requirement. This Ordinance imposes a special tax for restricted purposes and is being placed on the ballot via signature petition. It shall be effective only if approved by a majority of the voters voting thereon.

BERKELEY CITY CLERK CERTIFICATE OF PETITION

I, Mark Numainville, City Clerk of the City of Berkeley, California, do hereby certify the following:

An Initiative Petition entitled: "Initiative Ordinance Creating a Parcel Tax for the Purpose of Funding Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths" was filed with the Berkeley City Clerk on May 6, 2024 within the statutory time limit and forwarded to the office of the Alameda County Registrar of Voters for verification on May 9, 2024; and

The petition contained **4,366** unverified signatures; and

Pursuant to the Charter of the City of Berkeley, in order to be sufficient, the petition must have been signed by at least **2,985** qualified registered voters of the City of Berkeley, the number being equal to 5% of the total votes cast for all candidates for mayor in the last general municipal election; and

I have examined or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

I have determined that the petition contained a valid signature rate of **124%** based on a random sample of the signatures as performed and certified by the Registrar of Voters in Exhibit A attached herewith; and

This number meets or exceeds the valid signature rate needed to qualify the initiative; therefore

The petition is found to be sufficient to require the City Council of the City of Berkeley to take appropriate action specified under Article XIII of the Berkeley City Charter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26th day of June, 2024.




Mark Numainville
City Clerk
City of Berkeley

REGISTRAR OF VOTERS CERTIFICATE TO PETITION

I, **Tim Dupuis**, Registrar of Voters for the County of Alameda, State of California, hereby certify that: an Initiative Entitled: City of Berkeley Ordinance Creating a Parcel Tax for the Purpose of Funding Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths (Fix the Streets and Sidewalks) was filed with the Berkeley City Clerk within the statutory time limit and forwarded to this office for verification on May 9, 2024; and

The petition contained 4,366 unverified signatures: and

In accordance with Article XIII of the Berkeley City Charter, it was determined that the total number of votes cast for all candidates for Mayor at the November 2020 General Election was 57,885, the requisite number of signatures required to qualify this initiative is 5% of 57,885 or 2,985.

I have examined, or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

Have determined that the petition contained 471 valid signatures of qualified registered voters in the City of Berkeley based on the random sample examination set forth in section 9115 and the formula prescribed by the California Secretary of State: and

That this number represents 124% of the total number of signatures needed to qualify the initiative, therefore.

The petition is found to be sufficient to require the City Council of the City of Berkeley to take the appropriate action specified in the California Elections Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 23rd day of **May 2024**.



DocuSigned by:

Tim Dupuis

C504117C2A294A7...

Tim Dupuis
Registrar of Voters
County of Alameda
State of California



Office of the City Manager

ACTION CALENDAR
July 30, 2024
(Continued from July 9, 2024)

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Initiative Petition – Ordinance to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks, and Pedestrian Paths (SAFE STREETS)

RECOMMENDATION

- 1) Take action on the initiative petition to:
 - a) Adopt the provisions of the measure without alteration.
 - OR-
 - b) Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action.

CURRENT SITUATION AND ITS EFFECTS

An initiative petition titled “City of Berkeley Ordinance to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks and Pedestrian Path (SAFE STREETS)” was filed with the City Clerk on May 9, 2024. The proponents of this petition submitted 3,874 prima facie signatures.

Under Berkeley City Charter Article XIII, a successful initiative petition must include valid signatures of at least 5% (2,985) of the votes for all candidates for Mayor in November 2020 (57,885).

The Alameda County Registrar of Voters verified the signatures based on the line-by-line examination set forth in accordance with State Elections Code §9115(b). The petition was certified by the Registrar of Voters as being sufficient on June 7, 2024.

Additionally, with respect to who can author arguments for measures placed on the ballot by petition, Elections Code Section 9282 provides the City Council may authorize the

Initiative Petition

ACTION CALENDAR

July 30, 2024

Council as a whole, or members of the Council, to submit an argument against the initiative ordinance.

BACKGROUND

Pursuant to the City Charter, Article XIII §92, once a petition has been found to have a sufficient amount of signatures, the City Council must consider whether to a) Adopt said ordinance without alteration within twenty days after the attachment of the City Clerk's certificate of sufficiency to the accompanying petition (subject to a referendary vote, under the provision of Article XIV of this Charter); or b) Submit the ordinance to the voters of the City of Berkeley at the next general election.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The proposed action is mandated by state codes and the provisions of the City Charter.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. Resolution
Exhibit A: Full Text of Measure
2. City Clerk's Certificate of Sufficiency

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

SUBMITTING TO THE BERKELEY ELECTORATE AN INITIATIVE ORDINANCE TO ESTABLISH A PARCEL TAX TO FUND REPAIRS AND IMPROVEMENTS TO STREETS, SIDEWALKS AND PEDESTRIAN PATHS (SAFE STREETS) FOR THE NOVEMBER 5, 2024 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, an initiative measure to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks, and Pedestrian Paths (SAFE STREETS); and

WHEREAS, certain actions are required in connection with said election; and

WHEREAS, the Council has requested that the Alameda County Board of Supervisors consolidate the General Municipal Election with the Presidential General Election; and

WHEREAS, the Council desires to submit all measures to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that full text of the measure and the City Attorney's analysis shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the Registrar of Voters of Alameda County is requested to perform services in connection with said election at the request of the City Clerk.

BE IT FURTHER RESOLVED that the City of Berkeley agrees to reimburse the County of Alameda in full for the cost of election services performed.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that said proposed initiative measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY INITIATIVE ORDINANCE	
Shall the measure creating a special parcel tax for the purposes of street, sidewalk, and pedestrian path repair, repaving, and reconstruction, safety improvements, and environmental infrastructure, at a rate of \$0.17 per square foot of improvements to dwelling units and \$0.25 per square foot of improvements to other property, which may be increased annually for inflation; and generating approximately \$15 million annually for 14 years, provided other funding for street maintenance is maintained, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the initiative ordinance be shown as Exhibit A, attached hereto and made a part hereof.

Exhibits

A: Text of Ordinance

MEASURE TO BE SUBMITTED TO THE VOTERS AUTHORIZING THE CITY OF BERKELEY
TO LEVY A PARCEL TAX TO FINANCE STREET AND SIDEWALK REPAIR AND TRAFFIC
SAFETY

RECEIVED

The people of the City of Berkeley do ordain as follows:

DEC 15 2023

Section 1. Title

This measure shall be known as the Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Initiative

CITY OF BERKELEY
CITY CLERK DEPARTMENT

Section 2. Findings

The People of the City of Berkeley find and declare as follows:

A. The City's Vision 2050 Framework is a comprehensive plan to repair and upgrade Berkeley's infrastructure and facilities to be more sustainable, safe, and resilient and to meet the needs of future generations, including addressing climate and environmental challenges. The Vision 2050 task force identified the highest priority is to rehabilitate Berkeley's core infrastructure, which is the infrastructure within the street right-of-way; and is inclusive of street paving, sidewalks, mobility and traffic safety, quick build transit projects, green infrastructure, and street trees.

B. Berkeley's street pavement has an overall Pavement Condition Index (PCI) of 57 and is currently classified as "at risk" condition by the Metropolitan Transportation Commission and by the City Auditor. Failure to make urgently needed street repairs in a timely manner will result in the need for more costly repairs in the future. City staff estimates show that improving the overall PCI to 70, classified as "good" condition, would require \$320 million over 12 years, or an estimated \$350 million over 14 years. Funding will continue to come largely from existing sources, such as the General Fund, and augmented by an estimated \$110 million in funds from this initiative.

On July 26, 2022, in Resolution No. 70,456-N.S., the City Council committed to increase annual funding of street maintenance from the General Fund to approximately \$8 million, for a total of \$15.3 million, and to continue that funding and increase it to account for inflation and maintenance once repairs have been made.

C. City staff estimate a backlog of about \$35 million is needed to repair sidewalks and pathways.

D. The Berkeley City Council adopted the 2019 Vision Zero Action Plan, with the goal of eliminating fatal and severe traffic crashes by 2028, and outlined a set of priority actions, including implementation of adopted and updated plans such as the 2017 Bicycle Plan and 2020 Pedestrian Plan. The Bicycle and Pedestrian Plans had a total estimated cost of \$124 million when initially adopted, but have remained largely unfunded while costs have increased. This initiative will prioritize the most critical projects to improve pedestrian and bike safety and

will require an investment of about \$70 million, which will be leveraged as matching funds to win additional grant monies.

The pedestrian safety projects are described in the 2020 Pedestrian Plan, and include signal, intersection and street improvements at 10 priority street segments. The estimated cost ranges from \$18 to \$61 million.

Bicycle safety projects will prioritize Tier I projects described in the 2017 Bicycle Master Plan Appendix E, primarily consisting of improvements to existing bicycle routes, including traffic calming on bike boulevards and intersection improvements (including protected intersections and flashing beacons). The Executive Summary of the Bicycle Master Plan estimates the Tier I bicycle projects at a total cost of \$48 million.

E. Berkeley has declared a climate emergency and set a goal of achieving 100% sustainable transportation by 2040. The State has mandated the inclusion of green infrastructure in roads that are reconstructed. This initiative includes funding for environmental improvements, including the use of green infrastructure, permeable surfaces, use of native plants, and tree plantings, as well as community spaces, benches, bus shelters, and other appropriate uses to improve the environment of our streets and adapt to a changing climate. The funding allocated in this measure for these types of improvements is roughly \$20 million.

F. A special parcel tax within the City provides an equitable mechanism for funding capital investments and ongoing maintenance and improvements of streets, sidewalks, and traffic safety features, including for pedestrian and bicyclist safety. An exemption from the tax for low-income homeowners will help ensure the cost of the measure is not a burden for residents on fixed or limited incomes. A split-roll tax under which commercial properties pay more than residential properties, as used in numerous prior parcel taxes, ensures equity in raising funds.

G. The intent of this measure is to augment current city funding for paving and sidewalk repair for a temporary period and allow long-deferred repairs to be made so that the overall condition of the roads and sidewalks will be made acceptable and safe within 14 years, and maintenance costs will be reduced.

Section 3. Code Amendment

A new Chapter 7.11 is hereby added to the Berkeley Municipal Code as follows:

Chapter 7.11

Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Tax

7.11.010 Special Tax - Use.

A. A special tax for the purpose of funding repairs and improvements to streets, sidewalks, and pedestrian paths is hereby authorized to be imposed on all improvements in the City of Berkeley as more fully set forth in this Chapter.

B. The Council may impose the tax authorized by this Chapter up to the rate, and subject to inflation adjustments, set forth in Section 7.11.020.

C. This special tax is imposed under Article XIII A, Section 4, of the California Constitution and the City's constitutional authority as a charter city under Article XI, Section 5 of the California Constitution.

D. All proceeds of the tax are subject to review, allocation, and approval by the City Council.

E. The proceeds of the tax imposed by this Chapter shall be placed in a special fund to be used only for the purposes of enhancing streets, sidewalks, and pedestrian paths within City limits by funding the following types of projects:

1. Repair, repaving, and reconstruction of streets, sidewalks, and pedestrian paths,
2. Safety improvements to streets, sidewalks, and pedestrian paths,
3. Environmental enhancements to streets, sidewalks, and pedestrian paths.

F. Proceeds of the tax may be used to pay or reimburse the City for actual, verifiable costs of City staff when they are performing work on, or necessary and incidental to, projects funded by the tax, or public input, oversight, and accountability elements required by this chapter.

Proceeds of the tax may also be used to pay or reimburse the City for the costs of City Auditor staff time spent auditing the tax expenditures of this measure.

G. Proceeds of the tax may be used to pay or reimburse the City for the costs of updating the Transportation Element of the General Plan, once every ten years, to integrate and reflect all relevant adopted plans and policies.

H. Proceeds of the tax may be used to pay or reimburse the City for the costs of reviewing and updating the City's public works project delivery process, once every ten years.

I. Proceeds of the tax may be used for public art, limited to no more than 1.75% of applicable project budgets and consistent with Section 6.13.020. Public art funded by this tax shall be in public spaces.

J. Proceeds of the tax may not be used to fund bicycle-specific safety improvements (such as cycletracks or protected bike lanes) on Hopkins Street between McGee and Gilman.

K. The goal of this tax is to achieve the following by December 31, 2036:

- 1) Raise Berkeley's Pavement Condition Index (PCI) to or above 70 (rated as "Good" by the Metropolitan Transportation Commission), ideally with no streets having a PCI below 50; and
- 2) Eliminate the backlog of damaged sidewalks and pedestrian paths in Berkeley; and
- 3) Significantly reduce or eliminate fatal and severe traffic crashes throughout the city, particularly involving pedestrians or cyclists.

It is also a goal of this tax to achieve the above in a way that is in line with current best practices, ensures accessibility for all users, enhances the sustainability and resiliency of Berkeley's public right-of-way facilities, and provides benefits to Berkeley's entire community.

7.11.020 Tax Authorized - Tax Rate and Allocation - Adjustments for Inflation

A. The City Council is hereby authorized to impose and allocate a special tax as follows:

- 1) **Residential Rate:** For all dwelling units, the tax may be imposed at the rate of up to \$0.17 per square foot of improvements.
- 2) **Non-Residential Rate:** For all other property, the tax may be imposed at the rate of up to \$0.25 per square foot of improvements.

B. Annually in May, the City Council may increase the previous year's rate by up to the greater of the cost of living in the immediate San Francisco Bay Area or per capita personal income growth in the state, as verified by official United States Bureau of Labor Statistics data. If either index referred to above is discontinued, the City shall use any successor index specified by the applicable agency, or if there is none, the most similar existing index then in existence.

C. Tax proceeds shall be allocated approximately as follows:

- 1) 60% for streets and sidewalks, of which roughly three quarters (45%) will be for streets and one quarter (15%) will be for sidewalks and pedestrian paths, until the backlog of damaged sidewalks and pedestrian paths is eliminated.
- 2) 30% for safety improvements.
- 3) The remaining 10% shall include environmental enhancements, any required fees to the County, and any permitted uses as specified in Section 7.11.010.

D. When the City's average PCI is 70 or higher, the allocations specified in Section 7.11.030(C) shall not be required.

E. If another measure providing an additional source of revenue for uses covered in this tax is approved by the voters on the same ballot as this measure, the tax rates authorized in Section 7.11.020(A) shall be reduced by an equivalent amount, and the percentages specified in 7.11.020(C) shall be adjusted as necessary to meet the goals of this chapter, while that measure remains in effect.

7.11.030 Duration and Renewal - City Funding Required

A. This measure shall remain in place for 14 years from the effective date, unless extended by the voters.

B. If the City Council fails to adopt a budget with at least \$15.3 million in funding for street maintenance, from sources other than this tax, and adjusted for inflation, per Resolution No. 70,456-N.S. (adopted July 26, 2022), the City Council shall not be authorized to impose the special tax for the following two years.

C. In the event of a loss of any external funding source for street maintenance, or a decline in the amount provided for street maintenance by an external funding source included in the 2023-24 budget (adjusted for inflation), the required budgeted amount in Section 7.11.030(B) shall be reduced by an equivalent amount.

D. Section 7.11.030(B) shall not apply for years in which the City Council draws upon \$1 million (or more) from the Stabilization Reserve in order to adopt a budget, or the City of Berkeley is included in the site of a natural disaster recognized by the Federal Emergency Management Agency or in a state or federal declaration of a state of emergency.

7.11.040 SAFE STREETS Citizen Oversight Committee

A. The City Council shall establish a SAFE STREETS Citizen Oversight Committee (SSCOC) to review expenditures and progress reports from the City Manager and City Auditor to ensure compliance with the intent of this chapter, evaluate the impacts and outcomes of tax expenditures on this chapter's stated goals, and prepare public reports on the committee's findings.

B. Composition:

1. The SSCOC shall consist of seven members, as follows:
 - (a) Two members of the Transportation and Infrastructure Commission
 - (b) One member of the Environment and Climate Commission
 - (c) Four members of the public who are Berkeley residents
2. SSCOC members from commissions shall be appointed by their respective bodies, and members of the public shall be appointed by the City Council as a whole. Members of the public shall be required to have a background in civil engineering, transportation engineering, infrastructure program management, or the implementation of municipal bond or tax measures.
3. The SSCOC annually shall elect one of its members as the chairperson and one of its members as the vice-chairperson.

C. The City Manager shall designate a staff person to serve as secretary of the committee.

D. The committee shall establish a regular place and time for meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. The frequency of committee meetings shall be as determined by City Council Resolution, but no less than four per year.

E. The committee may make and alter rules governing its organization and procedures which are consistent with this Chapter or any other applicable ordinance of the City. A majority of the members appointed to the committee shall constitute a quorum and the affirmative vote of a majority of the members appointed is required to take any action.

F. The Committee shall prepare an annual independent report of progress and performance. Each report shall be made publicly available on the City's website and submitted to the City Council.

7.11.050 Public Input, Reporting, and Accountability

A. To ensure public input for the projects and priorities funded by this measure, City staff shall hold at least three workshops in different areas of the city, every three years, to solicit input on projects and priorities from residents and civic, neighborhood, and business organizations, in addition to the regular meetings of the Transportation and Infrastructure Commission.

B. The City Manager shall prepare and submit to the City Council and the SSCOC an annual report of performance metrics, outcomes, and accomplishments that reflects all City street, sidewalk, and safety funding. To promote effective communication, the report shall also be presented in an online dashboard, and include the following metrics:

1. Streets paved, cost per mile, changes to the citywide average PCI, the PCI of all streets, and a schedule that estimates which streets will be paved in the next 5 years; and
2. Progress on sidewalks and pedestrian paths; and
3. Safety projects implemented, and fatal and severe injuries over time; and
4. Progress on green infrastructure, tree planting, climate resiliency measures, and changes in trip modality; and
5. Awarded and in-progress grants.

C. All expenditures, and verification of progress towards the goals set forth in Section 7.11.010(K), shall be subject to an independent performance audit by the City Auditor, at least once every three years, to confirm that the tax expenditures and reports are accurate and consistent with the intent of this chapter.

7.11.060 Use of Adopted Plans and Policies

A. Any project funded by the proceeds of the tax must be consistent with one or more adopted City of Berkeley plans or policies. Adopted City of Berkeley plans and policies shall inform project prioritization.

B. Any project funded by the proceeds of the tax which includes street repair, repaving, and/or reconstruction shall implement safety improvements concurrently, unless the City Council adopts a written finding based on substantial evidence that there are no improvements which would materially increase safety and are consistent with an adopted City plan or policy.

C. Any project funded by proceeds of the tax which includes safety improvements must be consistent with one or more of the following City of Berkeley plans and policies, as may be amended from time to time, or their successor plans as adopted by City Council:

- i) the Vision Zero Action Plan, adopted March 10, 2019; or
- ii) the Pedestrian Plan, adopted January 26, 2021; or
- iii) the Berkeley Bicycle Plan, adopted May 7, 2017; or
- iv) the Complete Streets Policy, adopted December 11, 2012.

A project funded by the proceeds of the tax which includes safety improvements may alternatively be consistent with one or more Safe Routes to Schools Safety Assessment and/or Improvement Plan, as may be amended from time to time by the Berkeley Unified School District and Alameda County Transportation Commission.

D. Additional City of Berkeley adopted plans and policies, such as the Vision 2050 Framework, Street Maintenance and Rehabilitation Policy, Repaving Plan, Berkeley Strategic Transportation Plan (BeST), Age-Friendly Berkeley Action Plan, Streets and Open Space Improvement Plan (SOSIP), Green Infrastructure Plan, Stormwater Management Plan, Local Hazard Mitigation Plan, Berkeley Electric Mobility Roadmap, Berkeley Resilience Strategy, Berkeley Transit-First Policy Implementation Plan, or area-specific plans, including the Adeline Corridor Specific Plan, Downtown Area Plan, South Shattuck Strategic Plan, Southside Plan, University Avenue Strategic Plan, and West Berkeley Plan, shall be considered, as appropriate, when identifying or evaluating projects to be funded by proceeds of this tax.

7.11.070 Definitions

For the purposes of this chapter, the following terms shall be defined as set forth below:

A. "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "building" includes the word "structure."

B. "Improvements" shall mean all buildings or structures erected or affixed to the land.

C. "Square footage" shall mean the total gross horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls (which includes, notwithstanding paragraph 3 below, the square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.
2. Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools, and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building.
3. Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display storage, service, or production areas.

D. "Structure" shall mean anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

E. "Parcel" shall mean a unit of real estate in one ownership as shown on the most current official assessment roll of the Alameda County Assessor.

F. "Repair, repaving, and reconstruction" shall refer to a suite of interventions designed to restore and upgrade the physical integrity and functionality of streets and sidewalks, including pedestrian paths, including all ordinary and necessary expenses and features as required by applicable law.

G. "Safety improvements" shall mean improvements to sidewalks, streets, and highways inclusive of state highways that implement features designed to reduce collisions, injuries, and fatalities, including traffic calming measures. Safety improvements shall include features recommended by the Urban Street Design Guide published by the National Association of City Transportation Officials (NACTO), features recommended by the Proven Safety Countermeasures initiative published by the Federal Highway Administration, and/or other similar features to reduce collisions, injuries, and fatalities recommended by national organizations of planning or transportation experts. Safety improvements shall also include improvements to emergency vehicle access and response times, such as fire/emergency evacuation lanes, transit lanes that also serve emergency vehicles, cycle tracks that can accommodate emergency vehicles, traffic signal controls for emergency vehicles, retractable bollards, curb management, and signage for evacuation routes.

H. "Traffic calming measures" shall mean safety improvements specifically designed to reduce vehicle speeds, including horizontal or vertical deflections (such as chicanes and speed bumps), width reductions (such as bulb-outs and medians), and routing restrictions (such as diverters and bollards), or other similar measures recommended by the Institute of Traffic Engineers, the Federal Highway Administration, or other national organizations of transportation experts.

I. "Environmental enhancements" shall mean improvements to sidewalks, streets, and highways, inclusive of state highways, that improve resiliency or sustainability, and/or provide community amenities. Environmental enhancements shall include, but not be limited to, green infrastructure, permeable surfaces, native plants, street trees, planted verges and medians, transit rider facilities, and community spaces.

J. "Transit rider facilities" shall mean improvements to sidewalks, streets, and highways inclusive of state highways that implement features to improve comfort and reliability for transit riders, such as elements recommended in the Transit Street Design Guide published by NACTO, including but not limited to bus shelters, benches, and bus station islands.

K. "Pavement Condition Index" or "PCI" shall refer to the numerical index between 0 to 100 used to determine the general condition of the pavement, following standards set forth by ASTM D6433 - 20, or an equivalent appropriate methodology developed for non-asphalt surfaces.

7.11.080 Exemptions.

A. The tax imposed by this Chapter shall not apply to parcels and improvements exempt from taxation by the City pursuant to the laws or constitutions of the United States and the State of California.

B. The tax imposed by this Chapter shall not apply to any property owned by any person whose total personal income, from all sources, for the previous calendar year, does not exceed that level which shall constitute "very low-income," as may be established by resolution of the City Council. Any taxpayer claiming the exemption under this section shall be required to demonstrate their entitlement thereto annually by submitting an application and supporting documentation to the City Manager or their designee in the manner and at the time established in regulations and/or guidelines hereafter promulgated by the City Manager subject to review by the City Council in its discretion. Such applications shall be on forms provided by the City Manager, or their designee, and shall provide and/or be accompanied by such information as the City Manager shall require, including but not limited to, federal income tax returns and W-2 forms.

C. Any person or entity claiming an exemption from the tax imposed by this Chapter shall file a verified statement of exemption on a form prescribed by the City Manager prior to June 30th of the first fiscal year for which the exemption is sought.

7.11.090 Duties and Authority of the City Manager.

It shall be the duty of the City Manager to collect and receive all taxes imposed by this Chapter and to keep an accurate record thereof. The City Manager is charged with the enforcement of this Chapter, except as otherwise provided herein, and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this chapter, including provisions for the re-examination and correction of returns and payments.

7.11.100 Collection with Property Tax - Penalties and Interest.

The special tax imposed by this Chapter shall be due in the same manner, on the same dates, and subject to the same penalties and interest as established by law for other charges and taxes fixed and collected by the County of Alameda on behalf of the City of Berkeley. The special tax imposed by this Chapter, together with all penalties and interest thereon, shall constitute a lien upon the parcel upon which it is levied until it has been paid, and shall constitute a personal obligation of the owners of the parcel on the date the tax is due.

7.11.110 Collection.

The amount of any tax, penalty, or interest imposed under the provisions of this chapter shall be deemed a debt to the City. Any person owing money under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount. The City shall be entitled to reasonable attorneys' fees and its costs of suit in any such action.

7.11.120 Refunds.

Whenever the amount of any tax, penalty, or interest has been paid more than once or has been erroneously or illegally collected or received by the City under this chapter, it may be refunded as provided in Chapter 7.20 of the Berkeley Municipal Code or any such successor chapter.

7.11.130 Savings clause - Severability.

The provisions of this chapter shall not apply to any person, association, corporation, entity, or property as to whom or which it is beyond the power of the City of Berkeley to impose the tax herein provided. If any sentence, clause, section, or part of this chapter, or any tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal, or invalid, such sentence, clause, section or part shall be severable and such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section, or part of this chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or other parts of this chapter. It is hereby declared to be the intention of the City Council and the People of the City of Berkeley that this chapter would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

7.11.140 Violation - Penalty.

Any person who fails to perform any duty or obligation imposed by this chapter shall be guilty of an infraction as set forth in Chapter 1.20 of the Berkeley Municipal Code. The penalties provided in this section are in addition to the several remedies provided in this chapter.

Section 4. Increase appropriations limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City of Berkeley is hereby increased by the aggregate sum authorized to be levied by this special tax for each of the four fiscal years from 2025 through 2028.

Section 5. Effective date.

The tax imposed by this Chapter shall be operative on January 1, 2025.

Section 6. Conflicting Ballot Measures

(a) In the event that this measure and another measure(s) relating to local taxes to fund any or all of the uses permitted in this measure are approved by a majority of the voters at the same election, and this measure receives a greater number of affirmative votes than any other such measure(s), this measure shall control in its entirety, and the other measure(s) shall be rendered void and without any legal effect. If this measure is approved by a majority of the voters but does not receive a greater number of affirmative votes than the other measure(s), this measure shall take effect to the extent permitted by law.

(b) If any provisions of this measure are superseded by the provisions of any other conflicting measure approved by the voters and receiving a greater number of affirmative votes at the same election, and the conflicting measure is subsequently held to be invalid, repealed, or terminated, the provisions of this measure shall be revived and shall have full force of law.

Section 7. Amendment, repeal, and reenactment.

(a) Without voter approval, the City Council may repeal this ordinance or amend it in any manner that does not:

- 1) Result in an increase in the tax authorized to be imposed;
- 2) Expand the permissible uses in Section 7.11.010, or materially alter relevant definitions in Sections 7.11.070, in a way that is inconsistent with the original intent of this chapter;
- 3) Alter the allocations of Section 7.11.020;
- 4) Extend the sunset or reduce the City budgeting requirements set forth in Section 7.11.030;
- 5) Reduce the public input, oversight, and accountability processes set forth in Section 7.11.040 and 7.11.050;
- 6) Reduce the use of adopted plans and policies in Section 7.11.060;
- 7) Lower the threshold of "substantial evidence" in Section 7.11.060(B);
- 8) Add or modify exemptions (in a manner that would increase the tax).

(b) If the City Council repeals this ordinance, it may subsequently reenact it without voter approval, as long as the reenacted ordinance does not:

- 1) Result in an increase in the tax authorized to be imposed;
- 2) Expand the permissible uses in Section 7.11.010, or materially alter relevant definitions in Sections 7.11.070, in a way that is inconsistent with the original intent of this chapter;
- 3) Alter the allocations of Section 7.11.020;
- 4) Extend the sunset or reduce the City budgeting requirements set forth in Section 7.11.030;
- 5) Reduce the public input, oversight, and accountability processes set forth in Section 7.11.040 and 7.11.050;
- 6) Reduce the use of adopted plans and policies in Section 7.11.060;
- 7) Lower the threshold of "substantial evidence" in Section 7.11.060(B);
- 8) Add or modify exemptions (in a manner that would increase the tax).

(c) In the event that this measure and another measure(s) relating to local taxes to fund street and sidewalk repair, repaving, and reconstruction both take effect, the City Council may make any amendments to this ordinance necessary to consolidate and align this measure with the other measure(s), that does not result in a tax authorized to be imposed greater than the tax authorized by this measure.

Section 8. California Environmental Quality Act Requirements.

This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., under, including without limitation, Public Resources Code section 21065 and CEQA Guidelines sections 15378(b)(3) and 15378(b)(4).

Section 9. Special Tax; Majority Vote Requirement. This Ordinance imposes a special tax for restricted purposes and is being placed on the ballot via signature petition. It shall be effective only if approved by a majority of the voters voting thereon.

BERKELEY CITY CLERK CERTIFICATE OF PETITION

I, Mark Numainville, City Clerk of the City of Berkeley, California, do hereby certify the following:

An Initiative Petition entitled: "Initiative Ordinance to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths" was filed with the Berkeley City Clerk on May 8, 2024 within the statutory time limit and forwarded to the office of the Alameda County Registrar of Voters for verification on May 9, 2024; and

The petition contained **3,874** unverified signatures; and

Pursuant to the Charter of the City of Berkeley, in order to be sufficient, the petition must have been signed by at least **2,985** qualified registered voters of the City of Berkeley, the number being equal to 5% of the total votes cast for all candidates for mayor in the last general municipal election; and

I have examined or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

I have determined that the petition contained **3,159 valid signatures** based on the line-by-line examination of the signatures as performed and certified by the Registrar of Voters in Exhibit A attached herewith; and

This number meets or exceeds the number of valid signatures needed to qualify the initiative; therefore

The petition is found to be sufficient to require the City Council of the City of Berkeley to take appropriate action specified under Article XIII of the Berkeley City Charter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26th day of June, 2024.




Mark Numainville
City Clerk
City of Berkeley

REGISTRAR OF VOTERS CERTIFICATE TO PETITION

I, **Tim Dupuis**, Registrar of Voters for the County of Alameda, State of California, hereby certify that:

An Initiative Petition entitled: City of Berkeley Ordinance to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths (SAFE STREETS) **was** filed with the Berkeley City Clerk within the statutory time limit and forwarded to this office for verification on May 9, 2024; and

The petition contained **3,874** unverified signatures: and

In accordance with Article XIII of the Berkeley City Charter, it was determined that the total number of votes cast for all candidates for Mayor at the November 2020 General Election was 57,885, the requisite number of signatures required to qualify this initiative is 5% of 57,885 or 2,985.

I have examined, or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

Have determined that the petition contained **3,159** valid signatures of qualified registered voters in the City of Berkeley based on the line-by-line examination set forth in section 9115 (b) of the California Elections Code; and

That this number represents the total number of signatures needed to qualify the initiative; therefore

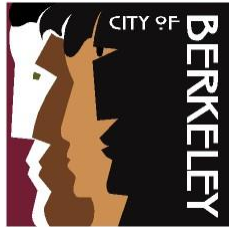
The petition is found to be sufficient to require the City Council of the City of Berkeley to take the appropriate action specified in the California Elections Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this **7th** day of **June 2024**.



DocuSigned by:
Tim Dupuis
C504117C2A294A7...

Tim Dupuis
Registrar of Voters
County of Alameda
State of California



Office of the City Manager

REVISED AGENDA MATERIAL for Supplemental Packet 1

Meeting Date: July 9, 2024

Item Number: 19

Item Description: Initiative Petition – Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger

Submitted by: Farimah Faiz Brown, City Attorney

This supplemental includes revised ballot question language for this initiative petition.



Office of the City Manager

ACTION CALENDAR

July 9, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Initiative Petition – Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger

RECOMMENDATION

1) Take action on the initiative petition to:

a) Adopt the provisions of the measure without alteration.

-OR-

b) Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action.

CURRENT SITUATION AND ITS EFFECTS

An initiative petition titled "Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger" was filed with the City Clerk on May 15, 2024. The proponents of this petition submitted 4,580 signatures.

Under Berkeley City Charter Article XIII, a successful initiative petition must include valid signatures of at least 5% (2,985) of the votes for all candidates for Mayor in November 2020 (57,885).

The Alameda County Registrar of Voters verified the signatures by reviewing a random sampling of 500 signatures in accordance with State Elections Code §9215. This statistical sampling found 404 valid signatures. When this ratio of valid signatures is applied to the actual number of signatures submitted, it results in a validity rate of 124%, which exceeds the required threshold in the state Elections Code for the petition to be deemed sufficient. Therefore, the petition was certified by the Registrar of Voters as being sufficient on May 28, 2024.

Additionally, with respect to who can author arguments for measures placed on the ballot by petition, Elections Code Section 9282 provides the City Council may authorize the Council as a whole, or members of the Council, to submit an argument against the initiative ordinance.

BACKGROUND

Pursuant to the City Charter, Article XIII §92, once a petition has been found to have a sufficient amount of signatures, the City Council must consider whether to a) Adopt said ordinance without alteration within twenty days after the attachment of the City Clerk's certificate of sufficiency to the accompanying petition (subject to a referendary vote, under the provision of Article XIV of this Charter); or b) Submit the ordinance to the voters of the City of Berkeley at the next general election.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The proposed action is mandated by state codes and the provisions of the City Charter.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. Resolution
 - Exhibit A: Full Text of Measure
2. City Clerk's Certificate of Sufficiency

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

SUBMITTING TO THE BERKELEY ELECTORATE AN INITIATIVE ORDINANCE TO ADOPT A SPECIAL TAX ON NATURAL GAS CONSUMPTION IN BUILDINGS 15,000 SQ. FT. OR LARGER FOR THE NOVEMBER 5, 2024 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, an initiative measure to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger; and

WHEREAS, certain actions are required in connection with said election; and

WHEREAS, the Council has requested that the Alameda County Board of Supervisors consolidate the General Municipal Election with the Presidential General Election; and

WHEREAS, the Council desires to submit all measures to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that full text of the measure and the City Attorney's analysis shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the Registrar of Voters of Alameda County is requested to perform services in connection with said election at the request of the City Clerk.

BE IT FURTHER RESOLVED that the City of Berkeley agrees to reimburse the County of Alameda in full for the cost of election services performed.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that said proposed initiative measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY INITIATIVE ORDINANCE	
Shall the measure adopting a tax of \$2.9647/therm of natural gas consumed annually in buildings of 15,000 square feet or larger except government buildings, single-family residences, and residential buildings with at least 50% affordable units, adjusted annually for inflation plus 6%; allocating revenues to building decarbonization programs, and administration; and establishing an oversight committee, generating an estimated <u>\$26.7</u> million the first year and more thereafter until its expiration in December 31, 2050, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the initiative ordinance be shown as Exhibit A, attached hereto and made a part hereof.

Exhibits
A: Text of Ordinance

RECEIVED

FEB 28 2024

CITY OF BERKELEY
FINANCE DEPARTMENT

ORDINANCE NO. #,###-N.S.

ADDING CHAPTER 7.77 TO THE BERKELEY MUNICIPAL CODE TO IMPOSE AN
EXCISE TAX ON GENERATING GREENHOUSE GAS EMISSIONS IN LARGE
BUILDINGS

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

Section 1. Adoption. That Chapter 7.77 of the Berkeley Municipal Code is hereby adopted to read as follows:

Chapter 7.77

LARGE BUILDINGS FOSSIL FUEL EMISSIONS TAX

Sections:

- 7.77.010 Short Title.**
- 7.77.020 Findings and Purpose.**
- 7.77.030 Definitions.**
- 7.77.040 Imposition of Tax.**
- 7.77.050 Exemptions and Exclusions.**
- 7.77.060 Administration — Penalties.**
- 7.77.070 Fossil Fuel Free Buildings Just Transition Fund; Deposit of Proceeds.**
- 7.77.080 Expenditure of Proceeds.**
- 7.77.090 Fossil Fuel Free Buildings Just Transition Oversight Committee.**
- 7.77.100 Technical Assistance to the Finance Department.**
- 7.77.110 Prohibited Conduct.**
- 7.77.120 Amendment of Ordinance.**
- 7.77.130 Severability.**

7.77.010 Short Title.

This Chapter shall be known as the "Large Buildings Fossil Fuel Emissions Tax Ordinance," and the tax it imposes shall be known as the "Large Buildings Fossil Fuel Emissions Tax."

7.77.020 Findings and purpose.

The people of the City of Berkeley find and declare as follows:

A. Scientific evidence has established that natural gas combustion, procurement and transportation produce significant greenhouse gas emissions that contribute to global warming and climate change.

B. The following addition to the Berkeley Municipal Code is reasonably necessary because of local climatic, geologic and topographical conditions as listed below:

(1) As a coastal city located on the San Francisco Bay, Berkeley is vulnerable to sea level rise, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, which contribute to melting of glaciers and thermal expansion of ocean water — resulting in rising sea levels.

(2) Berkeley is already experiencing the repercussions of excessive greenhouse gas emissions as rising sea levels threaten the City's shoreline and infrastructure, have caused significant erosion, have increased impacts to infrastructure during extreme tides, and have caused the City to expend funds to modify its sewer system.

(3) Berkeley is situated along a wildland-urban interface and is extremely vulnerable to wildfires and firestorms, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, drought conditions, vegetative fuel, and length of fire seasons.

(4) Structures in Berkeley are located along or near the Hayward fault, which is likely to produce a large earthquake in the Bay Area.

C. The following addition to the Berkeley Municipal Code is also reasonably necessary because of health and safety concerns as Berkeley residents suffer from asthma and other health conditions associated with poor indoor and outdoor air quality exacerbated by the combustion of natural gas.

D. The people of Berkeley, as codified through Measure G (Resolution No. 63,518-N.S.), the City of Berkeley Climate Action Plan (Resolution No. 64,480-N.S.), Berkeley Climate Emergency Declaration (Resolution No. 68,486-N.S.), Prohibition of Natural Gas Infrastructure in New Buildings (Ordinance 7672-NS), all recognize that rapid, far-reaching and unprecedented changes in all aspects of society are required to limit global warming and the resulting environmental threat posed by climate change, including the prompt phasing out of natural gas as a fuel in buildings.

E. Substituting electric heating and cooling infrastructure in new buildings fueled by less greenhouse-gas-intensive electricity is linked to significantly lower greenhouse gas emissions.

F. All-electric building design benefits the health, welfare, and resiliency of Berkeley and its residents.

G. In 2020, the City's building sector accounted for the majority of the City's community-wide greenhouse emissions and natural gas combustion in the residential and commercial sectors respectively accounted for 18 and 14 percent of community-wide emissions.

H. Methane gas leaked into the atmosphere is 84 times more potent as a greenhouse gas than carbon dioxide over the first 20 years of emission.

I. The true greenhouse-gas-emissions impact of Berkeley's natural gas combustion, procurement and transportation is likely many times higher than reported due to leaks of methane gas across the natural gas system, including within Berkeley.

J. It is the intent of the People to disincentivize obsolete natural gas infrastructure and associated greenhouse gas emissions in existing commercial and large residential buildings, thereby reducing the environmental and health hazards produced by the consumption and transportation of natural gas.

K. The City is also working to ensure all public funds available to electrify existing buildings from the City, regional, State and Federal governments are maximized.

L. Even with the addition of City, regional, State, and Federal resources, the City is unable to assist all of its residents with services and funds to convert natural gas appliances and infrastructure to use cleaner electricity.

M. The increased costs of meeting the challenges of electrifying existing buildings, which the City estimates will cost \$1.4 billion for low-rise residential buildings alone, has impacted the City's finances and its capacity to respond to the climate challenges described here.

N. The City needs new funds to pay for municipal services. The Buildings Emissions Tax is intended to disincentivize natural gas consumption and greenhouse gas emissions, thereby increasing the number of commercial and large residential property owners switching energy sources from fossil fuel gas to electricity, while also raising funds for municipal services, including funding a program to: reduce greenhouse gas emissions rapidly through decarbonizing buildings; support unionized trades and municipal jobs; and improve public safety, health, and indoor and outdoor air quality.

O. The special tax this measure imposes is an excise tax on the privilege of consuming natural gas in large buildings to fund climate mitigation strategies and other City services and on the privilege of access to municipal services. It is not a tax on title to property or on the value of property.

P. The Buildings Emissions Tax is intended to incentivize climate mitigation improvements to large buildings in Berkeley but shall not permit the costs of such

improvements to be passed on to residential tenants in the form of rent increases or other increased costs.

7.77.030 Definitions.

Unless otherwise defined in this Chapter, the terms used in this Chapter shall have the meanings given to them in Chapters 2.44, 9.04, and 19.81, as amended from time to time. For purposes of this Chapter, the following definitions apply:

- A. "Alternative Infrastructure and Appliances" means building improvements or infrastructure and appliances that operate on or generate electricity or other zero-carbon-emissions energy sources that are non-fossil-fuel-based or -derived, to include but not limited to those associated with plumbing, HVAC, cooking, clothes drying, heat pumps, solar panels, battery storage, electric panel upgrades, electric vehicle and mobility charging, and any related building electrical system upgrades.
- B. "Base Amount" is defined in section 7.77.070(E)(1).
- C. "Building Decarbonization Retrofits" means Natural Gas Conversion performed by labor subject to Minimum Labor Standards.
- D. "Eligible programs" is defined in section 7.77.070(E)(2).
- E. "Environmental Justice" is defined in section 7.77.080(C).
- F. "Fund" or "Fossil Fuel Free Buildings Just Transition Fund" is defined in Section 7.77.070(A).
- G. "Gross Floor Area" means the total area, as measured between the principal exterior surfaces of the enclosed fixed walls of the building(s). This includes all areas inside the building(s) such as: occupied tenant areas, common areas, meeting areas, break rooms, restrooms, elevator shafts, mechanical equipment areas, and storage rooms. Gross Floor Area should not include interstitial plenum space between floors, which may house pipes and ventilation.
- H. "Minimum Labor Standards" means labor or contractors subject to or providing all of the following:
 - (1) a bona fide collective bargaining agreement;
 - (2) compliance with applicable prevailing wage determinations made by the Director of Industrial Relations Pursuant to California Labor Code Part 7, Chapter 1, Article 2, Sections 1770, 1773, & 1773.1;
 - (3) employer contributions to worker skills and training;
 - (4) healthcare and pension benefits;
 - (5) targeted hiring requirements, including a minimum percentage of work hours performed by disadvantaged workers and/or graduates from approved MC3 (multi-craft core curriculum) pre-apprenticeship programs, and a minimum percentage work hours performed by registered apprentices; and
 - (6) any other applicable City of Berkeley labor standards under this Code or any ordinance of the City Council implementing this Chapter.
- I. "Natural Gas Conversion" means the material and labor associated with replacing natural gas building appliances and infrastructure with Alternative Infrastructure and Appliances.
- J. "Taxable Non-Residential Building" means a building with at least 15,000 square feet of Gross Floor Area that is used or could be used for any occupancy type(s) other than residential where the interior of such Gross Floor Area is actively heated or cooled.

K. "Single-Family Building" means any building comprised solely of 1 to 4 residential units, regardless of size.

L. "Tax Proceeds" is defined in section 7.77.070(A).

M. "Taxable Residential Building" means a building with at least 15,000 square feet of Gross Floor Area that is used or could be used for any residential or mixed-use occupancy type(s) where the interior of such Gross Floor Area is actively heated or cooled. Taxable Residential Building shall not mean Single-Family Buildings and residential buildings more than 50 percent of the units of which are deed-restricted to be affordable to households making less than 80 percent of the Area Median Income.

N. "Oversight Committee" or "Fossil Fuel Free Buildings Just Transition Oversight Committee" is defined in Section 7.77.070(E).

O. "Owner" means a person possessing title to a Taxable Non-Residential Building or Taxable Residential Building as of 11:59 p.m. on December 31 of any calendar year. In the case of a building held in cooperative, condominium, tenants in common, or joint tenants form of ownership, "Owner" means the board of managers, board of directors, homeowners association, or other representative body of the jointly owned building with authority to make decisions about assessments or charges on joint owners to fund maintenance and alterations.

7.77.040 Imposition of Tax.

A. Except as otherwise provided in this Chapter, for the purposes described in Section 7.77.080, the City imposes an annual Large Buildings Fossil Fuel Emissions Tax on each Owner generating greenhouse gas emissions from Taxable Non-Residential Buildings and Taxable Residential Buildings.

B. Large Buildings Fossil Fuel Emissions Tax amounts shall be determined based on the estimated greenhouse gas emissions in metric tons of carbon dioxide equivalent and methane of each Taxable Non-Residential Building and Taxable Residential Building for a tax year, calculated as the sum of:

- (1) The product of \$382, the total therms of natural gas consumed in the Taxable Non-Residential Building or Taxable Residential Building during the tax year, and the natural gas carbon emissions factor; and
- (2) The product of \$10,044, the total therms of natural gas consumed in the Taxable Non-Residential Building or Taxable Residential Building during the tax year, the natural gas leakage factor, the natural gas methane content factor, and the natural gas therm to metric ton factor.

C. For purposes of this Chapter:

- (1) The natural gas carbon emissions factor shall be 0.0053.
- (2) The natural gas therm to metric ton factor shall be 0.0026.
- (3) The natural gas leakage factor shall be 0.04.
- (4) The natural gas methane content factor shall be 0.9.

D. The City Manager, based on calculations from the Finance Department, shall annually adjust the base tax rates in subsection 7.77.040 B. (Originally, \$382 and \$10,044), commencing on January 1, 2026, by the sum of:

- (1) The percentage increase in the increase in the Consumer Price Index: All Urban Consumers for the San Francisco/Oakland/Hayward Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31 of the preceding year, beginning with the 2025 tax year; plus

(2) 6%.

E. The Large Buildings Fossil Fuel Emissions Tax shall be payable by the Owner. Not more than one tax per Taxable Non-Residential Building or Taxable Residential Building shall be imposed under this Section 7.77.040 for a tax year by reason of multiple Owners subject to tax. If there are multiple Owners subject to tax, each shall be jointly and severally liable for the tax.

F. The Large Buildings Fossil Fuel Emissions Tax shall take effect on January 1, 2025 and is first due on February 28, 2026. The Large Buildings Fossil Fuel Emissions Tax shall expire at the end of the day on December 31, 2050.

7.77.050 Exemptions and Exclusions.

A. For only so long as, and to the extent that, the City is prohibited from imposing the Large Buildings Fossil Fuel Emissions Tax, any person upon whom the City is prohibited under the Constitution or laws of the State of California or the Constitution or laws of the United States from imposing the Large Buildings Fossil Fuel Emissions Tax shall be exempt from the Large Buildings Fossil Fuel Emissions Tax.

B. The City, the State of California, and any county, municipal corporation, district, or other political subdivision of the State shall be exempt from the Large Buildings Fossil Fuel Emissions Tax, except where any constitutional or statutory immunity from taxation is waived or is not applicable.

C. The City Council by a vote of two-thirds of all City Councilmembers may by Ordinance adopt further exemptions, waivers, discounts, or rebates for the tax for an organization that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as it may be amended from time to time, and that has total annual revenues under \$1,000,000, and provided that the Council (i) must renew each such exemption annually and (ii) makes an affirmative determination that the imposition of the tax otherwise required by this Chapter would make continued ownership of the property infeasible and that the benefits to the City from the particular organization outweigh the burden to the climate, the City's climate program, and/or other impacts which reasonably may be anticipated to be generated by modification of the tax.

7.77.060 Administration — Penalties.

A. Except as otherwise provided under this Chapter, the City Manager or their designee shall enforce the provisions of this Chapter and may prescribe, adopt, and enforce rules and regulations to facilitate administration and enforcement of this Chapter.

B. The tax required by this Chapter is delinquent if not received by the City on or before February 28 of each year.

C. Any person who fails to timely pay tax due under this Chapter shall pay a one-time penalty of 10 percent of the amount due, in addition to the tax, plus interest on the unpaid tax at the rate of one percent per month from the date on which the tax became due until the date of payment.

D. Transactions with the principal purpose of avoiding or evading all or a portion of the Large Buildings Fossil Fuel Emissions Tax shall be disregarded for purposes of determining the amount of the Large Buildings Fossil Fuel Emissions Tax and whether the Large Buildings Fossil Fuel Emissions Tax is due. Any Owner determined to have engaged in one or more transactions with the principal purpose of avoiding or evading

all or a portion of the Large Buildings Fossil Fuel Emissions Tax shall be liable for the Large Buildings Fossil Fuel Emissions Tax and also liable for a penalty in an amount equal to the Large Buildings Fossil Fuel Emissions Tax. If unpaid, the penalty shall be subject to interest under paragraph C of this section, but not to the 10 percent penalty provided there.

E. Any tax required to be paid by an Owner under this Chapter shall be deemed a debt owed by the Owner to the City. Any person owing money to the City under this Chapter shall be liable to an action brought in the name of the City for the recovery of such amount, along with any collection and other costs incurred by the City as a result of the person's noncompliance with this Chapter, including, but not limited to, reasonable attorneys' fees, plus interest and penalties as provided in this Chapter.

7.77.070 Fossil Fuel Free Buildings Just Transition Fund; Deposit of Proceeds.

A. Establishment of Fund. The Fossil Fuel Free Buildings Just Transition Fund ("Fund") is hereby established as a special purpose fund, and shall receive all taxes, penalties, interest, and costs collected from the Large Buildings Fossil Fuel Emissions Tax imposed under this Chapter ("Tax Proceeds").

B. Use of Fund. Monies in the Fund shall be used exclusively for the purposes described in Section 7.77.080 of this Chapter.

C. Administration of Fund. Commencing with a report filed no later than February 15, 2026, covering the fiscal year ending June 30, 2025, the City Manager shall file annually with the Council, by February 15 of each year, a report of the monies collected in and expended from the Fund during the prior fiscal year, the status of any project required or authorized to be funded by Section 7.77.080, and such other information as the Finance Director, in the Finance Director's sole discretion, deems relevant to the implementation of this Chapter.

D. Accounting. All Tax Proceeds shall be deposited in the Fund. The Fund shall be maintained separate and apart from all other City funds and shall be subject to appropriation. Any balance remaining in the Fund at the close of any fiscal year shall be deemed to have been provided for a special purpose and shall be maintained in the Fund for the purposes described in Section 7.77.080.

E. Appropriations May Not Supplant Existing Expenditures. Monies in the Fund shall be expended only for Eligible Programs. Monies in the Fund shall not be spent to supplant existing programs funded by the City for climate programs, which shall continue to be funded, at a minimum, at the Base Amount. All funds unexpended from the Fund shall be held in the Fund and may be expended on Eligible Programs. For purposes of this subsection E:

(1) "Base Amount" means the City Department of Finance's calculation of the amount of City appropriations (not including appropriations from the Fund and exclusive of expenditures funded by private funding or funded or mandated by state or federal law) for Eligible Programs for the fiscal year ending June 30, 2024.

(2) "Eligible Programs" means all programs and expenditures described in Section 7.77.080.

7.77.080 Expenditure of Proceeds.

Monies in the Fund shall be appropriated and used exclusively for the following purposes:

- A. Up to 3% of the Tax Proceeds distributed in any proportion to the Finance Department and other City Departments for the administration of the Tax and of the Fund.
- B. Refunds of any overpayments of the Tax, including any related penalties, interest, and collection costs.
- C. All remaining amounts for the following purposes, in the following percentages, which amounts shall include the costs of administering the programs described. The voters also intend that, in expending remaining amounts, the City prioritize principles of environmental justice, tenant protections and other initiatives to prevent displacement of residents; retrofit projects at a neighborhood, block, utility zone or designation, or other comparable geographic scale; and ensure compliance with Berkeley Municipal Code Chapter 13.84 specifying requirements for property owners who relocate residents for tenant improvements. For purposes of this section, "environmental justice" means mitigating disproportionate impacts on communities identified in the State of California's Enviroscreen database or any successor to that database. The voters also intend that the City prioritize the use and support of labor satisfying the definition of 7.77.030.C ("Minimum Labor Standards").
 - (1) 90% to fund expenses associated with Natural Gas Conversion of existing buildings, prioritizing Building Decarbonization Retrofits. The City shall prioritize funding for Natural Gas Conversion and Building Decarbonization Retrofits in low-rise residential buildings and restaurants, including low- or no-interest loans to assist property owners in retrofitting properties or otherwise to achieve the purposes of this Chapter.
 - (2) 10% to fund permanent, career, City positions in an employee bargaining unit subject to a collective bargaining agreement to administer and facilitate a citywide program of Natural Gas Conversion and Building Decarbonization Retrofits and administrative expenses connected therewith.

D. Notwithstanding subsections C(1) and (2) of this section, if the Council finds on the basis of substantial evidence that the infrastructure and appliances of the building stock in the City have been completely and permanently transitioned from natural gas, remaining Tax Proceeds may fund other City programs that directly reduce or avoid greenhouse gas emissions.

E. The Fossil Fuel Free Buildings Just Transition Oversight Committee established under Section 7.77.090 ("Oversight Committee") shall make recommendations to the Council to ensure the Fund is administered consistently with this section.

7.77.090 Fossil Fuel Free Buildings Just Transition Oversight Committee.

A. The Environment and Climate Commission established pursuant to Chapter 3.82 of this Code or any successor to that commission shall serve as the Oversight Committee and make recommendations to the Council to ensure the Fund is administered consistently with section 7.77.080.

B. The Oversight Committee shall monitor, and make recommendations as to, the administration of the Fund, to ensure it is administered in a manner that is accountable to the community and consistent with this Chapter and other law, and to advise the Council on appropriations from the Fund. The Oversight Committee shall:

- (1) Develop recommendations for the use of the Fund;
 - (2) By December 31, 2025, and every year thereafter, conduct a needs assessment as to retrofitting existing buildings in the City and make annual recommendations about appropriations from the Fund to the Council informed by that needs assessment;
 - (3) Promote and facilitate transparency in the administration of the Fund;
 - (4) Promote implementation of the programs funded by the Fund in a manner that is equitable, culturally sensitive, and supportive of labor;
- C. The City shall provide adequate staffing to the Oversight Committee to achieve its purposes.
- D. The Transportation and Infrastructure Commission or any successor to it, the Labor Commission or any successor to it, the Council Facilities, Infrastructure, Transportation, Environment and Sustainability Policy Committee or any successor to it, may each make recommendations to the Council to ensure the Fund is administered consistently with this Chapter.
- E. Nothing in this section 7.77.090 shall limit the authority of the Council to propose, amend, and adopt a budget under the Charter.

7.77.100 Technical Assistance to the Finance Department.

The Office of Energy and Sustainable Development or any successor office or department shall provide technical assistance to the Finance Department upon the City Manager's or Director of Finance's request to administer the Large Buildings Fossil Fuel Emissions Tax.

7.77.110 Prohibited Conduct.

Except as the Berkeley Rent Stabilization Board expressly determines, the Owner of a Taxable Residential Building shall not pass on the tax imposed by this Chapter to tenants in the form of rent increases or in any other manner. Inclusion of such charges shall be a complete defense to any action for unlawful detainer for failure to pay rent absent such express determination of the Berkeley Rent Stabilization Board.

7.77.120 Amendment of Ordinance.

- A. The Council may, by two-thirds vote of the entire City Council, amend this Chapter to further its purposes, provided that such amendments do not constitute a tax increase within the meaning of California Government Code section 53750, subdivision (h) or expand the exemptions provided by section 7.77.050, or amend this section 7.77.120.
- B. The City Council shall not reduce the inflation-adjusted tax rates authorized by this Chapter or otherwise reduce the tax absent a finding supported by substantial evidence that doing so is necessary to address unusual circumstances such as a natural disaster, the undercollection is temporary, and the reduced tax will nevertheless achieve the purposes of this Chapter.
- C. For purposes of this section 7.77.120, the purposes of this Chapter are those stated in section 7.77.020 and the expenditures authorized by section 7.77.080.

7.77.130 Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance, 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 People of the City of Berkeley hereby declare that they would have passed this ordinance, and each word, phrase, sentence, part, section, subsection, or other portion hereof, irrespective of the fact that any one or more words, phrases, sentences, parts, sections, subsections, or other portions hereof has been declared invalid or unconstitutional.

Section 2. Increase Appropriations Limit. Pursuant to California Constitution Article XIII B and applicable laws, for four years from November 5, 2024, the appropriations limit for the City shall be increased by the aggregate sum collected by the levy of the tax imposed under this ordinance.

Section 3. Special Tax; Majority Vote Requirement. This Ordinance imposes a Special tax and shall be effective only if approved by a majority of the voters voting thereon.

Section 4. Certification; Publication; Numbering.

- A. Upon approval by the voters, the City Clerk shall assign this ordinance an ordinance number and insert it where indicated on the first page above, certify to the passage and adoption of this ordinance, and cause it to be published according to law.
- B. Upon approval by the voters, the Mayor and City Clerk shall execute this ordinance where indicated below to give evidence of that approval.

We hereby certify that the foregoing ordinance was duly adopted by the voters of the City of Berkeley participating in the November 5, 2024 election.

, Mayor

Attest:

Mark Numainville, City Clerk

BERKELEY CITY CLERK CERTIFICATE OF PETITION

I, Mark Numainville, City Clerk of the City of Berkeley, California, do hereby certify the following:

An Initiative Petition entitled: "Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger" was filed with the Berkeley City Clerk on May 15, 2024 within the statutory time limit and forwarded to the office of the Alameda County Registrar of Voters for verification on May 16, 2024; and

The petition contained **4,580** unverified signatures; and

Pursuant to the Charter of the City of Berkeley, in order to be sufficient, the petition must have been signed by at least **2,985** qualified registered voters of the City of Berkeley, the number being equal to 5% of the total votes cast for all candidates for mayor in the last general municipal election; and

I have examined or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

I have determined that the petition contained a valid signature rate of **124%** based on a random sample of the signatures as performed and certified by the Registrar of Voters in Exhibit A attached herewith; and

This number meets or exceeds the valid signature rate needed to qualify the initiative; therefore

The petition is found to be sufficient to require the City Council of the City of Berkeley to take appropriate action specified under Article XIII of the Berkeley City Charter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26th day of June, 2024.




Mark Numainville
City Clerk
City of Berkeley

REGISTRAR OF VOTERS CERTIFICATE TO PETITION

I, **Tim Dupuis**, Registrar of Voters for the County of Alameda, State of California, hereby certify that: an Initiative Entitled: City of Berkeley To Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger, was filed with the Berkeley City Clerk within the statutory time limit and forwarded to this office for verification on May 16, 2024; and

The petition contained 4,580 unverified signatures: and

In accordance with Article XIII of the Berkeley City Charter, it was determined that the total number of votes cast for all candidates for Mayor at the November 2020 General Election was 57,885, the requisite number of signatures required to qualify this initiative is 5% of 57,885 or 2,985.

I have examined, or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

Have determined that the petition contained 404 valid signatures of qualified registered voters in the City of Berkeley based on the random sample examination set forth in section 9115 and the formula prescribed by the California Secretary of State: and

That this number represents 124% of the total number of signatures needed to qualify the initiative, therefore.

The petition is found to be sufficient to require the City Council of the City of Berkeley to take the appropriate action specified in the California Elections Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of **May 2024**.



DocuSigned by:

Tim Dupuis

C504117C2A294A7...

Tim Dupuis
Registrar of Voters
County of Alameda
State of California



Office of the City Manager

ACTION CALENDAR
July 30, 2024
(Continued from July 9, 2024)

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Mark Numainville, City Clerk
Subject: Initiative Petition – Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger

RECOMMENDATION

- 1) Take action on the initiative petition to:
 - a) Adopt the provisions of the measure without alteration.
 - OR-
 - b) Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action.

CURRENT SITUATION AND ITS EFFECTS

An initiative petition titled “Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger” was filed with the City Clerk on May 15, 2024. The proponents of this petition submitted 4,580 signatures.

Under Berkeley City Charter Article XIII, a successful initiative petition must include valid signatures of at least 5% (2,985) of the votes for all candidates for Mayor in November 2020 (57,885).

The Alameda County Registrar of Voters verified the signatures by reviewing a random sampling of 500 signatures in accordance with State Elections Code §9215. This statistical sampling found 404 valid signatures. When this ratio of valid signatures is applied to the actual number of signatures submitted, it results in a validity rate of 124%, which exceeds the required threshold in the state Elections Code for the petition to be deemed sufficient. Therefore, the petition was certified by the Registrar of Voters as being sufficient on May 28, 2024.

Additionally, with respect to who can author arguments for measures placed on the ballot by petition, Elections Code Section 9282 provides the City Council may authorize the Council as a whole, or members of the Council, to submit an argument against the initiative ordinance.

BACKGROUND

Pursuant to the City Charter, Article XIII §92, once a petition has been found to have a sufficient amount of signatures, the City Council must consider whether to a) Adopt said ordinance without alteration within twenty days after the attachment of the City Clerk's certificate of sufficiency to the accompanying petition (subject to a referendary vote, under the provision of Article XIV of this Charter); or b) Submit the ordinance to the voters of the City of Berkeley at the next general election.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The proposed action is mandated by state codes and the provisions of the City Charter.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. Resolution
Exhibit A: Full Text of Measure
2. City Clerk's Certificate of Sufficiency

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

SUBMITTING TO THE BERKELEY ELECTORATE AN INITIATIVE ORDINANCE TO ADOPT A SPECIAL TAX ON NATURAL GAS CONSUMPTION IN BUILDINGS 15,000 SQ. FT. OR LARGER FOR THE NOVEMBER 5, 2024 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, an initiative measure to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger; and

WHEREAS, certain actions are required in connection with said election; and

WHEREAS, the Council has requested that the Alameda County Board of Supervisors consolidate the General Municipal Election with the Presidential General Election; and

WHEREAS, the Council desires to submit all measures to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that full text of the measure and the City Attorney's analysis shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the Registrar of Voters of Alameda County is requested to perform services in connection with said election at the request of the City Clerk.

BE IT FURTHER RESOLVED that the City of Berkeley agrees to reimburse the County of Alameda in full for the cost of election services performed.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that said proposed initiative measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY INITIATIVE ORDINANCE	
Shall the measure adopting a tax of \$2.9647/therm of natural gas consumed annually in buildings of 15,000 square feet or larger except government buildings, single-family residences, and residential buildings with at least 50% affordable units, adjusted annually for inflation plus 6%; allocating revenues to building decarbonization programs, and administration; and establishing an oversight committee, generating an estimated \$____ million the first year and more thereafter until its expiration in December 31, 2050, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the initiative ordinance be shown as Exhibit A, attached hereto and made a part hereof.

Exhibits

A: Text of Ordinance

RECEIVED

FEB 28 2024

CITY OF BERKELEY
FINANCE DEPARTMENT

ORDINANCE NO. #,###-N.S.

ADDING CHAPTER 7.77 TO THE BERKELEY MUNICIPAL CODE TO IMPOSE AN
EXCISE TAX ON GENERATING GREENHOUSE GAS EMISSIONS IN LARGE
BUILDINGS

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

Section 1. Adoption. That Chapter 7.77 of the Berkeley Municipal Code is hereby adopted to read as follows:

Chapter 7.77

LARGE BUILDINGS FOSSIL FUEL EMISSIONS TAX

Sections:

- 7.77.010 Short Title.**
- 7.77.020 Findings and Purpose.**
- 7.77.030 Definitions.**
- 7.77.040 Imposition of Tax.**
- 7.77.050 Exemptions and Exclusions.**
- 7.77.060 Administration — Penalties.**
- 7.77.070 Fossil Fuel Free Buildings Just Transition Fund; Deposit of Proceeds.**
- 7.77.080 Expenditure of Proceeds.**
- 7.77.090 Fossil Fuel Free Buildings Just Transition Oversight Committee.**
- 7.77.100 Technical Assistance to the Finance Department.**
- 7.77.110 Prohibited Conduct.**
- 7.77.120 Amendment of Ordinance.**
- 7.77.130 Severability.**

7.77.010 Short Title.

This Chapter shall be known as the "Large Buildings Fossil Fuel Emissions Tax Ordinance," and the tax it imposes shall be known as the "Large Buildings Fossil Fuel Emissions Tax."

7.77.020 Findings and purpose.

The people of the City of Berkeley find and declare as follows:

A. Scientific evidence has established that natural gas combustion, procurement and transportation produce significant greenhouse gas emissions that contribute to global warming and climate change.

B. The following addition to the Berkeley Municipal Code is reasonably necessary because of local climatic, geologic and topographical conditions as listed below:

(1) As a coastal city located on the San Francisco Bay, Berkeley is vulnerable to sea level rise, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, which contribute to melting of glaciers and thermal expansion of ocean water — resulting in rising sea levels.

(2) Berkeley is already experiencing the repercussions of excessive greenhouse gas emissions as rising sea levels threaten the City's shoreline and infrastructure, have caused significant erosion, have increased impacts to infrastructure during extreme tides, and have caused the City to expend funds to modify its sewer system.

(3) Berkeley is situated along a wildland-urban interface and is extremely vulnerable to wildfires and firestorms, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, drought conditions, vegetative fuel, and length of fire seasons.

(4) Structures in Berkeley are located along or near the Hayward fault, which is likely to produce a large earthquake in the Bay Area.

C. The following addition to the Berkeley Municipal Code is also reasonably necessary because of health and safety concerns as Berkeley residents suffer from asthma and other health conditions associated with poor indoor and outdoor air quality exacerbated by the combustion of natural gas.

D. The people of Berkeley, as codified through Measure G (Resolution No. 63,518-N.S.), the City of Berkeley Climate Action Plan (Resolution No. 64,480-N.S.), Berkeley Climate Emergency Declaration (Resolution No. 68,486-N.S.), Prohibition of Natural Gas Infrastructure in New Buildings (Ordinance 7672-NS), all recognize that rapid, far-reaching and unprecedented changes in all aspects of society are required to limit global warming and the resulting environmental threat posed by climate change, including the prompt phasing out of natural gas as a fuel in buildings.

E. Substituting electric heating and cooling infrastructure in new buildings fueled by less greenhouse-gas-intensive electricity is linked to significantly lower greenhouse gas emissions.

F. All-electric building design benefits the health, welfare, and resiliency of Berkeley and its residents.

G. In 2020, the City's building sector accounted for the majority of the City's community-wide greenhouse emissions and natural gas combustion in the residential and commercial sectors respectively accounted for 18 and 14 percent of community-wide emissions.

H. Methane gas leaked into the atmosphere is 84 times more potent as a greenhouse gas than carbon dioxide over the first 20 years of emission.

I. The true greenhouse-gas-emissions impact of Berkeley's natural gas combustion, procurement and transportation is likely many times higher than reported due to leaks of methane gas across the natural gas system, including within Berkeley.

J. It is the intent of the People to disincentivize obsolete natural gas infrastructure and associated greenhouse gas emissions in existing commercial and large residential buildings, thereby reducing the environmental and health hazards produced by the consumption and transportation of natural gas.

K. The City is also working to ensure all public funds available to electrify existing buildings from the City, regional, State and Federal governments are maximized.

L. Even with the addition of City, regional, State, and Federal resources, the City is unable to assist all of its residents with services and funds to convert natural gas appliances and infrastructure to use cleaner electricity.

M. The increased costs of meeting the challenges of electrifying existing buildings, which the City estimates will cost \$1.4 billion for low-rise residential buildings alone, has impacted the City's finances and its capacity to respond to the climate challenges described here.

N. The City needs new funds to pay for municipal services. The Buildings Emissions Tax is intended to disincentivize natural gas consumption and greenhouse gas emissions, thereby increasing the number of commercial and large residential property owners switching energy sources from fossil fuel gas to electricity, while also raising funds for municipal services, including funding a program to: reduce greenhouse gas emissions rapidly through decarbonizing buildings; support unionized trades and municipal jobs; and improve public safety, health, and indoor and outdoor air quality.

O. The special tax this measure imposes is an excise tax on the privilege of consuming natural gas in large buildings to fund climate mitigation strategies and other City services and on the privilege of access to municipal services. It is not a tax on title to property or on the value of property.

P. The Buildings Emissions Tax is intended to incentivize climate mitigation improvements to large buildings in Berkeley but shall not permit the costs of such

improvements to be passed on to residential tenants in the form of rent increases or other increased costs.

7.77.030 Definitions.

Unless otherwise defined in this Chapter, the terms used in this Chapter shall have the meanings given to them in Chapters 2.44, 9.04, and 19.81, as amended from time to time. For purposes of this Chapter, the following definitions apply:

- A. "Alternative Infrastructure and Appliances" means building improvements or infrastructure and appliances that operate on or generate electricity or other zero-carbon-emissions energy sources that are non-fossil-fuel-based or -derived, to include but not limited to those associated with plumbing, HVAC, cooking, clothes drying, heat pumps, solar panels, battery storage, electric panel upgrades, electric vehicle and mobility charging, and any related building electrical system upgrades.
- B. "Base Amount" is defined in section 7.77.070(E)(1).
- C. "Building Decarbonization Retrofits" means Natural Gas Conversion performed by labor subject to Minimum Labor Standards.
- D. "Eligible programs" is defined in section 7.77.070(E)(2).
- E. "Environmental Justice" is defined in section 7.77.080(C).
- F. "Fund" or "Fossil Fuel Free Buildings Just Transition Fund" is defined in Section 7.77.070(A).
- G. "Gross Floor Area" means the total area, as measured between the principal exterior surfaces of the enclosed fixed walls of the building(s). This includes all areas inside the building(s) such as: occupied tenant areas, common areas, meeting areas, break rooms, restrooms, elevator shafts, mechanical equipment areas, and storage rooms. Gross Floor Area should not include interstitial plenum space between floors, which may house pipes and ventilation.
- H. "Minimum Labor Standards" means labor or contractors subject to or providing all of the following:
 - (1) a bona fide collective bargaining agreement;
 - (2) compliance with applicable prevailing wage determinations made by the Director of Industrial Relations Pursuant to California Labor Code Part 7, Chapter 1, Article 2, Sections 1770, 1773, & 1773.1;
 - (3) employer contributions to worker skills and training;
 - (4) healthcare and pension benefits;
 - (5) targeted hiring requirements, including a minimum percentage of work hours performed by disadvantaged workers and/or graduates from approved MC3 (multi-craft core curriculum) pre-apprenticeship programs, and a minimum percentage work hours performed by registered apprentices; and
 - (6) any other applicable City of Berkeley labor standards under this Code or any ordinance of the City Council implementing this Chapter.
- I. "Natural Gas Conversion" means the material and labor associated with replacing natural gas building appliances and infrastructure with Alternative Infrastructure and Appliances.
- J. "Taxable Non-Residential Building" means a building with at least 15,000 square feet of Gross Floor Area that is used or could be used for any occupancy type(s) other than residential where the interior of such Gross Floor Area is actively heated or cooled.

K. "Single-Family Building" means any building comprised solely of 1 to 4 residential units, regardless of size.

L. "Tax Proceeds" is defined in section 7.77.070(A).

M. "Taxable Residential Building" means a building with at least 15,000 square feet of Gross Floor Area that is used or could be used for any residential or mixed-use occupancy type(s) where the interior of such Gross Floor Area is actively heated or cooled. Taxable Residential Building shall not mean Single-Family Buildings and residential buildings more than 50 percent of the units of which are deed-restricted to be affordable to households making less than 80 percent of the Area Median Income.

N. "Oversight Committee" or "Fossil Fuel Free Buildings Just Transition Oversight Committee" is defined in Section 7.77.070(E).

O. "Owner" means a person possessing title to a Taxable Non-Residential Building or Taxable Residential Building as of 11:59 p.m. on December 31 of any calendar year. In the case of a building held in cooperative, condominium, tenants in common, or joint tenants form of ownership, "Owner" means the board of managers, board of directors, homeowners association, or other representative body of the jointly owned building with authority to make decisions about assessments or charges on joint owners to fund maintenance and alterations.

7.77.040 Imposition of Tax.

A. Except as otherwise provided in this Chapter, for the purposes described in Section 7.77.080, the City imposes an annual Large Buildings Fossil Fuel Emissions Tax on each Owner generating greenhouse gas emissions from Taxable Non-Residential Buildings and Taxable Residential Buildings.

B. Large Buildings Fossil Fuel Emissions Tax amounts shall be determined based on the estimated greenhouse gas emissions in metric tons of carbon dioxide equivalent and methane of each Taxable Non-Residential Building and Taxable Residential Building for a tax year, calculated as the sum of:

- (1) The product of \$382, the total therms of natural gas consumed in the Taxable Non-Residential Building or Taxable Residential Building during the tax year, and the natural gas carbon emissions factor; and
- (2) The product of \$10,044, the total therms of natural gas consumed in the Taxable Non-Residential Building or Taxable Residential Building during the tax year, the natural gas leakage factor, the natural gas methane content factor, and the natural gas therm to metric ton factor.

C. For purposes of this Chapter:

- (1) The natural gas carbon emissions factor shall be 0.0053.
- (2) The natural gas therm to metric ton factor shall be 0.0026.
- (3) The natural gas leakage factor shall be 0.04.
- (4) The natural gas methane content factor shall be 0.9.

D. The City Manager, based on calculations from the Finance Department, shall annually adjust the base tax rates in subsection 7.77.040 B. (Originally, \$382 and \$10,044), commencing on January 1, 2026, by the sum of:

- (1) The percentage increase in the increase in the Consumer Price Index: All Urban Consumers for the San Francisco/Oakland/Hayward Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31 of the preceding year, beginning with the 2025 tax year; plus

(2) 6%.

E. The Large Buildings Fossil Fuel Emissions Tax shall be payable by the Owner. Not more than one tax per Taxable Non-Residential Building or Taxable Residential Building shall be imposed under this Section 7.77.040 for a tax year by reason of multiple Owners subject to tax. If there are multiple Owners subject to tax, each shall be jointly and severally liable for the tax.

F. The Large Buildings Fossil Fuel Emissions Tax shall take effect on January 1, 2025 and is first due on February 28, 2026. The Large Buildings Fossil Fuel Emissions Tax shall expire at the end of the day on December 31, 2050.

7.77.050 Exemptions and Exclusions.

A. For only so long as, and to the extent that, the City is prohibited from imposing the Large Buildings Fossil Fuel Emissions Tax, any person upon whom the City is prohibited under the Constitution or laws of the State of California or the Constitution or laws of the United States from imposing the Large Buildings Fossil Fuel Emissions Tax shall be exempt from the Large Buildings Fossil Fuel Emissions Tax.

B. The City, the State of California, and any county, municipal corporation, district, or other political subdivision of the State shall be exempt from the Large Buildings Fossil Fuel Emissions Tax, except where any constitutional or statutory immunity from taxation is waived or is not applicable.

C. The City Council by a vote of two-thirds of all City Councilmembers may by Ordinance adopt further exemptions, waivers, discounts, or rebates for the tax for an organization that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as it may be amended from time to time, and that has total annual revenues under \$1,000,000, and provided that the Council (i) must renew each such exemption annually and (ii) makes an affirmative determination that the imposition of the tax otherwise required by this Chapter would make continued ownership of the property infeasible and that the benefits to the City from the particular organization outweigh the burden to the climate, the City's climate program, and/or other impacts which reasonably may be anticipated to be generated by modification of the tax.

7.77.060 Administration — Penalties.

A. Except as otherwise provided under this Chapter, the City Manager or their designee shall enforce the provisions of this Chapter and may prescribe, adopt, and enforce rules and regulations to facilitate administration and enforcement of this Chapter.

B. The tax required by this Chapter is delinquent if not received by the City on or before February 28 of each year.

C. Any person who fails to timely pay tax due under this Chapter shall pay a one-time penalty of 10 percent of the amount due, in addition to the tax, plus interest on the unpaid tax at the rate of one percent per month from the date on which the tax became due until the date of payment.

D. Transactions with the principal purpose of avoiding or evading all or a portion of the Large Buildings Fossil Fuel Emissions Tax shall be disregarded for purposes of determining the amount of the Large Buildings Fossil Fuel Emissions Tax and whether the Large Buildings Fossil Fuel Emissions Tax is due. Any Owner determined to have engaged in one or more transactions with the principal purpose of avoiding or evading

all or a portion of the Large Buildings Fossil Fuel Emissions Tax shall be liable for the Large Buildings Fossil Fuel Emissions Tax and also liable for a penalty in an amount equal to the Large Buildings Fossil Fuel Emissions Tax. If unpaid, the penalty shall be subject to interest under paragraph C of this section, but not to the 10 percent penalty provided there.

E. Any tax required to be paid by an Owner under this Chapter shall be deemed a debt owed by the Owner to the City. Any person owing money to the City under this Chapter shall be liable to an action brought in the name of the City for the recovery of such amount, along with any collection and other costs incurred by the City as a result of the person's noncompliance with this Chapter, including, but not limited to, reasonable attorneys' fees, plus interest and penalties as provided in this Chapter.

7.77.070 Fossil Fuel Free Buildings Just Transition Fund; Deposit of Proceeds.

A. Establishment of Fund. The Fossil Fuel Free Buildings Just Transition Fund ("Fund") is hereby established as a special purpose fund, and shall receive all taxes, penalties, interest, and costs collected from the Large Buildings Fossil Fuel Emissions Tax imposed under this Chapter ("Tax Proceeds").

B. Use of Fund. Monies in the Fund shall be used exclusively for the purposes described in Section 7.77.080 of this Chapter.

C. Administration of Fund. Commencing with a report filed no later than February 15, 2026, covering the fiscal year ending June 30, 2025, the City Manager shall file annually with the Council, by February 15 of each year, a report of the monies collected in and expended from the Fund during the prior fiscal year, the status of any project required or authorized to be funded by Section 7.77.080, and such other information as the Finance Director, in the Finance Director's sole discretion, deems relevant to the implementation of this Chapter.

D. Accounting. All Tax Proceeds shall be deposited in the Fund. The Fund shall be maintained separate and apart from all other City funds and shall be subject to appropriation. Any balance remaining in the Fund at the close of any fiscal year shall be deemed to have been provided for a special purpose and shall be maintained in the Fund for the purposes described in Section 7.77.080.

E. Appropriations May Not Supplant Existing Expenditures. Monies in the Fund shall be expended only for Eligible Programs. Monies in the Fund shall not be spent to supplant existing programs funded by the City for climate programs, which shall continue to be funded, at a minimum, at the Base Amount. All funds unexpended from the Fund shall be held in the Fund and may be expended on Eligible Programs. For purposes of this subsection E:

(1) "Base Amount" means the City Department of Finance's calculation of the amount of City appropriations (not including appropriations from the Fund and exclusive of expenditures funded by private funding or funded or mandated by state or federal law) for Eligible Programs for the fiscal year ending June 30, 2024.

(2) "Eligible Programs" means all programs and expenditures described in Section 7.77.080.

7.77.080 Expenditure of Proceeds.

Monies in the Fund shall be appropriated and used exclusively for the following purposes:

- A. Up to 3% of the Tax Proceeds distributed in any proportion to the Finance Department and other City Departments for the administration of the Tax and of the Fund.
- B. Refunds of any overpayments of the Tax, including any related penalties, interest, and collection costs.
- C. All remaining amounts for the following purposes, in the following percentages, which amounts shall include the costs of administering the programs described. The voters also intend that, in expending remaining amounts, the City prioritize principles of environmental justice, tenant protections and other initiatives to prevent displacement of residents; retrofit projects at a neighborhood, block, utility zone or designation, or other comparable geographic scale; and ensure compliance with Berkeley Municipal Code Chapter 13.84 specifying requirements for property owners who relocate residents for tenant improvements. For purposes of this section, "environmental justice" means mitigating disproportionate impacts on communities identified in the State of California's Enviroscreen database or any successor to that database. The voters also intend that the City prioritize the use and support of labor satisfying the definition of 7.77.030.C ("Minimum Labor Standards").

(1) 90% to fund expenses associated with Natural Gas Conversion of existing buildings, prioritizing Building Decarbonization Retrofits. The City shall prioritize funding for Natural Gas Conversion and Building Decarbonization Retrofits in low-rise residential buildings and restaurants, including low- or no-interest loans to assist property owners in retrofitting properties or otherwise to achieve the purposes of this Chapter.

(2) 10% to fund permanent, career, City positions in an employee bargaining unit subject to a collective bargaining agreement to administer and facilitate a citywide program of Natural Gas Conversion and Building Decarbonization Retrofits and administrative expenses connected therewith.

- D. Notwithstanding subsections C(1) and (2) of this section, if the Council finds on the basis of substantial evidence that the infrastructure and appliances of the building stock in the City have been completely and permanently transitioned from natural gas, remaining Tax Proceeds may fund other City programs that directly reduce or avoid greenhouse gas emissions.

- E. The Fossil Fuel Free Buildings Just Transition Oversight Committee established under Section 7.77.090 ("Oversight Committee") shall make recommendations to the Council to ensure the Fund is administered consistently with this section.

7.77.090 Fossil Fuel Free Buildings Just Transition Oversight Committee.

- A. The Environment and Climate Commission established pursuant to Chapter 3.82 of this Code or any successor to that commission shall serve as the Oversight Committee and make recommendations to the Council to ensure the Fund is administered consistently with section 7.77.080.

- B. The Oversight Committee shall monitor, and make recommendations as to, the administration of the Fund, to ensure it is administered in a manner that is accountable to the community and consistent with this Chapter and other law, and to advise the Council on appropriations from the Fund. The Oversight Committee shall:

- (1) Develop recommendations for the use of the Fund;
 - (2) By December 31, 2025, and every year thereafter, conduct a needs assessment as to retrofitting existing buildings in the City and make annual recommendations about appropriations from the Fund to the Council informed by that needs assessment;
 - (3) Promote and facilitate transparency in the administration of the Fund;
 - (4) Promote implementation of the programs funded by the Fund in a manner that is equitable, culturally sensitive, and supportive of labor;
- C. The City shall provide adequate staffing to the Oversight Committee to achieve its purposes.
- D. The Transportation and Infrastructure Commission or any successor to it, the Labor Commission or any successor to it, the Council Facilities, Infrastructure, Transportation, Environment and Sustainability Policy Committee or any successor to it, may each make recommendations to the Council to ensure the Fund is administered consistently with this Chapter.
- E. Nothing in this section 7.77.090 shall limit the authority of the Council to propose, amend, and adopt a budget under the Charter.

7.77.100 Technical Assistance to the Finance Department.

The Office of Energy and Sustainable Development or any successor office or department shall provide technical assistance to the Finance Department upon the City Manager's or Director of Finance's request to administer the Large Buildings Fossil Fuel Emissions Tax.

7.77.110 Prohibited Conduct.

Except as the Berkeley Rent Stabilization Board expressly determines, the Owner of a Taxable Residential Building shall not pass on the tax imposed by this Chapter to tenants in the form of rent increases or in any other manner. Inclusion of such charges shall be a complete defense to any action for unlawful detainer for failure to pay rent absent such express determination of the Berkeley Rent Stabilization Board.

7.77.120 Amendment of Ordinance.

- A. The Council may, by two-thirds vote of the entire City Council, amend this Chapter to further its purposes, provided that such amendments do not constitute a tax increase within the meaning of California Government Code section 53750, subdivision (h) or expand the exemptions provided by section 7.77.050, or amend this section 7.77.120.
- B. The City Council shall not reduce the inflation-adjusted tax rates authorized by this Chapter or otherwise reduce the tax absent a finding supported by substantial evidence that doing so is necessary to address unusual circumstances such as a natural disaster, the undercollection is temporary, and the reduced tax will nevertheless achieve the purposes of this Chapter.
- C. For purposes of this section 7.77.120, the purposes of this Chapter are those stated in section 7.77.020 and the expenditures authorized by section 7.77.080.

7.77.130 Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance, 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 People of the City of Berkeley hereby declare that they would have passed this ordinance, and each word, phrase, sentence, part, section, subsection, or other portion hereof, irrespective of the fact that any one or more words, phrases, sentences, parts, sections, subsections, or other portions hereof has been declared invalid or unconstitutional.

Section 2. Increase Appropriations Limit. Pursuant to California Constitution Article XIII B and applicable laws, for four years from November 5, 2024, the appropriations limit for the City shall be increased by the aggregate sum collected by the levy of the tax imposed under this ordinance.

Section 3. Special Tax; Majority Vote Requirement. This Ordinance imposes a Special tax and shall be effective only if approved by a majority of the voters voting thereon.

Section 4. Certification; Publication; Numbering.

- A. Upon approval by the voters, the City Clerk shall assign this ordinance an ordinance number and insert it where indicated on the first page above, certify to the passage and adoption of this ordinance, and cause it to be published according to law.
- B. Upon approval by the voters, the Mayor and City Clerk shall execute this ordinance where indicated below to give evidence of that approval.

We hereby certify that the foregoing ordinance was duly adopted by the voters of the City of Berkeley participating in the November 5, 2024 election.

, Mayor

Attest:

Mark Numainville, City Clerk

BERKELEY CITY CLERK CERTIFICATE OF PETITION

I, Mark Numainville, City Clerk of the City of Berkeley, California, do hereby certify the following:

An Initiative Petition entitled: "Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger" was filed with the Berkeley City Clerk on May 15, 2024 within the statutory time limit and forwarded to the office of the Alameda County Registrar of Voters for verification on May 16, 2024; and

The petition contained **4,580** unverified signatures; and

Pursuant to the Charter of the City of Berkeley, in order to be sufficient, the petition must have been signed by at least **2,985** qualified registered voters of the City of Berkeley, the number being equal to 5% of the total votes cast for all candidates for mayor in the last general municipal election; and

I have examined or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

I have determined that the petition contained a valid signature rate of **124%** based on a random sample of the signatures as performed and certified by the Registrar of Voters in Exhibit A attached herewith; and

This number meets or exceeds the valid signature rate needed to qualify the initiative; therefore

The petition is found to be sufficient to require the City Council of the City of Berkeley to take appropriate action specified under Article XIII of the Berkeley City Charter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26th day of June, 2024.




Mark Numainville
City Clerk
City of Berkeley

REGISTRAR OF VOTERS CERTIFICATE TO PETITION

I, **Tim Dupuis**, Registrar of Voters for the County of Alameda, State of California, hereby certify that: an Initiative Entitled: City of Berkeley To Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger, was filed with the Berkeley City Clerk within the statutory time limit and forwarded to this office for verification on May 16, 2024; and

The petition contained 4,580 unverified signatures: and

In accordance with Article XIII of the Berkeley City Charter, it was determined that the total number of votes cast for all candidates for Mayor at the November 2020 General Election was 57,885, the requisite number of signatures required to qualify this initiative is 5% of 57,885 or 2,985.

I have examined, or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

Have determined that the petition contained 404 valid signatures of qualified registered voters in the City of Berkeley based on the random sample examination set forth in section 9115 and the formula prescribed by the California Secretary of State: and

That this number represents 124% of the total number of signatures needed to qualify the initiative, therefore.

The petition is found to be sufficient to require the City Council of the City of Berkeley to take the appropriate action specified in the California Elections Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of **May 2024**.



DocuSigned by:

Tim Dupuis

C504117C2A294A7...

Tim Dupuis
Registrar of Voters
County of Alameda
State of California



Office of the City Manager

ACTION CALENDAR
July 30, 2024
(Continued from July 9, 2024)

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Initiative Petition – Initiative Ordinance Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings

RECOMMENDATION

1) Take action on the initiative petition to:

a) Adopt the provisions of the measure without alteration.

-OR-

b) Adopt a Resolution submitting the measure, without alteration, to a vote of the people 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action.

CURRENT SITUATION AND ITS EFFECTS

An initiative petition titled “Initiative Ordinance Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings” was filed with the City Clerk on May 15, 2024. The proponents of this petition submitted 4,417 prima facie signatures.

Under Berkeley City Charter Article XIII, a successful initiative petition must include valid signatures of at least 5% (2,985) of the votes for all candidates for Mayor in November 2020 (57,885).

The Alameda County Registrar of Voters verified the signatures by reviewing a random sampling of 500 signatures in accordance with State Elections Code §9215. This statistical sampling found 404 valid signatures. When this ratio of valid signatures is applied to the actual number of signatures submitted, it results in a validity rate of 120%, which exceeds the required threshold in the state Elections Code for the petition to be deemed sufficient. Therefore, the petition was certified by the Registrar of Voters as being sufficient on May 28, 2024.

Additionally, with respect to who can author arguments for measures placed on the ballot by petition, Elections Code Section 9282 provides the City Council may authorize the Council as a whole, or members of the Council, to submit an argument against the initiative ordinance.

BACKGROUND

Pursuant to the City Charter, Article XIII §92, once a petition has been found to have a sufficient amount of signatures, the City Council must consider whether to a) Adopt said ordinance without alteration within twenty days after the attachment of the City Clerk's certificate of sufficiency to the accompanying petition (subject to a referendary vote, under the provision of Article XIV of this Charter); or b) Submit the ordinance to the voters of the City of Berkeley at the next general election.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The proposed action is mandated by state codes and the provisions of the City Charter.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. Resolution
Exhibit A: Full Text of Measure
2. City Clerk's Certificate of Sufficiency

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

SUBMITTING TO THE BERKELEY ELECTORATE AN INITIATIVE ORDINANCE REQUIRING THE ADOPTION OF MINIMUM INDOOR AIR QUALITY STANDARDS IN CITY-OWNED AND CITY-LEASED BUILDINGS FOR THE NOVEMBER 5, 2024 BALLOT

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, an initiative measure Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings; and

WHEREAS, certain actions are required in connection with said election; and

WHEREAS, the Council has requested that the Alameda County Board of Supervisors consolidate the General Municipal Election with the Presidential General Election; and

WHEREAS, the Council desires to submit all measures to be placed upon the ballot at said consolidated election.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that full text of the measure and the City Attorney's analysis shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the Registrar of Voters of Alameda County is requested to perform services in connection with said election at the request of the City Clerk.

BE IT FURTHER RESOLVED that the City of Berkeley agrees to reimburse the County of Alameda in full for the cost of election services performed.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that Pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that said proposed initiative measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY INITIATIVE ORDINANCE	
Shall the measure setting indoor air quality standards for City-owned and -leased buildings; prohibiting compliance with those standards through the use of air filtration or disinfection technologies emitting ozone, volatile organic compounds, oxidation byproducts, excessive sound, or ultraviolet light; requiring repair, closure, evacuation, and/or provision of alternative services to the public due to building closure when standards are not met; and creating a private right to sue over alleged violations, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the initiative ordinance be shown as Exhibit A, attached hereto and made a part hereof.

Exhibits

A: Text of Ordinance

ORDINANCE NO. #,###-N.S.

**ADDING CHAPTER 12.12 TO THE BERKELEY MUNICIPAL CODE TO REQUIRE
CONTROL OF INFECTIOUS AEROSOLS IN CITY BUILDINGS**

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

Section 1. That Chapter 12.12 of the Berkeley Municipal Code is added to read as follows:

Chapter 12.12

CONTROL OF INFECTIOUS AEROSOLS IN CITY BUILDINGS

Sections:

12.12.010 Short Title.

12.12.020 Findings and Purpose.

12.12.030 Definitions.

**12.12.040 Adoption of Standards for Control of Infectious Aerosols in City
Buildings and Related Requirements in City Buildings.**

**12.12.050 Duty of City to Maintain and Repair Control of Infectious Aerosols
Systems and to Provide Alternative Services.**

12.12.060 Noticing and Monitoring Requirements.

12.12.070 Interim Measures.

12.12.080 Private Right of Action.

12.12.090 Amendment.

12.12.100 Severability.

RECEIVED

JAN 26 2024

**CITY OF BERKELEY
CITY CLERK DEPARTMENT**

12.12.010 Short Title.

This Chapter shall be known as the “Healthy City Buildings Ordinance.”

12.12.020 Findings and Purpose.

The people of the City of Berkeley find as follows:

- A. Airborne transmission of communicable diseases occurs when a susceptible person inhales a sufficient number of active pathogens to cause an infection, i.e., an infectious dose. Engineering design and controls—dilution ventilation, filtration, and air disinfection—can reduce the concentration of active pathogens in the air, which tends to reduce risk of infection. Engineering design and controls are only one element of a well-designed risk management plan. They cannot eliminate risk; however, inadequate control of indoor exposures has been demonstrated to contribute to elevated risk.
- B. Explicit requirements for airborne infection risk management have been absent for a century from indoor air quality (IAQ) standards with the exception of those written for health care facilities and laboratories.
- C. The COVID-19 pandemic and other infectious airborne disease have caused and continue to cause enormous personal, societal, and economic damage, much of which resulted from the closure of public buildings due to widespread perception (supported by considerable evidence) that they are high-risk environments for infection transmission.
- D. Recognizing that indoor environments were not well-prepared to mitigate the risk of COVID-19 transmission, the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), a global society aimed at advancing heating, ventilation, and air conditioning (HVAC) technology for the built environment, formed its Epidemic Task Force early in 2020 and developed a large body of guidance regarding ventilation, filtration and air cleaning, air distribution, HVAC system operation, and commissioning for multiple building types that laid the groundwork for the development of ASHRAE Standard 241. The catalyst for the development of Standard 241 was discussion between ASHRAE and the White House COVID-19 Response Team about the need for new and better IAQ standards.
- E. Given the persistent threat and transmission of COVID-19, long-COVID and related sequelae, other infectious diseases, and poor indoor air quality due to pollution and wildfire smoke, it is in the public interest to protect health and safety through requiring the City to achieve, implement and maintain in City-owned or City-leased occupied buildings the applicable Minimum Equivalent Clean Airflow Per Person in the Breathing Zone in Infection Risk Management Mode as specified in Table 5-1 of ASHRAE Standard 241-2023 and all applicable engineering standards therein during operating hours.

12.12.030 Definitions.

“Building Occupants” means City employees, City contractors, patrons, customers, inmates, clients, patients, children, or community members.

“Occupied Building” means any City-owned or City-leased building or subdivision thereof, and any and all rooms therein, regularly occupied by Building Occupants during Operating Hours.

“Operating Hours” means the period of time the building is occupied during normal,

extended, janitorial hours, or security hours, in connection with performing or maintaining municipal services by City employees or contractors.

“Personal Protective Equipment” means well-fitting respirators equal to or greater than N95 and approved by the National Institute for Occupational Safety and Health.

12.12.040 Adoption of Standards for Control of Infectious Aerosols in City Buildings and Related Requirements in City Buildings.

A. By April 1, 2025, the City shall adopt ASHRAE Standard 241-2023 or a standard of equal or superior stringency for control of infectious aerosols in all Occupied Buildings and implement the requirements so adopted.

B. When the Authority Having Jurisdiction as specified in ASHRAE Standard 241-2023 is the City or an agency or agent of the City, in no case shall the Authority Having Jurisdiction implement, interpret or apply any standards, specifications, or requirements of ASHRAE Standard 241-2023 in a manner less stringent than set forth therein.

C. Notwithstanding any exceptions or voluntary provisions embedded in ASHRAE Standard 241-2023 and except as provided by Section 12.12.050(B) and (C), at a minimum, the City shall achieve, implement and maintain in Occupied Buildings the applicable Minimum Equivalent Clean Airflow Per Person in the Breathing Zone in Infection Risk Management Mode as specified in Table 5-1 of ASHRAE Standard 241-2023 and all related and applicable engineering standards therein indefinitely during Operating Hours. In so doing, the City shall not use any air filtration or air disinfection technologies that emit ozone, volatile organic compounds, oxidation byproducts, or excessive decibels, and shall not install any ultraviolet light disinfection technology in such a manner that the light will come into contact with human skin.

D. The City acknowledges that any compromise, disrepair, or malfunction of ventilation, filtration, or air disinfection systems related to meeting the requirements of this section may harm Building Occupants.

12.12.050 Duty of City to Maintain and Repair Control of Infectious Aerosols Systems and to Provide Alternative Services.

The City shall have the following obligations as of April 1, 2025:

A. Duty to conduct regular maintenance: the City shall establish a program of regular maintenance of ventilation, filtration, or air disinfection systems adopted pursuant to Section 12.12.040 to ensure that ventilation, filtration, or air disinfection requirements in its Occupied Buildings during Operating Hours under Section 12.12.040(C) remain safe and operable at all times and that any servicing needed is completed within the shortest practicable time outside of Operating Hours to the extent that such repairs and servicing may reasonably prevent the City from meeting the requirements of Section 12.12.040(C). A licensed engineer shall certify compliance with Section 12.12.040(C) on an annual basis.

B. Duty to repair malfunctions expeditiously and protect public safety: Where a ventilation, filtration, or air disinfection system in an Occupied Building malfunctions, is compromised, or in a state of disrepair, and such malfunction, compromise, or disrepair may reasonably compromise the City’s ability to meet the requirements of Section 12.12.040(C), except for emergency or City maintenance personnel or maintenance subcontractors wearing Personal Protective Equipment, the Occupied Building shall be

immediately closed to all Building Occupants, any Building Occupants therein shall be immediately evacuated, and the malfunctioning system or systems shall be repaired at the earliest practicable time, except as provided by subsection C. Occupied Buildings closed or evacuated under this subsection shall be reoccupied only upon certification and attestation by the City's engineer that all requirements of Section 12.12.040(C) are satisfied.

(1) Duty to provide alternative services pending ventilation, filtration, or air disinfection repair: If the City is unable to complete a repair of ventilation, filtration, or air disinfection within twenty-four hours of notice of its malfunction pursuant to subsection B, the City shall reasonably locate and provide alternative services for any person reasonably seeking City services because of such person's impaired ability to access such City services due to the Occupied Building's closure. The duty to provide alternative services shall not arise if the City is prevented from repairing the ventilation, filtration, or air disinfection system or systems within twenty-four hours or any time thereafter due to a natural disaster or an act of God other than a pandemic, epidemic, or infectious disease outbreak, provided that the building operator shall be relieved of this duty only during the period that the inability to repair is caused by such natural disaster or act of God.

(2) City Employees who work in Occupied Buildings that are closed or evacuated shall be paid at their full rate for any and all scheduled work hours during such time that Occupied Buildings are closed or evacuated.

C. Exception during certain natural disasters and acts of God: Notwithstanding subsection B, Occupied Buildings closed or evacuated in connection with ventilation, filtration, or air disinfection system malfunctions may be reoccupied by Building Occupants in order to reasonably protect the public during a natural disaster or an act of God other than a pandemic, epidemic, or infectious disease outbreak.

12.12.060 Noticing and Monitoring Requirements.

A. As of April 1, 2025, the City shall reasonably display conspicuous and legible signage at the entrance of all Occupied Buildings subject to this Chapter and open to Building Occupants attesting to compliance with Sections 12.12.040(C) and 12.12.050(A).

(1) Signage shall summarize and enumerate the specific methods employed to comply with Section 12.12.040(C). When natural or portable equivalent clean airflow systems are used, signage shall specify as applicable their filtration type, location, and quantity.

(2) Signage shall detail the normal maintenance schedule for applicable methods or equipment.

(3) Signage shall detail procedures for the public to reasonably request additional technical information about the City's systems, equipment, and engineering certifications and design.

B. As of April 1, 2025, the City shall install conspicuous carbon dioxide monitors with non-dispersive infrared or equivalent or superior technology in each regularly occupied room of all Occupied Buildings subject to this Chapter and with signage explaining how to read and interpret results.

12.12.070 Interim Measures.

By January 1, 2025, the City shall take all feasible measures to improve ventilation, filtration, and air disinfection in Occupied Buildings, including at least the following:

- A. Ensure that all windows that can open are open during Operating Hours unless there is inclement weather.
- B. Purchase and install high-efficiency particulate air (HEPA) filters for areas of Occupied Buildings where windows cannot open.

12.12.080 Private Right of Action.

- A. Right to Cure. This Chapter does not provide a private right of action upon any person or entity to seek injunctive relief or civil penalties against the City or any employee unless that person or entity has first provided written notice to the City Manager by serving the City Clerk by e-mail or mail, regarding the specific alleged violations of this Chapter. If the alleged violation is substantiated and subsequently cured, a notice shall be posted in a conspicuous manner on the City's website and any applicable Occupied Buildings that describes, to the extent permissible by law, the corrective measures taken to address the violation.
- B. Cause of Action. Other than with respect to Section 12.12.050(B), if a specific alleged violation is not remedied within five (5) days of the written notice specified in subsection A, a person or entity may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this Ordinance and may also seek civil penalties. With respect to Section 12.12.050(B), if a specific alleged violation is not remedied with two (2) hours of the written notice specified in subsection A, a person or entity may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce Section 12.12.050(B) and may also seek civil penalties.
- C. Civil Penalties. If the City is found liable in a cause of action brought under subsection B above for a violation that is the result of arbitrary or capricious action by the City or an employee or agent thereof in their official capacity, the City shall be liable for a civil penalty as determined by the court. In determining the amount of civil penalty, the court shall consider prior violations of this ordinance by the City department that committed the violation.
- D. Attorney's Fees and Costs. A court shall award a plaintiff who prevails on a cause of action under subsection B reasonable attorney's fees and costs.
- E. Limitations on Actions. Any person bringing an action for money or damages for a violation of this ordinance must first file a claim with the City pursuant to Government Code 905 or any successor statute within four years of the alleged violation.
- F. Any contracting Person or Entity knowingly or willingly supplying false information in violation of Section 13.105.030C.2 shall be guilty of a misdemeanor and up to a \$1,000 fine.

12.12.090 Amendment.

The Council may, by majority vote of the entire City Council, amend this Chapter in furtherance of its purposes or to:

- (1) correct ambiguities or errors in language, provided that such amendments do not cause the City to achieve, implement, and maintain standards less stringent in City Buildings than those specified in Section 12.12.040, modify the obligations under Sections 12.12.050 and 12.12.070, or modify the noticing and monitoring requirements, procedures, or penalties, as specified under Sections 12.12.060 and 12.12.080;

(2) adopt successor standards in whole or in part to ASHRAE Standard 241-2023 only insofar as and to the extent that new standards are more stringent than ASHRAE Standard 241-2023 and the applicable Minimum Equivalent Clean Airflow Per Person in the Breathing Zone in Infection Risk Management Mode as specified in Table 5-1 of ASHRAE Standard 241-2023.

12.12.100 Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance, 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 People of the City of Berkeley hereby declare that they would have passed this ordinance, 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.

BERKELEY CITY CLERK CERTIFICATE OF PETITION

I, Mark Numainville, City Clerk of the City of Berkeley, California, do hereby certify the following:

An Initiative Petition entitled: "Initiative Ordinance Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings" was filed with the Berkeley City Clerk on May 8, 2024 within the statutory time limit and forwarded to the office of the Alameda County Registrar of Voters for verification on May 16, 2024; and

The petition contained **4,417** unverified signatures; and

Pursuant to the Charter of the City of Berkeley, in order to be sufficient, the petition must have been signed by at least **2,985** qualified registered voters of the City of Berkeley, the number being equal to 5% of the total votes cast for all candidates for mayor in the last general municipal election; and

I have examined or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

I have determined that the petition contained a valid signature rate of **120%** based on a random sample of the signatures as performed and certified by the Registrar of Voters in Exhibit A attached herewith; and

This number meets or exceeds the valid signature rate needed to qualify the initiative; therefore

The petition is found to be sufficient to require the City Council of the City of Berkeley to take appropriate action specified under Article XIII of the Berkeley City Charter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26th day of June, 2024.




Mark Numainville
City Clerk
City of Berkeley

REGISTRAR OF VOTERS CERTIFICATE TO PETITION

I, **Tim Dupuis**, Registrar of Voters for the County of Alameda, State of California, hereby certify that: an Initiative Entitled: City of Berkeley Ordinance Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings, was filed with the Berkeley City Clerk within the statutory time limit and forwarded to this office for verification on May 16, 2024; and

The petition contained 4,417 unverified signatures: and

In accordance with Article XIII of the Berkeley City Charter, it was determined that the total number of votes cast for all candidates for Mayor at the November 2020 General Election was 57,885, the requisite number of signatures required to qualify this initiative is 5% of 57,885 or 2,985.

I have examined, or caused to be examined, signatures on the petition pursuant to California Elections Code sections 9211 and 9115; and

Have determined that the petition contained 404 valid signatures of qualified registered voters in the City of Berkeley based on the random sample examination set forth in section 9115 and the formula prescribed by the California Secretary of State: and

That this number represents 120% of the total number of signatures needed to qualify the initiative, therefore.

The petition is found to be sufficient to require the City Council of the City of Berkeley to take the appropriate action specified in the California Elections Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of May 2024.



DocuSigned by:
Tim Dupuis
G504117G2A294A7...
Tim Dupuis
Registrar of Voters
County of Alameda
State of California



Office of the City Manager

ACTION CALENDAR
July 30, 2024

To: Honorable Mayor and Members of the City Council
 From: LaTanya Bellow, Interim City Manager
 Submitted by: Anne Cardwell, Deputy City Manager
 Subject: Community Survey Results and Direction on Potential November 2024 Arts & Culture Ballot Measure

RECOMMENDATION

1) Receive the presentation of the results of the community survey; and 2) Provide direction to staff on whether to prepare final language for City Council approval or decide not to place the measure on the November 2024 ballot.

FISCAL IMPACTS OF RECOMMENDATION

None at this time.

CURRENT SITUATION AND ITS EFFECTS

At the June 14th City Council meeting, the Council provided staff with the following direction:

Authorize Mayor Arreguin to work with staff and Lake Research on questions for a survey; begin drafting the measure with possible funding mechanisms of 2% TOT increase, maximum allowable sales tax increase, and 4-cents per square foot parcel tax; return to Council for consideration of the options and the polling results.

The results of this survey have been compiled and will be presented to the City Council at the July 30, 2024 meeting.

Context – November 2024 Ballot

The following Berkeley voter initiatives have either been placed on the November 2024 ballot, qualified for the ballot and pending the July 30 Council action, or are undergoing petition signature checks:

Placed on the Ballot:

- Initiative Ordinance Prohibiting Concentrated Animal Feeding Operations in the City of Berkeley (CAFO Prohibition)

- Initiative Ordinance Establishing Direct Rental Payments and Amending the Rent Stabilization Ordinance (Rent Relief and Homeowner Protections)
- Ballot Measure Increasing the City's Appropriation Limit to Allow Expenditure of Tax Proceeds for Fiscal Years 2025 through 2028

Pending Action/Direction on July 30:

- Ordinance to Establish a Parcel Tax to Fund Repairs and Improvements to Streets, Sidewalks, and Pedestrian Paths (SAFE STREETS)
- Ordinance Creating a Parcel Tax for the Purpose of Funding Repairs and Improvements to Streets, Sidewalks and Pedestrian Paths (Fix the Streets & Sidewalks)
- Initiative Ordinance Requiring the Adoption of Minimum Indoor Air Quality Standards in City-Owned and City-Leased Buildings (Indoor Air Quality)
- Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger (Natural Gas Tax)
- Extension and Amendment of Property Transfer Tax Measure (Measure P)
- Extend the Tax on Sugar Sweetened Beverages
- Property Tax Measure for Library Services, Building Maintenance, Collections, and Staffing
- Increase the Parks Tax for Park Maintenance, Landscaping, and Tree Planting
- Revenue Measure to Provide Funding for Arts and Culture Organizations

Did Not Qualify:

Initiative to Amend Portions of Rent Stabilization and Eviction for Good Cause Ordinance (Berkeley Municipal Code Chapter 13.76) (Tenant Protection Measure)

Final, adopted, signed resolutions that contain the exact text of all measures, including the 75-word ballot question, must be delivered to the Alameda County Registrar of Voters Office by the August 9 deadline.

BACKGROUND

Consistent with City Council direction on June 14, Lake Research Partners (LRP) designed and administered a community survey, which was conducted by live telephone interview and text-to-online. The survey reached a total of 500 likely November 2024 election voters in Berkeley, and was conducted June 27 - 30, 2024.

The survey asked participants about their top priorities, as well as whether they would be receptive to three different types of revenue measures to support the arts and culture organizations, specifically parcel tax, sales tax and Transient Occupancy Tax (TOT).

Both versions of the arts measure parcel tax posed to survey participants (i.e., surge and no surge) would fall far short of the 2/3 majority needed to pass. The sales tax is not popular, falling roughly 20 points short of a majority it shows little chance of passing.

Increasing the Transient Occupancy Tax (TOT) tax to support the arts has about equal numbers voting Yes and No, but given the large undecided vote (14%) - it is also currently falling short of the simple majority it would need to pass.

The top priorities for Berkeley voters continue to be affordable housing (51%) and homelessness services (46%), followed by deteriorating streets and sidewalks (36%) and planting and maintaining trees and improving parks (20%). Expanding library services (6%) and saving and sustaining arts and culture (6%) were rated as relatively lower priorities for most voters.

LRP has conducted community surveys for the City of Berkeley in every election cycle since 2012. A table of survey results compared to corresponding ballot measures is attached here - recognizing that no survey is perfectly predictive of election results, particularly several months before an election or when the terms of the actual measure are different from the version tested. Also attached is a detailed statement of LRP's methodology for surveys of likely voters in Berkeley.

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

City Council direction on this potential measure is needed on July 30, 2024 in order for City staff to have sufficient time to draft final ballot language and return to Council at a special meeting (tentatively set for August 5, 2024) for formal action, should the Council wish to proceed with placing such a measure on the ballot.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions have been considered.

CONTACT PERSON

Anne Cardwell, Deputy City Manager, City Manager's Office, (510) 981-7014

Attachments:

1. Community Survey Results – June 27-30, 2024
2. Table of Prior Community Survey Results
3. Summary of LRP Methodology

City of Berkeley

Banners from a survey of 500 likely
November 2024 voters in Berkeley, CA

June 27 – 30, 2024

SURVEY METHODOLOGY

Lake Research Partners designed and administered this survey, which was conducted between June 27 – 30, 2024 by live telephone interview and text-to-online in English. The survey reached 500 likely November general election voters in Berkeley, CA.

The sample was stratified by gender, age, region, region and gender, party registration, race, and race and gender to reflect the demographic composition of likely voters. Where there were slight differences between our survey sample and the expected voting population, data were weighted accordingly.

In interpreting survey results, all sample surveys are subject to possible sampling error; that is, the results of a survey may differ from those which would be obtained if the entire population were interviewed. The size of the sampling error depends upon both the total number of respondents in the survey and the percentage distribution of responses to a particular question. For example, if 50% of respondents answered “Yes” to a particular question, we can be 95% confident that the true percentage will fall within 4.4% of this percentage, or from 45.6% to 54.4%. The table below represents the estimated sampling error for different percentage distributions of responses. Of course, the sampling error for sub-groups is greater.

Margin of Error
for Different Percentage Distributions and Different Sample Sizes
 (95% confidence)

Sample Size	PERCENTAGES NEAR								
	10	20	30	40	50	60	70	80	90
500	2.6	3.5	4.0	4.3	4.4	4.3	4.0	3.5	2.6
400	2.9	3.9	4.5	4.8	4.9	4.8	4.5	3.9	2.9
300	3.4	4.5	5.2	5.5	5.7	5.5	5.2	4.5	3.4
200	4.2	5.5	6.4	6.8	6.9	6.8	6.4	5.5	4.2
100	5.9	7.8	9.0	9.6	9.8	9.6	9.0	7.8	5.9

City of Berkeley Voter Survey
Live Phone and Text to Online
June 27-30, 2024
N=500 Likely November 2024 General Election Voters

FINAL WEIGHTED

	TOTAL	CENTRAL HILLS	/SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Region

Council District 5, 6, 8	44	100	0	0
Council District 3, 4, 7	27	0	100	0
Council District 1, 2	29	0	0	100

Q1. Before we begin, I need to know if I have reached you on a cell phone, and if so, are you in a place where you can talk safely?

Yes, cell and can talk safely	50	48	52	50
Yes, cell and cannot talk safely	[CALL BACK]			
No, not on cell, but own one	12	15	12	9
No, not on cell, and do not own one	2	2	2	1
(Don't know/refused)	[TERMINATE]			
Text to online	36	35	33	40

Q2. Although it is some time from now, what are the chances of you voting in the November 2024 general election for President, Congress, and other offices? Are you almost certain to vote, will you probably vote, are the chances about 50-50, are you probably not going to vote, or are you definitely not going to vote?

Almost certain to vote	95	98	95	92
Probably will vote	5	2	5	8
50-50	[TERMINATE]			
Probably not	[TERMINATE]			
Definitely not	[TERMINATE]			
Don't know	[TERMINATE]			

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q3. Now I'm going to read some different issues that have been identified as important needs in the city of Berkeley. If you had to choose, which one or two of the following would be the highest priority for you personally in the city of Berkeley? **[RANDOMIZE]**

[ACCEPT UP TO TWO RESPONSES]

Major investment in affordable housing.....	51	46	61	49
Continue rehousing and providing services for homelessness.....	46	45	44	49
Repairing deteriorating streets and sidewalks.....	36	38	36	32
Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20	20	19	22
Electrification of gas-powered buildings to reduce climate impact.....	11	15	10	5
Expanding Sunday hours and children's programming at libraries	6	5	5	8
Saving and sustaining arts and culture	6	6	8	3
(None)	1	1	2	1
(Don't know)	2	2	2	3
(Refused).....	1	2	0	1

Restricted

		TOTAL	HILLS	CENTRAL /SOUTH WEST
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Next you will [hear/see] a few different versions of a single ballot measure that may appear on the ballot this November to fund arts and culture organizations in Berkeley. This will include different ways and levels of funding for the measure. Here is the first version. [ROTATE Q4/5/6/7]

Q4. SSA: [PARCEL TAX – SURGE] This is a version of the ballot measure that would provide funding for arts and culture organizations through a parcel tax:

Shall the measure creating a special parcel tax to fund performing arts organizations, including downtown theaters and music, dance, and theater organizations, at a rate of \$0.06 per square foot of improvements for the first three years, generating \$5 million annually, and \$0.04 per square foot of improvements thereafter, generating \$3.4 million annually until repealed, which rate may be increased annually for inflation, with citizen oversight and exemptions for low-income households and others, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	21	21	27	17
Yes - not so strongly	11	13	11	10
Lean yes	10	12	8	10
Undecided/DK	24	22	25	26
Lean no	5	2	5	8
No - not so strongly	10	9	9	11
No - strongly	19	20	16	19
(Refused)	0	0	0	0
Yes	43	47	45	36
No	33	31	30	38

Restricted

		TOTAL	HILLS	CENTRAL /SOUTH WEST
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q5. SSB: [PARCEL TAX – NO SURGE] This is a version of the ballot measure that would provide funding for arts and culture organizations through a parcel tax:

Shall the measure creating a special parcel tax to fund performing arts organizations, including downtown theaters and music, dance, and theater organizations, at a rate of \$0.04 per square foot of improvements, generating \$3.4 million annually until repealed, which rate may be increased annually for inflation, with citizen oversight and exemptions for low-income households and others, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	26	22	25	32
Yes - not so strongly	14	16	12	12
Lean yes	6	9	5	4
Undecided/DK	14	14	13	14
Lean no	6	8	6	4
No - not so strongly	11	8	15	11
No - strongly	22	23	23	22
(Refused).....	1	1	2	0
Yes	46	47	42	49
No	39	38	43	37

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q6. [TOT TAX] Here is a different version of the ballot measure that would provide funding for arts and culture organizations through an increase in the existing transient occupancy tax on hotels:

Shall the measure raising funds for general municipal purposes; increasing the transient occupancy tax from 12% to 14%; generating an estimated \$850,000 annually until repealed; clarifying applicable definitions and updating collection and reporting methods; and establishing the Arts Panel of Experts to recommend programs to support the arts, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	15	17	19	9
Yes - not so strongly	13	14	9	14
Lean yes	9	7	10	11
Undecided/DK	25	25	24	26
Lean no	6	6	6	5
No - not so strongly	11	10	13	11
No - strongly	20	19	20	23
(Refused)	1	2	0	0
Yes	37	39	38	35
No	37	34	38	39

Q7. [SALES TAX] This is a version of the ballot measure that would provide funding for arts and culture organizations through a new city sales tax:

Shall the measure raising funds for general municipal purposes; imposing a 0.5% sales tax, estimated to generate an additional approximately \$920,000 annually until repealed; and establishing the Arts Panel of Experts to recommend programs to support the arts, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes – strongly	13	12	18	9
Yes – not so strongly	9	11	6	7
Lean yes	8	10	4	7
Undecided/DK	23	20	24	25
Lean no	5	3	4	9
No – not so strongly	11	10	14	10
No – strongly	31	32	28	32
(Refused)	1	1	1	0
Yes	29	33	29	24
No	47	45	47	51

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH	WEST
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Next you will [hear/see] two statements made by people who support or oppose the arts and culture funding measure described earlier: [ROTATE STATEMENTS]

Supporters say that in the wake of the pandemic, Berkeley is at risk of losing many of its arts organizations if rescue funding is not made immediately available, and over the long run, arts and cultural organizations will need ongoing City support, given the costs of sustaining performing arts non-profits in the Bay Area's expensive market. This funding is essential to rescue and sustain some of Berkeley's performing arts and cultural institutions, in the downtown and every neighborhood. Berkeley is a city defined by our commitment to the arts and culture, and if we don't support arts organizations when they need us most, we may lose some of them forever.

Opponents say that Berkeley taxpayers keep getting soaked for more and more increases with little to show for it, driving away residents and businesses. We funded streets, and the streets are still a mess. We funded housing, and housing costs are worse than ever. This measure has no sunset clause and will cost taxpayers millions more dollars to benefit private organizations which should be supported by donors and the people who attend their events, not the rest of us in Berkeley. We need to look more closely at this high-tax, high-cost city government, cut wasteful and unnecessary spending, and let non-profit organizations fundraise on their own without taxpayer subsidies.

Sometimes in a survey like this, people change their minds. You will [hear/see] the same versions of the ballot measure to fund arts and culture organizations in Berkeley again. Here is the first version again. [ROTATE Q8/9/10/11 – SAME ORDER AS 4/5/6/7]

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q8. SSA: [PARCEL TAX – SURGE] This is a version of the ballot measure that would provide funding for arts and culture organizations through a parcel tax:

Shall the measure creating a special parcel tax to fund performing arts organizations, including downtown theaters and music, dance, and theater organizations, at a rate of \$0.06 per square foot of improvements for the first three years, generating \$5 million annually, and \$0.04 per square foot of improvements thereafter, generating \$3.4 million annually until repealed, which rate may be increased annually for inflation, with citizen oversight and exemptions for low-income households and others, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	20	20	28	13
Yes - not so strongly	13	12	14	13
Lean yes	9	10	3	14
Undecided/DK	18	16	19	22
Lean no	4	2	7	5
No - not so strongly	10	9	8	14
No - strongly	23	28	21	19
(Refused)	2	3	1	0
Yes	42	42	44	40
No	38	39	36	38

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q9. SSB: [PARCEL TAX – NO SURGE] This is a version of the ballot measure that would provide funding for arts and culture organizations through a parcel tax:

Shall the measure creating a special parcel tax to fund performing arts organizations, including downtown theaters and music, dance, and theater organizations, at a rate of \$0.04 per square foot of improvements, generating \$3.4 million annually until repealed, which rate may be increased annually for inflation, with citizen oversight and exemptions for low-income households and others, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	26	25	23	31
Yes - not so strongly	14	14	17	14
Lean yes	6	10	4	1
Undecided/DK	9	9	8	10
Lean no	3	6	1	2
No - not so strongly	14	11	19	14
No - strongly	26	25	28	25
(Refused).....	1	1	0	2
Yes	47	49	44	46
No	43	41	49	42

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q10. [TOT TAX] This is a version of the ballot measure that would provide funding for arts and culture organizations through an increase in the existing transient occupancy tax on hotels:

Shall the measure raising funds for general municipal purposes; increasing the transient occupancy tax from 12% to 14%; generating an estimated \$850,000 annually until repealed; clarifying applicable definitions and updating collection and reporting methods; and establishing the Arts Panel of Experts to recommend programs to support the arts, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	19	17	25	18
Yes - not so strongly	16	19	11	16
Lean yes	7	8	6	7
Undecided/DK	14	14	16	13
Lean no	5	5	4	7
No - not so strongly	14	12	14	15
No - strongly	24	25	24	23
(Refused).....	1	1	0	1
Yes	42	43	43	41
No	43	41	42	45

		CENTRAL		
	TOTAL	HILLS	/SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q11. [SALES TAX] This is a version of the ballot measure that would provide funding for arts and culture organizations through an increase in the existing sales tax:

Shall the measure raising funds for general municipal purposes; imposing a 0.5% sales tax, estimated to generate an additional approximately \$920,000 annually until repealed; and establishing the Arts Panel of Experts to recommend programs to support the arts, be adopted?

If the election were held today, would you vote yes or no on this measure, or are you undecided?

[IF YES/NO]: And is that Yes/No strongly or not so strongly?

[IF UNDECIDED]: Well, to which side do you lean?

Yes - strongly	14	15	16	12
Yes - not so strongly	12	13	9	13
Lean yes	5	6	4	5
Undecided/DK	18	17	19	18
Lean no	5	5	3	5
No - not so strongly	12	8	20	11
No - strongly	33	34	28	36
(Refused).....	1	1	0	1
Yes	31	34	28	30
No	50	47	52	52

Finally, I would like to ask you a few questions for statistical purposes only.

Q12. What best describes your gender? **[SELECT ALL THAT APPLY]**

Man	46	47	47	45
Woman	54	53	53	55
Nonbinary	0	0	0	0
Prefer to self-describe/other	0	0	0	0
(Prefer not to answer)	0	0	0	0

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

Q13. Just to make sure we have a representative sample, could you please tell me whether or not you are from a Latino, Hispanic, or Spanish-speaking background?

Q14. [ASK ALL] And please tell me which one, or more than one, of these racial or ethnic groups you identify with?

[RANDOMIZE/READ CHOICES/ACCEPT MULTIPLE RESPONSES]

[IF “OTHER” OR “BIRACIAL” OR “MULTI-RACIAL” PROMPT:] Which two or three of these do you identify with the most?

White or Caucasian.....	65	71	60	60
Black or African American	11	7	11	16
Latino/Latina or Hispanic	9	7	9	13
Asian American or Pacific Islander	10	9	11	9
Native or Indigenous American	1	0	1	4
Middle Eastern or North African	2	2	3	2
(Other)	3	3	5	2
(Don't know/Refused)	1	2	0	2

Q15. What is the last year of schooling that you have completed?

Non-college grad	22	21	26	22
College grad.....	77	79	74	77
1 - 11th Grade	0	0	0	0
High School Graduate.....	3	5	2	3
Vocational or technical school	0	0	0	1
Some college but no degree	14	13	19	13
Associate degree	4	4	5	5
4-year college graduate or bachelor's degree	37	37	38	35
Graduate School or advanced degree	40	42	35	42
(Refused).....	0	0	1	1

Q16. Do you own your own home or do you rent?

Own	52	57	43	53
Rent.....	45	40	54	43
(Other)	2	2	3	2
(Don't know/refused).....	1	1	0	2

[RECORD AGE AND PARTY REGISTRATION FROM FILE]

Restricted

	TOTAL	HILLS	CENTRAL /SOUTH WEST	
Weighted N=	500	220	135	145
Unweighted N=	500	206	135	159

This completes our survey. Thank you very much for your time, and have a pleasant day/evening!

Age

Under 30.....	18	18	24	13
30 - 39	17	16	19	17
40 - 49	14	11	9	24
50 - 64	21	22	20	21
65 & over	29	33	28	25
18-24 years	10	9	16	5
25-29 years	8	9	8	8
30-34 years	9	6	11	9
35-39 years	9	10	8	8
40-44 years	6	5	3	10
45-49 years	8	6	5	14
50-54 years	9	7	12	10
55-59 years	7	8	5	6
60-64 years	5	8	3	4
65-69 years	5	4	4	7
70-74 years	7	6	8	9
Over 74 years.....	17	23	16	9
(Don't know /Refused)	0	0	0	0

Party Registration

Democrat.....	79	81	77	78
Republican	3	2	2	5
NPP /other.....	18	17	21	17

DEFINITIONS OF CREATED VARIABLES

REGION

- Hills. City Council Districts 5, 6, and 8.
- Central/South. City Council Districts 3, 4, and 7.
- West. City Council Districts 1 and 2.

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		9	3	14	10	9	12	22	6	14	3	14	12	7	5
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	21%	26%	22%	25%	26%	25%	25%	18%	18%	30%	22%	26%	24%
	Yes - not so strongly	13%	13%	13%	13%	13%	6%	10%	10%	16%	15%	12%	15%	11%	11%
	Lean yes	8%	8%	9%	11%	7%	14%	18%	11%	12%	6%	7%	11%	6%	7%
	Undecided/DK	19%	19%	19%	18%	19%	19%	17%	13%	24%	23%	17%	18%	19%	20%
	Lean no	5%	4%	6%	4%	6%	5%		3%	6%	6%	6%	5%	5%	6%
	No - not so strongly	10%	11%	9%	9%	11%	4%	14%	10%	8%	11%	10%	8%	12%	11%
	No - strongly	21%	23%	18%	23%	19%	25%	16%	27%	17%	19%	18%	21%	19%	21%
	(Refused)	1%	1%			1%					2%		1%	1%	
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	42%	47%	46%	44%	46%	52%	46%	45%	39%	48%	47%	44%	43%
	No	36%	39%	34%	36%	35%	35%	30%	40%	31%	36%	34%	35%	36%	38%
	Undecided	19%	19%	19%	18%	19%	19%	17%	13%	24%	23%	17%	18%	19%	20%
	All swing	55%	54%	56%	56%	56%	49%	60%	48%	65%	61%	52%	56%	54%	55%
	Refused	1%	1%			1%					2%		1%	1%	
	Unweighted Count /	500	235	265	165	328	55	53	96	69	134	194	206	135	159
	Weighted Count	500	232	268	168	325	55	45	89	80	139	186	220	135	145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		9	8	15	-3	16	0	9	26	10	0	22	-9	13	4
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	18%	24%	22%	29%	24%	25%	29%	19%	23%	28%	20%	23%	23%
	Yes - not so strongly	13%	15%	14%	10%	12%	11%	11%	17%	17%	10%	17%	6%	15%	11%
	Lean yes	8%	10%	11%	6%	7%	7%	7%	8%	10%	6%	9%	9%	8%	9%
	Undecided/DK	19%	21%	16%	17%	20%	16%	23%	19%	20%	23%	12%	21%	21%	17%
	Lean no	5%	3%	7%	5%	5%	7%	5%	5%	3%	9%	7%	5%	5%	6%
	No - not so strongly	10%	8%	8%	16%	9%	10%	12%	9%	12%	12%	8%	10%	11%	9%
	No - strongly	21%	24%	19%	22%	18%	25%	17%	14%	20%	18%	17%	29%	17%	24%
	(Refused)	1%	1%		2%							1%	1%		1%
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	43%	50%	39%	48%	42%	43%	53%	45%	38%	55%	35%	46%	43%
	No	36%	35%	35%	42%	32%	42%	34%	27%	35%	39%	32%	44%	33%	39%
	Undecided	19%	21%	16%	17%	20%	16%	23%	19%	20%	23%	12%	21%	21%	17%
	All swing	55%	56%	57%	54%	54%	52%	58%	57%	62%	59%	53%	50%	59%	51%
	Refused	1%	1%		2%							1%	1%		1%
	Unweighted Count / Weighted Count	500 500	88 103	118 117	71 63	64 71	76 65	83 80	86 91	104 86	59 71	94 106	156 146	249 247	250 252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		9	1	25	6	3	6	15	19	1	10	9	8	15	2
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	17%	29%	25%	22%	19%	26%	27%	23%	22%	23%	23%	24%	23%
	Yes - not so strongly	13%	17%	12%	8%	13%	13%	12%	17%	10%	11%	10%	13%	14%	13%
	Lean yes	8%	8%	8%	8%	10%	12%	11%	5%	8%	15%	13%	7%	7%	7%
	Undecided/DK	19%	15%	26%	22%	13%	20%	16%	22%	18%	15%	16%	19%	24%	15%
	Lean no	5%	6%	5%	3%	8%	4%	4%	6%	6%	6%	5%	5%	2%	9%
	No - not so strongly	10%	14%	8%	7%	11%	9%	9%	12%	10%	11%	13%	9%	9%	9%
	No - strongly	21%	22%	12%	25%	23%	24%	21%	11%	24%	20%	19%	21%	19%	23%
	(Refused)	1%			2%					2%			1%		1%
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	43%	50%	40%	45%	43%	50%	49%	41%	48%	47%	44%	46%	43%
	No	36%	42%	25%	35%	42%	37%	34%	30%	40%	37%	37%	36%	30%	41%
	Undecided	19%	15%	26%	22%	13%	20%	16%	22%	18%	15%	16%	19%	24%	15%
	All swing	55%	61%	58%	48%	54%	58%	53%	62%	51%	58%	58%	55%	57%	52%
	Refused	1%			2%					2%			1%		1%
	Unweighted Count / Weighted Count	500 / 500	127 / 120	122 / 127	108 / 112	142 / 140	100 / 99	65 / 70	144 / 144	183 / 181	99 / 96	116 / 112	382 / 386	185 / 184	197 / 202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		9	25	7	10	-5	27	-4	-6	12	40	2	-12	-11	30	25	24
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	27%	21%	25%	18%	30%	19%	17%	22%	38%	19%	19%	16%	26%	32%	34%
	Yes - not so strongly	13%	13%	14%	13%	12%	13%	10%	14%	17%	10%	14%	11%	11%	16%	12%	13%
	Lean yes	8%	14%	7%	7%	8%	10%	8%	8%	8%	11%	9%	4%	8%	13%	9%	6%
	Undecided/DK	19%	17%	19%	20%	18%	20%	19%	17%	18%	22%	16%	18%	20%	20%	21%	19%
	Lean no	5%	5%	4%	7%	5%	7%	3%	6%	6%	7%	4%	4%	6%	7%	6%	7%
	No - not so strongly	10%	13%	10%	8%	10%	9%	10%	11%	13%	6%	10%	8%	12%	4%	13%	10%
	No - strongly	21%	11%	22%	21%	28%	11%	28%	28%	16%	7%	26%	33%	27%	14%	8%	11%
	(Refused)	1%		1%		1%		2%				1%	2%				
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	54%	43%	45%	38%	53%	37%	39%	47%	59%	42%	34%	35%	55%	52%	53%
	No	36%	29%	36%	35%	43%	27%	41%	45%	35%	19%	40%	46%	46%	25%	27%	28%
	Undecided	19%	17%	19%	20%	18%	20%	19%	17%	18%	22%	16%	18%	20%	20%	21%	19%
	All swing	55%	62%	55%	54%	53%	59%	50%	55%	62%	55%	54%	45%	57%	60%	60%	55%
	Refused	1%		1%		1%		2%				1%	2%				
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		9	-19	23	23	-10	34	100	-100	0	10	100	100	-100	-100
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	16%	30%	27%	14%	34%	53%				100%			
	Yes - not so strongly	13%	11%	15%	14%	13%	14%	28%			23%		60%		
	Lean yes	8%	6%	7%	9%	10%	14%	19%			15%		40%		
	Undecided/DK	19%	15%	20%	22%	15%	10%			100%	34%				
	Lean no	5%	5%	5%	5%	7%	9%		15%		10%			35%	
	No - not so strongly	10%	13%	8%	8%	13%	7%		28%		18%			65%	
	No - strongly	21%	34%	16%	14%	28%	12%		57%						100%
	(Refused)	1%	1%	1%											
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	33%	51%	50%	38%	62%	100%			38%	100%	100%		
	No	36%	51%	28%	27%	47%	28%		100%		28%			100%	100%
	Undecided	19%	15%	20%	22%	15%	10%			100%	34%				
	All swing	55%	50%	54%	59%	58%	54%	47%	43%	100%	100%		100%	100%	
	Refused	1%	1%	1%											
	Unweighted Count / Weighted Count	500	185	225	252	106	54	219	186	93	272	117	102	77	109
		500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		9	65	-46	2	12	83	53	-27	-62	66	-35	25	20
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	44%	12%	9%	16%	70%	25%	13%	11%	45%	14%	15%	16%
	Yes - not so strongly	13%	22%	4%	12%	17%	11%	30%	7%	2%	22%	7%	12%	18%
	Lean yes	8%	12%	5%	8%	11%	7%	15%	10%	1%	9%	6%	13%	12%
	Undecided/DK	19%	10%	11%	44%	25%	7%	13%	13%	9%	14%	9%	45%	28%
	Lean no	5%	4%	8%	4%	7%		7%	13%	3%	2%	7%	7%	7%
	No - not so strongly	10%	2%	17%	11%	13%	1%	4%	28%	8%	3%	17%	4%	11%
	No - strongly (Refused)	21% 1%	6% 	42% 1%	12% 	11% 	4% 	7% 	16% 	64% 1%	5% 	39% 1%	4% 	8%
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	78%	21%	29%	44%	88%	70%	30%	14%	76%	27%	40%	46%
	No	36%	12%	67%	27%	32%	5%	17%	57%	76%	10%	63%	15%	26%
	Undecided	19%	10%	11%	44%	25%	7%	13%	13%	9%	14%	9%	45%	28%
	All swing	55%	51%	45%	80%	73%	26%	68%	71%	23%	50%	47%	81%	76%
	Refused	1%		1%						1%		1%		
	Unweighted Count / Weighted Count	500 500	189 187	190 184	118 124	318 318	77 77	112 110	88 84	102 100	153 146	238 237	105 113	272 277

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		9	70	62	-31	-37	77	-69	15	59	-44	13	69	-32	13
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	74%	23%	12%	15%	45%	5%	7%	39%	11%	13%	44%	16%	8%
	Yes - not so strongly	13%	8%	33%	10%	6%	25%	1%	8%	20%	5%	12%	22%	7%	11%
	Lean yes	8%		16%	7%	6%	13%	4%	9%	12%	6%	4%	10%	5%	14%
	Undecided/DK	19%	7%	19%	12%	8%	12%	10%	66%	14%	12%	54%	16%	10%	47%
	Lean no	5%	2%	2%	14%	3%	4%	8%	2%	5%	8%		2%	7%	8%
	No - not so strongly	10%	4%	3%	29%	11%	1%	23%	5%	4%	19%	3%	2%	18%	3%
	No - strongly	21%	5%	4%	16%	51%	1%	48%	3%	5%	40%	12%	3%	36%	9%
(Refused)	1%				1%		1%				2%	1%			
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	82%	71%	28%	27%	82%	10%	24%	72%	22%	29%	76%	29%	33%
	No	36%	11%	9%	59%	64%	5%	79%	10%	13%	66%	15%	7%	61%	20%
	Undecided	19%	7%	19%	12%	8%	12%	10%	66%	14%	12%	54%	16%	10%	47%
	All swing	55%	21%	73%	72%	34%	54%	45%	90%	56%	50%	73%	52%	48%	83%
	Refused	1%				1%		1%				2%	1%		
	Unweighted Count / Weighted Count	500	68	85	82	156	222	209	64	221	212	64	169	251	76
		500	64	83	82	155	223	203	68	212	213	70	156	249	89

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		9	100	-100	-20	63	66	-55	15	28	6	78	-39	26	33	11
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	54%			28%	44%	10%	14%	21%	17%	50%	15%	14%	22%	20%
	Yes - not so strongly	13%	30%			12%	23%	2%	11%	12%	15%	26%	6%	11%	10%	12%
	Lean yes	8%	16%			24%	12%	6%	8%	14%	7%	9%	5%	15%	17%	9%
	Undecided/DK	19%			80%	37%	9%	8%	46%	33%	26%	9%	8%	45%	32%	31%
	Lean no	5%		10%	12%		5%	7%	3%	6%	6%	2%	7%	6%	4%	8%
	No - not so strongly	10%		29%	5%		2%	19%	6%	7%	15%	2%	19%	2%	2%	10%
	No - strongly	21%		61%	4%		5%	47%	9%	4%	13%	3%	40%	6%	10%	12%
	(Refused)	1%							1%	3%				1%	3%	
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	100%			63%	79%	19%	34%	46%	40%	84%	26%	40%	50%	40%
	No	36%		100%	20%		12%	73%	19%	18%	34%	7%	66%	14%	16%	29%
	Undecided	19%			80%	37%	9%	8%	46%	33%	26%	9%	8%	45%	32%	31%
	All swing	55%	46%	39%	96%	72%	50%	42%	75%	72%	70%	47%	45%	79%	65%	69%
	Refused	1%							1%	3%				1%	3%	
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		9	100	26	-100	10	7
4/5.COMBINED INITIAL PARCEL TAX	Yes - strongly	24%	61%	24%		21%	26%
	Yes - not so strongly	13%	31%	14%		11%	14%
	Lean yes	8%	8%	13%		10%	6%
	Undecided/DK	19%		22%		24%	14%
	Lean no	5%		7%	9%	5%	6%
	No - not so strongly	10%		9%	25%	10%	11%
	No - strongly	21%		11%	66%	19%	22%
	(Refused)	1%		1%			1%
4/5.COMBINED INITIAL PARCEL TAX	Yes	45%	100%	52%		43%	46%
	No	36%		26%	100%	33%	39%
	Undecided	19%		22%		24%	14%
	All swing	55%	39%	64%	34%	60%	51%
	Refused	1%		1%			1%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		10	10	11	19	7	33	42	28	10	1	12	16	16	-2
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	20%	22%	20%	22%	27%	18%	25%	16%	18%	26%	21%	27%	17%
	Yes - not so strongly	11%	13%	10%	11%	12%	6%	15%	12%	10%	13%	11%	13%	11%	10%
	Lean yes	10%	9%	12%	15%	8%	21%	22%	17%	12%	4%	11%	12%	8%	10%
	Undecided/DK	24%	26%	22%	27%	23%	26%	32%	20%	33%	29%	18%	22%	25%	26%
	Lean no	5%	3%	6%	5%	4%	6%			11%	4%	4%	2%	5%	8%
	No - not so strongly	10%	9%	10%	7%	11%	4%	8%	6%	7%	11%	11%	9%	9%	11%
	No - strongly	19%	20%	17%	15%	19%	11%	5%	20%	11%	19%	19%	20%	16%	19%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	42%	44%	46%	42%	54%	55%	54%	39%	36%	47%	47%	45%	36%
	No	33%	32%	33%	27%	35%	20%	13%	26%	29%	35%	35%	31%	30%	38%
	Undecided	24%	26%	22%	27%	23%	26%	32%	20%	33%	29%	18%	22%	25%	26%
	All swing	60%	60%	60%	64%	58%	62%	77%	56%	72%	62%	55%	58%	57%	64%
	Unweighted Count / Weighted Count	250 / 250	109 / 116	141 / 134	76 / 85	171 / 162	23 / 27	21 / 22	39 / 41	37 / 44	69 / 74	102 / 88	98 / 110	79 / 68	73 / 73

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		10	12	19	3	26	13	-14	41	3	-23	31	-3	10	11
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	14%	28%	25%	29%	26%	9%	32%	16%	9%	26%	21%	20%	23%
	Yes - not so strongly	11%	18%	9%	7%	14%	11%	9%	14%	14%	10%	16%	6%	13%	10%
	Lean yes	10%	9%	15%	11%	6%	7%	12%	15%	8%	9%	16%	6%	11%	10%
	Undecided/DK	24%	31%	15%	18%	31%	25%	26%	20%	27%	21%	16%	31%	23%	25%
	Lean no	5%		4%	4%	5%	6%	10%	2%	4%	11%	6%	2%	6%	4%
	No - not so strongly	10%	10%	8%	12%	7%	7%	14%	11%	11%	18%	7%	6%	13%	6%
	No - strongly	19%	19%	21%	24%	10%	18%	19%	6%	20%	22%	14%	28%	15%	22%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	40%	52%	43%	48%	44%	30%	60%	38%	28%	57%	33%	43%	43%
	No	33%	29%	33%	39%	22%	31%	44%	19%	35%	51%	27%	36%	34%	32%
	Undecided	24%	31%	15%	18%	31%	25%	26%	20%	27%	21%	16%	31%	23%	25%
	All swing	60%	67%	51%	52%	62%	56%	72%	62%	64%	69%	60%	51%	65%	55%
	Unweighted Count / Weighted Count	250 250	39 52	59 58	36 32	43 36	34 33	39 40	38 45	61 43	30 35	43 53	78 73	129 124	121 126

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		10	6	13	14	9	2	44	16	1	24	18	7	7	8
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	20%	20%	21%	25%	15%	28%	24%	21%	22%	22%	21%	19%	23%
	Yes - not so strongly	11%	16%	10%	10%	10%	6%	18%	18%	7%	6%	7%	13%	12%	14%
	Lean yes	10%	9%	12%	9%	12%	17%	12%	6%	10%	23%	19%	8%	9%	6%
	Undecided/DK	24%	16%	29%	35%	16%	25%	28%	22%	24%	22%	23%	24%	26%	22%
	Lean no	5%	5%	6%		7%	5%	6%	6%	3%	5%	4%	5%	3%	7%
	No - not so strongly	10%	15%	11%	4%	8%	10%	2%	16%	8%	9%	11%	9%	9%	9%
	No - strongly	19%	19%	12%	21%	23%	21%	6%	10%	27%	13%	14%	20%	22%	19%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	45%	42%	39%	46%	38%	58%	47%	38%	51%	47%	42%	40%	43%
	No	33%	39%	29%	25%	37%	36%	14%	31%	38%	27%	29%	34%	33%	35%
	Undecided	24%	16%	29%	35%	16%	25%	28%	22%	24%	22%	23%	24%	26%	22%
	All swing	60%	61%	68%	58%	53%	63%	66%	66%	52%	64%	64%	59%	60%	58%
	Unweighted Count / Weighted Count	250	61	68	48	73	48	28	79	92	51	61	188	97	91
		250	59	65	57	69	51	34	72	91	52	62	187	95	92

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		10	29	11	4	-7	33	2	-15	24	41	-1	-2	-18	42	29	25
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	29%	22%	20%	17%	27%	20%	14%	20%	33%	18%	24%	11%	27%	30%	24%
	Yes - not so strongly	11%	7%	15%	11%	8%	16%	7%	8%	21%	11%	8%	6%	9%	21%	12%	11%
	Lean yes	10%	17%	6%	9%	9%	13%	8%	10%	11%	14%	11%	5%	8%	14%	10%	14%
	Undecided/DK	24%	21%	26%	23%	25%	22%	31%	20%	19%	25%	25%	27%	25%	18%	24%	25%
	Lean no	5%	6%	3%	6%	3%	6%	1%	5%	5%	8%	1%		9%	3%	8%	10%
	No - not so strongly	10%	11%	9%	9%	12%	7%	9%	15%	11%	4%	11%	11%	14%	6%	9%	8%
	No - strongly	19%	7%	19%	22%	26%	8%	24%	27%	12%	5%	26%	27%	24%	10%	7%	8%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	54%	43%	41%	34%	56%	36%	33%	53%	58%	37%	36%	29%	62%	52%	50%
	No	33%	25%	32%	37%	41%	22%	34%	47%	29%	17%	38%	37%	47%	20%	23%	25%
	Undecided	24%	21%	26%	23%	25%	22%	31%	20%	19%	25%	25%	27%	25%	18%	24%	25%
	All swing	60%	63%	59%	59%	57%	64%	56%	59%	67%	62%	56%	49%	65%	63%	63%	68%
	Unweighted Count /	250	38	85	103	135	107	56	79	48	59	58	32	45	38	45	24
	Weighted Count	250	38	91	96	130	111	61	69	49	62	62	26	42	45	39	26

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776 -9066 | Berkeley , CA (510) 286 -2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		10	-12	17	25	1	50	100	-100	0	13	100	100	-100	-100
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	18%	27%	24%	10%	36%	50%				100%			
	Yes - not so strongly	11%	10%	15%	13%	12%	17%	26%			19%		52%		
	Lean yes	10%	6%	6%	11%	18%	17%	24%			17%		48%		
	Undecided/DK	24%	19%	23%	29%	21%	11%			100%	40%				
	Lean no	5%	4%	3%	7%	2%	3%		14%		8%			33%	
	No - not so strongly	10%	12%	12%	6%	12%	8%		29%		16%			67%	
A4.INITIAL PARCEL TAX - SURGE															
No - strongly		19%	31%	15%	11%	25%	9%		57%						100%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	35%	47%	48%	40%	70%	100%			36%	100%	100%		
	No	33%	47%	30%	23%	39%	20%		100%		24%			100%	100%
	Undecided	24%	19%	23%	29%	21%	11%			100%	40%				
	All swing	60%	51%	58%	65%	64%	56%	50%	43%	100%	100%		100%	100%	
	Unweighted Count / Weighted Count	250	82	112	128	48	34	105	84	61	147	53	52	34	50
		250	80	112	128	45	34	108	82	60	150	54	54	35	47

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		10	69	-45	-7	14	88	58	-19	-65	66	-38	24	18
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	40%	12%	5%	14%	65%	24%	12%	12%	42%	12%	12%	14%
	Yes - not so strongly	11%	20%	5%	7%	16%	7%	28%	11%		22%	4%	12%	16%
	Lean yes	10%	16%	6%	8%	12%	16%	17%	12%		11%	10%	12%	13%
	Undecided/DK	24%	17%	11%	50%	30%	12%	20%	11%	11%	18%	12%	52%	34%
	Lean no	5%	1%	7%	7%	6%		2%	9%	4%		9%	3%	7%
	No - not so strongly	10%	2%	19%	9%	12%		3%	30%	10%	3%	17%	5%	9%
A4.INITIAL PARCEL TAX - SURGE	No - strongly	19%	3%	41%	13%	10%		6%	14%	63%	5%	38%	4%	8%
	Yes	43%	76%	22%	21%	42%	88%	69%	35%	12%	74%	25%	36%	42%
	No	33%	7%	67%	29%	28%		11%	54%	77%	8%	63%	12%	24%
	Undecided	24%	17%	11%	50%	30%	12%	20%	11%	11%	18%	12%	52%	34%
	All swing	60%	57%	47%	82%	76%	35%	70%	74%	25%	53%	51%	84%	79%
	Unweighted Count / Weighted Count	250 250	99 97	88 85	62 67	165 165	36 37	63 60	40 38	48 47	78 76	109 108	61 64	142 146

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		10	74	61	-52	-32	75	-63	12	62	-49	10	65	-32	18
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	80%	19%	9%	13%	42%	6%	4%	36%	9%	10%	38%	16%	5%
	Yes - not so strongly	11%	3%	33%		6%	23%		10%	18%	3%	13%	18%	6%	14%
	Lean yes	10%		17%	8%	11%	15%	6%	11%	17%	6%	3%	13%	7%	15%
	Undecided/DK	24%	9%	23%	16%	10%	17%	13%	62%	20%	14%	58%	26%	11%	49%
	Lean no	5%			23%	2%	3%	8%	3%	3%	9%		1%	8%	2%
	No - not so strongly	10%	5%	2%	27%	12%	1%	21%	5%	4%	18%	4%	1%	18%	3%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	82%	69%	16%	29%	79%	12%	25%	71%	19%	26%	70%	28%	34%
	No	33%	9%	8%	68%	61%	4%	75%	13%	9%	67%	16%	5%	60%	16%
	Undecided	24%	9%	23%	16%	10%	17%	13%	62%	20%	14%	58%	26%	11%	49%
	All swing	60%	16%	75%	74%	40%	58%	48%	91%	62%	50%	79%	59%	50%	84%
	Unweighted Count / Weighted Count	250	29	49	32	77	107	97	43	112	98	39	84	118	46
		250	28	47	34	74	105	95	46	109	98	42	80	116	52

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		10	100	-100	-17	65	76	-56	10	18	-7	79	-43	24	20	16
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	53%			23%	39%	7%	14%	24%	20%	46%	13%	9%	14%	22%
	Yes - not so strongly	11%	28%			13%	21%	4%	10%	9%	6%	26%	3%	9%	3%	14%
	Lean yes	10%	19%			29%	19%	6%	7%	9%	5%	12%	7%	17%	19%	7%
	Undecided/DK	24%			83%	35%	16%	10%	48%	32%	31%	12%	9%	54%	47%	30%
	Lean no	5%		11%	7%		1%	6%	3%	6%	12%		8%	4%	7%	5%
	No - not so strongly	10%		28%	6%		1%	20%	9%	12%	10%	1%	19%			14%
	No - strongly	19%		61%	4%		2%	47%	9%	7%	17%	4%	40%	8%	10%	8%
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	100%			65%	80%	17%	31%	43%	31%	83%	24%	35%	36%	43%
	No	33%		100%	17%		4%	73%	21%	25%	38%	5%	67%	11%	17%	27%
	Undecided	24%			83%	35%	16%	10%	48%	32%	31%	12%	9%	54%	47%	30%
	All swing	60%	47%	39%	96%	77%	59%	46%	76%	69%	63%	51%	47%	83%	76%	70%
	Unweighted Count / Weighted Count	250 / 250	83 / 83	75 / 71	56 / 57	33 / 35	83 / 81	75 / 72	59 / 61	31 / 29	32 / 34	60 / 56	97 / 94	56 / 61	30 / 31	35 / 36

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		10	100	25	-100	10	.
A4.INITIAL PARCEL TAX - SURGE	Yes - strongly	21%	58%	21%		21%	
	Yes - not so strongly	11%	30%	11%		11%	
	Lean yes	10%	12%	16%		10%	
	Undecided/DK	24%		28%		24%	
	Lean no	5%		5%	9%	5%	
	No - not so strongly	10%		8%	27%	10%	
	No - strongly	19%		10%	64%	19%	
A4.INITIAL PARCEL TAX - SURGE	Yes	43%	100%	48%		43%	
	No	33%		24%	100%	33%	
	Undecided	24%		28%		24%	
	All swing	60%	42%	69%	36%	60%	
	Unweighted Count /	250	48	123	55	250	
	Weighted Count	250	47	126	52	250	

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		7	-4	16	1	11	-9	3	-13	19	4	15	8	-1	12
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	21%	29%	23%	27%	25%	31%	26%	19%	17%	33%	22%	25%	32%
	Yes - not so strongly	14%	13%	15%	15%	14%	7%	4%	8%	23%	17%	12%	16%	12%	12%
	Lean yes	6%	7%	6%	8%	6%	7%	14%	6%	11%	8%	4%	9%	5%	4%
	Undecided/DK	14%	12%	15%	10%	16%	12%	3%	7%	13%	15%	16%	14%	13%	14%
	Lean no	6%	6%	6%	3%	8%	4%		5%		7%	8%	8%	6%	4%
	No - not so strongly	11%	12%	9%	12%	10%	5%	21%	14%	9%	11%	9%	8%	15%	11%
	No - strongly	22%	27%	19%	30%	18%	40%	26%	34%	25%	19%	16%	23%	23%	22%
	(Refused)	1%	2%			2%					4%		1%	2%	
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	41%	50%	46%	47%	39%	50%	40%	53%	42%	49%	47%	42%	49%
	No	39%	45%	34%	45%	36%	49%	47%	53%	34%	38%	34%	38%	43%	37%
	Undecided	14%	12%	15%	10%	16%	12%	3%	7%	13%	15%	16%	14%	13%	14%
	All swing	51%	49%	52%	47%	54%	36%	43%	40%	56%	59%	51%	54%	51%	46%
	Refused	1%	2%			2%					4%		1%	2%	
	Unweighted Count /	250	126	124	89	157	32	32	57	32	65	92	108	56	86
	Weighted Count	250	116	134	84	163	28	23	48	36	64	98	110	67	73

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		7	5	11	-9	6	-13	32	11	18	22	14	-15	16	-3
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	23%	21%	20%	29%	21%	41%	25%	21%	36%	30%	19%	27%	24%
	Yes - not so strongly	14%	13%	19%	14%	11%	12%	13%	20%	19%	10%	19%	6%	17%	11%
	Lean yes	6%	11%	7%	2%	8%	7%	2%	1%	12%	2%	3%	11%	5%	8%
	Undecided/DK	14%	10%	16%	17%	10%	8%	19%	18%	14%	24%	7%	10%	18%	9%
	Lean no	6%	6%	11%	6%	5%	8%		7%	2%	6%	8%	7%	5%	7%
	No - not so strongly	11%	7%	9%	19%	11%	14%	9%	7%	12%	6%	10%	14%	9%	13%
	No - strongly	22%	29%	17%	19%	25%	31%	15%	22%	20%	14%	21%	30%	19%	26%
	(Refused)	1%	3%		4%							3%	2%		2%
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	46%	47%	35%	48%	39%	57%	46%	52%	49%	52%	36%	49%	43%
	No	39%	41%	36%	44%	42%	52%	24%	36%	34%	27%	38%	51%	33%	46%
	Undecided	14%	10%	16%	17%	10%	8%	19%	18%	14%	24%	7%	10%	18%	9%
	All swing	51%	46%	62%	57%	45%	48%	43%	52%	59%	49%	47%	49%	54%	48%
	Refused	1%	3%		4%							3%	2%		2%
	Unweighted Count / Weighted Count	250 250	49 52	59 58	35 32	21 36	42 33	44 40	48 45	43 43	29 35	51 53	78 73	120 123	129 126

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		7	-5	37	-3	-3	10	-12	22	1	-5	-2	9	25	-3
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	15%	39%	29%	20%	22%	24%	30%	24%	21%	25%	26%	29%	23%
	Yes - not so strongly	14%	19%	15%	6%	16%	20%	7%	16%	13%	17%	14%	14%	16%	12%
	Lean yes	6%	7%	3%	7%	8%	6%	11%	5%	7%	6%	6%	7%	5%	8%
	Undecided/DK	14%	14%	23%	9%	9%	14%	4%	22%	11%	7%	7%	15%	22%	9%
	Lean no	6%	7%	3%	6%	8%	3%	3%	7%	9%	9%	7%	6%	1%	10%
	No - not so strongly	11%	13%	4%	10%	14%	9%	15%	8%	12%	12%	15%	9%	10%	9%
	No - strongly	22%	25%	13%	28%	24%	26%	36%	13%	22%	28%	24%	22%	16%	27%
	(Refused)	1%			5%					3%			1%		3%
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	41%	57%	42%	44%	48%	42%	50%	43%	44%	46%	46%	51%	43%
	No	39%	45%	20%	45%	47%	38%	54%	28%	42%	49%	47%	37%	27%	46%
	Undecided	14%	14%	23%	9%	9%	14%	4%	22%	11%	7%	7%	15%	22%	9%
	All swing	51%	60%	48%	38%	56%	52%	40%	58%	51%	51%	50%	51%	54%	48%
	Refused	1%			5%					3%			1%		3%
	Unweighted Count / Weighted Count	250 / 250	66 / 61	54 / 62	60 / 55	69 / 71	52 / 48	37 / 35	65 / 72	91 / 90	48 / 44	55 / 50	194 / 199	88 / 89	106 / 110

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		7	21	3	15	-3	20	-10	2	2	38	5	-20	-3	16	22	24
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	25%	20%	31%	19%	33%	18%	20%	23%	44%	20%	15%	21%	26%	35%	41%
	Yes - not so strongly	14%	21%	14%	14%	16%	11%	12%	20%	14%	9%	20%	14%	12%	9%	11%	13%
	Lean yes	6%	9%	9%	5%	7%	7%	9%	5%	6%	7%	7%	3%	9%	12%	7%	
	Undecided/DK	14%	11%	13%	17%	10%	18%	7%	13%	17%	19%	8%	10%	14%	22%	16%	15%
	Lean no	6%	3%	5%	7%	6%	7%	5%	7%	8%	6%	7%	8%	3%	11%	3%	5%
	No - not so strongly	11%	16%	12%	8%	9%	10%	10%	7%	14%	7%	10%	5%	11%	2%	19%	12%
	No - strongly	22%	15%	25%	20%	31%	14%	33%	28%	19%	8%	26%	39%	31%	18%	9%	14%
	(Refused)	1%		3%		2%		5%				2%	4%				
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	55%	43%	49%	42%	51%	39%	45%	43%	60%	47%	33%	42%	47%	53%	55%
	No	39%	34%	41%	34%	45%	31%	49%	42%	41%	21%	42%	52%	44%	31%	31%	31%
	Undecided	14%	11%	13%	17%	10%	18%	7%	13%	17%	19%	8%	10%	14%	22%	16%	15%
	All swing	51%	61%	52%	50%	48%	53%	43%	52%	58%	48%	52%	41%	48%	57%	56%	45%
	Refused	1%		3%		2%		5%				2%	4%				
	Unweighted Count / Weighted Count	250	29	99	95	148	95	71	77	53	42	71	27	50	32	28	35
		250	29	95	104	129	112	57	72	56	56	62	31	36	43	34	35

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		7	-24	29	21	-18	7	100	-100	0	7	100	100	-100	-100
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	14%	32%	30%	17%	30%	56%				100%			
	Yes - not so strongly	14%	11%	15%	15%	14%	10%	30%			28%		68%		
	Lean yes	6%	6%	8%	7%	5%	9%	14%			13%		32%		
	Undecided/DK	14%	12%	17%	16%	10%	9%			100%	27%				
	Lean no	6%	5%	7%	3%	11%	18%		16%		12%			37%	
	No - not so strongly	11%	14%	3%	11%	13%	5%		27%		21%			63%	
	No - strongly	22%	36%	16%	17%	29%	19%		57%						100%
(Refused)		1%	1%	1%											
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	31%	55%	53%	36%	49%	100%			40%	100%	100%		
	No	39%	56%	26%	32%	54%	42%		100%		33%			100%	100%
	Undecided	14%	12%	17%	16%	10%	9%			100%	27%				
	All swing	51%	48%	51%	53%	54%	51%	44%	43%	100%	100%		100%	100%	
	Refused	1%	1%	1%											
	Unweighted Count / Weighted Count	250 250	103 98	113 118	124 127	58 57	20 19	114 115	102 98	32 34	125 127	64 64	50 51	43 42	59 56

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		7	61	-47	13	10	78	47	-33	-58	66	-33	27	21
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	48%	13%	12%	17%	74%	26%	14%	11%	48%	16%	19%	20%
	Yes - not so strongly	14%	24%	3%	18%	18%	14%	33%	3%	3%	23%	10%	13%	20%
	Lean yes	6%	7%	5%	8%	10%		13%	9%	2%	7%	4%	13%	11%
	Undecided/DK	14%	3%	11%	36%	19%	2%	4%	14%	8%	10%	7%	36%	21%
	Lean no	6%	7%	8%	1%	9%		12%	16%	2%	5%	5%	11%	8%
	No - not so strongly	11%	3%	16%	14%	14%	2%	4%	27%	7%	3%	18%	2%	13%
	No - strongly (Refused)	22% 1%	8% 	43% 1%	10% 	12% 	8% 	8% 	18% 	65% 3%	4% 	39% 1%	5% 	8%
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	79%	21%	38%	46%	88%	72%	26%	16%	78%	29%	45%	50%
	No	39%	18%	67%	25%	35%	10%	24%	60%	74%	12%	62%	19%	29%
	Undecided	14%	3%	11%	36%	19%	2%	4%	14%	8%	10%	7%	36%	21%
	All swing	51%	44%	43%	77%	71%	18%	66%	68%	21%	48%	44%	76%	73%
	Refused	1%		1%						3%		1%		
	Unweighted Count / Weighted Count	250	90	102	56	153	41	49	48	54	75	129	44	130
		250	90	100	57	153	41	50	46	54	70	129	48	131

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		7	68	63	-16	-43	79	-75	19	55	-41	18	73	-32	6
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	69%	28%	14%	17%	48%	5%	13%	43%	12%	18%	50%	16%	12%
	Yes - not so strongly	14%	12%	33%	17%	6%	27%	1%	3%	22%	7%	10%	25%	9%	7%
	Lean yes	6%		13%	6%	2%	11%	2%	7%	8%	6%	5%	8%	4%	12%
	Undecided/DK	14%	6%	15%	10%	6%	8%	8%	73%	8%	10%	47%	7%	10%	44%
	Lean no	6%	4%	5%	7%	4%	5%	8%		8%	7%		2%	6%	16%
	No - not so strongly	11%	3%	4%	31%	10%		24%	4%	3%	19%	3%	4%	17%	3%
	No - strongly	22%	6%	2%	15%	54%	1%	51%		7%	39%	12%	3%	38%	7%
	(Refused)	1%				2%		1%			5%	2%			
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	81%	74%	37%	25%	85%	8%	23%	73%	24%	33%	82%	29%	31%
	No	39%	13%	11%	53%	68%	7%	83%	4%	18%	65%	15%	9%	61%	25%
	Undecided	14%	6%	15%	10%	6%	8%	8%	73%	8%	10%	47%	7%	10%	44%
	All swing	51%	25%	70%	71%	28%	51%	43%	87%	49%	49%	65%	45%	46%	81%
	Refused	1%				2%		1%			5%	2%			
	Unweighted Count / Weighted Count	250	39	36	50	79	115	112	21	109	114	25	85	133	30
		250	35	35	48	82	117	108	22	104	115	29	77	134	37

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		7	100	-100	-26	60	57	-53	22	39	20	76	-36	28	55	3
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	56%			35%	50%	13%	14%	17%	15%	54%	16%	20%	35%	15%
	Yes - not so strongly	14%	31%			10%	24%	1%	13%	15%	25%	26%	8%	14%	22%	9%
	Lean yes	6%	13%			15%	4%	6%	11%	18%	10%	5%	4%	12%	13%	11%
	Undecided/DK	14%			74%	40%	3%	7%	43%	35%	21%	7%	7%	32%	8%	32%
	Lean no	6%		10%	19%		8%	8%	4%	6%		3%	6%	10%		12%
	No - not so strongly	11%		29%	2%		4%	18%	3%	2%	21%	3%	18%	5%	5%	2%
	No - strongly	22%		61%	4%		9%	47%	9%	2%	8%	2%	41%	4%	10%	18%
	(Refused)	1%							3%	5%				3%	7%	
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	100%			60%	77%	20%	38%	50%	50%	85%	28%	46%	70%	36%
	No	39%		100%	26%		20%	73%	16%	10%	29%	9%	64%	19%	15%	32%
	Undecided	14%			74%	40%	3%	7%	43%	35%	21%	7%	7%	32%	8%	32%
	All swing	51%	44%	39%	96%	65%	42%	39%	74%	76%	77%	44%	44%	72%	48%	66%
	Refused	1%							3%	5%				3%	7%	
	Unweighted Count / Weighted Count	250 250	100 100	94 89	31 34	22 22	81 81	93 90	46 45	31 27	27 31	65 60	118 120	43 45	24 20	21 22

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		7	100	26	-100	.	7
B5.INITIAL PARCEL TAX - NO SURGE	Yes - strongly	26%	64%	28%			26%
	Yes - not so strongly	14%	32%	16%			14%
	Lean yes	6%	5%	11%			6%
	Undecided/DK	14%		16%			14%
	Lean no	6%		8%	8%		6%
	No - not so strongly	11%		9%	23%		11%
	No - strongly	22%		11%	68%		22%
	(Refused)	1%		1%			1%
B5.INITIAL PARCEL TAX - NO SURGE	Yes	46%	100%	55%			46%
	No	39%		28%	100%		39%
	Undecided	14%		16%			14%
	All swing	51%	36%	60%	32%		51%
	Refused	1%		1%			1%
	Unweighted Count /	250	44	128	65		250
	Weighted Count	250	43	131	61		250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		1	-4	4	-5	5	-20	4	-8	-3	1	8	5	-1	-4
6.INITIAL TOT INCREASE	Yes - strongly	15%	15%	16%	14%	17%	20%	11%	17%	10%	15%	18%	17%	19%	9%
	Yes - not so strongly	13%	13%	13%	14%	12%	6%	14%	14%	13%	12%	12%	14%	9%	14%
	Lean yes	9%	8%	10%	8%	10%	3%	15%	6%	10%	9%	11%	7%	10%	11%
	Undecided/DK	25%	22%	27%	24%	26%	22%	23%	19%	29%	25%	26%	25%	24%	26%
	Lean no	6%	8%	4%	6%	6%	9%	6%	9%	3%	7%	5%	6%	6%	5%
	No - not so strongly	11%	12%	10%	9%	12%	6%	9%	10%	7%	14%	11%	10%	13%	11%
	No - strongly	20%	20%	20%	26%	16%	34%	22%	26%	26%	15%	18%	19%	20%	23%
	(Refused)	1%	1%	1%	1%	1%				2%	2%		2%		
6.INITIAL TOT INCREASE	Yes	37%	36%	38%	35%	39%	29%	41%	37%	33%	37%	41%	39%	38%	35%
	No	37%	40%	34%	40%	35%	49%	37%	45%	36%	36%	33%	34%	38%	39%
	Undecided	25%	22%	27%	24%	26%	22%	23%	19%	29%	25%	26%	25%	24%	26%
	All swing	64%	63%	64%	60%	66%	46%	67%	58%	62%	68%	64%	62%	62%	68%
	Refused	1%	1%	1%	1%	1%				2%	2%		2%		
	Unweighted Count / Weighted Count	500 / 500	235 / 232	265 / 268	165 / 168	328 / 325	55 / 55	53 / 45	96 / 89	69 / 80	134 / 139	194 / 186	206 / 220	135 / 135	159 / 145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		1	2	7	-19	16	2	-10	20	-5	-12	10	-9	2	-1
6.INITIAL TOT INCREASE	Yes - strongly	15%	17%	18%	18%	19%	11%	8%	19%	9%	17%	18%	13%	15%	15%
	Yes - not so strongly	13%	15%	14%	7%	11%	18%	11%	22%	12%	10%	11%	10%	15%	11%
	Lean yes	9%	6%	8%	5%	14%	13%	10%	10%	12%	2%	12%	9%	8%	10%
	Undecided/DK	25%	26%	24%	21%	27%	19%	32%	18%	27%	29%	25%	26%	24%	25%
	Lean no	6%	7%	5%	10%	3%	6%	5%	10%	9%	1%	3%	5%	7%	5%
	No - not so strongly	11%	12%	8%	15%	11%	11%	12%	8%	14%	13%	9%	12%	12%	11%
	No - strongly	20%	16%	21%	24%	16%	23%	22%	13%	16%	27%	19%	24%	18%	22%
	(Refused)	1%	2%	2%								3%	1%		2%
6.INITIAL TOT INCREASE	Yes	37%	37%	41%	30%	45%	42%	29%	51%	34%	29%	41%	32%	39%	36%
	No	37%	35%	34%	49%	29%	39%	39%	31%	39%	41%	32%	41%	37%	37%
	Undecided	25%	26%	24%	21%	27%	19%	32%	18%	27%	29%	25%	26%	24%	25%
	All swing	64%	65%	59%	58%	65%	66%	69%	67%	75%	56%	60%	62%	67%	61%
	Refused	1%	2%	2%								3%	1%		2%
	Unweighted Count / Weighted Count	500 500	88 103	118 117	71 63	64 71	76 65	83 80	86 91	104 86	59 71	94 106	156 146	249 247	250 252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		1	-5	9	-3	0	1	-15	4	4	18	15	-3	1	-7
6.INITIAL TOT INCREASE	Yes - strongly	15%	14%	17%	17%	14%	15%	12%	16%	17%	15%	17%	15%	16%	14%
	Yes - not so strongly	13%	17%	14%	10%	11%	15%	12%	15%	10%	18%	16%	12%	15%	9%
	Lean yes	9%	5%	11%	10%	10%	7%	8%	9%	11%	10%	10%	9%	6%	11%
	Undecided/DK	25%	24%	25%	21%	29%	27%	19%	23%	27%	30%	27%	24%	26%	22%
	Lean no	6%	9%	5%	6%	3%	5%	8%	9%	3%	4%	3%	7%	7%	6%
	No - not so strongly	11%	12%	11%	13%	9%	8%	9%	14%	11%	4%	7%	12%	10%	14%
	No - strongly	20%	20%	17%	21%	23%	23%	29%	13%	19%	17%	18%	21%	20%	21%
	(Refused)	1%			2%	1%		3%		1%	2%	3%	0%		1%
6.INITIAL TOT INCREASE	Yes	37%	36%	42%	37%	35%	37%	32%	41%	38%	43%	43%	36%	37%	35%
	No	37%	41%	33%	40%	35%	36%	47%	36%	33%	25%	28%	39%	36%	42%
	Undecided	25%	24%	25%	21%	29%	27%	19%	23%	27%	30%	27%	24%	26%	22%
	All swing	64%	67%	67%	60%	62%	62%	56%	71%	63%	65%	63%	64%	64%	63%
	Refused	1%			2%	1%		3%		1%	2%	3%	0%		1%
	Unweighted Count / Weighted Count	500 / 500	127 / 120	122 / 127	108 / 112	142 / 140	100 / 99	65 / 70	144 / 144	183 / 181	99 / 96	116 / 112	382 / 386	185 / 184	197 / 202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		1	28	-3	-4	-4	6	-6	-2	0	12	1	-7	-10	11	4	1
6.INITIAL TOT INCREASE	Yes - strongly	15%	17%	16%	15%	14%	18%	16%	12%	16%	19%	18%	12%	10%	17%	25%	10%
	Yes - not so strongly	13%	18%	13%	11%	12%	13%	10%	15%	16%	10%	15%	9%	10%	14%	9%	16%
	Lean yes	9%	13%	8%	9%	9%	10%	8%	9%	8%	11%	4%	15%	12%	11%	6%	12%
	Undecided/DK	25%	30%	22%	26%	25%	25%	24%	25%	21%	28%	25%	21%	26%	25%	24%	26%
	Lean no	6%		8%	6%	5%	8%	5%	4%	11%	5%	5%	2%	6%	8%	10%	4%
	No - not so strongly	11%	5%	13%	11%	11%	11%	13%	10%	12%	11%	13%	10%	9%	6%	15%	14%
	No - strongly	20%	15%	19%	22%	24%	15%	22%	25%	17%	14%	19%	30%	27%	16%	11%	19%
(Refused)		1%	3%	1%		1%	1%	2%			1%	2%			2%		
6.INITIAL TOT INCREASE	Yes	37%	48%	37%	35%	35%	40%	34%	36%	40%	41%	37%	36%	32%	42%	40%	38%
	No	37%	20%	40%	39%	39%	34%	40%	39%	39%	29%	36%	43%	42%	31%	36%	36%
	Undecided	25%	30%	22%	26%	25%	25%	24%	25%	21%	28%	25%	21%	26%	25%	24%	26%
	All swing	64%	65%	64%	63%	61%	67%	60%	63%	68%	66%	62%	57%	63%	65%	64%	72%
	Refused	1%	3%	1%		1%	1%	2%			1%	2%			2%		
	Unweighted Count / Weighted Count	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
		500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		1	-18	7	8	-1	22	47	-56	0	5	50	44	-44	-65
6.INITIAL TOT INCREASE	Yes - strongly	15%	9%	20%	19%	13%	13%	30%	2%	6%	7%	46%	13%	1%	3%
	Yes - not so strongly	13%	13%	12%	13%	11%	22%	22%	5%	7%	15%	16%	28%	5%	5%
	Lean yes	9%	5%	9%	10%	12%	18%	13%	5%	8%	13%	7%	19%	9%	2%
	Undecided/DK	25%	27%	25%	24%	26%	18%	16%	19%	58%	36%	9%	24%	25%	14%
	Lean no	6%	7%	6%	5%	6%	6%	4%	8%	6%	8%	4%	5%	14%	3%
	No - not so strongly	11%	12%	12%	11%	10%	8%	7%	19%	5%	14%	6%	9%	31%	10%
	No - strongly	20%	26%	16%	18%	21%	16%	6%	42%	10%	8%	10%	2%	15%	63%
	(Refused)	1%	1%		0%			1%				2%			
6.INITIAL TOT INCREASE	Yes	37%	26%	41%	42%	36%	52%	65%	13%	21%	34%	69%	60%	16%	10%
	No	37%	45%	34%	34%	38%	30%	18%	69%	21%	30%	19%	16%	60%	76%
	Undecided	25%	27%	25%	24%	26%	18%	16%	19%	58%	36%	9%	24%	25%	14%
	All swing	64%	64%	64%	62%	66%	71%	62%	56%	84%	84%	42%	85%	84%	34%
	Refused	1%	1%		0%			1%				2%			
	Unweighted Count / Weighted Count	500	185	225	252	106	54	219	186	93	272	117	102	77	109
		500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		1	100	-100	0	8	100	100	-100	-100	59	-42	13	13
6.INITIAL TOT INCREASE	Yes - strongly	15%	41%				100%				32%	8%	9%	11%
	Yes - not so strongly	13%	34%			20%		59%			28%	6%	9%	17%
	Lean yes	9%	24%			14%		41%			10%	8%	11%	11%
	Undecided/DK	25%			100%	39%					17%	16%	56%	35%
	Lean no	6%		16%		9%			34%		3%	9%	4%	7%
	No - not so strongly	11%		30%		17%			66%		3%	17%	9%	13%
	No - strongly (Refused)	20% 1%		54%						100%	6%	38%	2%	6%
6.INITIAL TOT INCREASE	Yes	37%	100%			35%	100%	100%			71%	21%	29%	39%
	No	37%		100%		26%			100%	100%	12%	63%	15%	26%
	Undecided	25%			100%	39%					17%	16%	56%	35%
	All swing	64%	59%	46%	100%	100%		100%	100%		61%	54%	89%	83%
	Refused	1%									1%			
	Unweighted Count /	500	189	190	118	318	77	112	88	102	153	238	105	272
	Weighted Count	500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		1	57	60	-37	-45	47	-54	13	69	-71	11	60	-39	7
6.INITIAL TOT INCREASE	Yes - strongly	15%	51%	18%	7%	9%	27%	6%	8%	33%	1%	9%	34%	8%	5%
	Yes - not so strongly	13%	19%	36%	8%	4%	22%	4%	9%	27%	2%	5%	26%	6%	10%
	Lean yes	9%	2%	16%	6%	8%	15%	4%	8%	16%	3%	6%	11%	7%	12%
	Undecided/DK	25%	12%	21%	21%	13%	18%	19%	63%	16%	18%	72%	18%	20%	53%
	Lean no	6%	2%	4%	15%	5%	4%	9%	3%	1%	11%	4%	2%	8%	5%
	No - not so strongly	11%	1%	4%	28%	11%	8%	17%	3%	3%	22%	2%	2%	18%	7%
	No - strongly	20%	11%	2%	15%	50%	6%	41%	6%	3%	43%	4%	6%	34%	7%
(Refused)	1%	2%				0%			0%			1%			
6.INITIAL TOT INCREASE	Yes	37%	72%	70%	21%	21%	64%	14%	25%	76%	5%	20%	71%	21%	27%
	No	37%	15%	10%	58%	66%	17%	67%	12%	7%	76%	9%	11%	59%	20%
	Undecided	25%	12%	21%	21%	13%	18%	19%	63%	16%	18%	72%	18%	20%	53%
	All swing	64%	37%	80%	78%	41%	67%	53%	86%	64%	56%	88%	59%	58%	87%
	Refused	1%	2%				0%			0%			1%		
	Unweighted Count / Weighted Count	500	68	85	82	156	222	209	64	221	212	64	169	251	76
		500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		1	52	-62	7	5	100	-100	-20	-38	39	67	-43	16	23	4
6.INITIAL TOT INCREASE	Yes - strongly	15%	30%	3%	5%	23%	43%				13%	36%	7%	12%	26%	13%
	Yes - not so strongly	13%	25%	5%	8%	7%	36%				10%	30%	6%	8%	10%	13%
	Lean yes	9%	14%	3%	13%	7%	22%				16%	11%	8%	13%	10%	3%
	Undecided/DK	25%	15%	16%	56%	31%			80%	62%	61%	12%	16%	48%	32%	46%
	Lean no	6%	3%	8%	6%	10%		15%	5%	9%		2%	8%	4%	4%	7%
	No - not so strongly	11%	7%	20%	8%	6%		29%	7%	13%		3%	17%	6%	4%	12%
	No - strongly	20%	6%	46%	5%	16%		56%	8%	16%		5%	38%	8%	14%	6%
	(Refused)	1%	1%									1%				
6.INITIAL TOT INCREASE	Yes	37%	69%	11%	25%	37%	100%				39%	77%	20%	34%	46%	29%
	No	37%	16%	73%	19%	32%		100%	20%	38%		10%	64%	18%	23%	25%
	Undecided	25%	15%	16%	56%	31%			80%	62%	61%	12%	16%	48%	32%	46%
	All swing	64%	63%	52%	90%	61%	57%	44%	92%	84%	87%	58%	55%	80%	60%	81%
	Refused	1%	1%									1%				
	Unweighted Count / Weighted Count	500 / 500	183 / 184	169 / 160	87 / 90	55 / 58	164 / 162	168 / 162	105 / 106	62 / 56	59 / 64	125 / 116	215 / 214	99 / 106	54 / 51	56 / 58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		1	100	10	-100	5	-4
6.INITIAL TOT INCREASE	Yes - strongly	15%	49%	13%		15%	16%
	Yes - not so strongly	13%	40%	11%		14%	11%
	Lean yes	9%	11%	14%		10%	8%
	Undecided/DK	25%		34%		27%	23%
	Lean no	6%		7%	10%	3%	8%
	No - not so strongly	11%		10%	26%	12%	10%
	No - strongly	20%		11%	64%	19%	21%
	(Refused)	1%		1%		1%	1%
6.INITIAL TOT INCREASE	Yes	37%	100%	38%		39%	36%
	No	37%		28%	100%	34%	40%
	Undecided	25%		34%		27%	23%
	All swing	64%	51%	75%	36%	66%	61%
	Refused	1%		1%		1%	1%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		-18	-23	-14	-16	-18	-30	5	-12	-21	-29	-10	-12	-18	-27
7.INITIAL SALES TAX	Yes -- strongly	13%	12%	13%	14%	12%	12%	23%	17%	10%	9%	15%	12%	18%	9%
	Yes -- not so strongly	9%	7%	10%	9%	9%	3%	9%	10%	8%	6%	11%	11%	6%	7%
	Lean yes	8%	9%	7%	8%	7%	10%	7%	9%	6%	9%	7%	10%	4%	7%
	Undecided/DK	23%	19%	25%	22%	23%	19%	30%	17%	28%	21%	24%	20%	24%	25%
	Lean no	5%	6%	5%	4%	5%	6%	1%	2%	7%	9%	3%	3%	4%	9%
	No -- not so strongly	11%	13%	10%	11%	12%	5%	12%	10%	11%	15%	9%	10%	14%	10%
	No -- strongly	31%	33%	30%	31%	30%	44%	19%	35%	27%	30%	30%	32%	28%	32%
	(Refused)	1%	1%	1%	1%	1%				2%	1%	1%	1%	1%	
7.INITIAL SALES TAX	Yes	29%	28%	30%	30%	29%	25%	38%	35%	24%	24%	33%	33%	29%	24%
	No	47%	52%	44%	46%	47%	56%	32%	47%	45%	54%	42%	45%	47%	51%
	Undecided	23%	19%	25%	22%	23%	19%	30%	17%	28%	21%	24%	20%	24%	25%
	All swing	55%	55%	56%	54%	57%	44%	58%	47%	61%	60%	54%	55%	53%	59%
	Refused	1%	1%	1%	1%	1%				2%	1%	1%	1%	1%	
	Unweighted Count / Weighted Count	500 / 500	235 / 232	265 / 268	165 / 168	328 / 325	55 / 55	53 / 45	96 / 89	69 / 80	134 / 139	194 / 186	206 / 220	135 / 135	159 / 145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		-18	-16	-8	-31	-7	-26	-28	-5	-18	-22	-28	-18	-14	-22
7.INITIAL SALES TAX	Yes -- strongly	13%	12%	12%	16%	20%	9%	9%	11%	7%	17%	13%	15%	11%	14%
	Yes -- not so strongly	9%	8%	15%	7%	6%	8%	7%	17%	9%	9%	4%	8%	12%	6%
	Lean yes	8%	12%	8%	4%	4%	8%	6%	7%	15%	4%	6%	6%	9%	6%
	Undecided/DK	23%	19%	20%	15%	31%	23%	27%	24%	19%	19%	24%	24%	21%	24%
	Lean no	5%	3%	4%	7%	2%	11%	8%	4%	2%	10%	9%	3%	5%	6%
	No -- not so strongly	11%	13%	7%	19%	10%	7%	13%	9%	15%	9%	16%	8%	11%	11%
	No -- strongly	31%	32%	33%	32%	25%	34%	30%	28%	32%	33%	26%	35%	31%	31%
	(Refused)	1%	1%	2%		1%				1%		2%	1%	0%	1%
7.INITIAL SALES TAX	Yes	29%	31%	35%	27%	30%	25%	22%	35%	31%	30%	23%	29%	32%	26%
	No	47%	48%	43%	58%	37%	52%	51%	40%	49%	51%	51%	46%	47%	48%
	Undecided	23%	19%	20%	15%	31%	23%	27%	24%	19%	19%	24%	24%	21%	24%
	All swing	55%	55%	54%	52%	54%	56%	61%	61%	60%	51%	59%	49%	58%	53%
	Refused	1%	1%	2%		1%				1%		2%	1%	0%	1%
	Unweighted Count / Weighted Count	500 500	88 103	118 117	71 63	64 71	76 65	83 80	86 91	104 86	59 71	94 106	156 146	249 247	250 252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		-18	-26	-4	-21	-23	-21	-10	-9	-25	3	0	-23	-12	-34
7.INITIAL SALES TAX	Yes -- strongly	13%	11%	12%	14%	15%	11%	18%	12%	13%	16%	14%	12%	13%	12%
	Yes -- not so strongly	9%	10%	14%	5%	7%	10%	7%	13%	6%	13%	14%	7%	10%	5%
	Lean yes	8%	9%	9%	9%	4%	9%	6%	9%	7%	7%	6%	8%	9%	7%
	Undecided/DK	23%	16%	26%	23%	25%	19%	26%	23%	23%	29%	30%	20%	22%	18%
	Lean no	5%	6%	4%	6%	5%	2%	9%	7%	4%	3%	3%	6%	4%	8%
	No -- not so strongly	11%	12%	10%	14%	9%	14%	6%	10%	13%	7%	7%	13%	13%	12%
	No -- strongly	31%	37%	25%	28%	34%	35%	26%	27%	33%	24%	24%	33%	28%	37%
	(Refused)	1%		0%	1%	1%		3%	0%	1%	2%	2%	1%		1%
7.INITIAL SALES TAX	Yes	29%	29%	35%	28%	26%	30%	30%	34%	25%	36%	35%	28%	33%	23%
	No	47%	55%	39%	48%	48%	51%	41%	43%	51%	33%	34%	51%	45%	57%
	Undecided	23%	16%	26%	23%	25%	19%	26%	23%	23%	29%	30%	20%	22%	18%
	All swing	55%	52%	63%	57%	50%	54%	53%	61%	53%	58%	60%	54%	59%	50%
	Refused	1%		0%	1%	1%		3%	0%	1%	2%	2%	1%		1%
	Unweighted Count / Weighted Count	500 / 500	127 / 120	122 / 127	108 / 112	142 / 140	100 / 99	65 / 70	144 / 144	183 / 181	99 / 96	116 / 112	382 / 386	185 / 184	197 / 202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		-18	16	-23	-24	-27	-8	-32	-23	-14	-2	-26	-30	-27	9	-6	-34
7.INITIAL SALES TAX	Yes -- strongly	13%	14%	12%	13%	11%	15%	12%	11%	14%	17%	10%	17%	10%	15%	20%	10%
	Yes -- not so strongly	9%	17%	7%	8%	10%	7%	9%	11%	6%	7%	11%	7%	10%	10%	5%	4%
	Lean yes	8%	10%	11%	5%	6%	9%	6%	7%	11%	7%	7%	2%	8%	15%	6%	3%
	Undecided/DK	23%	30%	17%	24%	17%	29%	15%	19%	23%	34%	16%	18%	18%	26%	30%	33%
	Lean no	5%	2%	6%	5%	5%	6%	5%	6%	8%	4%	5%	3%	7%	1%	5%	12%
	No -- not so strongly	11%	7%	15%	10%	13%	10%	11%	14%	16%	5%	13%	15%	10%	6%	15%	11%
	No -- strongly	31%	17%	32%	34%	37%	23%	41%	32%	22%	24%	36%	37%	37%	25%	18%	28%
	(Refused)	1%	3%	1%	1%	1%	1%	1%	0%		2%	1%	1%		2%	1%	
7.INITIAL SALES TAX	Yes	29%	42%	30%	26%	28%	31%	26%	29%	31%	31%	29%	26%	28%	40%	32%	17%
	No	47%	26%	53%	50%	55%	39%	58%	52%	46%	33%	55%	56%	54%	32%	38%	51%
	Undecided	23%	30%	17%	24%	17%	29%	15%	19%	23%	34%	16%	18%	18%	26%	30%	33%
	All swing	55%	66%	56%	53%	51%	60%	46%	56%	64%	57%	53%	45%	54%	58%	61%	62%
	Refused	1%	3%	1%	1%	1%	1%	1%	0%		2%	1%	1%		2%	1%	
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

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		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		-18	-37	-9	-11	-30	13	20	-74	-1	-14	28	12	-64	-82
7.INITIAL SALES TAX	Yes -- strongly	13%	7%	13%	18%	10%	22%	23%	4%	5%	5%	40%	5%	5%	3%
	Yes -- not so strongly	9%	8%	10%	9%	8%	7%	15%	2%	8%	12%	9%	22%	2%	1%
	Lean yes	8%	5%	10%	7%	6%	17%	11%	3%	10%	10%	7%	16%	4%	2%
	Undecided/DK	23%	22%	27%	24%	20%	21%	20%	9%	54%	33%	14%	27%	15%	5%
	Lean no	5%	6%	4%	6%	3%	2%	4%	7%	5%	8%	2%	6%	14%	2%
	No -- not so strongly	11%	9%	9%	11%	13%	10%	7%	20%	5%	14%	6%	7%	32%	10%
	No -- strongly	31%	42%	28%	27%	39%	21%	19%	55%	13%	19%	20%	18%	28%	76%
	(Refused)	1%	1%			1%		1%		1%	0%	2%			
7.INITIAL SALES TAX	Yes	29%	20%	32%	33%	24%	46%	50%	8%	22%	27%	56%	43%	10%	7%
	No	47%	57%	41%	43%	55%	33%	29%	83%	23%	40%	28%	31%	74%	89%
	Undecided	23%	22%	27%	24%	20%	21%	20%	9%	54%	33%	14%	27%	15%	5%
	All swing	55%	50%	59%	55%	51%	57%	57%	41%	82%	76%	39%	77%	67%	21%
	Refused	1%	1%			1%		1%		1%	0%	2%			
	Unweighted Count / Weighted Count	500	185	225	252	106	54	219	186	93	272	117	102	77	109
		500	178	229	255	102	53	223	180	94	277	118	106	77	103

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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		-18	28	-72	-10	-12	36	23	-61	-81	100	-100	0	0
7.INITIAL SALES TAX	Yes -- strongly	13%	24%	5%	6%	7%	42%	12%	3%	7%	44%			
	Yes -- not so strongly	9%	18%	2%	5%	10%	12%	22%	4%	1%	30%			16%
	Lean yes	8%	13%	2%	9%	10%	7%	17%	4%		26%			14%
	Undecided/DK	23%	17%	9%	51%	31%	13%	20%	17%	3%			100%	41%
	Lean no	5%	5%	7%	3%	7%	3%	7%	12%	3%		11%		9%
	No -- not so strongly	11%	4%	19%	11%	13%	5%	4%	30%	9%		23%		20%
	No -- strongly (Refused)	31% 1%	18% 1%	55% 	16% 	20% 0%	18% 1%	18% 1%	30% 	77% 		65% 		
7.INITIAL SALES TAX	Yes	29%	55%	9%	20%	28%	61%	51%	11%	8%	100%			30%
	No	47%	27%	81%	30%	40%	25%	28%	72%	89%		100%		30%
	Undecided	23%	17%	9%	51%	31%	13%	20%	17%	3%			100%	41%
	All swing	55%	57%	39%	78%	72%	40%	70%	67%	16%	56%	35%	100%	100%
	Refused	1%	1%			0%	1%	1%						
	Unweighted Count /	500	189	190	118	318	77	112	88	102	153	238	105	272
	Weighted Count	500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE- BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		-18	100	100	-100	-100	21	-68	-1	24	-67	5	68	-83	13
7.INITIAL SALES TAX	Yes -- strongly	13%	100%				22%	6%	5%	25%	3%	6%	35%	1%	7%
	Yes -- not so strongly	9%		54%			15%	3%	5%	16%	3%	7%	24%	0%	6%
	Lean yes	8%		46%			12%	2%	10%	13%	1%	12%	15%	1%	13%
	Undecided/DK	23%					22%	11%	57%	17%	18%	54%	19%	11%	62%
	Lean no	5%			32%		3%	8%	7%	5%	7%		2%	9%	2%
	No -- not so strongly	11%			68%		6%	18%	9%	7%	17%	3%	2%	20%	2%
	No -- strongly (Refused)	31% 1%				100%	20% 0%	53% 	6% 	17% 	50% 0%	17% 1%	3% 	57% 	8% 1%
7.INITIAL SALES TAX	Yes	29%	100%	100%			49%	11%	21%	53%	7%	25%	74%	3%	26%
	No	47%			100%	100%	28%	78%	22%	29%	75%	20%	7%	86%	12%
	Undecided	23%					22%	11%	57%	17%	18%	54%	19%	11%	62%
	All swing	55%		100%	100%		58%	41%	88%	58%	46%	77%	62%	41%	85%
	Refused	1%					0%				0%	1%			1%
	Unweighted Count / Weighted Count	500	68	85	82	156	222	209	64	221	212	64	169	251	76
		500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		-18	26	-79	-4	-11	32	-77	-2	-10	-24	100	-100	-20	-42	52
7.INITIAL SALES TAX	Yes -- strongly	13%	25%	3%	5%	14%	27%	4%	9%	13%	4%	47%				16%
	Yes -- not so strongly	9%	18%	2%	6%	6%	20%	3%	6%	3%	3%	33%				10%
	Lean yes	8%	11%	2%	11%	7%	12%	0%	13%	15%	7%	20%				25%
	Undecided/DK	23%	18%	6%	52%	35%	14%	9%	43%	28%	47%			80%	58%	48%
	Lean no	5%	3%	7%	5%	6%	5%	7%	3%	5%	7%		10%	4%	9%	
	No -- not so strongly	11%	6%	19%	9%	8%	5%	19%	9%	13%	9%		23%	4%	9%	
	No -- strongly	31%	18%	60%	12%	24%	17%	58%	18%	23%	22%		67%	12%	24%	
	(Refused)	1%	0%		1%						2%					
7.INITIAL SALES TAX	Yes	29%	54%	7%	21%	27%	59%	7%	28%	31%	14%	100%				52%
	No	47%	27%	86%	26%	38%	27%	84%	30%	41%	38%		100%	20%	42%	
	Undecided	23%	18%	6%	52%	35%	14%	9%	43%	28%	47%			80%	58%	48%
	All swing	55%	56%	37%	83%	62%	55%	38%	73%	63%	72%	53%	33%	88%	76%	84%
	Refused	1%	0%		1%						2%					
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

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		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		-18	100	-27	-100	-13	-24
7.INITIAL SALES TAX	Yes -- strongly	13%	46%	8%		11%	14%
	Yes -- not so strongly	9%	32%	6%		10%	7%
	Lean yes	8%	22%	7%		9%	7%
	Undecided/DK	23%		29%		26%	19%
	Lean no	5%		6%	9%	5%	5%
	No -- not so strongly	11%		12%	22%	8%	14%
	No -- strongly	31%		30%	69%	29%	33%
	(Refused)	1%		1%		1%	1%
7.INITIAL SALES TAX	Yes	29%	100%	22%		30%	28%
	No	47%		48%	100%	43%	52%
	Undecided	23%		29%		26%	19%
	All swing	55%	54%	61%	31%	58%	53%
	Refused	1%		1%		1%	1%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		4	-7	14	1	7	-3	0	-9	13	-4	14	6	2	3
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	18%	28%	22%	25%	20%	17%	22%	21%	16%	31%	23%	25%	22%
	Yes - not so strongly	14%	13%	14%	11%	15%	12%	9%	9%	14%	17%	14%	13%	15%	13%
	Lean yes	7%	7%	8%	10%	7%	11%	15%	7%	12%	7%	6%	10%	3%	7%
	Undecided/DK	14%	13%	14%	15%	12%	12%	18%	14%	17%	12%	13%	12%	13%	16%
	Lean no	4%	4%	4%	3%	4%	1%	3%	2%	3%	5%	4%	4%	4%	4%
	No - not so strongly	12%	12%	12%	9%	14%	9%	14%	7%	10%	16%	13%	10%	14%	14%
	No - strongly	25%	29%	20%	29%	21%	35%	23%	38%	20%	23%	20%	26%	24%	22%
8/9.COMBINED INFORMED PARCEL TAX	(Refused)	1%	2%	1%	1%	2%				2%	4%		2%	1%	1%
	Yes	45%	39%	50%	42%	46%	43%	41%	38%	47%	40%	51%	46%	44%	43%
	No	41%	46%	36%	41%	40%	46%	41%	48%	34%	44%	37%	40%	42%	40%
	Undecided	14%	13%	14%	15%	12%	12%	18%	14%	17%	12%	13%	12%	13%	16%
4/5-8/9.PARCEL TAX SHIFT	Refused	1%	2%	1%	1%	2%				2%	4%		2%	1%	1%
	Solid Yes	37%	31%	41%	36%	38%	34%	40%	34%	38%	31%	43%	39%	35%	34%
	Solid No	32%	35%	29%	32%	31%	32%	29%	37%	25%	33%	30%	31%	32%	34%
	Solid undecided	9%	8%	10%	9%	9%	5%	13%	8%	10%	8%	10%	9%	8%	9%
	Persuadable	18%	17%	19%	17%	19%	13%	14%	13%	21%	19%	19%	17%	18%	20%
	Toward Yes	9%	9%	9%	8%	10%	9%	1%	5%	11%	12%	8%	7%	10%	11%
	Toward No	12%	14%	10%	14%	10%	21%	17%	16%	13%	12%	8%	12%	12%	11%
	Unweighted Count / Weighted Count	500	235	265	165	328	55	53	96	69	134	194	206	135	159
		500	232	268	168	325	55	45	89	80	139	186	220	135	145

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CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		4	1	11	-20	21	-8	12	18	15	-2	7	-11	11	-4
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	25%	21%	15%	34%	11%	31%	28%	22%	21%	24%	21%	24%	22%
	Yes - not so strongly	14%	10%	15%	15%	16%	16%	11%	11%	21%	13%	15%	10%	15%	12%
	Lean yes	7%	8%	12%	3%	4%	10%	5%	12%	10%	4%	6%	6%	9%	6%
	Undecided/DK	14%	13%	12%	13%	14%	15%	17%	14%	9%	20%	11%	14%	14%	13%
	Lean no	4%	4%	4%	6%	2%	3%	5%	6%	3%	3%	5%	3%	4%	4%
	No - not so strongly	12%	9%	10%	17%	11%	13%	15%	12%	12%	17%	13%	9%	13%	11%
	No - strongly	25%	29%	24%	30%	20%	30%	16%	16%	23%	20%	21%	35%	20%	29%
	(Refused)	1%	3%	2%	1%		2%			1%	2%	3%	1%	1%	2%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	43%	49%	33%	54%	38%	47%	52%	53%	38%	46%	37%	48%	41%
	No	41%	42%	38%	53%	33%	46%	36%	34%	38%	40%	39%	48%	37%	44%
	Undecided	14%	13%	12%	13%	14%	15%	17%	14%	9%	20%	11%	14%	14%	13%
	Refused	1%	3%	2%	1%		2%			1%	2%	3%	1%	1%	2%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	36%	42%	27%	43%	29%	38%	43%	41%	31%	43%	29%	39%	35%
	Solid No	32%	30%	31%	39%	27%	40%	29%	23%	32%	32%	28%	41%	28%	36%
	Solid undecided	9%	10%	9%	4%	12%	7%	11%	9%	5%	10%	9%	10%	8%	10%
	Persuadable	18%	19%	15%	13%	23%	17%	22%	19%	19%	22%	13%	19%	20%	16%
	Toward Yes	9%	8%	6%	9%	12%	10%	11%	10%	14%	12%	4%	9%	12%	7%
	Toward No	12%	13%	11%	18%	7%	11%	10%	15%	9%	13%	12%	10%	12%	11%
	Unweighted Count / Weighted Count	500 500	88 103	118 117	71 63	64 71	76 65	83 80	86 91	104 86	59 71	94 106	156 146	249 247	250 252

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CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		4	-7	28	-8	0	3	-1	19	-4	11	9	3	6	0
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	14%	34%	23%	22%	21%	23%	27%	23%	15%	16%	26%	27%	25%
	Yes - not so strongly	14%	17%	13%	10%	15%	13%	9%	16%	14%	16%	14%	14%	13%	14%
	Lean yes	7%	8%	10%	6%	6%	10%	9%	9%	5%	16%	16%	5%	5%	5%
	Undecided/DK	14%	13%	15%	13%	13%	16%	15%	12%	13%	14%	13%	14%	17%	11%
	Lean no	4%	5%	3%	3%	4%	3%	3%	5%	4%	3%	3%	4%	3%	5%
	No - not so strongly	12%	14%	12%	10%	12%	13%	3%	14%	14%	8%	9%	13%	13%	13%
	No - strongly	25%	26%	14%	33%	26%	25%	36%	15%	26%	25%	26%	24%	21%	26%
	(Refused)	1%	2%		3%	1%		3%	2%	2%	3%	3%	1%	0%	1%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	39%	57%	38%	43%	44%	41%	53%	41%	47%	46%	44%	44%	44%
	No	41%	46%	28%	46%	43%	41%	41%	33%	45%	36%	38%	41%	38%	44%
	Undecided	14%	13%	15%	13%	13%	16%	15%	12%	13%	14%	13%	14%	17%	11%
	Refused	1%	2%		3%	1%		3%	2%	2%	3%	3%	1%	0%	1%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	31%	46%	32%	37%	34%	38%	42%	34%	37%	37%	37%	36%	38%
	Solid No	32%	38%	19%	33%	38%	30%	33%	26%	36%	30%	31%	33%	26%	38%
	Solid undecided	9%	4%	12%	12%	9%	7%	11%	9%	10%	6%	6%	10%	11%	8%
	Persuadable	18%	15%	24%	19%	15%	19%	15%	21%	17%	17%	17%	18%	22%	15%
	Toward Yes	9%	11%	12%	7%	6%	11%	4%	12%	8%	11%	11%	9%	11%	7%
	Toward No	12%	15%	10%	13%	9%	17%	11%	9%	11%	12%	12%	11%	15%	7%
	Unweighted Count /	500	127	122	108	142	100	65	144	183	99	116	382	185	197
	Weighted Count	500	120	127	112	140	99	70	144	181	96	112	386	184	202

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CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		4	29	-3	8	-11	24	-14	-8	3	42	-9	-19	-7	30	21	17
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	20%	21%	30%	19%	30%	18%	20%	20%	38%	20%	21%	17%	29%	30%	31%
	Yes - not so strongly	14%	22%	16%	11%	14%	13%	13%	15%	14%	13%	14%	11%	16%	10%	18%	12%
	Lean yes	7%	15%	4%	5%	5%	10%	5%	5%	8%	12%	5%	1%	7%	18%	5%	5%
	Undecided/DK	14%	12%	13%	15%	12%	15%	11%	13%	15%	15%	11%	15%	12%	14%	12%	20%
	Lean no	4%	1%	4%	4%	5%	3%	3%	6%	5%	1%	5%	5%	5%	3%	3%	3%
	No - not so strongly	12%	8%	12%	13%	12%	11%	12%	12%	12%	10%	11%	11%	14%	7%	14%	14%
	No - strongly	25%	19%	28%	21%	32%	16%	34%	29%	22%	10%	32%	35%	28%	17%	16%	13%
	(Refused)	1%	3%	2%		1%	2%	2%		2%	1%	2%			2%	1%	2%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	57%	41%	47%	38%	53%	36%	40%	43%	63%	39%	33%	40%	57%	54%	48%
	No	41%	28%	44%	38%	49%	30%	50%	47%	40%	21%	48%	52%	48%	27%	33%	30%
	Undecided	14%	12%	13%	15%	12%	15%	11%	13%	15%	15%	11%	15%	12%	14%	12%	20%
	Refused	1%	3%	2%		1%	2%	2%		2%	1%	2%			2%	1%	2%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	49%	35%	39%	32%	44%	30%	33%	35%	52%	35%	26%	31%	46%	43%	42%
	Solid No	32%	24%	34%	31%	40%	21%	39%	41%	30%	13%	38%	41%	43%	18%	23%	23%
	Solid undecided	9%	8%	9%	11%	9%	9%	9%	8%	7%	12%	9%	10%	7%	9%	7%	13%
	Persuadable	18%	17%	17%	20%	16%	21%	15%	16%	18%	23%	13%	18%	19%	22%	20%	21%
	Toward Yes	9%	9%	8%	9%	7%	11%	6%	8%	11%	11%	4%	8%	12%	12%	13%	8%
	Toward No	12%	6%	11%	11%	11%	12%	12%	10%	15%	10%	12%	12%	7%	12%	13%	12%
	Unweighted Count / Weighted Count	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62	

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		4	-24	20	17	-19	46	73	-82	7	10	75	71	-68	-94
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	13%	31%	29%	15%	42%	49%	2%	5%	11%	72%	23%	3%	1%
	Yes - not so strongly	14%	13%	15%	15%	15%	8%	23%	1%	16%	20%	11%	36%	2%	
	Lean yes	7%	7%	7%	6%	7%	18%	11%	4%	8%	12%	2%	20%	8%	0%
	Undecided/DK	14%	11%	14%	18%	6%	10%	7%	4%	48%	22%	4%	11%	6%	2%
	Lean no	4%	4%	4%	4%	4%	2%	2%	7%	2%	6%	1%	3%	14%	2%
	No - not so strongly	12%	12%	10%	9%	19%	8%	3%	22%	12%	18%	4%	2%	48%	3%
	No - strongly	25%	40%	19%	19%	33%	11%	3%	60%	8%	9%	4%	3%	19%	90%
	(Refused)	1%	1%	1%	1%	1%		1%	1%	1%	1%	2%	1%		1%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	32%	52%	49%	37%	68%	82%	6%	29%	44%	85%	79%	13%	1%
	No	41%	56%	33%	32%	56%	22%	9%	89%	22%	33%	9%	8%	81%	95%
	Undecided	14%	11%	14%	18%	6%	10%	7%	4%	48%	22%	4%	11%	6%	2%
	Refused	1%	1%	1%	1%	1%		1%	1%	1%	1%	2%	1%		1%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	29%	43%	42%	28%	58%	82%			30%	85%	79%		
	Solid No	32%	50%	24%	24%	43%	20%		89%		23%			81%	95%
	Solid undecided	9%	7%	10%	12%	3%	3%			48%	16%				
	Persuadable	18%	12%	20%	21%	12%	16%		10%	77%	31%			19%	3%
	Toward Yes	9%	5%	10%	9%	9%	13%		10%	29%	15%			19%	3%
	Toward No	12%	9%	11%	13%	16%	6%	16%		22%	15%	14%	19%		
	Unweighted Count / Weighted Count	500	185	225	252	106	54	219	186	93	272	117	102	77	109
		500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
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CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		4	61	-53	2	13	63	60	-32	-71	60	-41	24	16
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	42%	12%	13%	19%	60%	29%	14%	10%	43%	14%	18%	18%
	Yes - not so strongly	14%	22%	5%	15%	18%	14%	27%	9%	1%	20%	8%	17%	19%
	Lean yes	7%	12%	4%	5%	10%	3%	19%	8%	1%	12%	4%	9%	9%
	Undecided/DK	14%	9%	4%	34%	18%	7%	11%	5%	4%	10%	6%	35%	22%
	Lean no	4%	3%	6%	2%	4%	2%	3%	8%	5%	2%	6%	2%	5%
	No - not so strongly	12%	4%	19%	14%	15%	3%	5%	30%	10%	5%	16%	13%	16%
	No - strongly (Refused)	25% 1%	8% 	49% 1%	15% 2%	15% 1%	9% 	7% 	24% 2%	69% 	8% 1%	45% 1%	5% 1%	9% 1%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	76%	21%	33%	47%	78%	75%	31%	12%	75%	26%	44%	47%
	No	41%	15%	74%	31%	34%	15%	15%	62%	84%	15%	67%	20%	30%
	Undecided	14%	9%	4%	34%	18%	7%	11%	5%	4%	10%	6%	35%	22%
	Refused	1%		1%	2%	1%			2%		1%	1%	1%	1%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	67%	16%	22%	36%	72%	64%	21%	12%	68%	21%	30%	37%
	Solid No	32%	9%	63%	21%	26%	5%	12%	52%	73%	8%	58%	9%	21%
	Solid undecided	9%	3%	2%	27%	13%		6%	3%	2%	5%	3%	27%	15%
	Persuadable	18%	12%	9%	41%	26%	6%	17%	15%	4%	13%	10%	42%	27%
	Toward Yes	9%	9%	7%	14%	12%	6%	11%	12%	2%	8%	7%	15%	12%
	Toward No	12%	11%	10%	15%	11%	17%	7%	11%	9%	11%	9%	18%	13%
	Unweighted Count / Weighted Count	500 500	189 187	190 184	118 124	318 318	77 77	112 110	88 84	102 100	153 146	238 237	105 113	272 277

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		4	58	62	-40	-41	100	-100	0	55	-50	13	69	-42	19
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	67%	25%	12%	15%	52%			40%	10%	15%	44%	14%	15%
	Yes - not so strongly	14%	4%	33%	8%	8%	31%			23%	6%	9%	25%	8%	12%
	Lean yes	7%	5%	16%	2%	5%	17%			10%	5%	7%	12%	4%	8%
	Undecided/DK	14%	6%	13%	13%	3%			100%	9%	8%	47%	6%	6%	47%
	Lean no	4%	1%	3%	11%	3%		9%		3%	5%	2%	2%	4%	5%
	No - not so strongly	12%	6%	4%	33%	8%		30%		7%	19%	7%	6%	19%	5%
	No - strongly	25%	11%	5%	19%	58%		61%		8%	46%	9%	5%	44%	6%
8/9.COMBINED INFORMED PARCEL TAX	(Refused)	1%		1%	2%							3%			3%
	Yes	45%	76%	74%	23%	28%	100%			73%	21%	31%	81%	26%	34%
	No	41%	18%	12%	63%	69%		100%		18%	71%	18%	13%	68%	16%
	Undecided	14%	6%	13%	13%	3%			100%	9%	8%	47%	6%	6%	47%
4/5-8/9.PARCEL TAX SHIFT	Refused	1%		1%	2%							3%			3%
	Solid Yes	37%	73%	64%	21%	22%	82%			62%	17%	23%	72%	22%	20%
	Solid No	32%	8%	8%	52%	62%		79%		11%	61%	12%	6%	57%	9%
	Solid undecided	9%	2%	8%	7%	0%			66%	4%	4%	40%	4%	3%	35%
	Persuadable	18%	6%	18%	15%	7%	18%		76%	15%	11%	50%	13%	9%	53%
	Toward Yes	9%	5%	11%	8%	7%	18%		10%	11%	7%	10%	10%	6%	17%
	Toward No	12%	13%	9%	10%	9%		20%	24%	12%	12%	10%	8%	12%	16%
	Unweighted Count / Weighted Count	500 / 500	68 / 64	85 / 83	82 / 82	156 / 155	222 / 223	209 / 203	64 / 68	221 / 212	212 / 213	64 / 70	169 / 156	251 / 249	76 / 89

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		4	100	-100	43	-71	60	-63	17	34	7	75	-43	31	37	-17
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	59%		9%		44%	10%	20%	29%	14%	50%	14%	19%	25%	13%
	Yes - not so strongly	14%	28%		19%		22%	4%	17%	23%	13%	23%	7%	19%	24%	9%
	Lean yes	7%	13%		15%		10%	3%	5%	9%	17%	12%	5%	9%	11%	7%
	Undecided/DK	14%			57%	29%	8%	5%	33%	11%	20%	4%	5%	36%	16%	23%
	Lean no	4%		8%		12%	3%	6%	3%	5%	3%	1%	5%	5%	8%	5%
	No - not so strongly	12%		25%		33%	5%	20%	11%	14%	15%	5%	17%	6%	6%	21%
	No - strongly (Refused)	25%		67%		26%	8%	53%	11%	9%	19%	4%	47%	5%	10%	21%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	100%		43%		76%	16%	41%	61%	43%	85%	26%	47%	61%	30%
	No	41%		100%		71%	16%	79%	24%	28%	37%	11%	69%	16%	24%	46%
	Undecided	14%			57%	29%	8%	5%	33%	11%	20%	4%	5%	36%	16%	23%
	Refused	1%							2%					1%		1%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	100%				68%	15%	27%	38%	30%	80%	22%	31%	39%	18%
	Solid No	32%		100%			10%	70%	15%	15%	24%	6%	62%	7%	9%	22%
	Solid undecided	9%			49%		2%	3%	28%	8%	10%	2%	3%	28%	7%	12%
	Persuadable	18%			100%		11%	6%	43%	32%	27%	7%	8%	46%	32%	26%
	Toward Yes	9%			51%		8%	4%	14%	23%	17%	5%	5%	18%	25%	15%
	Toward No	12%				100%	12%	9%	11%	13%	19%	7%	7%	14%	17%	33%
	Unweighted Count / Weighted Count	500 / 500	183 / 184	169 / 160	87 / 90	55 / 58	164 / 162	168 / 162	105 / 106	62 / 56	59 / 64	125 / 116	215 / 214	99 / 106	54 / 51	56 / 58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		4	89	17	-93	4	4
8/9.COMBINED INFORMED PARCEL TAX	Yes - strongly	23%	59%	24%	1%	20%	26%
	Yes - not so strongly	14%	21%	17%		13%	14%
	Lean yes	7%	11%	9%	1%	9%	6%
	Undecided/DK	14%	6%	14%	3%	18%	9%
	Lean no	4%	1%	3%	8%	4%	3%
	No - not so strongly	12%		14%	18%	10%	14%
	No - strongly	25%	1%	16%	69%	23%	26%
	(Refused)	1%		2%		2%	1%
8/9.COMBINED INFORMED PARCEL TAX	Yes	45%	91%	51%	2%	42%	47%
	No	41%	2%	34%	95%	38%	43%
	Undecided	14%	6%	14%	3%	18%	9%
	Refused	1%		2%		2%	1%
4/5-8/9.PARCEL TAX SHIFT	Solid Yes	37%	91%	39%		33%	40%
	Solid No	32%		21%	95%	28%	36%
	Solid undecided	9%		8%		11%	6%
	Persuadable	18%		21%	5%	23%	14%
	Toward Yes	9%		13%	5%	11%	7%
	Toward No	12%	9%	17%		14%	9%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		4	-5	12	3	6	9	-7	-14	18	2	10	4	8	1
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	16%	24%	18%	22%	24%	10%	17%	19%	16%	26%	20%	28%	13%
	Yes - not so strongly	13%	13%	13%	7%	16%	7%	5%	5%	9%	18%	14%	12%	14%	13%
	Lean yes	9%	9%	9%	11%	8%	14%	16%	9%	14%	9%	7%	10%	3%	14%
	Undecided/DK	18%	17%	20%	27%	14%	21%	32%	25%	29%	13%	15%	16%	19%	22%
	Lean no	4%	4%	4%	5%	4%	3%	7%	4%	6%	5%	4%	2%	7%	5%
	No - not so strongly	10%	12%	9%	8%	12%	6%	17%	6%	9%	15%	10%	9%	8%	14%
	No - strongly	23%	27%	20%	21%	23%	26%	14%	34%	9%	22%	24%	28%	21%	19%
	(Refused)	2%	2%	1%	2%	1%				4%	3%		3%	1%	
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	38%	46%	37%	45%	44%	30%	30%	42%	43%	47%	42%	44%	40%
	No	38%	43%	34%	34%	39%	35%	37%	44%	24%	41%	38%	39%	36%	38%
	Undecided	18%	17%	20%	27%	14%	21%	32%	25%	29%	13%	15%	16%	19%	22%
	Refused	2%	2%	1%	2%	1%				4%	3%		3%	1%	
	Unweighted Count /	250	109	141	76	171	23	21	39	37	69	102	98	79	73
	Weighted Count	250	116	134	85	162	27	22	41	44	74	88	110	68	73

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		4	-2	9	-17	31	3	0	22	14	-18	7	-3	8	1
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	20%	21%	21%	34%	6%	19%	29%	23%	12%	19%	18%	22%	18%
	Yes - not so strongly	13%	12%	12%	10%	17%	19%	9%	6%	17%	13%	15%	13%	12%	14%
	Lean yes	9%	7%	12%	2%	3%	17%	10%	14%	12%	4%	9%	6%	11%	7%
	Undecided/DK	18%	17%	15%	14%	23%	19%	24%	24%	8%	21%	14%	23%	18%	19%
	Lean no	4%	3%	1%	11%	4%		9%	8%	3%	3%	7%	1%	5%	4%
	No - not so strongly	10%	11%	7%	10%	7%	14%	14%	8%	14%	23%	7%	5%	14%	6%
	No - strongly	23%	27%	29%	29%	13%	25%	14%	11%	21%	23%	22%	34%	18%	29%
	(Refused)	2%	3%	3%	2%					2%		6%		1%	3%
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	39%	45%	33%	54%	42%	38%	49%	52%	30%	43%	37%	45%	40%
	No	38%	41%	37%	50%	23%	39%	38%	27%	39%	49%	36%	40%	37%	39%
	Undecided	18%	17%	15%	14%	23%	19%	24%	24%	8%	21%	14%	23%	18%	19%
	Refused	2%	3%	3%	2%					2%		6%		1%	3%
	Unweighted Count / Weighted Count	250 250	39 52	59 58	36 32	43 36	34 33	39 40	38 45	61 43	30 35	43 53	78 73	129 124	121 126

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		4	-13	26	4	-1	-5	15	17	-3	20	14	2	-3	7
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	16%	28%	17%	20%	17%	21%	27%	18%	11%	12%	23%	20%	26%
	Yes - not so strongly	13%	12%	12%	15%	13%	5%	10%	16%	15%	14%	11%	13%	10%	17%
	Lean yes	9%	8%	13%	9%	6%	12%	10%	10%	6%	21%	19%	6%	7%	4%
	Undecided/DK	18%	15%	20%	19%	19%	28%	27%	11%	17%	23%	22%	17%	20%	14%
	Lean no	4%	6%	4%	2%	5%	4%	6%	5%	3%	4%	4%	5%	5%	4%
	No - not so strongly	10%	20%	9%	3%	9%	13%		16%	9%	9%	9%	10%	10%	11%
	No - strongly	23%	22%	14%	33%	26%	22%	21%	14%	31%	12%	17%	26%	27%	24%
	(Refused)	2%	1%		3%	3%		5%	1%	2%	6%	5%	0%	1%	
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	35%	53%	41%	38%	34%	41%	53%	40%	45%	43%	42%	38%	46%
	No	38%	48%	27%	37%	40%	39%	27%	35%	42%	26%	30%	40%	41%	39%
	Undecided	18%	15%	20%	19%	19%	28%	27%	11%	17%	23%	22%	17%	20%	14%
	Refused	2%	1%		3%	3%		5%	1%	2%	6%	5%	0%	1%	
	Unweighted Count /	250	61	68	48	73	48	28	79	92	51	61	188	97	91
	Weighted Count	250	59	65	57	69	51	34	72	91	52	62	187	95	92

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		4	34	0	3	-12	26	-5	-19	-1	47	-16	-14	-6	33	24	17
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	20%	21%	25%	16%	27%	20%	13%	14%	37%	16%	21%	12%	27%	33%	16%
	Yes - not so strongly	13%	16%	16%	11%	14%	12%	14%	13%	13%	11%	13%	13%	16%	12%	13%	12%
	Lean yes	9%	18%	5%	6%	6%	12%	4%	7%	11%	12%	5%		11%	18%	4%	12%
	Undecided/DK	18%	19%	15%	20%	16%	22%	16%	16%	20%	24%	16%	17%	15%	15%	21%	36%
	Lean no	4%	2%	4%	5%	5%	3%	2%	8%	8%		1%	9%	9%	3%	6%	
	No - not so strongly	10%	6%	10%	10%	13%	7%	11%	14%	11%	4%	11%	8%	17%	5%	9%	8%
	No - strongly	23%	13%	28%	23%	30%	14%	30%	29%	20%	9%	36%	31%	19%	15%	12%	15%
	(Refused)	2%	5%	1%		1%	2%	2%		1%	3%	2%			4%	2%	
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	55%	42%	42%	35%	51%	38%	33%	39%	60%	33%	35%	39%	57%	51%	40%
	No	38%	21%	42%	39%	48%	25%	43%	51%	39%	13%	49%	48%	45%	24%	27%	24%
	Undecided	18%	19%	15%	20%	16%	22%	16%	16%	20%	24%	16%	17%	15%	15%	21%	36%
	Refused	2%	5%	1%		1%	2%	2%		1%	3%	2%			4%	2%	
	Unweighted Count / Weighted Count	250	38	85	103	135	107	56	79	48	59	58	32	45	38	45	24
		250	38	91	96	130	111	61	69	49	62	62	26	42	45	39	26

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		4	-14	9	14	-10	52	66	-82	10	11	70	62	-67	-93
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	14%	25%	25%	10%	40%	44%	1%	4%	9%	69%	19%	3%	
	Yes - not so strongly	13%	13%	14%	14%	15%	11%	20%		17%	18%	11%	30%		
	Lean yes	9%	7%	8%	5%	13%	18%	13%	3%	9%	14%	2%	24%	8%	
	Undecided/DK	18%	17%	16%	25%	11%	14%	11%	7%	48%	28%	4%	18%	11%	4%
	Lean no	4%	6%	4%	6%			3%	7%	2%	6%		6%	12%	4%
	No - not so strongly	10%	5%	11%	9%	17%	6%	2%	22%	10%	15%	4%		48%	2%
	No - strongly	23%	38%	21%	16%	31%	11%	6%	58%	8%	9%	8%	4%	19%	87%
	(Refused)	2%		1%	1%	2%		2%	2%	1%	0%	3%			3%
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	34%	46%	44%	39%	69%	77%	5%	30%	41%	82%	72%	11%	
	No	38%	48%	37%	30%	49%	17%	11%	86%	20%	30%	11%	10%	78%	93%
	Undecided	18%	17%	16%	25%	11%	14%	11%	7%	48%	28%	4%	18%	11%	4%
	Refused	2%		1%	1%	2%		2%	2%	1%	0%	3%			3%
	Unweighted Count / Weighted Count	250	82	112	128	48	34	105	84	61	147	53	52	34	50
		250	80	112	128	45	34	108	82	60	150	54	54	35	47

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		4	61	-61	4	17	55	64	-38	-79	53	-43	24	18
A8.PARCEL TAX RE- BALLOT - SURGE	Yes - strongly	20%	37%	10%	9%	17%	54%	27%	14%	7%	40%	12%	13%	15%
	Yes - not so strongly	13%	20%	5%	13%	17%	13%	24%	11%		19%	9%	12%	17%
	Lean yes	9%	18%	1%	7%	13%	5%	25%	2%		13%	4%	12%	12%
	Undecided/DK	18%	12%	7%	43%	23%	12%	12%	9%	6%	9%	8%	48%	29%
	Lean no	4%	3%	9%	1%	3%	3%	2%	10%	8%	3%	7%	1%	6%
	No - not so strongly	10%	3%	17%	12%	13%	2%	4%	27%	9%	6%	15%	8%	13%
	No - strongly	23%	8%	51%	12%	13%	11%	6%	28%	70%	10%	45%	4%	7%
	(Refused)	2%			3%	1%					1%		2%	2%
A8.PARCEL TAX RE- BALLOT - SURGE	Yes	42%	75%	16%	29%	46%	72%	76%	27%	7%	72%	25%	37%	44%
	No	38%	14%	77%	25%	29%	16%	12%	64%	87%	18%	67%	13%	26%
	Undecided	18%	12%	7%	43%	23%	12%	12%	9%	6%	9%	8%	48%	29%
	Refused	2%			3%	1%					1%		2%	2%
	Unweighted Count / Weighted Count	250 250	99 97	88 85	62 67	165 165	36 37	63 60	40 38	48 47	78 76	109 108	61 64	142 146

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		4	42	60	-54	-37	100	-100	0	49	-47	8	63	-39	10
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	65%	24%	5%	15%	48%			36%	8%	8%	38%	14%	8%
	Yes - not so strongly	13%	3%	28%	9%	9%	31%			20%	7%	9%	23%	7%	9%
	Lean yes	9%		21%		6%	21%			12%	6%	8%	16%	5%	7%
	Undecided/DK	18%	5%	11%	19%	3%			100%	12%	11%	53%	7%	9%	57%
	Lean no	4%		4%	18%	3%		11%		3%	6%	3%	3%	4%	7%
	No - not so strongly	10%	11%	4%	35%	5%		27%		8%	14%	9%	7%	17%	2%
	No - strongly	23%	16%	6%	14%	59%		62%		9%	47%	6%	5%	44%	6%
(Refused)	2%		2%								5%			4%	
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	69%	74%	14%	30%	100%			69%	21%	25%	78%	26%	24%
	No	38%	27%	14%	67%	67%		100%		20%	68%	17%	15%	65%	15%
	Undecided	18%	5%	11%	19%	3%			100%	12%	11%	53%	7%	9%	57%
	Refused	2%		2%								5%			4%
	Unweighted Count / Weighted Count	250	29	49	32	77	107	97	43	112	98	39	84	118	46
		250	28	47	34	74	105	95	46	109	98	42	80	116	52

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		4	100	-100	39	-67	61	-67	3	9	23	71	-44	22	24	-5
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	57%		6%		41%	5%	16%	24%	12%	48%	12%	11%	14%	15%
	Yes - not so strongly	13%	26%		18%		19%	6%	14%	22%	13%	22%	7%	15%	23%	11%
	Lean yes	9%	17%		15%		15%	1%	1%	2%	25%	15%	5%	11%	15%	8%
	Undecided/DK	18%			61%	33%	11%	8%	38%	14%	24%	2%	7%	47%	20%	25%
	Lean no	4%		8%		13%	3%	7%	3%	7%	2%	1%	4%	7%	13%	6%
	No - not so strongly	10%		25%		22%	4%	16%	14%	17%	6%	7%	16%	3%	5%	14%
	No - strongly	23%		67%		31%	7%	56%	10%	13%	19%	6%	48%	5%	10%	18%
	(Refused)	2%							4%					2%		2%
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	100%		39%		75%	12%	30%	48%	50%	84%	24%	36%	52%	34%
	No	38%		100%		67%	14%	79%	28%	38%	27%	13%	69%	14%	28%	39%
	Undecided	18%			61%	33%	11%	8%	38%	14%	24%	2%	7%	47%	20%	25%
	Refused	2%							4%					2%		2%
	Unweighted Count / Weighted Count	250	83	75	56	33	83	75	59	31	32	60	97	56	30	35
		250	83	71	57	35	81	72	61	29	34	56	94	61	31	36

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		4	91	12	-95	4	.
A8.PARCEL TAX RE-BALLOT - SURGE	Yes - strongly	20%	59%	18%		20%	
	Yes - not so strongly	13%	15%	18%		13%	
	Lean yes	9%	19%	9%		9%	
	Undecided/DK	18%	4%	19%	5%	18%	
	Lean no	4%		3%	11%	4%	
	No - not so strongly	10%		13%	15%	10%	
	No - strongly	23%	2%	16%	68%	23%	
	(Refused)	2%		3%		2%	
A8.PARCEL TAX RE-BALLOT - SURGE	Yes	42%	93%	45%		42%	
	No	38%	2%	32%	95%	38%	
	Undecided	18%	4%	19%	5%	18%	
	Refused	2%		3%		2%	
	Unweighted Count / Weighted Count	250	48	123	55	250	
		250	47	126	52	250	

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		4	-10	15	0	7	-14	7	-5	7	-10	18	8	-5	4
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	20%	32%	25%	28%	16%	25%	27%	22%	17%	35%	25%	23%	31%
	Yes - not so strongly	14%	13%	15%	16%	14%	17%	12%	12%	21%	15%	13%	14%	17%	14%
	Lean yes	6%	5%	7%	8%	5%	8%	15%	6%	10%	5%	5%	10%	4%	1%
	Undecided/DK	9%	9%	8%	3%	11%	2%	3%	5%	2%	11%	10%	9%	8%	10%
	Lean no	3%	4%	3%	1%	5%			1%		6%	4%	6%	1%	2%
	No - not so strongly	14%	13%	15%	10%	17%	12%	12%	8%	12%	18%	16%	11%	19%	14%
	No - strongly	26%	32%	21%	38%	19%	44%	33%	41%	34%	23%	16%	25%	28%	25%
	(Refused)	1%	2%			2%					4%		1%		2%
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	39%	54%	48%	47%	42%	52%	45%	53%	37%	54%	49%	44%	46%
	No	43%	49%	38%	48%	40%	56%	45%	50%	46%	47%	36%	41%	49%	42%
	Undecided	9%	9%	8%	3%	11%	2%	3%	5%	2%	11%	10%	9%	8%	10%
	Refused	1%	2%			2%					4%		1%		2%
	Unweighted Count /	250	126	124	89	157	32	32	57	32	65	92	108	56	86
	Weighted Count	250	116	134	84	163	28	23	48	36	64	98	110	67	73

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		4	4	12	-23	11	-19	23	14	17	14	7	-19	15	-8
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	29%	22%	10%	35%	17%	43%	27%	21%	31%	30%	24%	26%	26%
	Yes - not so strongly	14%	9%	18%	20%	14%	14%	13%	17%	24%	12%	16%	8%	18%	11%
	Lean yes	6%	8%	12%	3%	5%	3%		11%	9%	3%	4%	5%	8%	4%
	Undecided/DK	9%	8%	9%	11%	4%	10%	10%	4%	9%	20%	8%	6%	10%	7%
	Lean no	3%	5%	7%	2%		5%		3%	2%	3%	2%	5%	3%	4%
	No - not so strongly	14%	7%	14%	23%	16%	12%	16%	15%	10%	11%	20%	13%	12%	16%
	No - strongly	26%	31%	19%	31%	27%	35%	17%	22%	25%	17%	21%	37%	22%	30%
	(Refused)	1%	3%				5%				4%		2%	1%	1%
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	47%	52%	33%	53%	33%	57%	55%	54%	45%	49%	37%	52%	42%
	No	43%	43%	39%	56%	42%	52%	33%	41%	37%	31%	42%	55%	37%	50%
	Undecided	9%	8%	9%	11%	4%	10%	10%	4%	9%	20%	8%	6%	10%	7%
	Refused	1%	3%				5%				4%		2%	1%	1%
	Unweighted Count / Weighted Count	250 / 250	49 / 52	59 / 58	35 / 32	21 / 36	42 / 33	44 / 40	48 / 45	43 / 43	29 / 35	51 / 53	78 / 73	120 / 123	129 / 126

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		4	-1	31	-20	1	12	-15	21	-4	1	2	4	17	-5
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	13%	39%	29%	24%	25%	25%	28%	27%	21%	20%	28%	34%	24%
	Yes - not so strongly	14%	21%	15%	4%	16%	22%	8%	16%	12%	18%	18%	14%	15%	12%
	Lean yes	6%	9%	7%	2%	6%	7%	8%	8%	3%	11%	12%	4%	3%	6%
	Undecided/DK	9%	12%	9%	7%	7%	3%	4%	14%	8%	3%	2%	10%	14%	8%
	Lean no	3%	4%	2%	4%	4%	1%		4%	5%	2%	2%	4%	2%	5%
	No - not so strongly	14%	9%	15%	18%	15%	13%	6%	12%	20%	6%	8%	16%	17%	14%
	No - strongly	26%	30%	13%	33%	27%	28%	50%	15%	21%	40%	38%	22%	15%	28%
	(Refused)	1%	2%		2%				2%	2%			1%		3%
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	43%	61%	35%	47%	54%	40%	52%	43%	49%	50%	46%	52%	42%
	No	43%	43%	30%	55%	46%	43%	56%	31%	47%	48%	48%	42%	35%	47%
	Undecided	9%	12%	9%	7%	7%	3%	4%	14%	8%	3%	2%	10%	14%	8%
	Refused	1%	2%		2%				2%	2%			1%		3%
	Unweighted Count /	250	66	54	60	69	52	37	65	91	48	55	194	88	106
	Weighted Count	250	61	62	55	71	48	35	72	90	44	50	199	89	110

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		4	23	-5	13	-9	21	-24	3	6	36	-2	-23	-9	26	18	18
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	21%	21%	35%	23%	33%	17%	28%	25%	40%	24%	20%	22%	30%	27%	42%
	Yes - not so strongly	14%	29%	16%	12%	14%	14%	12%	16%	15%	14%	16%	9%	16%	9%	24%	12%
	Lean yes	6%	11%	4%	5%	4%	9%	5%	2%	6%	12%	5%	2%	3%	18%	7%	
	Undecided/DK	9%	2%	11%	10%	9%	8%	6%	11%	11%	5%	6%	14%	9%	12%	2%	8%
	Lean no	3%		4%	4%	4%	3%	5%	4%	3%	2%	8%	2%		3%		5%
	No - not so strongly	14%	10%	15%	16%	12%	15%	14%	10%	13%	17%	11%	13%	11%	8%	20%	18%
	No - strongly	26%	28%	27%	18%	34%	17%	39%	30%	24%	11%	28%	39%	39%	20%	20%	12%
	(Refused)	1%		3%		1%	1%	2%		3%		2%					4%
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	60%	40%	52%	41%	56%	34%	46%	46%	65%	45%	31%	41%	57%	58%	53%
	No	43%	38%	46%	38%	50%	35%	58%	43%	40%	30%	47%	55%	50%	31%	40%	35%
	Undecided	9%	2%	11%	10%	9%	8%	6%	11%	11%	5%	6%	14%	9%	12%	2%	8%
	Refused	1%		3%		1%	1%	2%		3%		2%					4%
	Unweighted Count / Weighted Count	250 / 250	29 / 29	99 / 95	95 / 104	148 / 129	95 / 112	71 / 57	77 / 72	53 / 56	42 / 56	71 / 62	27 / 31	50 / 36	32 / 43	28 / 34	35 / 35

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		4	-32	29	20	-26	37	80	-83	1	10	80	79	-68	-95
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	11%	37%	32%	19%	45%	53%	2%	8%	14%	74%	27%	3%	2%
	Yes - not so strongly	14%	12%	16%	16%	15%	4%	25%	2%	15%	23%	11%	43%	5%	
	Lean yes	6%	8%	6%	6%	3%	18%	8%	4%	4%	10%	3%	16%	8%	1%
	Undecided/DK	9%	5%	13%	11%	2%	3%	4%	1%	47%	15%	5%	4%	2%	
	Lean no	3%	3%	4%	2%	8%	6%	1%	7%	2%	6%	2%		15%	
	No - not so strongly	14%	18%	9%	10%	20%	13%	5%	23%	17%	22%	5%	5%	48%	4%
	No - strongly	26%	42%	16%	21%	35%	11%	1%	62%	7%	9%	1%	2%	19%	93%
	(Refused)	1%	1%		1%			1%			1%		3%		
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	31%	58%	54%	36%	67%	87%	8%	27%	47%	88%	86%	15%	3%
	No	43%	63%	29%	34%	62%	30%	7%	91%	26%	37%	8%	7%	83%	97%
	Undecided	9%	5%	13%	11%	2%	3%	4%	1%	47%	15%	5%	4%	2%	
	Refused	1%	1%		1%			1%			1%		3%		
	Unweighted Count / Weighted Count	250	103	113	124	58	20	114	102	32	125	64	50	43	59
		250	98	118	127	57	19	115	98	34	127	64	51	42	56

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		4	61	-47	-1	9	69	55	-27	-65	68	-39	23	15
B9.PARCEL TAX RE- BALLOT - NO SURGE	Yes - strongly	26%	47%	14%	18%	21%	65%	31%	14%	13%	47%	16%	25%	22%
	Yes - not so strongly	14%	24%	4%	17%	19%	16%	31%	8%	2%	22%	8%	23%	22%
	Lean yes	6%	7%	7%	2%	8%	2%	10%	12%	2%	10%	5%	5%	6%
	Undecided/DK	9%	6%	2%	25%	13%	2%	9%	2%	2%	11%	5%	17%	13%
	Lean no	3%	3%	4%	3%	4%	2%	4%	6%	2%	2%	5%	2%	4%
	No - not so strongly	14%	5%	21%	16%	18%	4%	6%	33%	11%	3%	18%	21%	20%
	No - strongly	26%	8%	46%	19%	16%	8%	8%	21%	68%	6%	44%	7%	12%
	(Refused)	1%		2%		1%			3%			1%		1%
B9.PARCEL TAX RE- BALLOT - NO SURGE	Yes	47%	78%	25%	37%	48%	83%	73%	34%	17%	79%	28%	53%	50%
	No	43%	16%	72%	38%	38%	14%	18%	61%	81%	11%	67%	30%	35%
	Undecided	9%	6%	2%	25%	13%	2%	9%	2%	2%	11%	5%	17%	13%
	Refused	1%		2%		1%			3%			1%		1%
	Unweighted Count / Weighted Count	250 250	90 90	102 100	56 57	153 153	41 41	49 50	48 46	54 54	75 70	129 129	44 48	130 131

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE- BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		4	71	64	-30	-44	100	-100	0	61	-52	21	74	-45	31
B9.PARCEL TAX RE- BALLOT - NO SURGE	Yes - strongly	26%	69%	26%	17%	15%	56%			44%	11%	26%	50%	14%	24%
	Yes - not so strongly	14%	4%	39%	8%	7%	31%			26%	6%	9%	26%	8%	16%
	Lean yes	6%	10%	10%	4%	5%	13%			8%	5%	5%	8%	4%	9%
	Undecided/DK	9%	6%	15%	8%	2%			100%	5%	4%	39%	5%	4%	34%
	Lean no	3%	2%	2%	6%	4%		8%		3%	4%		1%	5%	3%
	No - not so strongly	14%	2%	5%	31%	10%		33%		6%	24%	5%	5%	21%	8%
	No - strongly	26%	7%	4%	23%	57%		60%		8%	45%	15%	4%	44%	6%
(Refused)	1%			3%											
B9.PARCEL TAX RE- BALLOT - NO SURGE	Yes	47%	83%	75%	29%	27%	100%			78%	22%	41%	85%	26%	49%
	No	43%	11%	10%	59%	71%		100%		17%	74%	20%	10%	70%	17%
	Undecided	9%	6%	15%	8%	2%			100%	5%	4%	39%	5%	4%	34%
	Refused	1%			3%										
	Unweighted Count / Weighted Count	250	39	36	50	79	115	112	21	109	114	25	85	133	30
		250	35	35	48	82	117	108	22	104	115	29	77	134	37

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		4	100	-100	50	-77	59	-59	37	60	-12	78	-41	44	57	-37
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	61%		14%		48%	13%	24%	34%	15%	52%	15%	30%	42%	10%
	Yes - not so strongly	14%	29%		21%		25%	3%	21%	25%	13%	25%	8%	25%	26%	6%
	Lean yes	6%	10%		16%		5%	4%	10%	17%	8%	9%	5%	6%	6%	6%
	Undecided/DK	9%			50%	23%	4%	2%	25%	7%	16%	6%	4%	22%	9%	18%
	Lean no	3%		7%		9%	3%	5%	2%	3%	3%	1%	5%	3%		3%
	No - not so strongly	14%		25%		51%	6%	22%	6%	10%	25%	4%	18%	10%	7%	32%
	No - strongly	26%		68%		18%	9%	52%	12%	4%	19%	3%	46%	5%	10%	24%
	(Refused)	1%														
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	100%		50%		77%	20%	56%	77%	36%	86%	27%	61%	74%	22%
	No	43%		100%		77%	18%	78%	19%	16%	48%	8%	69%	17%	17%	60%
	Undecided	9%			50%	23%	4%	2%	25%	7%	16%	6%	4%	22%	9%	18%
	Refused	1%														
	Unweighted Count / Weighted Count	250 / 250	100 / 100	94 / 89	31 / 34	22 / 22	81 / 81	93 / 90	46 / 45	31 / 27	27 / 31	65 / 60	118 / 120	43 / 45	24 / 20	21 / 22

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		4	88	22	-91	.	4
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes - strongly	26%	60%	30%	2%		26%
	Yes - not so strongly	14%	27%	17%			14%
	Lean yes	6%	3%	9%	2%		6%
	Undecided/DK	9%	9%	8%	1%		9%
	Lean no	3%	2%	4%	5%		3%
	No - not so strongly	14%		15%	20%		14%
	No - strongly	26%		16%	70%		26%
	(Refused)	1%		1%			1%
B9.PARCEL TAX RE-BALLOT - NO SURGE	Yes	47%	90%	56%	4%		47%
	No	43%	2%	35%	95%		43%
	Undecided	9%	9%	8%	1%		9%
	Refused	1%		1%			1%
	Unweighted Count /	250	44	128	65		250
	Weighted Count	250	43	131	61		250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		0	-6	5	-5	3	-16	2	-2	-8	-7	11	2	1	-4
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	18%	20%	19%	20%	23%	18%	20%	18%	17%	22%	17%	25%	18%
	Yes - not so strongly	16%	13%	19%	13%	18%	14%	10%	10%	16%	15%	20%	19%	11%	16%
	Lean yes	7%	8%	6%	9%	6%	2%	16%	14%	5%	5%	7%	8%	6%	7%
	Undecided/DK	14%	14%	14%	12%	15%	7%	14%	12%	13%	17%	14%	14%	16%	13%
	Lean no	5%	5%	5%	6%	4%	6%	8%	4%	9%	5%	4%	5%	4%	7%
	No - not so strongly	14%	16%	12%	11%	15%	13%	10%	10%	11%	20%	12%	12%	14%	15%
	No - strongly	24%	25%	23%	29%	21%	35%	24%	31%	27%	19%	22%	25%	24%	23%
	(Refused)	1%	1%	1%	1%	1%				2%	2%		1%		1%
10.TOT INCREASE RE-BALLOT	Yes	42%	39%	45%	41%	44%	38%	44%	43%	39%	37%	49%	43%	43%	41%
	No	43%	45%	40%	46%	40%	54%	42%	45%	47%	44%	38%	41%	42%	45%
	Undecided	14%	14%	14%	12%	15%	7%	14%	12%	13%	17%	14%	14%	16%	13%
	Refused	1%	1%	1%	1%	1%				2%	2%		1%		1%
6-10.TOT INCREASE SHIFT	Solid Yes	32%	31%	33%	31%	33%	23%	35%	33%	29%	30%	36%	34%	33%	30%
	Solid No	32%	36%	29%	35%	30%	43%	33%	39%	31%	33%	29%	31%	31%	36%
	Solid undecided	10%	10%	10%	9%	10%	6%	14%	9%	10%	11%	9%	10%	11%	9%
	Persuadable	21%	19%	23%	21%	22%	22%	23%	21%	21%	19%	23%	20%	24%	21%
	Toward Yes	11%	9%	13%	11%	11%	15%	9%	12%	11%	8%	14%	10%	12%	12%
	Toward No	13%	12%	13%	12%	13%	13%	8%	8%	17%	15%	12%	13%	13%	12%
	Unweighted Count / Weighted Count	500 / 500	235 / 232	265 / 268	165 / 168	328 / 325	55 / 55	53 / 45	96 / 89	69 / 80	134 / 139	194 / 186	206 / 220	135 / 135	159 / 145

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		0	-7	9	-7	8	-2	-5	16	-6	-7	12	-12	2	-2
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	15%	18%	21%	29%	21%	16%	20%	15%	20%	19%	21%	18%	21%
	Yes - not so strongly	16%	13%	24%	14%	9%	12%	20%	24%	15%	16%	17%	11%	19%	13%
	Lean yes	7%	9%	7%	5%	7%	10%	4%	6%	9%	1%	11%	7%	6%	9%
	Undecided/DK	14%	18%	10%	13%	18%	10%	15%	16%	15%	18%	15%	9%	16%	12%
	Lean no	5%	4%	5%	5%	2%	6%	7%	9%	4%	2%	2%	7%	5%	5%
	No - not so strongly	14%	15%	9%	20%	10%	13%	17%	11%	21%	18%	10%	11%	17%	11%
	No - strongly	24%	25%	25%	23%	24%	26%	20%	14%	20%	23%	23%	33%	19%	29%
	(Refused)	1%	1%	2%			2%				2%	2%	1%	1%	1%
10.TOT INCREASE RE-BALLOT	Yes	42%	37%	49%	40%	45%	43%	40%	50%	39%	37%	47%	39%	43%	43%
	No	43%	44%	39%	47%	37%	45%	45%	34%	45%	43%	36%	51%	40%	45%
	Undecided	14%	18%	10%	13%	18%	10%	15%	16%	15%	18%	15%	9%	16%	12%
	Refused	1%	1%	2%			2%				2%	2%	1%	1%	1%
6-10.TOT INCREASE SHIFT	Solid Yes	32%	30%	38%	29%	36%	35%	25%	44%	27%	27%	36%	28%	33%	31%
	Solid No	32%	32%	29%	41%	22%	35%	37%	28%	33%	34%	26%	39%	32%	33%
	Solid undecided	10%	14%	7%	9%	13%	5%	12%	9%	11%	16%	11%	7%	12%	9%
	Persuadable	21%	20%	20%	24%	23%	13%	27%	18%	24%	25%	23%	18%	22%	21%
	Toward Yes	11%	7%	13%	15%	10%	8%	16%	9%	13%	9%	13%	11%	10%	12%
	Toward No	13%	15%	12%	6%	19%	14%	10%	11%	16%	11%	12%	14%	12%	13%
	Unweighted Count / Weighted Count	500 / 500	88 / 103	118 / 117	71 / 63	64 / 71	76 / 65	83 / 80	86 / 91	104 / 86	59 / 71	94 / 106	156 / 146	249 / 247	250 / 252

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		0	-7	10	-5	0	2	-14	4	3	6	3	0	3	-4
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	17%	19%	20%	21%	20%	17%	17%	22%	19%	20%	19%	16%	23%
	Yes - not so strongly	16%	14%	23%	12%	15%	18%	6%	20%	17%	17%	16%	16%	19%	13%
	Lean yes	7%	6%	5%	10%	7%	6%	15%	6%	6%	10%	8%	7%	7%	7%
	Undecided/DK	14%	18%	15%	11%	12%	14%	9%	18%	12%	11%	13%	14%	20%	10%
	Lean no	5%	5%	5%	4%	5%	6%	8%	5%	4%	6%	6%	5%	5%	5%
	No - not so strongly	14%	18%	15%	13%	8%	11%	9%	20%	11%	6%	9%	15%	13%	16%
	No - strongly	24%	21%	17%	29%	30%	25%	34%	13%	27%	28%	26%	23%	21%	26%
	(Refused)	1%	1%		1%	1%		3%	1%	1%	2%	2%	1%		1%
10.TOT INCREASE RE-BALLOT	Yes	42%	37%	48%	42%	43%	44%	37%	42%	45%	46%	44%	42%	42%	43%
	No	43%	44%	37%	46%	43%	42%	51%	38%	42%	40%	41%	43%	39%	46%
	Undecided	14%	18%	15%	11%	12%	14%	9%	18%	12%	11%	13%	14%	20%	10%
	Refused	1%	1%		1%	1%		3%	1%	1%	2%	2%	1%		1%
6-10.TOT INCREASE SHIFT	Solid Yes	32%	31%	36%	32%	31%	34%	26%	33%	34%	38%	36%	32%	30%	33%
	Solid No	32%	37%	27%	35%	32%	32%	39%	30%	31%	25%	27%	34%	30%	37%
	Solid undecided	10%	13%	10%	7%	10%	10%	8%	13%	8%	9%	9%	10%	13%	8%
	Persuadable	21%	20%	24%	18%	22%	22%	20%	23%	20%	18%	17%	23%	27%	19%
	Toward Yes	11%	8%	13%	11%	13%	11%	12%	10%	12%	9%	8%	12%	13%	11%
	Toward No	13%	11%	14%	13%	13%	12%	13%	13%	13%	18%	18%	11%	13%	10%
	Unweighted Count /	500	127	122	108	142	100	65	144	183	99	116	382	185	197
	Weighted Count	500	120	127	112	140	99	70	144	181	96	112	386	184	202

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		0	10	-4	3	0	2	-4	4	-5	9	-1	4	1	10	1	-7
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	21%	18%	20%	20%	19%	18%	21%	17%	21%	17%	27%	18%	17%	25%	16%
	Yes - not so strongly	16%	21%	14%	18%	18%	14%	15%	21%	11%	16%	22%	11%	18%	15%	11%	16%
	Lean yes	7%	5%	7%	7%	6%	9%	6%	6%	10%	7%	5%	6%	9%	13%	6%	5%
	Undecided/DK	14%	14%	15%	14%	12%	17%	15%	10%	15%	18%	10%	16%	11%	18%	16%	16%
	Lean no	5%	5%	4%	5%	3%	6%	4%	3%	5%	8%	3%	2%	5%	7%	5%	7%
	No - not so strongly	14%	10%	17%	12%	12%	15%	11%	12%	21%	9%	14%	7%	12%	9%	19%	19%
	No - strongly	24%	22%	23%	24%	29%	19%	29%	28%	19%	19%	28%	31%	27%	20%	18%	18%
(Refused)		1%	3%	2%		1%	1%	1%		1%	1%	1%			2%		2%
10.TOT INCREASE RE-BALLOT	Yes	42%	46%	39%	45%	44%	42%	40%	47%	39%	44%	44%	44%	45%	45%	43%	37%
	No	43%	37%	44%	42%	44%	40%	44%	43%	44%	36%	45%	40%	44%	35%	41%	44%
	Undecided	14%	14%	15%	14%	12%	17%	15%	10%	15%	18%	10%	16%	11%	18%	16%	16%
	Refused	1%	3%	2%		1%	1%	1%		1%	1%	1%			2%		2%
6-10.TOT INCREASE SHIFT	Solid Yes	32%	38%	31%	32%	31%	34%	28%	34%	35%	34%	32%	31%	29%	38%	34%	29%
	Solid No	32%	20%	35%	33%	35%	29%	35%	36%	36%	22%	33%	34%	40%	26%	29%	32%
	Solid undecided	10%	9%	10%	10%	9%	12%	10%	7%	11%	13%	10%	8%	7%	10%	14%	12%
	Persuadable	21%	18%	20%	25%	22%	21%	24%	21%	16%	25%	20%	26%	24%	20%	23%	19%
	Toward Yes	11%	8%	10%	14%	14%	9%	13%	14%	5%	12%	10%	17%	17%	10%	9%	8%
	Toward No	13%	22%	12%	11%	10%	15%	12%	9%	12%	17%	13%	10%	7%	14%	14%	17%
	Unweighted Count / Weighted Count	500 / 500	67 / 68	184 / 186	198 / 200	283 / 259	202 / 224	127 / 119	156 / 141	101 / 105	101 / 118	129 / 124	59 / 58	95 / 77	70 / 88	73 / 73	59 / 62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		0	-24	10	10	-7	45	48	-62	5	5	52	44	-49	-72
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	13%	24%	23%	18%	24%	35%	4%	13%	12%	51%	17%	4%	5%
	Yes - not so strongly	16%	14%	17%	15%	19%	25%	25%	8%	13%	20%	18%	32%	13%	4%
	Lean yes	7%	4%	6%	8%	4%	19%	10%	4%	7%	11%	3%	18%	8%	1%
	Undecided/DK	14%	13%	16%	17%	10%	8%	9%	6%	40%	19%	8%	10%	3%	8%
	Lean no	5%	7%	4%	4%	7%	2%	3%	5%	10%	8%	2%	5%	9%	1%
	No - not so strongly	14%	16%	12%	13%	15%	4%	11%	19%	9%	19%	7%	15%	35%	7%
	No - strongly	24%	33%	21%	20%	26%	17%	6%	54%	9%	12%	10%	2%	29%	73%
(Refused)		1%	1%		1%			1%			1%	2%	1%		
10.TOT INCREASE RE-BALLOT	Yes	42%	31%	47%	46%	41%	68%	69%	16%	32%	43%	71%	66%	24%	10%
	No	43%	55%	37%	36%	49%	24%	21%	78%	27%	38%	20%	22%	73%	82%
	Undecided	14%	13%	16%	17%	10%	8%	9%	6%	40%	19%	8%	10%	3%	8%
	Refused	1%	1%		1%			1%			1%	2%	1%		
6-10.TOT INCREASE SHIFT	Solid Yes	32%	22%	33%	37%	31%	50%	57%	11%	16%	29%	61%	53%	14%	9%
	Solid No	32%	42%	28%	29%	36%	19%	14%	66%	14%	25%	14%	13%	55%	74%
	Solid undecided	10%	9%	10%	14%	8%	4%	5%	5%	33%	14%	3%	6%	3%	7%
	Persuadable	21%	20%	25%	23%	18%	24%	16%	11%	52%	29%	13%	20%	13%	9%
	Toward Yes	11%	10%	16%	9%	11%	20%	12%	6%	20%	15%	10%	13%	10%	2%
	Toward No	13%	16%	14%	9%	15%	7%	11%	12%	18%	16%	10%	14%	18%	8%
	Unweighted Count / Weighted Count	500 500	185 178	225 229	252 255	106 102	54 53	219 223	186 180	93 94	272 277	117 118	102 106	77 77	109 103

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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		0	80	-80	-3	5	87	76	-74	-85	67	-40	-1	9
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	42%	3%	9%	12%	69%	23%		5%	44%	10%	8%	13%
	Yes - not so strongly	16%	32%	1%	14%	20%	19%	41%	3%	1%	22%	12%	18%	22%
	Lean yes	7%	12%	4%	4%	11%	1%	20%	7%	1%	11%	5%	6%	9%
	Undecided/DK	14%	7%	3%	41%	19%	8%	7%	5%	2%	12%	6%	34%	19%
	Lean no	5%	2%	6%	7%	7%		3%	13%	1%	3%	4%	10%	7%
	No - not so strongly	14%	2%	27%	12%	19%		3%	50%	7%	2%	20%	15%	18%
	No - strongly	24%	2%	55%	12%	11%	3%	2%	21%	83%	5%	43%	10%	10%
	(Refused)	1%		1%		0%			2%			1%		1%
10.TOT INCREASE RE-BALLOT	Yes	42%	86%	8%	28%	43%	90%	84%	10%	6%	77%	26%	33%	45%
	No	43%	6%	88%	31%	37%	3%	9%	84%	91%	10%	67%	34%	35%
	Undecided	14%	7%	3%	41%	19%	8%	7%	5%	2%	12%	6%	34%	19%
	Refused	1%		1%		0%			2%			1%		1%
6-10.TOT INCREASE SHIFT	Solid Yes	32%	86%			29%	90%	84%			65%	19%	20%	32%
	Solid No	32%		88%		22%			84%	91%	8%	57%	13%	22%
	Solid undecided	10%			41%	16%					8%	4%	27%	15%
	Persuadable	21%		11%	69%	31%			15%	9%	20%	13%	40%	28%
	Toward Yes	11%		11%	28%	15%			15%	9%	12%	10%	14%	13%
	Toward No	13%	14%		31%	18%	10%	16%			6%	10%	27%	17%
	Unweighted Count /	500	189	190	118	318	77	112	88	102	153	238	105	272
	Weighted Count	500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongly	Yes - weak	No - weak	No - strongly	Yes	No	Undecided	Yes	No	Undecided	Yes	No	Undecided
YES - NO		0	71	64	-32	-45	49	-55	3	100	-100	0	73	-46	0
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	71%	23%	9%	10%	33%	8%	10%	46%			43%	10%	4%
	Yes - not so strongly	16%	7%	34%	16%	9%	25%	8%	11%	38%			25%	10%	18%
	Lean yes	7%	5%	16%	7%	4%	11%	3%	6%	17%			13%	4%	5%
	Undecided/DK	14%	6%	17%	3%	8%	10%	6%	49%			100%	11%	4%	47%
	Lean no	5%	3%	3%	7%	2%	4%	5%	9%		12%		3%	5%	10%
	No - not so strongly	14%		4%	39%	11%	8%	20%	12%		32%		2%	23%	9%
	No - strongly	24%	8%	3%	18%	55%	8%	49%	3%		56%		3%	43%	7%
	(Refused)	1%			2%										
10.TOT INCREASE RE-BALLOT	Yes	42%	83%	74%	32%	24%	70%	19%	27%	100%			81%	25%	27%
	No	43%	11%	10%	63%	69%	20%	75%	24%		100%		8%	71%	26%
	Undecided	14%	6%	17%	3%	8%	10%	6%	49%			100%	11%	4%	47%
	Refused	1%			2%										
6-10.TOT INCREASE SHIFT	Solid Yes	32%	69%	62%	20%	18%	56%	13%	18%	76%			65%	18%	19%
	Solid No	32%	10%	6%	51%	60%	12%	63%	12%		76%		5%	56%	17%
	Solid undecided	10%	4%	12%	3%	4%	4%	5%	42%			72%	5%	3%	39%
	Persuadable	21%	15%	24%	15%	12%	20%	13%	51%	23%		80%	21%	12%	49%
	Toward Yes	11%	12%	12%	12%	8%	15%	8%	9%	23%		9%	17%	8%	10%
	Toward No	13%	4%	8%	12%	9%	12%	12%	19%		24%	20%	9%	15%	14%
	Unweighted Count / Weighted Count	500 / 500	68 / 64	85 / 83	82 / 82	156 / 155	222 / 223	209 / 203	64 / 68	221 / 212	212 / 213	64 / 70	169 / 156	251 / 249	76 / 89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		0	52	-66	9	3	100	-100	47	89	-79	80	-46	15	34	-16
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	37%	5%	9%	23%	49%		16%	30%		51%	10%	8%	15%	13%
	Yes - not so strongly	16%	25%	7%	16%	16%	37%		19%	37%		23%	11%	22%	28%	13%
	Lean yes	7%	10%	3%	10%	7%	14%		11%	22%		12%	4%	8%	11%	6%
	Undecided/DK	14%	9%	5%	39%	12%			53%	11%	21%	5%	5%	39%	26%	20%
	Lean no	5%	3%	3%	11%	8%		7%			20%	1%	4%	10%	8%	8%
	No - not so strongly	14%	10%	19%	7%	22%		30%			29%	2%	21%	8%	7%	22%
	No - strongly	24%	7%	58%	8%	12%		62%			30%	4%	46%	6%	5%	19%
	(Refused)	1%														
10.TOT INCREASE RE-BALLOT	Yes	42%	72%	14%	35%	45%	100%		47%	89%		87%	24%	38%	54%	32%
	No	43%	19%	80%	26%	43%		100%			79%	7%	71%	23%	20%	48%
	Undecided	14%	9%	5%	39%	12%			53%	11%	21%	5%	5%	39%	26%	20%
	Refused	1%														
6-10.TOT INCREASE SHIFT	Solid Yes	32%	60%	10%	19%	33%	100%					75%	18%	24%	32%	20%
	Solid No	32%	13%	70%	11%	25%		100%				6%	61%	12%	11%	21%
	Solid undecided	10%	4%	5%	31%	8%			47%			3%	4%	29%	9%	15%
	Persuadable	21%	16%	10%	50%	20%			100%	100%		15%	11%	46%	36%	26%
	Toward Yes	11%	12%	5%	19%	12%			53%	100%		12%	8%	17%	26%	12%
	Toward No	13%	10%	10%	19%	21%					100%	3%	10%	18%	21%	32%
	Unweighted Count / Weighted Count	500 / 500	183 / 184	169 / 160	87 / 90	55 / 58	164 / 162	168 / 162	105 / 106	62 / 56	59 / 64	125 / 116	215 / 214	99 / 106	54 / 51	56 / 58

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		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		0	90	10	-92	4	-4
10.TOT INCREASE RE-BALLOT	Yes - strongly	19%	55%	18%		19%	20%
	Yes - not so strongly	16%	27%	20%	1%	16%	16%
	Lean yes	7%	10%	9%	2%	8%	6%
	Undecided/DK	14%	6%	16%	1%	17%	11%
	Lean no	5%		5%	4%	5%	5%
	No - not so strongly	14%		16%	22%	12%	15%
	No - strongly	24%	2%	15%	69%	22%	26%
	(Refused)	1%		1%		1%	1%
10.TOT INCREASE RE-BALLOT	Yes	42%	92%	46%	4%	43%	42%
	No	43%	2%	36%	95%	39%	46%
	Undecided	14%	6%	16%	1%	17%	11%
	Refused	1%		1%		1%	1%
6-10.TOT INCREASE SHIFT	Solid Yes	32%	92%	30%		32%	32%
	Solid No	32%		21%	95%	29%	36%
	Solid undecided	10%		11%		13%	7%
	Persuadable	21%		29%	5%	25%	18%
	Toward Yes	11%		18%	5%	12%	11%
	Toward No	13%	8%	18%		14%	12%
	Unweighted Count / Weighted Count	500	92	251	120	250	250
		500	91	257	113	250	250

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		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
YES - NO		-19	-25	-13	-21	-17	-32	7	-21	-20	-26	-9	-13	-24	-22
11.SALES TAX RE-BALLOT	Yes - strongly	14%	12%	17%	13%	15%	13%	15%	15%	10%	10%	20%	15%	16%	12%
	Yes - not so strongly	12%	13%	11%	12%	12%	10%	20%	12%	13%	13%	10%	13%	9%	13%
	Lean yes	5%	5%	5%	4%	6%	1%	9%	5%	3%	5%	7%	6%	4%	5%
	Undecided/DK	18%	15%	20%	21%	17%	20%	20%	16%	26%	16%	17%	17%	19%	18%
	Lean no	5%	5%	5%	5%	5%	6%		2%	8%	7%	4%	5%	3%	5%
	No - not so strongly	12%	13%	11%	10%	13%	7%	13%	9%	11%	16%	12%	8%	20%	11%
	No - strongly	33%	37%	30%	35%	31%	43%	23%	42%	28%	32%	31%	34%	28%	36%
	(Refused)	1%	1%	1%	1%	1%				2%	2%	0%	1%	0%	1%
11.SALES TAX RE-BALLOT	Yes	31%	29%	33%	29%	33%	24%	44%	32%	26%	28%	37%	34%	28%	30%
	No	50%	54%	46%	50%	49%	56%	37%	53%	46%	54%	46%	47%	52%	52%
	Undecided	18%	15%	20%	21%	17%	20%	20%	16%	26%	16%	17%	17%	19%	18%
	Refused	1%	1%	1%	1%	1%				2%	2%	0%	1%	0%	1%
7-11.SALES TAX SHIFT	Solid Yes	23%	20%	26%	22%	24%	13%	31%	25%	19%	16%	30%	25%	23%	20%
	Solid No	43%	46%	40%	41%	43%	44%	29%	42%	39%	48%	40%	42%	42%	45%
	Solid undecided	11%	8%	14%	12%	11%	6%	16%	7%	17%	8%	13%	9%	13%	12%
	Persuadable	21%	19%	23%	22%	21%	23%	29%	16%	28%	22%	21%	19%	20%	25%
	Toward Yes	10%	12%	9%	10%	11%	17%	12%	9%	11%	14%	8%	10%	7%	12%
	Toward No	12%	13%	10%	15%	10%	20%	11%	17%	12%	11%	9%	12%	14%	9%
TARGETS	Yes on all	18%	17%	19%	20%	17%	12%	26%	24%	17%	12%	20%	20%	20%	14%
	Mixed	51%	50%	53%	48%	54%	62%	42%	45%	51%	54%	54%	55%	48%	50%
	No on all	23%	27%	19%	24%	21%	22%	21%	28%	20%	25%	18%	20%	24%	26%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	51%	48%	57%	47%	48%	68%	54%	60%	51%	44%	48%	52%	50%
	No, not on cell, but own one	12%	12%	13%	7%	15%	12%	3%	8%	6%	15%	15%	15%	12%	9%
	No, not on cell, and do not own one	2%	1%	3%		3%					1%	4%	2%	2%	1%
	Text to online	36%	36%	36%	36%	35%	40%	28%	39%	34%	33%	37%	35%	33%	40%
	Unweighted Count / Weighted Count	500 / 500	235 / 232	265 / 268	165 / 168	328 / 325	55 / 55	53 / 45	96 / 89	69 / 80	134 / 139	194 / 186	206 / 220	135 / 135	159 / 145

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		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
YES - NO		-19	-23	-4	-32	-16	-21	-23	-5	-19	-15	-28	-22	-13	-24
11.SALES TAX RE-BALLOT	Yes - strongly	14%	12%	18%	14%	17%	9%	15%	15%	14%	16%	14%	14%	15%	14%
	Yes - not so strongly	12%	10%	16%	12%	6%	18%	8%	18%	15%	14%	11%	7%	16%	8%
	Lean yes	5%	5%	7%	2%	5%	6%	4%	4%	5%	1%	4%	8%	4%	6%
	Undecided/DK	18%	21%	13%	12%	26%	10%	24%	20%	13%	21%	15%	20%	18%	18%
	Lean no	5%	5%	5%	5%	2%	3%	6%	4%	3%	4%	7%	5%	4%	6%
	No - not so strongly	12%	8%	8%	24%	16%	9%	13%	10%	15%	13%	14%	10%	12%	12%
	No - strongly	33%	37%	32%	31%	27%	42%	31%	29%	35%	29%	34%	36%	31%	35%
	(Refused)	1%	1%	2%		1%	2%			1%	2%	2%	1%	1%	1%
11.SALES TAX RE-BALLOT	Yes	31%	28%	40%	28%	29%	33%	27%	37%	34%	31%	28%	29%	34%	28%
	No	50%	50%	45%	60%	45%	54%	50%	42%	53%	46%	56%	51%	47%	53%
	Undecided	18%	21%	13%	12%	26%	10%	24%	20%	13%	21%	15%	20%	18%	18%
	Refused	1%	1%	2%		1%	2%			1%	2%	2%	1%	1%	1%
7-11.SALES TAX SHIFT	Solid Yes	23%	18%	32%	21%	25%	21%	19%	28%	23%	26%	19%	22%	26%	21%
	Solid No	43%	44%	40%	49%	36%	49%	43%	39%	46%	44%	44%	43%	42%	43%
	Solid undecided	11%	8%	10%	5%	20%	9%	15%	12%	6%	13%	10%	13%	10%	12%
	Persuadable	21%	20%	19%	17%	24%	21%	28%	23%	16%	22%	22%	22%	20%	22%
	Toward Yes	10%	11%	10%	12%	4%	12%	13%	11%	10%	9%	12%	9%	10%	10%
	Toward No	12%	18%	7%	13%	14%	7%	10%	11%	14%	6%	13%	12%	11%	13%
TARGETS	Yes on all	18%	16%	23%	18%	22%	17%	12%	27%	15%	18%	16%	16%	21%	16%
	Mixed	51%	55%	54%	40%	54%	49%	50%	44%	54%	53%	55%	52%	50%	53%
	No on all	23%	23%	17%	34%	14%	27%	25%	21%	25%	21%	22%	24%	22%	23%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	49%	47%	61%	45%	45%	54%	71%	48%	42%	47%	43%	55%	45%
	No, not on cell, but own one	12%	17%	14%	7%	17%	10%	8%	2%		2%	9%	34%	1%	23%
	No, not on cell, and do not own one	2%	1%	3%	1%	3%		2%				1%	5%		3%
	Text to online	36%	34%	37%	31%	35%	45%	37%	27%	52%	56%	43%	18%	44%	28%
	Unweighted Count /	500	88	118	71	64	76	83	86	104	59	94	156	249	250
	Weighted Count	500	103	117	63	71	65	80	91	86	71	106	146	247	252

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		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
YES - NO		-19	-26	0	-24	-25	-23	-18	-5	-26	4	3	-25	-13	-35
11.SALES TAX RE-BALLOT	Yes - strongly	14%	9%	21%	15%	13%	11%	15%	18%	14%	13%	14%	14%	15%	14%
	Yes - not so strongly	12%	18%	14%	8%	9%	16%	7%	15%	9%	22%	20%	10%	13%	7%
	Lean yes	5%	2%	5%	7%	6%	2%	7%	6%	6%	7%	8%	4%	5%	4%
	Undecided/DK	18%	15%	20%	16%	19%	19%	23%	18%	16%	19%	16%	18%	23%	14%
	Lean no	5%	5%	2%	4%	7%	3%	8%	4%	5%	3%	4%	5%	3%	7%
	No - not so strongly	12%	13%	12%	13%	11%	10%	9%	14%	13%	9%	10%	13%	13%	13%
	No - strongly	33%	37%	26%	36%	34%	39%	30%	25%	37%	25%	26%	35%	29%	40%
	(Refused)	1%	1%	0%	1%	1%		3%	1%	1%	2%	2%	1%		2%
11.SALES TAX RE-BALLOT	Yes	31%	29%	39%	30%	27%	29%	28%	38%	29%	42%	43%	28%	32%	24%
	No	50%	55%	40%	54%	52%	52%	46%	43%	55%	38%	39%	53%	45%	60%
	Undecided	18%	15%	20%	16%	19%	19%	23%	18%	16%	19%	16%	18%	23%	14%
	Refused	1%	1%	0%	1%	1%		3%	1%	1%	2%	2%	1%		2%
7-11.SALES TAX SHIFT	Solid Yes	23%	20%	31%	20%	22%	22%	22%	28%	21%	28%	27%	22%	25%	19%
	Solid No	43%	50%	35%	42%	44%	46%	32%	39%	47%	30%	31%	46%	39%	53%
	Solid undecided	11%	5%	15%	10%	13%	9%	15%	11%	11%	11%	9%	11%	13%	10%
	Persuadable	21%	15%	25%	23%	21%	18%	26%	22%	21%	26%	26%	20%	25%	16%
	Toward Yes	10%	10%	10%	13%	8%	9%	11%	11%	10%	15%	16%	8%	12%	6%
	Toward No	12%	14%	8%	13%	12%	13%	17%	9%	11%	15%	14%	11%	12%	10%
TARGETS	Yes on all	18%	17%	24%	16%	15%	22%	19%	20%	15%	20%	20%	18%	20%	15%
	Mixed	51%	50%	50%	49%	56%	46%	51%	54%	54%	54%	53%	51%	48%	54%
	No on all	23%	30%	15%	24%	22%	24%	25%	20%	22%	17%	18%	24%	23%	25%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	51%	58%	51%	40%	62%	49%	51%	43%	58%	58%	47%	59%	36%
	No, not on cell, but own one	12%	2%		23%	24%	1%	15%	1%	26%	8%	9%	14%	11%	16%
	No, not on cell, and do not own one	2%			1%	5%				5%	2%	2%	2%	0%	3%
	Text to online	36%	47%	42%	25%	31%	37%	36%	47%	26%	32%	31%	38%	30%	45%
	Unweighted Count / Weighted Count	500 / 500	127 / 120	122 / 127	108 / 112	142 / 140	100 / 99	65 / 70	144 / 144	183 / 181	99 / 96	116 / 112	382 / 386	185 / 184	197 / 202

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

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		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
YES - NO		-19	17	-26	-23	-23	-13	-30	-18	-19	-8	-27	-23	-18	6	-22	-30
11.SALES TAX RE-BALLOT	Yes - strongly	14%	18%	12%	16%	13%	16%	12%	14%	12%	20%	13%	15%	13%	18%	17%	12%
	Yes - not so strongly	12%	24%	13%	7%	12%	11%	13%	12%	13%	9%	13%	7%	15%	14%	10%	8%
	Lean yes	5%	7%	3%	5%	5%	4%	3%	7%	5%	3%	4%	8%	5%	8%	1%	2%
	Undecided/DK	18%	18%	16%	20%	15%	23%	12%	17%	20%	25%	13%	18%	15%	24%	22%	22%
	Lean no	5%	2%	5%	6%	4%	6%	4%	4%	6%	6%	5%	1%	4%	6%	6%	7%
	No - not so strongly	12%	10%	14%	12%	12%	12%	12%	12%	14%	9%	11%	16%	12%	5%	22%	9%
	No - strongly	33%	18%	36%	34%	38%	27%	43%	34%	28%	25%	41%	36%	36%	23%	22%	36%
	(Refused)	1%	3%	2%	0%	1%	2%	1%		1%	2%	1%			2%	1%	2%
11.SALES TAX RE-BALLOT	Yes	31%	48%	28%	28%	31%	31%	28%	33%	29%	33%	30%	29%	33%	40%	28%	23%
	No	50%	31%	54%	51%	54%	44%	58%	50%	49%	41%	56%	53%	51%	34%	50%	53%
	Undecided	18%	18%	16%	20%	15%	23%	12%	17%	20%	25%	13%	18%	15%	24%	22%	22%
	Refused	1%	3%	2%	0%	1%	2%	1%		1%	2%	1%			2%	1%	2%
7-11.SALES TAX SHIFT	Solid Yes	23%	35%	21%	23%	22%	24%	19%	25%	21%	28%	22%	19%	25%	29%	27%	15%
	Solid No	43%	24%	48%	45%	48%	36%	52%	45%	41%	32%	50%	47%	47%	29%	36%	47%
	Solid undecided	11%	12%	8%	15%	8%	16%	6%	9%	10%	21%	7%	9%	8%	13%	17%	19%
	Persuadable	21%	26%	18%	22%	20%	23%	18%	21%	20%	27%	17%	23%	21%	23%	19%	28%
	Toward Yes	10%	14%	10%	7%	12%	8%	13%	11%	10%	6%	10%	14%	14%	11%	3%	9%
	Toward No	12%	13%	12%	9%	9%	14%	10%	9%	17%	12%	10%	11%	7%	16%	17%	8%
TARGETS	Yes on all	18%	27%	19%	17%	16%	20%	15%	17%	19%	22%	17%	16%	14%	24%	23%	13%
	Mixed	51%	55%	49%	52%	50%	54%	52%	48%	49%	59%	53%	46%	46%	58%	49%	56%
	No on all	23%	10%	26%	22%	28%	16%	28%	28%	25%	8%	23%	31%	33%	14%	18%	19%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	54%	47%	47%	41%	59%	43%	39%	60%	57%	43%	39%	40%	55%	60%	62%
	No, not on cell, but own one	12%	11%	14%	13%	18%	6%	21%	16%	4%	9%	21%	19%	13%	6%	8%	4%
	No, not on cell, and do not own one	2%	3%	1%	3%	2%	1%	1%	3%		2%	1%	5%	2%	2%		
	Text to online	36%	33%	38%	37%	39%	34%	35%	42%	36%	32%	36%	38%	45%	37%	31%	34%
	Unweighted Count / Weighted Count	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
		500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

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		3.TOP ISSUES						4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
		TOTAL	Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
YES - NO		-19	-36	-12	-8	-35	-1	21	-78	-1	-13	24	17	-71	-84
11.SALES TAX RE-BALLOT	Yes - strongly	14%	10%	16%	19%	10%	22%	28%	2%	7%	6%	44%	9%	1%	3%
	Yes - not so strongly	12%	11%	13%	11%	13%	13%	19%	2%	12%	16%	12%	28%	4%	1%
	Lean yes	5%	5%	5%	4%	2%	4%	6%	2%	9%	8%	3%	11%	4%	
	Undecided/DK	18%	12%	20%	22%	15%	20%	13%	10%	45%	27%	6%	21%	12%	8%
	Lean no	5%	5%	5%	6%	4%	5%	3%	7%	4%	8%	1%	5%	16%	1%
	No - not so strongly	12%	11%	10%	10%	16%	10%	11%	16%	8%	16%	9%	12%	32%	5%
	No - strongly (Refused)	33%	46%	31%	27%	39%	25%	19%	61%	15%	19%	23%	14%	32%	82%
11.SALES TAX RE-BALLOT	Yes	31%	26%	34%	35%	25%	39%	53%	6%	27%	30%	58%	47%	8%	4%
	No	50%	62%	46%	43%	59%	40%	32%	84%	28%	43%	34%	30%	79%	88%
	Undecided	18%	12%	20%	22%	15%	20%	13%	10%	45%	27%	6%	21%	12%	8%
	Refused	1%	1%		1%	1%		1%		1%	1%	2%	1%		
7-11.SALES TAX SHIFT	Solid Yes	23%	17%	26%	27%	19%	36%	44%	4%	11%	20%	49%	38%	6%	3%
	Solid No	43%	54%	36%	39%	50%	31%	25%	78%	19%	35%	27%	23%	70%	84%
	Solid undecided	11%	8%	13%	14%	9%	10%	8%	4%	33%	18%	3%	13%	7%	1%
	Persuadable	21%	17%	23%	26%	18%	14%	19%	8%	50%	30%	12%	26%	11%	6%
	Toward Yes	10%	10%	10%	11%	8%	3%	11%	5%	17%	12%	10%	13%	4%	5%
	Toward No	12%	11%	14%	8%	14%	19%	10%	9%	19%	14%	10%	11%	13%	7%
	Yes on all	18%	11%	21%	21%	14%	32%	41%			13%	47%	33%		
TARGETS	Mixed	51%	48%	55%	51%	55%	49%	59%	37%	60%	60%	53%	67%	51%	27%
	No on all	23%	33%	17%	19%	26%	16%		63%		14%			49%	73%
	Yes, cell and can talk safely	50%	42%	49%	53%	48%	57%	49%	43%	67%	53%	48%	49%	43%	43%
1.REACHED BY CELL	No, not on cell, but own one	12%	17%	11%	10%	14%	6%	10%	14%	14%	12%	11%	9%	13%	16%
	No, not on cell, and do not own one	2%	1%	3%	1%	3%	3%	1%	2%	3%	2%	2%		3%	1%
	Text to online	36%	40%	37%	36%	35%	33%	41%	41%	16%	33%	39%	42%	42%	40%
	Unweighted Count /	500	185	225	252	106	54	219	186	93	272	117	102	77	109
	Weighted Count	500	178	229	255	102	53	223	180	94	277	118	106	77	103

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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
YES - NO		-19	32	-71	-18	-17	43	24	-68	-74	74	-86	2	-2
11.SALES TAX RE-BALLOT	Yes - strongly	14%	31%	5%	4%	7%	53%	15%	1%	8%	39%	2%	9%	8%
	Yes - not so strongly	12%	20%	3%	14%	16%	11%	26%	4%	1%	31%	2%	9%	19%
	Lean yes	5%	9%	2%	4%	7%	4%	12%	3%	1%	9%	1%	8%	8%
	Undecided/DK	18%	13%	10%	38%	24%	6%	18%	13%	6%	16%	5%	49%	27%
	Lean no	5%	3%	5%	6%	6%	2%	4%	7%	4%	0%	8%	5%	6%
	No - not so strongly	12%	6%	17%	14%	16%	7%	6%	32%	4%	3%	17%	15%	18%
	No - strongly	33%	18%	58%	19%	24%	16%	19%	38%	76%	2%	66%	6%	13%
	(Refused)	1%	0%	1%		1%		1%	2%			1%		1%
11.SALES TAX RE-BALLOT	Yes	31%	59%	9%	22%	29%	68%	53%	8%	10%	79%	4%	27%	35%
	No	50%	27%	80%	40%	46%	26%	29%	76%	84%	5%	90%	25%	37%
	Undecided	18%	13%	10%	38%	24%	6%	18%	13%	6%	16%	5%	49%	27%
	Refused	1%	0%	1%		1%		1%	2%			1%		1%
7-11.SALES TAX SHIFT	Solid Yes	23%	48%	7%	11%	21%	54%	44%	7%	6%	79%			22%
	Solid No	43%	23%	74%	27%	37%	19%	27%	65%	82%		90%		26%
	Solid undecided	11%	7%	4%	28%	17%		12%	8%	1%			49%	20%
	Persuadable	21%	19%	11%	41%	26%	17%	21%	13%	9%		9%	75%	34%
	Toward Yes	10%	13%	6%	13%	10%	17%	9%	5%	7%		9%	27%	14%
	Toward No	12%	9%	8%	21%	15%	10%	8%	13%	3%	21%		25%	18%
TARGETS	Yes on all	18%	48%			15%	57%	42%			62%			18%
	Mixed	51%	52%	39%	70%	61%	43%	58%	52%	28%	38%	52%	67%	56%
	No on all	23%		61%		13%			48%	72%		48%		13%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	50%	48%	53%	50%	54%	47%	49%	46%	51%	45%	60%	54%
	No, not on cell, but own one	12%	9%	9%	22%	13%	10%	8%	5%	13%	10%	14%	11%	11%
	No, not on cell, and do not own one	2%	1%	3%	1%	2%		2%	5%	1%	3%	1%	2%	2%
	Text to online	36%	40%	40%	23%	35%	35%	44%	41%	40%	36%	40%	27%	33%
	Unweighted Count / Weighted Count	500 / 500	189 / 187	190 / 184	118 / 124	318 / 318	77 / 77	112 / 110	88 / 84	102 / 100	153 / 146	238 / 237	105 / 113	272 / 277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
YES - NO		-19	80	70	-81	-89	28	-74	-9	30	-77	10	100	-100	0
11.SALES TAX RE-BALLOT	Yes - strongly	14%	72%	14%	1%	2%	28%	4%	3%	30%	2%	4%	46%		
	Yes - not so strongly	12%	8%	48%	3%	1%	21%	4%	5%	22%	1%	14%	38%		
	Lean yes	5%	5%	12%	2%	0%	8%	2%	6%	7%	2%	7%	16%		
	Undecided/DK	18%	10%	20%	4%	5%	14%	7%	62%	11%	11%	59%			100%
	Lean no	5%	1%		14%	4%	4%	4%	9%	3%	8%			9%	
	No - not so strongly	12%	4%	1%	40%	5%	6%	20%	8%	7%	20%	4%		24%	
	No - strongly	33%		4%	33%	83%	18%	59%	6%	19%	55%	11%		66%	
	(Refused)	1%			2%		0%				0%				
11.SALES TAX RE-BALLOT	Yes	31%	85%	75%	7%	3%	57%	10%	14%	59%	6%	25%	100%		
	No	50%	5%	5%	87%	92%	29%	83%	24%	29%	83%	15%		100%	
	Undecided	18%	10%	20%	4%	5%	14%	7%	62%	11%	11%	59%			100%
	Refused	1%			2%		0%				0%				
7-11.SALES TAX SHIFT	Solid Yes	23%	85%	75%			44%	6%	7%	48%	4%	9%	74%		
	Solid No	43%			87%	92%	25%	73%	17%	25%	71%	15%		86%	
	Solid undecided	11%					8%	2%	45%	6%	7%	40%			62%
	Persuadable	21%			11%	8%	22%	8%	56%	19%	11%	59%	26%		74%
	Toward Yes	10%			11%	8%	14%	6%	12%	13%	5%	19%	26%		12%
	Toward No	12%	15%	25%			8%	13%	19%	9%	13%	16%		14%	26%
TARGETS	Yes on all	18%	66%	59%			37%	1%	9%	39%	1%	7%	52%	1%	7%
	Mixed	51%	34%	41%	58%	49%	59%	43%	52%	56%	44%	60%	43%	53%	60%
	No on all	23%			42%	51%	1%	53%	5%	2%	51%	2%	1%	43%	6%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	48%	53%	47%	44%	51%	45%	63%	48%	50%	59%	50%	47%	58%
	No, not on cell, but own one	12%	12%	9%	14%	14%	10%	15%	12%	11%	11%	19%	10%	13%	13%
	No, not on cell, and do not own one	2%	2%	3%	1%	0%	1%	1%	4%	1%	2%	2%	2%	1%	3%
	Text to online	36%	38%	35%	38%	42%	38%	39%	21%	40%	36%	21%	37%	39%	26%
	Unweighted Count / Weighted Count	500	68	85	82	156	222	209	64	221	212	64	169	251	76
		500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
YES - NO		-19	32	-83	-2	-30	36	-81	4	9	-38	100	-100	38	79	-61
11.SALES TAX RE-BALLOT	Yes - strongly	14%	31%	2%	5%	12%	33%	2%	9%	16%	5%	50%		13%	27%	
	Yes - not so strongly	12%	22%	3%	9%	9%	22%	1%	19%	23%	5%	39%		14%	28%	
	Lean yes	5%	7%	1%	9%	2%	7%	1%	4%	7%	11%	12%		11%	23%	
	Undecided/DK	18%	10%	5%	52%	25%	11%	10%	41%	16%	19%			62%	21%	39%
	Lean no	5%	3%	5%	10%	2%	3%	5%	2%	4%	13%		8%			10%
	No - not so strongly	12%	7%	17%	6%	25%	6%	18%	8%	10%	21%		19%			35%
	No - strongly	33%	19%	67%	9%	26%	18%	63%	17%	24%	25%		73%			16%
	(Refused)	1%			1%						1%					
11.SALES TAX RE-BALLOT	Yes	31%	61%	6%	23%	23%	62%	5%	31%	46%	21%	100%		38%	79%	
	No	50%	29%	89%	25%	52%	27%	86%	27%	38%	59%		100%			61%
	Undecided	18%	10%	5%	52%	25%	11%	10%	41%	16%	19%			62%	21%	39%
	Refused	1%			1%						1%					
7-11.SALES TAX SHIFT	Solid Yes	23%	51%	4%	9%	14%	54%	5%	17%	25%	5%	100%				
	Solid No	43%	26%	83%	20%	27%	23%	80%	23%	29%	34%		100%			
	Solid undecided	11%	7%	1%	36%	10%	6%	4%	29%	9%	13%			52%		
	Persuadable	21%	18%	4%	54%	25%	16%	8%	46%	33%	30%			100%	100%	
	Toward Yes	10%	11%	3%	18%	15%	10%	4%	17%	24%	17%			48%	100%	
	Toward No	12%	6%	8%	17%	33%	7%	8%	14%	12%	29%					100%
TARGETS	Yes on all	18%	45%			13%	52%				11%	70%				17%
	Mixed	51%	55%	33%	60%	74%	48%	33%	69%	81%	73%	30%	50%	64%	73%	72%
	No on all	23%		67%	7%			67%	5%	9%			50%	6%	13%	
1.REACHED BY CELL	Yes, cell and can talk safely	50%	48%	40%	64%	65%	47%	46%	52%	50%	66%	48%	45%	57%	58%	61%
	No, not on cell, but own one	12%	9%	16%	13%	11%	9%	10%	20%	18%	14%	8%	14%	12%	14%	13%
	No, not on cell, and do not own one	2%	1%	1%	4%	1%	1%	3%	1%			3%	1%	3%		1%
	Text to online	36%	42%	43%	19%	23%	43%	41%	27%	31%	20%	41%	40%	29%	29%	25%
	Unweighted Count / Weighted Count	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
		500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
YES - NO		-19	85	-26	-93	-15	-23
11.SALES TAX RE-BALLOT	Yes - strongly	14%	49%	10%	0%	14%	15%
	Yes - not so strongly	12%	32%	10%		12%	12%
	Lean yes	5%	8%	6%	1%	6%	4%
	Undecided/DK	18%	7%	21%	5%	21%	15%
	Lean no	5%		6%	6%	5%	4%
	No - not so strongly	12%	2%	16%	13%	11%	13%
	No - strongly	33%	2%	29%	75%	30%	36%
	(Refused)	1%		1%		1%	1%
11.SALES TAX RE-BALLOT	Yes	31%	89%	26%	1%	32%	31%
	No	50%	4%	52%	94%	46%	53%
	Undecided	18%	7%	21%	5%	21%	15%
	Refused	1%		1%		1%	1%
7-11.SALES TAX SHIFT	Solid Yes	23%	89%	14%		23%	24%
	Solid No	43%		42%	94%	38%	48%
	Solid undecided	11%		12%		12%	10%
	Persuadable	21%		26%	6%	24%	18%
	Toward Yes	10%		15%	6%	12%	8%
	Toward No	12%	11%	16%		14%	9%
TARGETS	Yes on all	18%	100%			19%	17%
	Mixed	51%		100%		50%	53%
	No on all	23%			100%	21%	24%
1.REACHED BY CELL	Yes, cell and can talk safely	50%	51%	48%	46%	51%	49%
	No, not on cell, but own one	12%	7%	16%	9%	12%	13%
	No, not on cell, and do not own one	2%	2%	1%	1%	1%	2%
	Text to online	36%	40%	35%	44%	37%	36%
	Unweighted Count / Weighted Count	500	92	251	120	250	250
		500	91	257	113	250	250

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
2.VOTE LIKELIHOOD	Almost certain to vote	95%	96%	95%	92%	97%	91%	91%	97%	87%	96%	98%	98%	95%	92%
	Probably will vote	5%	4%	5%	8%	3%	9%	9%	3%	13%	4%	2%	2%	5%	8%
3.TOP ISSUES	Major investment in affordable housing	51%	52%	50%	55%	50%	62%	48%	57%	52%	50%	50%	46%	61%	49%
	Continue rehousing and providing services for homelessness	46%	44%	48%	38%	50%	57%	41%	43%	32%	45%	54%	45%	44%	49%
	Repairing deteriorating streets and sidewalks	36%	39%	33%	40%	33%	38%	32%	43%	36%	36%	31%	38%	36%	32%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	20%	21%	19%	21%	15%	29%	19%	19%	20%	21%	20%	19%	22%
	Electrification of gas-powered buildings to reduce climate impact	11%	7%	14%	10%	11%	5%	14%	8%	11%	6%	15%	15%	10%	5%
	Expanding Sunday hours and children's programming at libraries	6%	5%	7%	7%	5%	4%	8%	8%	6%	3%	7%	5%	5%	8%
	Saving and sustaining arts and culture	6%	6%	6%	8%	5%	5%	9%	8%	9%	4%	5%	6%	8%	3%
	(None)	1%	2%	0%	2%	1%	1%		2%	1%	2%		1%	2%	1%
	(Don't know)	2%	3%	1%	2%	2%		3%		5%	4%		2%	2%	3%
	(Refused)	1%	1%	1%	2%	1%	1%	1%	1%	3%	1%	1%	2%		1%
	Unweighted Count /	500	235	265	165	328	55	53	96	69	134	194	206	135	159
	Weighted Count	500	232	268	168	325	55	45	89	80	139	186	220	135	145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
2.VOTE LIKELIHOOD	Almost certain to vote	95%	99%	97%	92%	97%	97%	89%	92%	95%	88%	99%	98%	92%	99%
	Probably will vote	5%	1%	3%	8%	3%	3%	11%	8%	5%	12%	1%	2%	8%	1%
3.TOP ISSUES	Major investment in affordable housing	51%	47%	46%	65%	58%	48%	49%	49%	54%	59%	51%	47%	54%	49%
	Continue rehousing and providing services for homelessness	46%	43%	47%	46%	43%	43%	53%	45%	49%	44%	46%	46%	46%	46%
	Repairing deteriorating streets and sidewalks	36%	43%	33%	36%	36%	36%	30%	32%	31%	29%	40%	41%	31%	40%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	21%	20%	19%	18%	19%	24%	19%	20%	20%	22%	21%	20%	21%
	Electrification of gas-powered buildings to reduce climate impact	11%	10%	19%	4%	16%	6%	4%	16%	13%	4%	10%	10%	11%	10%
	Expanding Sunday hours and children's programming at libraries	6%	5%	5%	6%	4%	3%	11%	4%	6%	7%	4%	8%	6%	6%
	Saving and sustaining arts and culture	6%	5%	7%	9%	7%	3%	3%	7%	4%	6%	7%	4%	6%	5%
	(None)	1%	2%	1%	3%		2%			3%	2%	1%	1%	2%	1%
	(Don't know)	2%	3%			3%	4%	2%	2%	1%	2%	1%	3%	2%	2%
	(Refused)	1%		3%			2%		2%			2%	1%	1%	1%
	Unweighted Count /	500	88	118	71	64	76	83	86	104	59	94	156	249	250
	Weighted Count	500	103	117	63	71	65	80	91	86	71	106	146	247	252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
2.VOTE LIKELIHOOD	Almost certain to vote	95%	96%	89%	97%	100%	88%	99%	95%	98%	85%	87%	98%	97%	98%
	Probably will vote	5%	4%	11%	3%		12%	1%	5%	2%	15%	13%	2%	3%	2%
3.TOP ISSUES	Major investment in affordable housing	51%	54%	53%	50%	48%	50%	62%	57%	44%	48%	49%	51%	53%	49%
	Continue rehousing and providing services for homelessness	46%	45%	46%	42%	49%	37%	40%	53%	49%	37%	39%	48%	52%	45%
	Repairing deteriorating streets and sidewalks	36%	35%	27%	43%	38%	36%	45%	27%	38%	40%	40%	34%	30%	38%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	21%	18%	19%	23%	23%	14%	16%	24%	24%	21%	20%	21%	20%
	Electrification of gas-powered buildings to reduce climate impact	11%	9%	14%	4%	14%	13%	4%	11%	12%	14%	12%	10%	6%	14%
	Expanding Sunday hours and children's programming at libraries	6%	5%	6%	5%	7%	6%	10%	6%	5%	10%	9%	5%	3%	7%
	Saving and sustaining arts and culture	6%	3%	8%	8%	4%	10%	6%	3%	5%	6%	5%	6%	7%	5%
	(None)	1%	4%		1%	1%	1%	3%	2%				2%	2%	1%
	(Don't know)	2%		3%	6%		4%			3%	2%	2%	2%	1%	3%
	(Refused)	1%		1%	1%	2%		4%	1%	0%	2%	3%	0%	0%	0%
	Unweighted Count /	500	127	122	108	142	100	65	144	183	99	116	382	185	197
	Weighted Count	500	120	127	112	140	99	70	144	181	96	112	386	184	202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
2.VOTE LIKELIHOOD	Almost certain to vote	95%	85%	98%	98%	96%	95%	97%	95%	96%	94%	97%	96%	94%	98%	93%	92%
	Probably will vote	5%	15%	2%	2%	4%	5%	3%	5%	4%	6%	3%	4%	6%	2%	7%	8%
3.TOP ISSUES	Major investment in affordable housing	51%	49%	52%	50%	46%	59%	46%	45%	61%	57%	44%	54%	42%	50%	69%	59%
	Continue rehousing and providing services for homelessness	46%	43%	47%	49%	45%	47%	43%	47%	45%	49%	48%	42%	44%	42%	48%	53%
	Repairing deteriorating streets and sidewalks	36%	37%	38%	31%	42%	29%	46%	38%	31%	27%	43%	43%	39%	31%	27%	26%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	21%	20%	20%	22%	17%	21%	24%	19%	15%	20%	19%	29%	19%	15%	15%
	Electrification of gas-powered buildings to reduce climate impact	11%	13%	6%	14%	9%	13%	5%	12%	9%	17%	9%	14%	5%	23%	8%	5%
	Expanding Sunday hours and children's programming at libraries	6%	9%	4%	6%	5%	7%	3%	7%	7%	6%	5%	4%	7%	6%	6%	8%
	Saving and sustaining arts and culture	6%	3%	5%	7%	6%	6%	5%	7%	7%	5%	5%	9%	5%	7%	8%	2%
	(None)	1%		3%	0%	1%	2%	2%		3%	1%	1%		2%	2%	3%	
	(Don't know)	2%		2%	2%	2%	1%	4%	1%		2%	3%	2%	1%		2%	2%
	(Refused)	1%	6%	1%		1%	1%	1%	0%		1%	0%		2%	2%		
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
2.VOTE LIKELIHOOD	Almost certain to vote	95%	97%	97%	97%	95%	94%	95%	97%	96%	95%	97%	92%	97%	97%
	Probably will vote	5%	3%	3%	3%	5%	6%	5%	3%	4%	5%	3%	8%	3%	3%
3.TOP ISSUES	Major investment in affordable housing	51%	32%	50%	100%	18%	35%	58%	39%	60%	54%	59%	56%	44%	35%
	Continue rehousing and providing services for homelessness	46%	27%	100%	45%	19%	33%	53%	36%	49%	45%	58%	47%	37%	35%
	Repairing deteriorating streets and sidewalks	36%	100%	21%	22%	36%	11%	26%	51%	29%	32%	24%	29%	41%	59%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	21%	9%	7%	100%	11%	17%	27%	16%	21%	12%	23%	26%	27%
	Electrification of gas-powered buildings to reduce climate impact	11%	3%	8%	7%	6%	100%	15%	8%	6%	10%	15%	14%	11%	6%
	Expanding Sunday hours and children's programming at libraries	6%	2%	2%	3%	6%	1%	5%	6%	8%	6%	5%	4%	6%	7%
	Saving and sustaining arts and culture	6%	2%	3%	4%	2%	8%	8%	3%	4%	5%	9%	6%	4%	3%
	(None)	1%						1%	2%		1%		2%		4%
	(Don't know)	2%						1%	1%	5%	4%		2%	3%	
(Refused)	1%						1%	1%	1%	1%	2%		3%	1%	
Unweighted Count / Weighted Count		500	185	225	252	106	54	219	186	93	272	117	102	77	109
		500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
2.VOTE LIKELIHOOD	Almost certain to vote	95%	95%	96%	94%	95%	96%	94%	98%	95%	95%	96%	94%	94%
	Probably will vote	5%	5%	4%	6%	5%	4%	6%	2%	5%	5%	4%	6%	6%
3.TOP ISSUES	Major investment in affordable housing	51%	57%	47%	49%	50%	62%	53%	48%	46%	57%	47%	54%	51%
	Continue rehousing and providing services for homelessness	46%	50%	42%	46%	46%	59%	44%	50%	36%	51%	40%	55%	49%
	Repairing deteriorating streets and sidewalks	36%	25%	43%	39%	36%	20%	29%	40%	46%	25%	43%	34%	32%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	20%	21%	21%	21%	18%	21%	20%	21%	17%	23%	18%	19%
	Electrification of gas-powered buildings to reduce climate impact	11%	15%	9%	8%	12%	9%	19%	9%	8%	17%	7%	10%	11%
	Expanding Sunday hours and children's programming at libraries	6%	6%	5%	7%	7%	5%	7%	6%	3%	6%	6%	4%	6%
	Saving and sustaining arts and culture	6%	10%	3%	3%	5%	13%	9%	2%	4%	10%	4%	2%	5%
	(None)	1%	1%	3%		1%		1%	1%	4%	1%	2%		0%
	(Don't know)	2%	1%	2%	3%	3%		2%	2%	2%	1%	2%	4%	4%
	(Refused)	1%	0%	1%	0%	0%		1%		2%	0%	1%	1%	0%
	Unweighted Count / Weighted Count	500 500	189 187	190 184	118 124	318 318	77 77	112 110	88 84	102 100	153 146	238 237	105 113	272 277

CITY OF BERKELEY - JUNE 2024

		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
2.VOTE LIKELIHOOD	Almost certain to vote	95%	98%	93%	94%	97%	95%	95%	96%	95%	96%	94%	94%	96%	95%
	Probably will vote	5%	2%	7%	6%	3%	5%	5%	4%	5%	4%	6%	6%	4%	5%
3.TOP ISSUES	Major investment in affordable housing	51%	70%	47%	51%	44%	56%	40%	67%	55%	43%	61%	57%	44%	63%
	Continue rehousing and providing services for homelessness	46%	46%	55%	36%	41%	54%	37%	48%	50%	40%	53%	50%	42%	52%
	Repairing deteriorating streets and sidewalks	36%	20%	29%	34%	48%	26%	50%	28%	26%	46%	33%	29%	44%	24%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	16%	17%	20%	25%	17%	28%	9%	20%	23%	15%	16%	24%	17%
	Electrification of gas-powered buildings to reduce climate impact	11%	18%	15%	8%	7%	16%	6%	8%	17%	6%	6%	13%	9%	12%
	Expanding Sunday hours and children's programming at libraries	6%	5%	7%	8%	5%	5%	6%	11%	6%	7%	4%	6%	6%	6%
	Saving and sustaining arts and culture	6%	13%	8%	7%	3%	7%	5%	4%	10%	3%	3%	11%	4%	3%
	(None)	1%		2%		3%	1%	2%		1%	2%		1%	2%	
	(Don't know)	2%		1%	6%		3%	1%	2%	1%	3%	2%	1%	2%	2%
	(Refused)	1%	1%			1%		1%	1%	0%	1%		0%	1%	1%
	Unweighted Count /	500	68	85	82	156	222	209	64	221	212	64	169	251	76
	Weighted Count	500	64	83	82	155	223	203	68	212	213	70	156	249	89

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
2.VOTE LIKELIHOOD	Almost certain to vote	95%	96%	96%	96%	91%	95%	97%	95%	93%	91%	96%	96%	93%	90%	94%
	Probably will vote	5%	4%	4%	4%	9%	5%	3%	5%	7%	9%	4%	4%	7%	10%	6%
3.TOP ISSUES	Major investment in affordable housing	51%	58%	37%	58%	56%	59%	46%	55%	43%	37%	59%	46%	62%	56%	36%
	Continue rehousing and providing services for homelessness	46%	54%	35%	51%	46%	47%	39%	54%	64%	50%	52%	39%	50%	47%	55%
	Repairing deteriorating streets and sidewalks	36%	28%	56%	24%	27%	24%	46%	33%	33%	43%	26%	45%	29%	34%	33%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	16%	28%	13%	28%	19%	23%	18%	19%	24%	16%	24%	17%	16%	24%
	Electrification of gas-powered buildings to reduce climate impact	11%	17%	7%	9%	5%	16%	6%	12%	19%	6%	16%	8%	7%	4%	17%
	Expanding Sunday hours and children's programming at libraries	6%	5%	7%	8%	5%	6%	5%	5%	5%	10%	6%	6%	6%	5%	6%
	Saving and sustaining arts and culture	6%	7%	2%	6%	12%	12%	2%	3%	6%	5%	11%	3%	6%	12%	6%
	(None)	1%	1%	3%			1%	3%				1%	2%			
	(Don't know)	2%	1%	1%	6%	2%	1%	2%	1%		4%		2%	3%	3%	4%
	(Refused)	1%		2%	1%		1%	1%			1%	0%	1%	1%		
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
2.VOTE LIKELIHOOD	Almost certain to vote	95%	95%	96%	97%	94%	97%
	Probably will vote	5%	5%	4%	3%	6%	3%
3.TOP ISSUES	Major investment in affordable housing	51%	59%	50%	42%	51%	51%
	Continue rehousing and providing services for homelessness	46%	54%	49%	34%	45%	47%
	Repairing deteriorating streets and sidewalks	36%	21%	33%	53%	32%	39%
	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	20%	15%	22%	24%	18%	23%
	Electrification of gas-powered buildings to reduce climate impact	11%	19%	10%	7%	14%	8%
	Expanding Sunday hours and children's programming at libraries	6%	4%	8%	5%	5%	7%
	Saving and sustaining arts and culture	6%	14%	4%	3%	8%	3%
	(None)	1%	1%	0%	4%	3%	
	(Don't know)	2%		2%	1%	3%	1%
	(Refused)	1%		1%	2%	1%	1%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
DEM. MINUS REPUB. REGISTRATION		76	71	81	70	80	77	72	62	78	77	82	79	75	72
PARTY REGISTRATION	Democrat	79%	74%	83%	75%	82%	81%	73%	67%	83%	80%	84%	81%	77%	78%
	Republican	3%	4%	3%	5%	2%	4%	1%	5%	5%	3%	1%	2%	2%	5%
	NPP /other	18%	22%	14%	20%	16%	16%	26%	28%	12%	17%	15%	17%	21%	17%
PARTY REGISTRATION / GENDER	Democrat Men	34%	74%		36%	34%	36%	33%	67%		80%		36%	33%	33%
	Democrat Women	45%		83%	39%	48%	45%	40%		83%		84%	45%	44%	45%
	Republican Men	2%	4%		3%	1%	3%		5%		3%		1%	2%	3%
	Republican Women	1%		3%	2%	1%	1%	1%		5%		1%	1%	1%	2%
	NPP /other Men	10%	22%		15%	7%	13%	22%	28%		17%		10%	12%	9%
	NPP /other Women	8%		14%	6%	9%	2%	4%		12%		15%	7%	8%	8%
	Unweighted Count / Weighted Count	500 / 500	235 / 232	265 / 268	165 / 168	328 / 325	55 / 55	53 / 45	96 / 89	69 / 80	134 / 139	194 / 186	206 / 220	135 / 135	159 / 145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
DEM. MINUS REPUB. REGISTRATION		76	76	83	67	81	66	77	65	75	68	80	84	69	83
PARTY REGISTRATION	Democrat	79%	77%	85%	70%	83%	73%	82%	68%	77%	76%	83%	86%	73%	85%
	Republican	3%	1%	2%	3%	2%	7%	4%	3%	1%	8%	3%	1%	4%	2%
	NPP /other	18%	21%	13%	26%	15%	20%	14%	29%	22%	15%	14%	13%	23%	13%
PARTY REGISTRATION / GENDER	Democrat Men	34%	77%		70%		73%		32%	37%	25%	42%	34%	32%	37%
	Democrat Women	45%		85%		83%		82%	36%	39%	52%	41%	52%	42%	47%
	Republican Men	2%	1%		3%		7%		3%	1%	4%	2%	0%	2%	1%
	Republican Women	1%		2%		2%		4%		1%	5%	1%	1%	2%	1%
	NPP /other Men	10%	21%		26%		20%		13%	18%	11%	8%	6%	14%	6%
	NPP /other Women	8%		13%		15%		14%	16%	4%	4%	6%	7%	8%	7%
	Unweighted Count /	500	88	118	71	64	76	83	86	104	59	94	156	249	250
	Weighted Count	500	103	117	63	71	65	80	91	86	71	106	146	247	252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
DEM. MINUS REPUB. REGISTRATION		76	60	78	81	83	62	80	76	83	72	72	77	74	80
PARTY REGISTRATION	Democrat	79%	65%	81%	83%	85%	69%	83%	78%	85%	78%	77%	80%	78%	82%
	Republican	3%	5%	3%	2%	2%	7%	2%	2%	2%	5%	4%	3%	4%	1%
	NPP /other	18%	30%	16%	15%	12%	24%	15%	20%	13%	17%	19%	18%	18%	17%
PARTY REGISTRATION / GENDER	Democrat Men	34%	65%		83%		28%	46%	34%	34%	29%	29%	36%	39%	34%
	Democrat Women	45%		81%		85%	41%	37%	44%	51%	49%	48%	44%	39%	48%
	Republican Men	2%	5%		2%		4%	1%	2%	1%	4%	3%	1%	3%	
	Republican Women	1%		3%		2%	3%	1%		1%	2%	1%	1%	1%	1%
	NPP /other Men	10%	30%		15%		18%	10%	10%	5%	8%	8%	11%	11%	10%
	NPP /other Women	8%		16%		12%	6%	5%	10%	7%	9%	11%	7%	7%	6%
	Unweighted Count / Weighted Count	500	127	122	108	142	100	65	144	183	99	116	382	185	197
		500	120	127	112	140	99	70	144	181	96	112	386	184	202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION / GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
DEM. MINUS REPUB. REGISTRATION		76	78	72	82	79	74	74	83	71	78	84	76	72	75	73	76
PARTY REGISTRATION	Democrat	79%	80%	75%	84%	81%	78%	77%	85%	74%	81%	85%	76%	79%	78%	78%	78%
	Republican	3%	2%	3%	3%	3%	3%	3%	2%	4%	3%	1%		7%	3%	5%	3%
	NPP /other	18%	18%	23%	13%	16%	19%	21%	12%	22%	16%	14%	24%	14%	20%	18%	19%
PARTY REGISTRATION / GENDER	Democrat Men	34%		75%		35%	35%	77%		74%		42%	25%	31%	31%	41%	33%
	Democrat Women	45%	80%		84%	46%	43%		85%		81%	43%	51%	48%	46%	37%	46%
	Republican Men	2%		3%		1%	2%	3%		4%		0%		4%	1%	3%	2%
	Republican Women	1%	2%		3%	1%	2%		2%		3%	1%		3%	2%	2%	1%
	NPP /other Men	10%		23%		9%	10%	21%		22%		8%	16%	7%	12%	9%	9%
	NPP /other Women	8%	18%		13%	7%	8%		12%		16%	6%	8%	7%	8%	9%	10%
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
DEM. MINUS REPUB. REGISTRATION		76	72	77	80	76	85	80	68	84	82	76	84	76	62
PARTY REGISTRATION	Democrat	79%	77%	79%	83%	80%	86%	82%	74%	85%	83%	79%	85%	77%	71%
	Republican	3%	4%	2%	3%	4%	1%	2%	6%	1%	1%	3%	1%	2%	9%
	NPP /other	18%	19%	19%	15%	16%	13%	17%	20%	14%	16%	18%	15%	21%	20%
PARTY REGISTRATION / GENDER	Democrat Men	34%	38%	32%	38%	32%	24%	34%	33%	38%	37%	30%	39%	33%	33%
	Democrat Women	45%	39%	47%	45%	49%	62%	47%	41%	47%	46%	49%	46%	44%	38%
	Republican Men	2%	3%	1%	1%	3%	1%	1%	3%	1%	1%	1%		2%	4%
	Republican Women	1%	2%	1%	2%	1%		1%	3%		0%	1%	1%		5%
	NPP /other Men	10%	10%	11%	9%	11%	4%	8%	14%	7%	8%	9%	7%	11%	16%
	NPP /other Women	8%	9%	8%	6%	4%	8%	8%	7%	7%	8%	9%	8%	10%	5%
	Unweighted Count /	500	185	225	252	106	54	219	186	93	272	117	102	77	109
	Weighted Count	500	178	229	255	102	53	223	180	94	277	118	106	77	103

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
DEM. MINUS REPUB. REGISTRATION		76	81	69	79	78	85	79	75	64	81	68	85	80
PARTY REGISTRATION	Democrat	79%	83%	74%	80%	79%	87%	80%	77%	72%	82%	73%	87%	82%
	Republican	3%	2%	6%	1%	2%	2%	2%	2%	8%	1%	5%	2%	2%
	NPP /other	18%	15%	20%	18%	19%	12%	18%	20%	19%	17%	22%	12%	17%
PARTY REGISTRATION / GENDER	Democrat Men	34%	37%	34%	31%	35%	40%	35%	41%	29%	33%	36%	34%	36%
	Democrat Women	45%	46%	40%	49%	45%	47%	46%	36%	43%	49%	38%	52%	45%
	Republican Men	2%	1%	3%	1%	1%	2%	1%	2%	4%	1%	3%	1%	0%
	Republican Women	1%	0%	3%	1%	1%		1%	1%	5%	0%	2%	1%	1%
	NPP /other Men	10%	7%	13%	10%	11%	4%	9%	13%	14%	12%	12%	5%	9%
	NPP /other Women	8%	8%	7%	8%	8%	7%	9%	8%	6%	5%	10%	7%	8%
	Unweighted Count /	500	189	190	118	318	77	112	88	102	153	238	105	272
	Weighted Count	500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
DEM. MINUS REPUB. REGISTRATION		76	88	76	77	64	80	70	80	81	71	77	84	70	79
PARTY REGISTRATION	Democrat	79%	91%	76%	80%	70%	82%	74%	83%	83%	76%	78%	85%	74%	82%
	Republican	3%	2%		3%	6%	2%	4%	3%	2%	5%	1%	1%	4%	3%
	NPP /other	18%	7%	24%	17%	24%	16%	21%	14%	16%	19%	20%	13%	22%	15%
PARTY REGISTRATION / GENDER	Democrat Men	34%	38%	30%	46%	30%	33%	36%	35%	34%	35%	33%	34%	36%	30%
	Democrat Women	45%	53%	46%	34%	39%	50%	39%	48%	48%	41%	46%	51%	38%	51%
	Republican Men	2%	1%			4%	1%	3%		1%	2%	1%	0%	3%	1%
	Republican Women	1%	1%		3%	2%	1%	1%	3%	1%	2%		1%	1%	2%
	NPP /other Men	10%	5%	16%	8%	14%	7%	14%	10%	8%	12%	14%	9%	11%	9%
	NPP /other Women	8%	1%	8%	9%	10%	9%	8%	4%	8%	8%	7%	4%	10%	6%
	Unweighted Count / Weighted Count	500	68	85	82	156	222	209	64	221	212	64	169	251	76
	500	64	83	82	155	223	203	68	212	213	70	156	249	89	

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
DEM. MINUS REPUB. REGISTRATION		76	79	67	82	87	82	68	76	73	83	85	69	83	76	72
PARTY REGISTRATION	Democrat	79%	81%	72%	85%	87%	83%	74%	78%	76%	84%	85%	73%	86%	82%	75%
	Republican	3%	2%	5%	3%		1%	6%	1%	3%	1%	1%	4%	3%	7%	3%
	NPP /other	18%	17%	23%	12%	13%	16%	19%	21%	21%	15%	14%	22%	11%	11%	23%
PARTY REGISTRATION / GENDER	Democrat Men	34%	31%	33%	35%	47%	37%	34%	28%	24%	39%	31%	36%	35%	42%	36%
	Democrat Women	45%	49%	39%	50%	40%	46%	40%	50%	52%	45%	55%	37%	51%	41%	39%
	Republican Men	2%	1%	4%	1%		1%	3%	1%	1%	1%		3%	0%	1%	3%
	Republican Women	1%	1%	2%	2%		1%	3%	1%	1%		1%	2%	3%	6%	
	NPP /other Men	10%	7%	15%	7%	8%	7%	14%	13%	13%	4%	9%	12%	6%	10%	15%
	NPP /other Women	8%	10%	8%	5%	5%	8%	6%	8%	9%	11%	5%	11%	5%	1%	7%
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
DEM. MINUS REPUB. REGISTRATION		76	85	76	62	76	76
PARTY REGISTRATION	Democrat	79%	85%	78%	71%	79%	79%
	Republican	3%		2%	9%	3%	3%
	NPP /other	18%	15%	20%	21%	18%	18%
PARTY REGISTRATION / GENDER	Democrat Men	34%	33%	34%	35%	35%	34%
	Democrat Women	45%	52%	44%	36%	44%	45%
	Republican Men	2%		1%	5%	1%	2%
	Republican Women	1%		1%	4%	2%	1%
	NPP /other Men	10%	10%	9%	16%	11%	10%
	NPP /other Women	8%	5%	11%	4%	7%	8%
	Unweighted Count / Weighted Count	500	92	251	120	250	250
		500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
GENDER	Men	46%	100%		53%	43%	52%	55%	100%		100%		47%	47%	45%
	Women	54%		100%	47%	57%	48%	45%		100%		100%	53%	53%	55%
GENDER /AGE	Men <50	24%	52%		29%	20%	25%	34%	56%		48%		19%	28%	27%
	Women <50	25%		48%	29%	24%	26%	22%		62%		41%	26%	23%	27%
	Men 50+	22%	48%		23%	22%	27%	21%	44%		52%		28%	19%	18%
	Women 50+	28%		52%	18%	33%	22%	23%		38%		58%	27%	29%	28%
AGE	Under 50	49%	52%	48%	59%	44%	51%	56%	56%	62%	48%	41%	45%	52%	54%
	50 & over	50%	48%	52%	41%	56%	49%	44%	44%	38%	52%	58%	55%	48%	46%
AGE	Under 30	18%	19%	18%	26%	14%	13%	24%	23%	30%	17%	13%	18%	24%	13%
	30 - 39	17%	21%	14%	19%	16%	18%	25%	21%	17%	20%	13%	16%	19%	17%
	40 - 49	14%	12%	16%	13%	14%	19%	7%	12%	15%	12%	16%	11%	9%	24%
	50 - 64	21%	23%	19%	20%	22%	20%	24%	23%	16%	24%	21%	22%	20%	21%
	65 & over	29%	25%	33%	21%	33%	29%	20%	21%	22%	28%	37%	33%	28%	25%
AGE	18 - 24	10%	9%	10%	14%	8%	4%	16%	13%	14%	8%	9%	9%	16%	5%
	25 - 29	8%	9%	7%	13%	6%	10%	8%	11%	15%	9%	4%	9%	8%	8%
	30 - 34	9%	11%	7%	11%	7%	7%	14%	11%	10%	9%	5%	6%	11%	9%
	35 - 39	9%	10%	7%	8%	9%	12%	11%	9%	7%	11%	7%	10%	8%	8%
	40 - 44	6%	6%	5%	4%	6%	7%	1%	5%	4%	6%	6%	5%	3%	10%
	45 - 49	8%	6%	10%	9%	8%	12%	6%	7%	12%	6%	10%	6%	5%	14%
	50 - 54	9%	10%	8%	9%	10%	7%	11%	10%	7%	11%	9%	7%	12%	10%
	55 - 59	7%	7%	6%	6%	7%	4%	10%	6%	6%	7%	7%	8%	5%	6%
	60 - 64	5%	7%	4%	5%	6%	9%	3%	7%	3%	6%	5%	8%	3%	4%
	65 - 69	5%	6%	4%	7%	4%	9%	1%	8%	6%	5%	3%	4%	4%	7%
	70 - 74	7%	6%	9%	7%	8%	9%	11%	7%	6%	4%	10%	6%	8%	9%
	Over 74	17%	13%	20%	7%	22%	11%	7%	5%	9%	19%	24%	23%	16%	9%
	(Don't know/Refuse)	0%		0%		0%						0%		0%	
	Unweighted Count /	500	235	265	165	328	55	53	96	69	134	194	206	135	159
	Weighted Count	500	232	268	168	325	55	45	89	80	139	186	220	135	145

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		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
GENDER	Men	46%	100%		100%		100%		48%	56%	39%	51%	40%	48%	45%
	Women	54%		100%		100%		100%	52%	44%	61%	49%	60%	52%	55%
GENDER / AGE	Men <50	24%	41%		60%		60%		48%	56%	39%			48%	
	Women <50	25%		48%		44%		50%	52%	44%	61%			52%	
	Men 50+	22%	59%		40%		40%					51%	40%		45%
	Women 50+	28%		52%		55%		50%				49%	60%		55%
AGE	Under 50	49%	41%	48%	60%	44%	60%	50%	100%	100%	100%			100%	
	50 & over	50%	59%	52%	40%	55%	40%	50%				100%	100%		100%
AGE	Under 30	18%	15%	21%	28%	20%	17%	11%	100%					37%	
	30 - 39	17%	22%	11%	23%	16%	18%	16%		100%				35%	
	40 - 49	14%	5%	16%	10%	8%	25%	23%			100%			29%	
	50 - 64	21%	26%	18%	22%	18%	20%	22%				100%			42%
	65 & over	29%	33%	33%	18%	37%	20%	29%					100%		58%
AGE	18 - 24	10%	6%	11%	16%	17%	9%	3%	54%					20%	
	25 - 29	8%	9%	9%	12%	3%	7%	8%	46%					17%	
	30 - 34	9%	10%	3%	13%	10%	9%	9%		50%				17%	
	35 - 39	9%	12%	8%	10%	6%	9%	7%		50%				17%	
	40 - 44	6%	4%	5%	6%	1%	10%	10%			41%			12%	
	45 - 49	8%	1%	11%	3%	7%	16%	13%			59%			17%	
	50 - 54	9%	9%	4%	13%	11%	9%	12%				43%			18%
	55 - 59	7%	8%	7%	3%	7%	8%	5%				31%			13%
	60 - 64	5%	9%	7%	6%		4%	5%				26%			11%
	65 - 69	5%	6%	2%	4%	4%	7%	6%					17%		10%
	70 - 74	7%	4%	8%	7%	8%	7%	10%					25%		14%
	Over 74	17%	22%	24%	7%	24%	6%	12%					58%		34%
	(Don't know/Refuse)	0%				1%									
	Unweighted Count /	500	88	118	71	64	76	83	86	104	59	94	156	249	250
	Weighted Count	500	103	117	63	71	65	80	91	86	71	106	146	247	252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
GENDER	Men	46%	100%		100%		50%	57%	46%	40%	41%	40%	48%	53%	44%
	Women	54%		100%		100%	50%	43%	54%	60%	59%	60%	52%	47%	56%
GENDER /AGE	Men <50	24%	100%				50%		46%		24%	24%	24%	30%	18%
	Women <50	25%		100%			50%		54%		29%	31%	24%	28%	20%
	Men 50+	22%			100%			57%		40%	16%	16%	25%	23%	26%
	Women 50+	28%				100%		43%		60%	30%	29%	28%	19%	36%
AGE	Under 50	49%	100%	100%			100%		100%		54%	55%	48%	58%	38%
	50 & over	50%			100%	100%		100%		100%	46%	45%	52%	42%	62%
AGE	Under 30	18%	36%	37%			45%		32%		30%	34%	13%	21%	7%
	30 - 39	17%	40%	29%			32%		36%		11%	10%	19%	23%	15%
	40 - 49	14%	23%	34%			23%		32%		13%	11%	15%	14%	16%
	50 - 64	21%			48%	37%		48%		40%	16%	14%	23%	23%	23%
	65 & over	29%			52%	63%		52%		60%	31%	31%	29%	19%	38%
AGE	18 - 24	10%	18%	22%			23%		18%		20%	26%	5%	9%	1%
	25 - 29	8%	18%	15%			22%		14%		9%	8%	8%	11%	6%
	30 - 34	9%	20%	14%			19%		15%		3%	3%	10%	13%	8%
	35 - 39	9%	20%	15%			14%		20%		8%	8%	9%	10%	8%
	40 - 44	6%	12%	12%			7%		14%		5%	5%	6%	6%	6%
	45 - 49	8%	11%	22%			15%		18%		7%	6%	9%	9%	10%
	50 - 54	9%			21%	16%		21%		17%	6%	5%	11%	9%	12%
	55 - 59	7%			14%	12%		14%		13%	6%	5%	7%	7%	7%
	60 - 64	5%			14%	9%		13%		10%	4%	4%	6%	7%	5%
	65 - 69	5%			12%	8%		18%		7%	6%	6%	5%	3%	6%
	70 - 74	7%			12%	17%		16%		14%	10%	9%	7%	6%	7%
	Over 74	17%			28%	39%		18%		40%	15%	16%	18%	9%	25%
	(Don't know/Refuse)	0%											0%		0%
	Unweighted Count /	500	127	122	108	142	100	65	144	183	99	116	382	185	197
	Weighted Count	500	120	127	112	140	99	70	144	181	96	112	386	184	202

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		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
GENDER	Men	46%		100%		46%	47%	100%		100%		51%	40%	42%	44%	53%	44%
	Women	54%	100%		100%	54%	53%		100%		100%	49%	60%	58%	56%	47%	56%
GENDER /AGE	Men <50	24%		49%		17%	32%	36%		68%		12%	17%	24%	29%	38%	29%
	Women <50	25%	52%		46%	22%	30%		40%		57%	21%	22%	23%	32%	24%	36%
	Men 50+	22%		51%		29%	15%	64%		32%		38%	24%	18%	15%	16%	15%
	Women 50+	28%	48%		54%	32%	22%		59%		43%	28%	37%	36%	24%	22%	20%
AGE	Under 50	49%	52%	49%	46%	38%	62%	36%	40%	68%	57%	34%	39%	46%	61%	62%	64%
	50 & over	50%	48%	51%	54%	61%	38%	64%	59%	32%	43%	66%	61%	54%	39%	38%	36%
AGE	Under 30	18%	29%	13%	14%	11%	26%	10%	11%	27%	25%	11%	18%	5%	27%	27%	23%
	30 - 39	17%	8%	22%	16%	12%	23%	11%	14%	33%	15%	10%	9%	18%	24%	28%	17%
	40 - 49	14%	14%	13%	17%	15%	13%	15%	15%	8%	18%	12%	12%	23%	10%	7%	25%
	50 - 64	21%	12%	25%	22%	23%	20%	27%	20%	21%	19%	26%	24%	18%	17%	18%	27%
	65 & over	29%	36%	26%	32%	38%	18%	37%	40%	11%	24%	41%	37%	36%	22%	20%	9%
AGE	18 - 24	10%	22%	3%	6%	6%	13%	4%	8%	14%	11%	5%	14%	2%	13%	16%	9%
	25 - 29	8%	7%	10%	7%	5%	13%	6%	3%	13%	13%	6%	4%	3%	14%	11%	14%
	30 - 34	9%	2%	12%	8%	6%	12%	4%	7%	17%	7%	3%	6%	11%	11%	16%	8%
	35 - 39	9%	6%	10%	7%	6%	12%	6%	6%	16%	8%	7%	3%	8%	14%	12%	9%
	40 - 44	6%	7%	7%	5%	4%	7%	5%	3%	6%	9%	3%	4%	5%	6%	3%	14%
	45 - 49	8%	7%	6%	12%	11%	6%	10%	12%	2%	9%	9%	8%	18%	4%	4%	11%
	50 - 54	9%	3%	11%	10%	10%	9%	11%	8%	10%	8%	9%	17%	6%	3%	9%	17%
	55 - 59	7%	7%	8%	6%	7%	6%	6%	8%	8%	5%	7%	6%	7%	9%	4%	6%
	60 - 64	5%	2%	6%	5%	6%	5%	10%	3%	3%	6%	10%		5%	6%	5%	4%
	65 - 69	5%	4%	6%	4%	6%	3%	8%	5%	3%	3%	5%	6%	9%	4%	4%	2%
	70 - 74	7%	9%	5%	9%	10%	4%	7%	13%	5%	4%	8%	9%	14%	4%	6%	3%
	Over 74	17%	23%	16%	19%	22%	10%	22%	22%	4%	16%	28%	22%	13%	15%	10%	4%
	(Don't know/Refuse)	0%			0%	0%			0%				1%				
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

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			3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX				
		TOTAL	Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homeless	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly	
GENDER	Men	46%	51%	44%	47%	46%	30%	43%	50%	46%	46%	41%	46%	46%	53%	
	Women	54%	49%	56%	53%	54%	70%	57%	50%	54%	54%	59%	54%	54%	47%	
GENDER / AGE	Men <50	24%	24%	24%	26%	25%	21%	23%	28%	19%	26%	17%	29%	31%	26%	
	Women <50	25%	19%	26%	26%	23%	32%	28%	17%	35%	27%	32%	24%	20%	15%	
	Men 50+	22%	27%	21%	22%	21%	9%	20%	22%	27%	19%	24%	17%	15%	27%	
	Women 50+	28%	30%	30%	26%	32%	38%	28%	33%	19%	28%	27%	30%	34%	32%	
AGE	Under 50	49%	43%	49%	52%	47%	53%	51%	46%	54%	53%	49%	53%	51%	41%	
	50 & over	50%	57%	51%	48%	53%	47%	49%	54%	46%	47%	50%	47%	49%	59%	
AGE	Under 30	18%	16%	18%	17%	17%	27%	22%	14%	19%	19%	22%	21%	16%	12%	
	30 - 39	17%	15%	18%	18%	17%	21%	17%	16%	19%	19%	14%	21%	17%	16%	
	40 - 49	14%	12%	13%	16%	14%	6%	12%	15%	17%	15%	14%	11%	19%	12%	
	50 - 64	21%	24%	21%	21%	23%	20%	26%	19%	13%	20%	25%	27%	21%	18%	
	65 & over	29%	33%	29%	27%	30%	26%	23%	35%	33%	26%	25%	20%	28%	41%	
AGE	18 - 24	10%	10%	10%	8%	10%	8%	10%	8%	14%	10%	11%	9%	8%	8%	
	25 - 29	8%	6%	7%	9%	7%	19%	11%	6%	5%	9%	11%	12%	8%	5%	
	30 - 34	9%	7%	8%	9%	9%	11%	9%	8%	8%	10%	6%	13%	8%	8%	
	35 - 39	9%	8%	10%	10%	8%	10%	8%	8%	11%	9%	7%	9%	8%	8%	
	40 - 44	6%	4%	6%	8%	6%	3%	4%	5%	11%	7%	5%	3%	8%	3%	
	45 - 49	8%	8%	8%	8%	8%	2%	8%	10%	6%	8%	9%	7%	11%	9%	
	50 - 54	9%	9%	8%	11%	10%	5%	9%	8%	9%	9%	11%	8%	12%	6%	
	55 - 59	7%	9%	8%	5%	7%	8%	9%	6%	1%	6%	8%	10%	6%	6%	
	60 - 64	5%	6%	6%	5%	6%	8%	7%	4%	3%	5%	6%	9%	3%	6%	
	65 - 69	5%	3%	4%	5%	5%	4%	3%	5%	9%	5%	3%	3%	3%	7%	
	70 - 74	7%	8%	9%	7%	7%	6%	5%	10%	6%	5%	7%	4%	6%	13%	
	Over 74	17%	22%	16%	16%	18%	16%	14%	20%	18%	16%	15%	13%	18%	21%	
	(Don't know/Refuse)	0%	0%					0%				0%				
	Unweighted Count /		500	185	225	252	106	54	219	186	93	272	117	102	77	109
	Weighted Count		500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776 -9066 | Berkeley , CA (510) 286 -2097

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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
GENDER	Men	46%	45%	51%	42%	46%	46%	45%	55%	47%	45%	51%	40%	46%
	Women	54%	55%	49%	58%	54%	54%	55%	45%	53%	55%	49%	60%	54%
GENDER /AGE	Men <50	24%	23%	26%	23%	25%	22%	24%	30%	23%	24%	28%	17%	23%
	Women <50	25%	28%	23%	26%	27%	27%	29%	25%	21%	30%	21%	29%	29%
	Men 50+	22%	22%	24%	19%	21%	25%	21%	25%	23%	21%	23%	23%	23%
	Women 50+	28%	26%	27%	32%	27%	26%	26%	20%	32%	24%	29%	31%	25%
AGE	Under 50	49%	51%	49%	48%	52%	49%	53%	55%	45%	54%	49%	46%	52%
	50 & over	50%	48%	51%	52%	48%	50%	47%	45%	55%	46%	51%	54%	48%
AGE	Under 30	18%	25%	15%	13%	19%	23%	26%	19%	12%	22%	15%	20%	20%
	30 - 39	17%	16%	18%	19%	20%	10%	19%	23%	14%	18%	18%	15%	18%
	40 - 49	14%	11%	16%	17%	12%	16%	8%	12%	19%	14%	15%	12%	13%
	50 - 64	21%	23%	18%	21%	20%	25%	22%	15%	20%	17%	23%	23%	22%
	65 & over	29%	25%	33%	30%	28%	25%	25%	30%	35%	29%	29%	31%	26%
AGE	18 - 24	10%	13%	10%	5%	10%	14%	13%	12%	8%	10%	8%	14%	11%
	25 - 29	8%	12%	5%	8%	9%	9%	14%	7%	4%	12%	7%	6%	9%
	30 - 34	9%	9%	10%	7%	10%	6%	10%	13%	7%	10%	8%	7%	8%
	35 - 39	9%	7%	8%	12%	10%	4%	9%	10%	7%	8%	10%	8%	10%
	40 - 44	6%	3%	7%	8%	5%	3%	2%	5%	9%	4%	6%	8%	6%
	45 - 49	8%	9%	8%	8%	7%	13%	5%	7%	9%	10%	10%	4%	7%
	50 - 54	9%	11%	8%	9%	10%	11%	11%	9%	6%	8%	10%	10%	10%
	55 - 59	7%	8%	5%	6%	6%	7%	8%	5%	5%	6%	7%	5%	7%
	60 - 64	5%	4%	5%	6%	4%	7%	3%	1%	9%	3%	6%	8%	6%
	65 - 69	5%	3%	6%	6%	5%	2%	3%	7%	6%	5%	5%	5%	5%
	70 - 74	7%	7%	10%	3%	6%	8%	7%	9%	11%	6%	8%	7%	6%
	Over 74	17%	15%	16%	21%	17%	15%	15%	14%	18%	18%	16%	19%	15%
	(Don't know/Refuse)	0%	0%				1%							
	Unweighted Count / Weighted Count	500 500	189 187	190 184	118 124	318 318	77 77	112 110	88 84	102 100	153 146	238 237	105 113	272 277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
GENDER	Men	46%	44%	46%	54%	49%	40%	53%	45%	43%	49%	48%	43%	50%	40%
	Women	54%	56%	54%	46%	51%	60%	47%	55%	57%	51%	52%	57%	50%	60%
GENDER /AGE	Men <50	24%	20%	27%	27%	28%	21%	27%	24%	21%	25%	30%	22%	26%	21%
	Women <50	25%	24%	36%	22%	20%	33%	18%	27%	29%	22%	27%	32%	20%	29%
	Men 50+	22%	24%	19%	27%	20%	19%	25%	22%	22%	24%	17%	21%	24%	20%
	Women 50+	28%	32%	19%	24%	31%	27%	30%	27%	29%	28%	24%	25%	29%	30%
AGE	Under 50	49%	44%	62%	48%	49%	54%	45%	51%	49%	47%	58%	54%	47%	50%
	50 & over	50%	56%	38%	52%	51%	46%	55%	49%	51%	53%	42%	46%	53%	50%
AGE	Under 30	18%	16%	27%	14%	16%	21%	15%	19%	21%	14%	21%	22%	15%	21%
	30 - 39	17%	10%	24%	18%	18%	20%	16%	11%	16%	18%	19%	18%	18%	12%
	40 - 49	14%	18%	11%	16%	15%	12%	14%	21%	12%	14%	18%	14%	13%	17%
	50 - 64	21%	22%	13%	32%	18%	22%	21%	18%	24%	18%	22%	19%	24%	17%
	65 & over	29%	34%	25%	20%	33%	24%	35%	31%	27%	35%	19%	27%	30%	32%
AGE	18 - 24	10%	5%	13%	6%	10%	9%	10%	13%	10%	9%	13%	11%	9%	10%
	25 - 29	8%	11%	14%	8%	6%	12%	5%	6%	12%	5%	8%	11%	6%	10%
	30 - 34	9%	7%	13%	5%	10%	11%	6%	7%	9%	9%	8%	11%	9%	4%
	35 - 39	9%	3%	12%	12%	8%	9%	10%	4%	7%	9%	11%	8%	9%	8%
	40 - 44	6%	5%	3%	7%	5%	4%	5%	10%	3%	5%	13%	5%	5%	8%
	45 - 49	8%	13%	8%	10%	9%	8%	8%	11%	9%	9%	5%	9%	8%	9%
	50 - 54	9%	14%	3%	16%	7%	9%	10%	9%	13%	6%	8%	9%	9%	11%
	55 - 59	7%	5%	6%	10%	6%	8%	6%	3%	7%	5%	6%	7%	7%	2%
	60 - 64	5%	3%	3%	5%	6%	6%	4%	6%	3%	7%	8%	3%	7%	5%
	65 - 69	5%	2%	6%	4%	6%	5%	5%	4%	4%	7%	1%	4%	5%	7%
	70 - 74	7%	10%	3%	7%	9%	6%	9%	9%	7%	9%	4%	7%	8%	6%
	Over 74	17%	21%	16%	10%	19%	13%	21%	18%	16%	19%	14%	16%	17%	20%
	(Don't know/Refuse)	0%					0%					1%			1%
	Unweighted Count / Weighted Count	500	68	85	82	156	222	209	64	221	212	64	169	251	76
		500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
GENDER	Men	46%	40%	51%	43%	55%	45%	51%	42%	39%	44%	40%	50%	42%	52%	54%
	Women	54%	60%	49%	57%	45%	55%	49%	58%	61%	56%	60%	50%	58%	48%	46%
GENDER /AGE	Men <50	24%	20%	28%	20%	31%	23%	27%	23%	16%	21%	20%	28%	17%	23%	28%
	Women <50	25%	32%	15%	34%	23%	28%	21%	28%	30%	27%	34%	21%	30%	26%	17%
	Men 50+	22%	20%	23%	23%	25%	22%	24%	19%	22%	23%	19%	22%	25%	29%	25%
	Women 50+	28%	28%	33%	23%	22%	27%	28%	30%	32%	28%	26%	29%	28%	22%	29%
AGE	Under 50	49%	52%	44%	54%	53%	51%	48%	51%	46%	48%	55%	49%	48%	49%	45%
	50 & over	50%	48%	56%	46%	47%	49%	52%	49%	54%	51%	45%	51%	52%	51%	55%
AGE	Under 30	18%	21%	13%	19%	24%	25%	16%	15%	15%	15%	22%	16%	20%	20%	17%
	30 - 39	17%	19%	17%	18%	13%	14%	18%	19%	20%	21%	17%	18%	13%	17%	21%
	40 - 49	14%	12%	14%	17%	16%	12%	15%	17%	12%	12%	16%	14%	15%	13%	7%
	50 - 64	21%	25%	19%	15%	21%	24%	17%	23%	24%	19%	18%	22%	22%	26%	24%
	65 & over	29%	23%	37%	31%	25%	25%	35%	25%	30%	32%	28%	30%	30%	25%	31%
AGE	18 - 24	10%	8%	8%	11%	21%	12%	9%	6%	6%	11%	10%	9%	12%	10%	9%
	25 - 29	8%	13%	5%	8%	3%	12%	6%	9%	9%	3%	11%	7%	8%	9%	9%
	30 - 34	9%	10%	8%	11%	5%	8%	10%	8%	11%	10%	11%	8%	5%	8%	11%
	35 - 39	9%	9%	9%	7%	8%	6%	8%	12%	9%	11%	6%	10%	8%	9%	10%
	40 - 44	6%	3%	4%	10%	10%	2%	5%	10%	6%	7%	4%	5%	8%	5%	5%
	45 - 49	8%	9%	10%	7%	7%	10%	10%	6%	6%	5%	12%	9%	7%	8%	2%
	50 - 54	9%	9%	8%	10%	10%	12%	6%	13%	18%	6%	8%	9%	13%	16%	9%
	55 - 59	7%	9%	6%	2%	4%	8%	5%	6%	5%	5%	7%	7%	4%	6%	5%
	60 - 64	5%	7%	4%	3%	7%	3%	6%	5%	1%	9%	3%	6%	6%	4%	10%
	65 - 69	5%	3%	6%	8%	3%	3%	7%	3%	5%	6%	4%	5%	5%	5%	7%
	70 - 74	7%	6%	10%	7%	5%	8%	11%	4%	5%	3%	7%	8%	7%	8%	5%
	Over 74	17%	14%	22%	16%	17%	14%	17%	18%	20%	23%	17%	16%	18%	12%	19%
	(Don't know/Refuse)	0%	0%								1%					
	Unweighted Count / Weighted Count	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
		500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
GENDER	Men	46%	43%	45%	56%	46%	46%
	Women	54%	57%	55%	44%	54%	54%
GENDER / AGE	Men <50	24%	23%	23%	32%	24%	24%
	Women <50	25%	33%	25%	17%	26%	25%
	Men 50+	22%	20%	22%	24%	23%	22%
	Women 50+	28%	23%	30%	27%	28%	28%
AGE	Under 50	49%	56%	48%	49%	49%	49%
	50 & over	50%	44%	52%	51%	51%	50%
AGE	Under 30	18%	27%	15%	17%	18%	18%
	30 - 39	17%	15%	18%	19%	17%	17%
	40 - 49	14%	14%	14%	13%	14%	14%
	50 - 64	21%	18%	23%	20%	21%	21%
	65 & over	29%	25%	29%	31%	29%	29%
AGE	18 - 24	10%	12%	9%	10%	9%	10%
	25 - 29	8%	16%	7%	7%	9%	8%
	30 - 34	9%	10%	8%	10%	8%	9%
	35 - 39	9%	4%	10%	9%	9%	8%
	40 - 44	6%	2%	6%	6%	6%	5%
	45 - 49	8%	12%	8%	7%	8%	9%
	50 - 54	9%	9%	8%	9%	9%	9%
	55 - 59	7%	7%	7%	7%	6%	7%
	60 - 64	5%	2%	8%	4%	6%	5%
	65 - 69	5%	4%	4%	7%	6%	4%
	70 - 74	7%	6%	8%	10%	8%	7%
	Over 74	17%	15%	18%	14%	16%	18%
	(Don't know/Refuse)	0%		0%			0%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
EDUCATION	High School Graduate	3%	2%	4%	2%	4%	2%	1%	1%	3%	3%	5%	5%	2%	3%
	Vocational or technical school	0%	1%		1%	0%		2%	1%		0%				1%
	Some college but no degree	14%	13%	15%	26%	8%	23%	36%	25%	28%	6%	10%	13%	19%	13%
	Associate degree	4%	3%	6%	7%	3%	8%	8%	7%	8%	1%	5%	4%	5%	5%
	4-year college graduate or bachelor's degree	37%	42%	32%	37%	37%	36%	26%	42%	30%	40%	34%	37%	38%	35%
	Graduate School or advanced degree	40%	38%	42%	26%	48%	28%	24%	23%	31%	49%	47%	42%	35%	42%
	(Refused)	0%	1%		1%	0%	2%	2%	1%		1%			1%	1%
EDUCATION	H.S./Less	3%	2%	4%	2%	4%	2%	1%	1%	3%	3%	5%	5%	2%	3%
	Post H.S.	19%	17%	21%	34%	12%	32%	47%	33%	36%	7%	15%	16%	24%	19%
	Non-college grad	22%	19%	25%	36%	16%	34%	48%	34%	39%	10%	20%	21%	26%	22%
	College graduate or post-grad	77%	80%	75%	63%	84%	65%	49%	65%	61%	89%	80%	79%	74%	77%
EDUCATION /GENDER	Non-college men	9%	19%		18%	4%	8%	28%	34%		10%		6%	11%	12%
	Non-college women	14%		25%	18%	11%	25%	21%		39%		20%	15%	15%	10%
	College men	37%	80%		34%	38%	42%	25%	65%		89%		41%	36%	33%
	College women	40%		75%	29%	46%	23%	24%		61%		80%	38%	38%	45%
	Unweighted Count /	500	235	265	165	328	55	53	96	69	134	194	206	135	159
	Weighted Count	500	232	268	168	325	55	45	89	80	139	186	220	135	145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
EDUCATION	High School Graduate	3%	2%	7%	2%	2%	4%	2%	11%	1%		1%	3%	4%	2%
	Vocational or technical school	0%					2%		1%	1%				1%	
	Some college but no degree	14%	9%	16%	16%	22%	18%	9%	25%	8%	9%	11%	17%	15%	14%
	Associate degree	4%	2%	5%	5%	5%	2%	7%	5%	4%	8%	3%	3%	6%	3%
	4-year college graduate or bachelor's degree	37%	45%	29%	46%	31%	32%	38%	42%	49%	37%	40%	24%	43%	31%
	Graduate School or advanced degree	40%	42%	43%	30%	40%	41%	44%	15%	36%	46%	45%	53%	31%	49%
	(Refused)	0%			1%		1%		1%	1%				1%	
EDUCATION	H.S./Less	3%	2%	7%	2%	2%	4%	2%	11%	1%		1%	3%	4%	2%
	Post H.S.	19%	11%	21%	21%	26%	22%	17%	31%	13%	17%	14%	20%	21%	18%
	Non-college grad	22%	13%	28%	23%	29%	26%	18%	42%	13%	17%	15%	23%	25%	20%
	College graduate or post-grad	77%	87%	72%	76%	71%	72%	82%	57%	85%	83%	85%	77%	74%	80%
EDUCATION /GENDER	Non-college men	9%	13%		23%		26%		20%	7%	4%	7%	7%	11%	7%
	Non-college women	14%		28%		29%		18%	22%	7%	13%	8%	17%	14%	13%
	College men	37%	87%		76%		72%		27%	49%	35%	44%	33%	37%	38%
	College women	40%		72%		71%		82%	30%	37%	47%	41%	44%	37%	43%
	Unweighted Count /	500	88	118	71	64	76	83	86	104	59	94	156	249	250
	Weighted Count	500	103	117	63	71	65	80	91	86	71	106	146	247	252

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
EDUCATION	High School Graduate	3%	3%	5%	2%	3%	3%	1%	5%	3%		15%			
	Vocational or technical school	0%	1%				1%		0%		2%	1%			
	Some college but no degree	14%	13%	16%	14%	15%	26%	26%	7%	10%	75%	64%			
	Associate degree	4%	5%	6%	0%	6%	8%	6%	4%	2%	23%	20%			
	4-year college graduate or bachelor's degree	37%	46%	41%	38%	25%	40%	32%	44%	30%			48%	100%	
	Graduate School or advanced degree	40%	30%	32%	47%	52%	21%	35%	39%	54%			52%		100%
	(Refused)	0%	2%				1%		1%						
EDUCATION	H.S./Less	3%	3%	5%	2%	3%	3%	1%	5%	3%		15%			
	Post H.S.	19%	20%	22%	14%	20%	36%	32%	11%	12%	100%	85%			
	Non-college grad	22%	22%	27%	16%	23%	39%	33%	16%	15%	100%	100%			
	College graduate or post-grad	77%	76%	73%	84%	77%	60%	67%	83%	85%			100%	100%	100%
EDUCATION /GENDER	Non-college men	9%	22%		16%		21%	14%	4%	5%	41%	40%			
	Non-college women	14%		27%		23%	18%	20%	12%	11%	59%	60%			
	College men	37%	76%		84%		28%	43%	41%	35%			48%	53%	44%
	College women	40%		73%		77%	32%	24%	42%	50%			52%	47%	56%
	Unweighted Count /	500	127	122	108	142	100	65	144	183	99	116	382	185	197
	Weighted Count	500	120	127	112	140	99	70	144	181	96	112	386	184	202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
EDUCATION	High School Graduate	3%	16%			3%	2%	2%	3%	1%	4%	3%	5%	2%	5%		2%
	Vocational or technical school	0%				0%	0%	1%		1%				1%			2%
	Some college but no degree	14%	61%			12%	16%	10%	14%	15%	17%	9%	17%	14%	17%	19%	10%
	Associate degree	4%	23%			3%	6%	1%	5%	5%	7%	2%	5%	3%	6%	5%	7%
	4-year college graduate or bachelor's degree	37%		52%	43%	35%	40%	39%	31%	46%	35%	38%	32%	32%	35%	45%	41%
	Graduate School or advanced degree	40%		48%	57%	47%	34%	47%	46%	30%	38%	48%	42%	49%	36%	30%	37%
	(Refused)	0%					1%			2%						1%	2%
EDUCATION	H.S./Less	3%	16%			3%	2%	2%	3%	1%	4%	3%	5%	2%	5%		2%
	Post H.S.	19%	84%			15%	22%	11%	19%	21%	24%	11%	22%	18%	23%	24%	19%
	Non-college grad	22%	100%			18%	25%	14%	22%	22%	27%	14%	26%	20%	28%	24%	21%
	College graduate or post-grad	77%		100%	100%	82%	74%	86%	78%	76%	73%	86%	74%	80%	72%	75%	77%
EDUCATION /GENDER	Non-college men	9%				6%	11%	14%		22%		5%	8%	7%	8%	12%	12%
	Non-college women	14%	100%			12%	14%		22%		27%	9%	18%	12%	20%	12%	9%
	College men	37%		100%		39%	36%	86%		76%		46%	32%	34%	36%	40%	30%
	College women	40%			100%	42%	39%		78%		73%	40%	41%	46%	35%	35%	48%
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homeless	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
EDUCATION	High School Graduate	3%	4%	4%	4%	1%		3%	3%	4%	3%	5%	1%	6%	2%
	Vocational or technical school	0%	1%		0%	1%			1%	1%	1%			1%	
	Some college but no degree	14%	18%	11%	13%	17%	24%	14%	15%	13%	17%	10%	18%	18%	13%
	Associate degree	4%	3%	5%	5%	4%	1%	6%	4%	2%	3%	7%	5%	2%	5%
	4-year college graduate or bachelor's degree	37%	31%	41%	38%	38%	20%	37%	31%	48%	38%	37%	38%	26%	34%
	Graduate School or advanced degree	40%	43%	39%	39%	39%	54%	39%	46%	32%	38%	40%	38%	47%	46%
	(Refused)	0%	0%	0%	1%			0%		1%	0%	1%			
EDUCATION	H.S./Less	3%	4%	4%	4%	1%		3%	3%	4%	3%	5%	1%	6%	2%
	Post H.S.	19%	22%	15%	18%	22%	25%	20%	20%	16%	20%	18%	24%	21%	19%
	Non-college grad	22%	25%	19%	22%	23%	25%	23%	23%	19%	23%	22%	25%	27%	20%
	College graduate or post-grad	77%	74%	81%	78%	77%	75%	76%	77%	80%	76%	77%	75%	73%	80%
EDUCATION /GENDER	Non-college men	9%	11%	6%	9%	9%	9%	7%	12%	7%	8%	7%	7%	11%	13%
	Non-college women	14%	14%	13%	13%	14%	16%	16%	11%	12%	15%	16%	17%	16%	7%
	College men	37%	39%	38%	38%	37%	21%	36%	38%	38%	37%	34%	38%	35%	39%
	College women	40%	35%	43%	40%	40%	54%	40%	39%	42%	39%	43%	37%	38%	40%
	Unweighted Count /	500	185	225	252	106	54	219	186	93	272	117	102	77	109
	Weighted Count	500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
EDUCATION	High School Graduate	3%	4%	4%	1%	3%	5%	2%	5%	3%	3%	3%	5%	4%
	Vocational or technical school	0%	0%	1%		0%		1%		1%	0%	0%		0%
	Some college but no degree	14%	16%	9%	20%	17%	10%	20%	8%	10%	18%	10%	19%	17%
	Associate degree	4%	6%	3%	3%	3%	9%	3%	1%	5%	5%	3%	6%	3%
	4-year college graduate or bachelor's degree	37%	37%	36%	39%	37%	38%	36%	37%	36%	41%	35%	37%	39%
	Graduate School or advanced degree	40%	38%	46%	36%	40%	38%	38%	50%	43%	32%	49%	33%	36%
	(Refused)	0%		1%	1%	0%				1%		0%	1%	0%
EDUCATION	H.S./Less	3%	4%	4%	1%	3%	5%	2%	5%	3%	3%	3%	5%	4%
	Post H.S.	19%	22%	13%	23%	20%	19%	24%	9%	17%	24%	13%	24%	20%
	Non-college grad	22%	26%	17%	24%	22%	24%	27%	14%	20%	27%	16%	30%	24%
	College graduate or post-grad	77%	74%	82%	75%	77%	76%	73%	86%	79%	73%	83%	70%	76%
EDUCATION /GENDER	Non-college men	9%	8%	10%	8%	8%	9%	8%	10%	10%	7%	9%	11%	8%
	Non-college women	14%	17%	7%	16%	14%	15%	19%	4%	10%	19%	7%	18%	16%
	College men	37%	37%	40%	33%	38%	37%	37%	46%	36%	38%	41%	28%	38%
	College women	40%	37%	42%	42%	40%	39%	37%	41%	44%	36%	42%	42%	38%
	Unweighted Count /	500	189	190	118	318	77	112	88	102	153	238	105	272
	Weighted Count	500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
EDUCATION	High School Graduate	3%	2%	4%	3%	3%	3%	4%	3%	2%	4%	5%	5%	3%	1%
	Vocational or technical school	0%		1%		1%		1%		0%	0%		0%	0%	
	Some college but no degree	14%	17%	20%	11%	10%	17%	12%	13%	17%	14%	11%	19%	10%	18%
	Associate degree	4%	7%	3%		4%	4%	4%	6%	4%	4%	5%	6%	4%	2%
	4-year college graduate or bachelor's degree	37%	37%	44%	38%	33%	37%	34%	46%	36%	33%	52%	38%	33%	47%
	Graduate School or advanced degree	40%	37%	29%	48%	49%	40%	44%	32%	41%	44%	28%	32%	48%	32%
	(Refused)	0%				1%		1%			1%			1%	
EDUCATION	H.S./Less	3%	2%	4%	3%	3%	3%	4%	3%	2%	4%	5%	5%	3%	1%
	Post H.S.	19%	24%	24%	11%	15%	20%	17%	19%	21%	18%	16%	26%	15%	20%
	Non-college grad	22%	26%	27%	14%	18%	23%	21%	22%	23%	22%	21%	31%	18%	21%
	College graduate or post-grad	77%	74%	73%	86%	82%	77%	78%	78%	77%	77%	79%	69%	82%	79%
EDUCATION /GENDER	Non-college men	9%	10%	5%	6%	10%	6%	11%	10%	9%	10%	7%	10%	9%	7%
	Non-college women	14%	15%	22%	7%	7%	17%	9%	12%	15%	12%	14%	21%	8%	14%
	College men	37%	34%	41%	48%	38%	34%	40%	35%	34%	38%	40%	34%	40%	33%
	College women	40%	40%	32%	39%	44%	42%	38%	43%	42%	39%	39%	36%	41%	46%
	Unweighted Count /	500	68	85	82	156	222	209	64	221	212	64	169	251	76
	Weighted Count	500	64	83	82	155	223	203	68	212	213	70	156	249	89

CITY OF BERKELEY - JUNE 2024

		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
EDUCATION	High School Graduate	3%	3%	4%	3%	3%	2%	4%	2%		4%	4%	3%	4%	8%	4%
	Vocational or technical school	0%		1%		1%	0%	1%				1%	0%			
	Some college but no degree	14%	15%	13%	18%	9%	17%	10%	14%	14%	19%	16%	10%	19%	23%	19%
	Associate degree	4%	4%	4%		10%	5%	4%	1%	1%	8%	6%	3%	4%	5%	5%
	4-year college graduate or bachelor's degree	37%	36%	30%	45%	49%	34%	35%	46%	44%	36%	40%	33%	42%	42%	37%
	Graduate School or advanced degree	40%	42%	48%	34%	24%	41%	46%	36%	41%	32%	33%	50%	30%	22%	34%
	(Refused)	0%				3%		1%			1%		0%			1%
EDUCATION	H.S./Less	3%	3%	4%	3%	3%	2%	4%	2%		4%	4%	3%	4%	8%	4%
	Post H.S.	19%	19%	18%	18%	21%	22%	15%	16%	15%	27%	23%	13%	23%	28%	24%
	Non-college grad	22%	23%	22%	21%	23%	25%	19%	18%	15%	31%	27%	16%	27%	36%	28%
	College graduate or post-grad	77%	77%	78%	79%	73%	75%	80%	82%	85%	68%	73%	83%	73%	64%	71%
EDUCATION /GENDER	Non-college men	9%	4%	11%	8%	16%	9%	11%	6%	5%	8%	6%	9%	11%	18%	13%
	Non-college women	14%	18%	10%	13%	8%	16%	8%	11%	10%	23%	21%	7%	16%	18%	15%
	College men	37%	35%	40%	34%	36%	36%	40%	36%	33%	35%	34%	41%	31%	35%	39%
	College women	40%	42%	38%	44%	37%	39%	41%	47%	52%	33%	40%	42%	42%	29%	31%
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
EDUCATION	High School Graduate	3%	3%	3%	4%	4%	3%
	Vocational or technical school	0%		0%	1%	1%	
	Some college but no degree	14%	15%	16%	10%	15%	13%
	Associate degree	4%	6%	4%	4%	5%	4%
	4-year college graduate or bachelor's degree	37%	41%	34%	37%	38%	36%
	Graduate School or advanced degree	40%	34%	42%	45%	37%	44%
	(Refused)	0%		0%		0%	0%
EDUCATION	H.S./Less	3%	3%	3%	4%	4%	3%
	Post H.S.	19%	22%	20%	14%	21%	17%
	Non-college grad	22%	25%	23%	18%	25%	20%
	College graduate or post-grad	77%	75%	76%	82%	75%	80%
EDUCATION /GENDER	Non-college men	9%	5%	9%	12%	10%	8%
	Non-college women	14%	20%	14%	6%	15%	12%
	College men	37%	38%	35%	43%	36%	38%
	College women	40%	37%	41%	38%	38%	42%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
RACE	People of color	34%	38%	30%	100%		100%	100%	100%	100%			27%	39%	38%
	White alone	65%	60%	70%		100%					100%	100%	71%	60%	60%
	Black	11%	12%	10%	33%		100%	13%	32%	33%			7%	11%	16%
	Latino/a	9%	11%	8%	27%		10%	100%	28%	26%			7%	9%	13%
	Asian American or Pacific Islander	10%	11%	8%	28%		5%	6%	30%	27%			9%	11%	9%
	Native or Indigenous American	1%	2%	1%	4%		3%	3%	5%	2%				1%	4%
	Middle Eastern or North African	2%	2%	3%	7%		1%	2%	5%	8%			2%	3%	2%
	(Other)	3%	3%	3%	10%			2%	8%	11%			3%	5%	2%
	(Don't know/Refused)	1%	2%	1%									2%	0%	2%
RACE /GENDER	Men of color	18%	38%		53%		52%	55%	100%				16%	20%	18%
	Women of color	16%		30%	47%		48%	45%		100%			11%	19%	20%
	White men	28%	60%			43%					100%		30%	27%	25%
	White women	37%		70%		57%						100%	41%	33%	35%
	Black men	6%	12%		17%		52%	7%	32%				3%	8%	8%
	Black women	5%		10%	16%		48%	6%		33%			4%	4%	9%
	Latino men	5%	11%		15%		6%	55%	28%				4%	4%	7%
	Latina women	4%		8%	12%		5%	45%		26%			2%	5%	6%
	Asian American or Pacific Islander men	5%	11%		16%		1%	2%	30%				6%	7%	3%
	Asian American or Pacific Islander women	4%		8%	13%		4%	4%		27%			4%	4%	5%
	Native or Indigenous American men	1%	2%		3%		1%	3%	5%					1%	3%
	Native or Indigenous American women	0%		1%	1%		1%			2%					1%
	Middle Eastern or North African men	1%	2%		3%		1%	2%	5%				1%	2%	1%
	Middle Eastern or North African women	1%		3%	4%					8%			1%	2%	1%
	Other men	1%	3%		4%			1%	8%				2%	0%	1%
	Other women	2%		3%	5%			1%		11%			0%	5%	1%
	Unweighted Count /	500	235	265	165	328	55	53	96	69	134	194	206	135	159
	Weighted Count	500	232	268	168	325	55	45	89	80	139	186	220	135	145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
RACE	People of color	34%	34%	21%	43%	36%	40%	36%	49%	37%	32%	32%	25%	40%	28%
	White alone	65%	64%	78%	57%	63%	55%	64%	51%	60%	65%	68%	74%	58%	72%
	Black	11%	7%	8%	16%	7%	17%	16%	8%	12%	15%	10%	11%	11%	11%
	Latino/a	9%	9%	4%	8%	10%	15%	11%	12%	13%	4%	10%	6%	10%	8%
	Asian American or Pacific Islander	10%	12%	7%	14%	8%	8%	10%	16%	13%	9%	7%	5%	13%	6%
	Native or Indigenous American	1%			1%		6%	2%	1%	2%	2%	1%	1%	1%	1%
	Middle Eastern or North African	2%	1%	2%	4%	3%	1%	2%	8%	1%	4%		0%	4%	0%
	(Other)	3%	5%	1%	1%	9%	3%	2%	4%	2%	2%	3%	4%	3%	4%
	(Don't know/Refused)	1%	2%	1%		1%	4%			3%	3%		1%	2%	1%
RACE /GENDER	Men of color	18%	34%		43%		40%		23%	21%	15%	20%	13%	20%	16%
	Women of color	16%		21%		36%		36%	26%	16%	17%	12%	12%	20%	12%
	White men	28%	64%		57%		55%		25%	32%	23%	32%	26%	27%	29%
	White women	37%		78%		63%		64%	26%	28%	42%	37%	48%	31%	43%
	Black men	6%	7%		16%		17%		4%	6%	7%	9%	4%	6%	6%
	Black women	5%		8%		7%		16%	4%	6%	8%	1%	7%	6%	5%
	Latino men	5%	9%		8%		15%		7%	8%	3%	5%	2%	6%	4%
	Latina women	4%		4%		10%		11%	5%	5%	2%	5%	4%	4%	4%
	Asian American or Pacific Islander men	5%	12%		14%		8%		8%	9%	3%	3%	4%	7%	3%
	Asian American or Pacific Islander women	4%		7%		8%		10%	8%	4%	6%	5%	1%	6%	3%
	Native or Indigenous American men	1%			1%		6%		1%	1%	2%	1%	1%	1%	1%
	Native or Indigenous American women	0%						2%		1%			0%	0%	0%
	Middle Eastern or North African men	1%	1%		4%		1%		3%		3%			2%	
	Middle Eastern or North African women	1%		2%		3%		2%	5%	1%	1%		0%	2%	0%
	Other men	1%	5%		1%		3%			1%	1%	2%	2%	1%	2%
	Other women	2%		1%		9%		2%	4%	1%	1%	1%	2%	2%	1%
	Unweighted Count / Weighted Count	500	88	118	71	64	76	83	86	104	59	94	156	249	250
		500	103	117	63	71	65	80	91	86	71	106	146	247	252

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
RACE	People of color	34%	41%	39%	35%	21%	100%	100%			61%	55%	27%	33%	22%
	White alone	65%	55%	61%	64%	78%			100%	100%	39%	45%	71%	65%	76%
	Black	11%	12%	11%	13%	9%	28%	39%			18%	17%	9%	11%	8%
	Latino/a	9%	13%	8%	8%	8%	26%	28%			22%	19%	6%	6%	5%
	Asian American or Pacific Islander	10%	15%	11%	8%	5%	32%	23%			9%	9%	10%	12%	8%
	Native or Indigenous American	1%	2%	1%	2%	0%	4%	4%			4%	3%	1%	1%	0%
	Middle Eastern or North African	2%	4%	5%		0%	11%	1%			3%	4%	2%	2%	1%
	(Other)	3%	1%	4%	6%	3%	7%	14%			5%	4%	3%	4%	2%
	(Don't know/Refused)	1%	3%	0%	1%	1%							2%	2%	2%
RACE /GENDER	Men of color	18%	41%		35%		50%	57%			31%	27%	15%	20%	10%
	Women of color	16%		39%		21%	50%	43%			30%	28%	13%	13%	12%
	White men	28%	55%		64%				46%	40%	10%	13%	32%	30%	33%
	White women	37%		61%		78%			54%	60%	29%	33%	39%	34%	43%
	Black men	6%	12%		13%		14%	21%			5%	4%	6%	8%	4%
	Black women	5%		11%		9%	14%	18%			13%	12%	3%	2%	4%
	Latino men	5%	13%		8%		16%	13%			13%	11%	3%	4%	2%
	Latina women	4%		8%		8%	10%	15%			9%	8%	3%	2%	4%
	Asian American or Pacific Islander men	5%	15%		8%		18%	13%			7%	7%	5%	7%	3%
	Asian American or Pacific Islander women	4%		11%		5%	15%	10%			2%	2%	5%	6%	5%
	Native or Indigenous American men	1%	2%		2%		3%	3%			2%	2%	1%	1%	0%
	Native or Indigenous American women	0%		1%		0%	1%	1%			1%	1%			
	Middle Eastern or North African men	1%	4%				5%				3%	2%	1%	1%	
	Middle Eastern or North African women	1%		5%		0%	6%	1%			1%	2%	1%	1%	1%
	Other men	1%	1%		6%		1%	9%			1%	1%	2%	2%	2%
	Other women	2%		4%		3%	5%	5%			4%	4%	1%	2%	1%
	Unweighted Count /	500	127	122	108	142	100	65	144	183	99	116	382	185	197
	Weighted Count	500	120	127	112	140	99	70	144	181	96	112	386	184	202

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
RACE	People of color	34%	46%	31%	24%	29%	41%	32%	26%	46%	36%	20%	34%	39%	38%	44%	40%
	White alone	65%	54%	66%	75%	70%	59%	67%	74%	53%	64%	80%	66%	59%	61%	55%	60%
	Black	11%	21%	12%	6%	11%	11%	12%	10%	14%	9%	7%	10%	19%	8%	13%	14%
	Latino/a	9%	14%	6%	5%	6%	13%	6%	6%	16%	10%	4%	8%	6%	9%	10%	22%
	Asian American or Pacific Islander	10%	3%	10%	10%	9%	10%	11%	8%	12%	8%	8%	7%	13%	11%	14%	4%
	Native or Indigenous American	1%	2%	1%		1%	2%	1%	1%	3%	1%			2%		1%	5%
	Middle Eastern or North African	2%	3%	1%	2%	2%	3%	1%	2%	3%	3%		5%	2%	5%	2%	1%
	(Other)	3%	6%	4%	3%	2%	5%	2%	2%	5%	5%	1%	5%	1%	5%	6%	4%
	(Don't know/Refused)	1%		3%	1%	1%	1%	1%		1%	1%			2%	1%	1%	
RACE /GENDER	Men of color	18%		31%		15%	22%	32%		46%		15%	13%	16%	19%	25%	21%
	Women of color	16%	46%		24%	14%	19%		26%		36%	6%	21%	23%	19%	19%	18%
	White men	28%		66%		30%	25%	67%		53%		36%	28%	24%	24%	28%	22%
	White women	37%	54%		75%	40%	34%		74%		64%	44%	38%	36%	36%	27%	38%
	Black men	6%		12%		6%	6%	12%		14%		4%	5%	9%	3%	10%	7%
	Black women	5%	21%		6%	6%	5%		10%		9%	3%	5%	10%	5%	3%	7%
	Latino men	5%		6%		3%	8%	6%		16%		4%	2%	2%	6%	5%	14%
	Latina women	4%	14%		5%	3%	5%		6%		10%	1%	6%	4%	4%	5%	8%
	Asian American or Pacific Islander men	5%		10%		5%	6%	11%		12%		7%	4%	3%	5%	8%	4%
	Asian American or Pacific Islander women	4%	3%		10%	5%	4%		8%		8%	2%	3%	10%	6%	5%	
	Native or Indigenous American men	1%		1%		0%	1%	1%		3%				1%		1%	4%
	Native or Indigenous American women	0%	2%			0%	0%		1%		1%			1%			1%
	Middle Eastern or North African men	1%		1%		0%	1%	1%		3%			2%		2%	1%	1%
	Middle Eastern or North African women	1%	3%		2%	1%	2%		2%		3%		3%	2%	3%	1%	
	Other men	1%		4%		1%	2%	2%		5%		1%		1%	4%	1%	2%
	Other women	2%	6%		3%	1%	3%		2%		5%		5%		1%	5%	2%
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX				
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly	
RACE	People of color	34%	37%	28%	36%	32%	30%	35%	34%	33%	34%	31%	38%	29%	37%	
	White alone	65%	60%	71%	63%	65%	70%	65%	64%	67%	66%	68%	61%	71%	58%	
	Black	11%	12%	14%	13%	8%	5%	11%	11%	11%	10%	12%	11%	7%	13%	
	Latino/a	9%	8%	8%	8%	13%	12%	11%	8%	8%	10%	9%	12%	8%	7%	
	Asian American or Pacific Islander	10%	11%	7%	9%	11%	10%	8%	11%	10%	10%	6%	11%	10%	12%	
	Native or Indigenous American	1%	1%	1%	1%	1%	1%	1%	2%		1%	2%	1%	3%	1%	
	Middle Eastern or North African	2%	2%	1%	2%	3%	3%	1%	4%	1%	2%	1%	1%	3%	5%	
	(Other)	3%	4%	2%	3%	2%		4%	3%	2%	3%	4%	3%	3%	3%	
	(Don't know/Refused)	1%	2%	1%	1%	2%		1%	3%		0%	1%	1%		5%	
RACE /GENDER	Men of color	18%	21%	17%	20%	17%	13%	18%	20%	13%	15%	19%	18%	15%	23%	
	Women of color	16%	16%	11%	16%	15%	17%	16%	14%	20%	19%	12%	21%	14%	13%	
	White men	28%	28%	27%	27%	27%	17%	24%	28%	33%	30%	21%	28%	31%	26%	
	White women	37%	33%	44%	36%	39%	53%	40%	36%	34%	35%	47%	33%	40%	32%	
	Black men	6%	7%	8%	7%	2%	1%	7%	6%	2%	3%	9%	5%	3%	9%	
	Black women	5%	5%	5%	6%	6%	4%	5%	4%	9%	6%	3%	6%	4%	5%	
	Latino men	5%	4%	4%	5%	6%	6%	6%	5%	4%	5%	6%	5%	7%	3%	
	Latina women	4%	4%	3%	4%	6%	5%	5%	3%	5%	5%	3%	7%	2%	4%	
	Asian American or Pacific Islander men	5%	7%	5%	6%	6%	3%	4%	6%	6%	5%	3%	6%	3%	8%	
	Asian American or Pacific Islander women	4%	4%	2%	3%	6%	6%	4%	5%	4%	5%	3%	5%	6%	4%	
	Native or Indigenous American men	1%	1%	1%	1%	1%		0%	2%		1%	1%		3%	1%	
	Native or Indigenous American women	0%	0%				1%	1%			0%	1%	1%			
	Middle Eastern or North African men	1%	1%	0%	1%	2%	3%	0%	2%		1%		1%	3%	1%	
	Middle Eastern or North African women	1%	2%	1%	1%	1%		1%	2%	1%	0%	1%			4%	
	Other men	1%	2%	1%	1%	1%		2%	1%	1%	1%	3%	1%	1%	2%	
	Other women	2%	2%	1%	2%	1%		2%	2%	1%	2%	2%	2%	3%	1%	
	Unweighted Count / Weighted Count		500	185	225	252	106	54	219	186	93	272	117	102	77	109
			500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
RACE	People of color	34%	31%	37%	32%	32%	29%	33%	29%	43%	35%	33%	33%	33%
	White alone	65%	68%	61%	67%	67%	71%	66%	70%	53%	64%	65%	67%	67%
	Black	11%	8%	15%	10%	8%	14%	4%	10%	18%	10%	13%	9%	9%
	Latino/a	9%	10%	9%	8%	9%	6%	12%	8%	10%	12%	6%	12%	9%
	Asian American or Pacific Islander	10%	8%	10%	11%	10%	5%	10%	7%	11%	9%	9%	10%	10%
	Native or Indigenous American	1%	0%	2%	1%	1%	1%		2%	2%	2%	1%		1%
	Middle Eastern or North African	2%	3%	3%	1%	1%	4%	2%	1%	4%	2%	2%	2%	2%
	(Other)	3%	5%	3%	2%	3%	4%	5%	1%	4%	4%	5%	1%	3%
	(Don't know/Refused)	1%	1%	2%	1%	1%		1%	1%	4%	1%	2%		1%
RACE /GENDER	Men of color	18%	17%	21%	13%	16%	19%	16%	20%	23%	21%	18%	13%	15%
	Women of color	16%	14%	15%	19%	15%	10%	16%	9%	20%	13%	15%	20%	17%
	White men	28%	27%	27%	28%	30%	27%	27%	35%	20%	23%	31%	26%	30%
	White women	37%	41%	34%	38%	38%	43%	39%	35%	33%	42%	33%	40%	37%
	Black men	6%	6%	8%	3%	3%	12%	1%	5%	10%	5%	8%	3%	3%
	Black women	5%	3%	7%	7%	5%	2%	3%	5%	9%	5%	5%	7%	5%
	Latino men	5%	5%	5%	4%	5%	6%	5%	7%	4%	8%	3%	5%	5%
	Latina women	4%	5%	3%	4%	4%	1%	7%	1%	6%	4%	3%	7%	5%
	Asian American or Pacific Islander men	5%	5%	6%	5%	6%	3%	6%	6%	6%	7%	5%	5%	5%
	Asian American or Pacific Islander women	4%	3%	4%	5%	4%	3%	4%	2%	6%	3%	4%	5%	5%
	Native or Indigenous American men	1%	0%	2%		1%	1%		2%	2%	1%	1%		1%
	Native or Indigenous American women	0%			1%	0%					1%			0%
	Middle Eastern or North African men	1%	2%	1%		0%	2%	1%		1%	1%	1%	1%	1%
	Middle Eastern or North African women	1%	1%	2%	1%	1%	2%	1%	1%	3%	1%	2%	1%	1%
	Other men	1%	2%	2%	0%	1%		3%	1%	3%	3%	1%	1%	2%
	Other women	2%	3%	1%	2%	1%	4%	2%	1%	2%	0%	4%		1%
	Unweighted Count / Weighted Count	500	189	190	118	318	77	112	88	102	153	238	105	272
		500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
RACE	People of color	34%	37%	33%	31%	34%	32%	34%	38%	33%	36%	29%	31%	33%	39%
	White alone	65%	63%	65%	68%	63%	68%	64%	60%	67%	62%	69%	68%	64%	61%
	Black	11%	11%	9%	8%	16%	11%	12%	9%	10%	14%	6%	9%	12%	12%
	Latino/a	9%	16%	8%	7%	6%	8%	9%	12%	9%	9%	9%	13%	7%	10%
	Asian American or Pacific Islander	10%	8%	11%	11%	8%	8%	10%	13%	8%	10%	11%	7%	9%	14%
	Native or Indigenous American	1%	3%	2%	1%	1%	1%	2%	1%	2%	1%		2%	1%	
	Middle Eastern or North African	2%	2%	2%		4%	1%	3%	2%	2%	3%	1%	2%	3%	2%
	(Other)	3%	2%	5%	5%	4%	4%	3%	1%	5%	3%	2%	3%	4%	1%
	(Don't know/Refused)	1%		2%	2%	3%	0%	2%	2%	1%	2%	2%	1%	2%	
RACE /GENDER	Men of color	18%	24%	19%	13%	20%	15%	21%	18%	18%	19%	14%	18%	19%	16%
	Women of color	16%	13%	14%	18%	14%	17%	13%	20%	14%	17%	14%	13%	15%	23%
	White men	28%	20%	25%	40%	27%	25%	30%	25%	24%	29%	33%	25%	30%	25%
	White women	37%	43%	40%	27%	37%	43%	34%	35%	43%	33%	36%	44%	34%	36%
	Black men	6%	6%	4%	4%	10%	5%	8%	2%	6%	7%	2%	4%	8%	2%
	Black women	5%	5%	5%	4%	5%	5%	5%	7%	4%	7%	4%	5%	4%	10%
	Latino men	5%	11%	5%	5%	3%	4%	6%	5%	6%	4%	3%	8%	4%	3%
	Latina women	4%	5%	4%	2%	3%	4%	3%	7%	3%	4%	7%	4%	3%	7%
	Asian American or Pacific Islander men	5%	5%	8%	3%	5%	4%	6%	8%	4%	6%	9%	4%	5%	8%
	Asian American or Pacific Islander women	4%	3%	2%	7%	3%	4%	4%	5%	4%	4%	2%	3%	4%	6%
	Native or Indigenous American men	1%	2%	1%	1%	1%		2%	1%	1%	1%		1%	1%	
	Native or Indigenous American women	0%	1%	1%			1%			1%			1%		
	Middle Eastern or North African men	1%	2%	1%		1%	1%	1%	2%	2%	1%		0%	1%	2%
	Middle Eastern or North African women	1%		1%		3%	1%	2%	1%	1%	2%	1%	1%	2%	
	Other men	1%	2%	4%	1%	1%	2%	2%	1%	2%	1%	1%	3%	1%	1%
	Other women	2%		1%	4%	3%	2%	2%		2%	2%	1%	0%	3%	
	Unweighted Count /	500	68	85	82	156	222	209	64	221	212	64	169	251	76
	Weighted Count	500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
RACE	People of color	34%	33%	33%	32%	42%	32%	36%	33%	34%	33%	32%	32%	34%	33%	43%
	White alone	65%	67%	64%	68%	56%	67%	61%	66%	66%	67%	67%	66%	66%	67%	57%
	Black	11%	10%	11%	8%	20%	8%	15%	11%	15%	11%	6%	11%	12%	18%	19%
	Latino/a	9%	10%	8%	7%	13%	10%	9%	10%	7%	6%	12%	6%	12%	11%	8%
	Asian American or Pacific Islander	10%	8%	11%	11%	7%	8%	9%	9%	8%	12%	9%	9%	9%	4%	11%
	Native or Indigenous American	1%	1%	2%	1%	2%	0%	2%	2%	4%		3%	1%			
	Middle Eastern or North African	2%	1%	4%	3%	2%	3%	3%			2%	2%	3%	1%	1%	5%
	(Other)	3%	4%	4%	2%	2%	5%	2%	2%	3%	3%	5%	5%	1%		
	(Don't know/Refused)	1%	0%	3%		2%	1%	3%	1%			1%	3%			
RACE /GENDER	Men of color	18%	16%	21%	13%	24%	18%	21%	17%	19%	11%	19%	18%	13%	15%	26%
	Women of color	16%	17%	13%	19%	18%	14%	15%	16%	15%	21%	13%	14%	21%	17%	17%
	White men	28%	23%	29%	30%	29%	26%	28%	25%	19%	33%	19%	31%	29%	37%	27%
	White women	37%	44%	35%	38%	26%	41%	33%	41%	46%	35%	48%	34%	37%	30%	29%
	Black men	6%	6%	7%	1%	10%	5%	8%	6%	8%	3%	4%	7%	4%	8%	8%
	Black women	5%	4%	4%	7%	10%	3%	7%	6%	7%	8%	3%	4%	8%	10%	11%
	Latino men	5%	5%	5%	4%	8%	6%	5%	5%	7%	1%	7%	3%	5%	8%	7%
	Latina women	4%	5%	3%	3%	5%	4%	4%	4%		4%	5%	3%	8%	3%	1%
	Asian American or Pacific Islander men	5%	4%	7%	6%	4%	5%	6%	5%	2%	7%	6%	5%	4%		7%
	Asian American or Pacific Islander women	4%	4%	4%	5%	3%	4%	4%	5%	6%	5%	3%	4%	5%	4%	4%
	Native or Indigenous American men	1%		2%	1%	2%	0%	2%	1%	2%		2%	1%			
	Native or Indigenous American women	0%	1%						1%	2%		1%				
	Middle Eastern or North African men	1%		1%	2%	2%	2%	1%				1%	1%			4%
	Middle Eastern or North African women	1%	1%	3%	1%		1%	3%			2%	1%	2%	1%	1%	1%
	Other men	1%	2%	1%	1%	2%	2%	1%	2%	2%		4%	1%	1%		
	Other women	2%	2%	2%	1%		3%	1%	0%	1%	3%	1%	4%			
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

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		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
RACE	People of color	34%	38%	31%	36%	34%	33%
	White alone	65%	60%	68%	61%	65%	65%
	Black	11%	7%	13%	11%	11%	11%
	Latino/a	9%	13%	7%	8%	9%	9%
	Asian American or Pacific Islander	10%	13%	7%	12%	10%	9%
	Native or Indigenous American	1%		1%	3%	1%	1%
	Middle Eastern or North African	2%	1%	1%	5%	1%	3%
	(Other)	3%	5%	3%	3%	3%	3%
	(Don't know/Refused)	1%	1%	1%	3%	1%	2%
RACE /GENDER	Men of color	18%	23%	15%	22%	16%	19%
	Women of color	16%	15%	16%	14%	18%	14%
	White men	28%	18%	29%	31%	30%	26%
	White women	37%	42%	39%	30%	35%	39%
	Black men	6%	5%	6%	7%	5%	7%
	Black women	5%	3%	7%	4%	6%	4%
	Latino men	5%	7%	4%	4%	5%	5%
	Latina women	4%	6%	3%	4%	4%	4%
	Asian American or Pacific Islander men	5%	8%	4%	6%	4%	6%
	Asian American or Pacific Islander women	4%	4%	3%	5%	5%	3%
	Native or Indigenous American men	1%		1%	3%	1%	1%
	Native or Indigenous American women	0%		1%			1%
	Middle Eastern or North African men	1%		1%	1%	0%	1%
	Middle Eastern or North African women	1%	1%	0%	4%	1%	2%
	Other men	1%	4%	0%	2%	2%	1%
	Other women	2%	1%	3%	1%	1%	2%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

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		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
RACE /AGE	People of color <50	20%	21%	18%	59%		51%	56%	56%	62%			16%	24%	23%
	People of color 50+	14%	17%	11%	41%		49%	44%	44%	38%			12%	16%	16%
	White <50	29%	29%	29%		44%					48%	41%	28%	28%	30%
	White 50+	36%	31%	41%		56%					52%	58%	43%	32%	30%
	Black <50	6%	6%	5%	17%		51%	8%	16%	18%			4%	4%	9%
	Black 50+	5%	6%	5%	16%		49%	4%	17%	15%			3%	7%	8%
	Latino/a <50	5%	7%	4%	15%		7%	56%	17%	12%			3%	5%	7%
	Latino/a 50+	4%	4%	4%	12%		4%	44%	10%	13%			3%	3%	5%
	Asian American or Pacific Islander <50	6%	8%	5%	19%		1%	2%	20%	18%			7%	8%	4%
	Asian American or Pacific Islander 50+	3%	4%	3%	9%		4%	4%	10%	9%			3%	3%	5%
	Native or Indigenous American <50	1%	1%	0%	2%		1%	3%	3%	1%					2%
	Native or Indigenous American 50+	1%	1%	0%	2%		1%		2%	1%				1%	1%
	Middle Eastern or North African <50	2%	2%	2%	6%		1%	2%	5%	8%			2%	3%	2%
	Middle Eastern or North African 50+	0%		0%	0%					1%				0%	
	Other <50	1%	1%	2%	4%			1%	1%	7%				3%	2%
	Other 50+	2%	3%	1%	6%			1%	7%	5%			3%	2%	1%
	Unweighted Count / Weighted Count	500	235	265	165	328	55	53	96	69	134	194	206	135	159
		500	232	268	168	325	55	45	89	80	139	186	220	135	145

CITY OF BERKELEY - JUNE 2024

		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
RACE /AGE	People of color <50	20%	16%	15%	29%	19%	23%	22%	49%	37%	32%			40%	
	People of color 50+	14%	18%	6%	14%	17%	18%	14%				32%	25%		28%
	White <50	29%	23%	33%	32%	24%	34%	27%	51%	60%	65%			58%	
	White 50+	36%	41%	45%	25%	38%	21%	37%				68%	74%		72%
	Black <50	6%	2%	6%	8%	2%	10%	8%	8%	12%	15%			11%	
	Black 50+	5%	5%	2%	8%	5%	7%	8%				10%	11%		11%
	Latino/a <50	5%	4%	2%	7%	4%	10%	5%	12%	13%	4%			10%	
	Latino/a 50+	4%	5%	2%	1%	6%	5%	5%				10%	6%		8%
	Asian American or Pacific Islander <50	6%	8%	5%	11%	7%	3%	5%	16%	13%	9%			13%	
	Asian American or Pacific Islander 50+	3%	4%	2%	4%	2%	4%	5%				7%	5%		6%
	Native or Indigenous American <50	1%					4%	1%	1%	2%	2%			1%	
	Native or Indigenous American 50+	1%			1%		2%	1%				1%	1%		1%
	Middle Eastern or North African <50	2%	1%	2%	4%	2%	1%	2%	8%	1%	4%			4%	
	Middle Eastern or North African 50+	0%				1%							0%		0%
	Other <50	1%			1%	5%	1%	2%	4%	2%	2%			3%	
	Other 50+	2%	5%	1%		4%	2%					3%	4%		4%
	Unweighted Count / Weighted Count	500 500	88 103	118 117	71 63	64 71	76 65	83 80	86 91	104 86	59 71	94 106	156 146	249 247	250 252

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		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
RACE /AGE	People of color <50	20%	41%	39%			100%				37%	34%	15%	21%	10%
	People of color 50+	14%			35%	21%		100%			24%	21%	12%	12%	12%
	White <50	29%	55%	61%					100%		17%	21%	31%	35%	27%
	White 50+	36%			64%	78%				100%	23%	24%	40%	30%	49%
	Black <50	6%	12%	11%			28%				11%	10%	4%	6%	3%
	Black 50+	5%			13%	9%		39%			7%	6%	5%	5%	5%
	Latino/a <50	5%	13%	8%			26%				13%	12%	3%	4%	2%
	Latino/a 50+	4%			8%	8%		28%			9%	8%	3%	2%	3%
	Asian American or Pacific Islander <50	6%	15%	11%			32%				5%	5%	7%	10%	4%
	Asian American or Pacific Islander 50+	3%			8%	5%		23%			4%	4%	3%	2%	4%
	Native or Indigenous American <50	1%	2%	1%			4%				2%	2%	0%	0%	0%
	Native or Indigenous American 50+	1%			2%	0%		4%			2%	1%	0%	1%	
	Middle Eastern or North African <50	2%	4%	5%			11%				3%	3%	2%	2%	1%
	Middle Eastern or North African 50+	0%				0%		1%			1%	1%			
	Other <50	1%	1%	4%			7%				3%	2%	1%	2%	0%
	Other 50+	2%			6%	3%		14%			2%	2%	2%	2%	2%
	Unweighted Count / Weighted Count	500 / 500	127 / 120	122 / 127	108 / 112	142 / 140	100 / 99	65 / 70	144 / 144	183 / 181	99 / 96	116 / 112	382 / 386	185 / 184	197 / 202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
RACE /AGE	People of color <50	20%	26%	15%	16%	16%	24%	16%	16%	27%	22%	10%	22%	23%	25%	25%	24%
	People of color 50+	14%	20%	16%	8%	13%	16%	16%	10%	19%	14%	11%	12%	16%	14%	19%	16%
	White <50	29%	26%	32%	30%	22%	37%	20%	24%	39%	35%	24%	17%	23%	35%	37%	41%
	White 50+	36%	28%	34%	45%	48%	22%	47%	50%	13%	29%	55%	48%	37%	25%	18%	20%
	Black <50	6%	14%	6%	2%	5%	6%	6%	5%	6%	6%	3%	5%	8%	5%	4%	10%
	Black 50+	5%	7%	7%	4%	6%	5%	6%	6%	7%	3%	4%	4%	11%	3%	9%	4%
	Latino/a <50	5%	7%	3%	3%	2%	8%	2%	2%	12%	5%	1%	3%	3%	6%	8%	13%
	Latino/a 50+	4%	7%	3%	3%	4%	5%	4%	3%	5%	5%	3%	5%	3%	4%	2%	9%
	Asian American or Pacific Islander <50	6%		6%	7%	5%	8%	5%	6%	10%	6%	5%	5%	6%	9%	10%	2%
	Asian American or Pacific Islander 50+	3%	3%	4%	3%	4%	2%	6%	3%	2%	3%	3%	2%	7%	2%	4%	2%
	Native or Indigenous American <50	1%	1%	1%		1%	1%	1%	1%	1%				2%			2%
	Native or Indigenous American 50+	1%	1%	1%			1%			2%	1%					1%	3%
	Middle Eastern or North African <50	2%	2%	1%	2%	2%	3%	1%	2%	3%	2%		5%	2%	5%	1%	1%
	Middle Eastern or North African 50+	0%	1%				0%				1%					1%	
	Other <50	1%	3%	0%	2%	1%	2%	1%	1%	1%	3%		3%	1%		3%	2%
	Other 50+	2%	3%	3%	1%	1%	3%	1%	0%	4%	3%	1%	1%		5%	3%	2%
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

CITY OF BERKELEY - JUNE 2024

		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homelessness	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y
RACE /AGE	People of color <50	20%	20%	16%	19%	23%	25%	19%	20%	21%	21%	16%	23%	17%	23%
	People of color 50+	14%	17%	12%	17%	9%	6%	16%	13%	12%	13%	15%	16%	12%	14%
	White <50	29%	22%	33%	32%	23%	29%	31%	24%	33%	32%	33%	30%	34%	16%
	White 50+	36%	38%	38%	31%	42%	41%	33%	40%	34%	34%	35%	31%	37%	43%
	Black <50	6%	5%	7%	7%	4%	5%	5%	5%	7%	6%	5%	6%	4%	6%
	Black 50+	5%	6%	7%	7%	4%		6%	5%	4%	4%	8%	4%	2%	8%
	Latino/a <50	5%	3%	4%	4%	8%	9%	6%	4%	4%	5%	7%	6%	6%	3%
	Latino/a 50+	4%	5%	4%	4%	5%	3%	4%	3%	5%	5%	2%	6%	2%	4%
	Asian American or Pacific Islander <50	6%	7%	4%	6%	8%	7%	5%	7%	7%	7%	3%	8%	6%	8%
	Asian American or Pacific Islander 50+	3%	4%	2%	4%	4%	3%	3%	4%	2%	3%	3%	3%	4%	4%
	Native or Indigenous American <50	1%	1%	0%	1%	1%	1%	0%	2%		1%		1%	2%	1%
	Native or Indigenous American 50+	1%	0%	0%	0%			1%	0%		0%	2%		1%	
	Middle Eastern or North African <50	2%	2%	1%	2%	3%	3%	1%	4%	1%	1%	1%	1%	3%	5%
	Middle Eastern or North African 50+	0%		0%	0%					1%	0%				
	Other <50	1%	1%	1%	1%	1%		2%	1%	2%	1%	2%	1%		1%
	Other 50+	2%	2%	1%	2%	1%		2%	3%		2%	3%	2%	3%	2%
	Unweighted Count / Weighted Count	500	185	225	252	106	54	219	186	93	272	117	102	77	109
		500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776-9066 | Berkeley , CA (510) 286-2097
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		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
RACE /AGE	People of color <50	20%	20%	19%	22%	19%	19%	20%	15%	23%	20%	21%	17%	19%
	People of color 50+	14%	12%	18%	11%	12%	10%	13%	14%	20%	14%	12%	16%	13%
	White <50	29%	31%	28%	27%	32%	30%	32%	39%	19%	33%	26%	29%	32%
	White 50+	36%	37%	33%	40%	36%	40%	34%	31%	34%	31%	39%	38%	35%
	Black <50	6%	3%	6%	9%	5%	5%	2%	5%	7%	3%	7%	7%	5%
	Black 50+	5%	5%	9%	1%	3%	9%	3%	5%	11%	6%	6%	3%	4%
	Latino/a <50	5%	7%	5%	3%	5%	5%	8%	4%	5%	9%	3%	4%	5%
	Latino/a 50+	4%	3%	4%	5%	4%	1%	4%	4%	5%	3%	3%	8%	4%
	Asian American or Pacific Islander <50	6%	7%	5%	9%	7%	5%	8%	3%	6%	8%	6%	5%	7%
	Asian American or Pacific Islander 50+	3%	1%	5%	2%	3%		2%	4%	5%	2%	3%	5%	3%
	Native or Indigenous American <50	1%	0%	1%	1%	0%	1%		1%	1%	1%	1%		1%
	Native or Indigenous American 50+	1%		1%	1%	0%			1%	1%	1%	0%		0%
	Middle Eastern or North African <50	2%	3%	3%		1%	4%	2%	1%	4%	2%	2%	1%	1%
	Middle Eastern or North African 50+	0%			1%	0%							1%	0%
	Other <50	1%	2%	1%	0%	1%	4%	1%	1%	1%		3%	1%	1%
	Other 50+	2%	2%	2%	2%	2%		4%	1%	3%	4%	2%		2%
	Unweighted Count / Weighted Count	500 500	189 187	190 184	118 124	318 318	77 77	112 110	88 84	102 100	153 146	238 237	105 113	272 277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
RACE /AGE	People of color <50	20%	17%	23%	19%	22%	19%	20%	23%	20%	20%	20%	18%	21%	21%
	People of color 50+	14%	20%	10%	12%	12%	13%	14%	16%	12%	17%	9%	13%	13%	18%
	White <50	29%	27%	38%	29%	25%	34%	24%	26%	28%	26%	38%	35%	25%	29%
	White 50+	36%	36%	27%	39%	39%	33%	40%	33%	38%	36%	31%	33%	40%	32%
	Black <50	6%	1%	4%	3%	9%	5%	6%	7%	5%	7%	4%	4%	7%	4%
	Black 50+	5%	9%	4%	4%	7%	5%	7%	3%	5%	7%	2%	4%	5%	8%
	Latino/a <50	5%	10%	8%	4%	3%	5%	6%	3%	6%	5%	3%	9%	3%	3%
	Latino/a 50+	4%	6%		3%	3%	3%	4%	9%	3%	4%	6%	3%	3%	7%
	Asian American or Pacific Islander <50	6%	5%	10%	7%	6%	6%	6%	10%	6%	6%	10%	5%	6%	11%
	Asian American or Pacific Islander 50+	3%	2%	1%	4%	2%	2%	3%	3%	2%	4%	1%	2%	3%	4%
	Native or Indigenous American <50	1%		2%		1%	0%	1%		1%	1%		1%	1%	
	Native or Indigenous American 50+	1%	3%		1%		0%	1%	1%	1%	0%		1%	0%	
	Middle Eastern or North African <50	2%	2%	2%		4%	1%	3%	2%	2%	3%	1%	2%	3%	2%
	Middle Eastern or North African 50+	0%					0%				0%			0%	
	Other <50	1%			4%	2%	2%	1%	1%	2%	1%	2%		2%	1%
	Other 50+	2%	2%	5%	1%	3%	2%	3%		2%	2%		3%	2%	
Unweighted Count /		500	68	85	82	156	222	209	64	221	212	64	169	251	76
Weighted Count		500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
RACE /AGE	People of color <50	20%	18%	19%	20%	28%	21%	20%	20%	20%	18%	19%	21%	17%	17%	23%
	People of color 50+	14%	14%	14%	11%	14%	11%	17%	13%	14%	14%	13%	11%	17%	15%	21%
	White <50	29%	33%	23%	33%	23%	29%	26%	31%	26%	30%	35%	26%	30%	32%	23%
	White 50+	36%	33%	41%	35%	33%	38%	35%	35%	40%	37%	32%	40%	35%	36%	34%
	Black <50	6%	4%	5%	6%	12%	3%	6%	8%	10%	7%	3%	7%	6%	7%	6%
	Black 50+	5%	6%	6%	2%	7%	5%	8%	3%	5%	4%	4%	4%	6%	11%	12%
	Latino/a <50	5%	6%	4%	2%	9%	7%	5%	3%	2%	2%	9%	3%	5%	7%	5%
	Latino/a 50+	4%	4%	4%	5%	4%	2%	4%	6%	5%	3%	3%	3%	8%	4%	4%
	Asian American or Pacific Islander <50	6%	6%	6%	8%	7%	7%	5%	7%	6%	9%	7%	6%	6%	4%	7%
	Asian American or Pacific Islander 50+	3%	3%	4%	3%		1%	5%	2%	2%	3%	2%	3%	3%		4%
	Native or Indigenous American <50	1%	0%	2%			0%	1%	1%	1%		1%	1%			
	Native or Indigenous American 50+	1%	0%		1%	2%		0%	2%	3%		2%	0%			
	Middle Eastern or North African <50	2%	1%	4%	2%	2%	3%	3%			1%	2%	3%	1%	1%	4%
	Middle Eastern or North African 50+	0%			1%						1%					1%
	Other <50	1%	2%	1%	2%		3%	1%	1%	1%			3%	1%		
	Other 50+	2%	2%	3%		2%	3%	2%	1%	2%	3%	5%	2%			
Unweighted Count / Weighted Count		500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
		500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

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		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
RACE /AGE	People of color <50	20%	24%	18%	21%	20%	19%
	People of color 50+	14%	14%	14%	15%	14%	14%
	White <50	29%	31%	30%	26%	29%	29%
	White 50+	36%	29%	38%	35%	36%	36%
	Black <50	6%	2%	7%	5%	7%	4%
	Black 50+	5%	5%	6%	6%	4%	7%
	Latino/a <50	5%	11%	4%	3%	6%	4%
	Latino/a 50+	4%	2%	4%	5%	3%	5%
	Asian American or Pacific Islander <50	6%	10%	5%	6%	6%	7%
	Asian American or Pacific Islander 50+	3%	3%	2%	5%	4%	2%
	Native or Indigenous American <50	1%		1%	2%	1%	1%
	Native or Indigenous American 50+	1%		1%	1%	1%	0%
	Middle Eastern or North African <50	2%	1%	1%	5%	1%	3%
	Middle Eastern or North African 50+	0%				0%	
	Other <50	1%		2%	1%	1%	1%
	Other 50+	2%	5%	1%	2%	2%	2%
	Unweighted Count / Weighted Count	500	92	251	120	250	250
		500	91	257	113	250	250

CITY OF BERKELEY - JUNE 2024

		TOTAL	GENDER		RACE				RACE /GENDER				REGION		
			Men	Women	People of color	White alone	Black	Latino/a	Men of color	Women of color	White men	White women	Hills (CCD 5/6/8)	South (CCD 3/4/7)	West (CCD 1/2)
HOME OWNERSHIP	Own	52%	51%	53%	45%	56%	53%	34%	43%	46%	57%	56%	57%	43%	53%
	Rent	45%	45%	44%	54%	40%	46%	65%	55%	53%	40%	41%	40%	54%	43%
	(Other)	2%	2%	3%	1%	3%	1%	1%	2%	1%	2%	3%	2%	3%	2%
	(Don't know/refused)	1%	2%	1%		1%					1%	0%	1%		2%
HOME OWNERSHIP / GENDER	Own Men	24%	51%		23%	24%	26%	16%	43%		57%		29%	17%	22%
	Own Women	28%		53%	22%	32%	27%	17%		46%		56%	28%	25%	31%
	Rent Men	21%	45%		29%	17%	26%	39%	55%		40%		18%	29%	19%
	Rent Women	24%		44%	25%	23%	20%	27%		53%		41%	22%	25%	24%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	27%	23%	15%	30%	16%	12%	21%	9%	32%	29%	57%		
	Own South (CCD 3/4/7)	12%	10%	13%	12%	12%	10%	10%	8%	15%	11%	12%		43%	
	Own West (CCD 1/2)	15%	14%	17%	18%	14%	27%	11%	14%	22%	13%	15%			53%
	Rent Hills (CCD 5/6/8)	18%	17%	18%	20%	16%	13%	18%	19%	21%	15%	17%	40%		
	Rent South (CCD 3/4/7)	15%	17%	13%	19%	12%	17%	17%	21%	17%	15%	11%		54%	
	Rent West (CCD 1/2)	12%	12%	13%	15%	11%	16%	30%	15%	14%	10%	13%			43%
REGION	Hills (CCD 5/6/8)	44%	45%	44%	36%	48%	30%	32%	40%	31%	48%	49%	100%		
	South (CCD 3/4/7)	27%	27%	27%	32%	25%	27%	27%	31%	33%	26%	24%		100%	
	West (CCD 1/2)	29%	28%	30%	33%	27%	43%	41%	30%	36%	26%	27%			100%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	45%		21%	20%	13%	21%	40%		48%		47%		
	Hills (CCD 5/6/8) Women	23%		44%	15%	28%	16%	11%		31%		49%	53%		
	South (CCD 3/4/7) Men	13%	27%		16%	11%	19%	11%	31%		26%			47%	
	South (CCD 3/4/7) Women	14%		27%	15%	14%	9%	16%		33%		24%		53%	
	West (CCD 1/2) Men	13%	28%		16%	11%	20%	22%	30%		26%				45%
	West (CCD 1/2) Women	16%		30%	17%	16%	23%	19%		36%		27%			55%
SPLIT	A	50%	50%	50%	50%	50%	49%	49%	46%	55%	53%	47%	50%	50%	50%
	B	50%	50%	50%	50%	50%	51%	51%	54%	45%	47%	53%	50%	50%	50%
	Unweighted Count / Weighted Count	500 / 500	235 / 232	265 / 268	165 / 168	328 / 325	55 / 55	53 / 45	96 / 89	69 / 80	134 / 139	194 / 186	206 / 220	135 / 135	159 / 145

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		TOTAL	REGION / GENDER						AGE					AGE	
			Hills (CCD 5/6/8) Men	Hills (CCD 5/6/8) Women	South (CCD 3/4/7) Men	South (CCD 3/4/7) Women	West (CCD 1/2) Men	West (CCD 1/2) Women	Under 30	30 - 39	40 - 49	50 - 64	65 & over	Under 50	50 & over
HOME OWNERSHIP	Own	52%	61%	53%	37%	48%	50%	56%	31%	37%	57%	56%	68%	40%	63%
	Rent	45%	38%	42%	61%	48%	41%	44%	63%	61%	41%	42%	27%	56%	33%
	(Other)	2%		4%	2%	4%	4%		6%	1%		1%	3%	2%	2%
	(Don't know/refused)	1%	1%	2%			5%			1%	2%		2%	1%	1%
HOME OWNERSHIP / GENDER	Own Men	24%	61%		37%		50%		13%	15%	26%	30%	30%	17%	30%
	Own Women	28%		53%		48%		56%	17%	22%	31%	26%	38%	23%	33%
	Rent Men	21%	38%		61%		41%		31%	40%	11%	21%	8%	29%	14%
	Rent Women	24%		42%		48%		44%	32%	21%	30%	21%	19%	28%	20%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	61%	53%					16%	14%	22%	30%	35%	17%	33%
	Own South (CCD 3/4/7)	12%			37%	48%			11%	6%	9%	13%	15%	9%	14%
	Own West (CCD 1/2)	15%					50%	56%	4%	16%	26%	13%	19%	14%	17%
	Rent Hills (CCD 5/6/8)	18%	38%	42%					26%	25%	12%	14%	13%	22%	14%
	Rent South (CCD 3/4/7)	15%			61%	48%			22%	24%	7%	12%	10%	18%	11%
	Rent West (CCD 1/2)	12%					41%	44%	15%	12%	22%	16%	4%	16%	9%
REGION	Hills (CCD 5/6/8)	44%	100%	100%					43%	41%	34%	46%	50%	40%	48%
	South (CCD 3/4/7)	27%			100%	100%			36%	30%	17%	25%	26%	28%	26%
	West (CCD 1/2)	29%					100%	100%	21%	29%	49%	29%	24%	32%	26%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	100%						17%	26%	7%	26%	23%	17%	24%
	Hills (CCD 5/6/8) Women	23%		100%					27%	15%	27%	20%	27%	23%	24%
	South (CCD 3/4/7) Men	13%			100%				20%	17%	9%	13%	8%	15%	10%
	South (CCD 3/4/7) Women	14%				100%			16%	13%	8%	12%	18%	13%	16%
	West (CCD 1/2) Men	13%					100%		12%	14%	23%	13%	9%	16%	10%
	West (CCD 1/2) Women	16%						100%	9%	15%	26%	16%	16%	16%	16%
SPLIT	A	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
	B	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
	Unweighted Count /	500	88	118	71	64	76	83	86	104	59	94	156	249	250
	Weighted Count	500	103	117	63	71	65	80	91	86	71	106	146	247	252

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		TOTAL	GENDER /AGE				RACE /AGE				EDUCATION				
			Men <50	Women <50	Men 50+	Women 50+	People of color <50	People of color 50+	White <50	White 50+	Post H. S.	Non-college grad	College graduate or post-grad	4-year College grad	Post-graduate
HOME OWNERSHIP	Own	52%	36%	44%	67%	60%	42%	48%	40%	69%	42%	43%	55%	49%	60%
	Rent	45%	59%	53%	30%	36%	55%	52%	58%	27%	52%	50%	43%	49%	38%
	(Other)	2%	2%	2%	1%	3%	2%		2%	3%	4%	6%	1%	0%	1%
	(Don't know/refused)	1%	2%		2%	1%				1%	2%	2%	1%	2%	1%
HOME OWNERSHIP / GENDER	Own Men	24%	36%		67%		19%	28%	17%	31%	14%	15%	27%	25%	28%
	Own Women	28%		44%		60%	23%	20%	23%	39%	28%	28%	28%	24%	32%
	Rent Men	21%	59%		30%		29%	29%	29%	8%	23%	21%	21%	26%	16%
	Rent Women	24%		53%		36%	26%	24%	29%	19%	29%	29%	22%	23%	22%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	13%	21%	42%	25%	12%	19%	21%	38%	14%	15%	28%	26%	30%
	Own South (CCD 3/4/7)	12%	8%	10%	12%	15%	13%	10%	7%	15%	13%	14%	11%	10%	12%
	Own West (CCD 1/2)	15%	15%	14%	13%	20%	18%	18%	12%	16%	14%	13%	16%	13%	19%
	Rent Hills (CCD 5/6/8)	18%	22%	22%	12%	15%	22%	17%	22%	12%	22%	22%	16%	17%	16%
	Rent South (CCD 3/4/7)	15%	23%	14%	10%	12%	18%	20%	19%	8%	18%	16%	14%	18%	11%
	Rent West (CCD 1/2)	12%	15%	17%	8%	9%	15%	14%	18%	7%	12%	12%	12%	14%	11%
REGION	Hills (CCD 5/6/8)	44%	35%	44%	54%	43%	35%	37%	44%	52%	37%	41%	45%	44%	46%
	South (CCD 3/4/7)	27%	32%	25%	22%	28%	32%	31%	26%	24%	34%	31%	26%	28%	24%
	West (CCD 1/2)	29%	33%	31%	23%	29%	33%	32%	31%	24%	29%	28%	29%	28%	30%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	35%		54%		16%	27%	17%	23%	12%	12%	23%	26%	21%
	Hills (CCD 5/6/8) Women	23%		44%		43%	18%	10%	27%	29%	26%	29%	22%	19%	25%
	South (CCD 3/4/7) Men	13%	32%		22%		18%	13%	14%	9%	14%	13%	12%	16%	9%
	South (CCD 3/4/7) Women	14%		25%		28%	14%	18%	12%	15%	20%	18%	13%	12%	14%
	West (CCD 1/2) Men	13%	33%		23%		15%	17%	15%	8%	15%	15%	12%	11%	13%
	West (CCD 1/2) Women	16%		31%		29%	18%	16%	15%	16%	14%	13%	17%	16%	17%
SPLIT	A	50%	49%	51%	51%	49%	51%	49%	50%	50%	54%	55%	48%	52%	45%
	B	50%	51%	49%	49%	51%	49%	51%	50%	50%	46%	45%	52%	48%	55%
	Unweighted Count / Weighted Count	500 / 500	127 / 120	122 / 127	108 / 112	142 / 140	100 / 99	65 / 70	144 / 144	183 / 181	99 / 96	116 / 112	382 / 386	185 / 184	197 / 202

CITY OF BERKELEY - JUNE 2024

		TOTAL	EDUCATION /GENDER			HOME OWNERSHIP		HOME OWNERSHIP / GENDER				HOME OWNERSHIP / REGION					
			Non-college women	College men	College women	Own	Rent	Own Men	Own Women	Rent Men	Rent Women	Own Hills (CCD 5/6/8)	Own South (CCD 3/4/7)	Own West (CCD 1/2)	Rent Hills (CCD 5/6/8)	Rent South (CCD 3/4/7)	Rent West (CCD 1/2)
HOME OWNERSHIP	Own	52%	46%	55%	55%	100%		100%	100%			100%	100%	100%			
	Rent	45%	47%	43%	43%		100%			100%	100%				100%	100%	100%
	(Other)	2%	6%	1%	1%												
	(Don't know/refused)	1%		1%	1%												
HOME OWNERSHIP / GENDER	Own Men	24%		55%		46%		100%				51%	40%	42%			
	Own Women	28%	46%		55%	54%			100%			49%	60%	58%			
	Rent Men	21%		43%			47%			100%					44%	53%	44%
	Rent Women	24%	47%		43%		53%				100%				56%	47%	56%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	17%	31%	25%	48%		53%	44%			100%					
	Own South (CCD 3/4/7)	12%	16%	10%	12%	22%		20%	24%				100%				
	Own West (CCD 1/2)	15%	14%	14%	18%	30%		27%	32%					100%			
	Rent Hills (CCD 5/6/8)	18%	26%	17%	16%		39%			37%	42%				100%		
	Rent South (CCD 3/4/7)	15%	13%	16%	13%		33%			37%	29%					100%	
	Rent West (CCD 1/2)	12%	8%	10%	15%		28%			26%	29%						100%
REGION	Hills (CCD 5/6/8)	44%	48%	49%	42%	48%	39%	53%	44%	37%	42%	100%			100%		
	South (CCD 3/4/7)	27%	30%	26%	26%	22%	33%	20%	24%	37%	29%		100%			100%	
	West (CCD 1/2)	29%	22%	25%	33%	30%	28%	27%	32%	26%	29%			100%			100%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%		49%		24%	18%	53%		37%		51%			44%		
	Hills (CCD 5/6/8) Women	23%	48%		42%	24%	22%		44%		42%	49%			56%		
	South (CCD 3/4/7) Men	13%		26%		9%	17%	20%		37%			40%			53%	
	South (CCD 3/4/7) Women	14%	30%		26%	13%	15%		24%		29%		60%			47%	
	West (CCD 1/2) Men	13%		25%		12%	12%	27%		26%				42%			44%
	West (CCD 1/2) Women	16%	22%		33%	17%	16%		32%		29%			58%			56%
SPLIT	A	50%	57%	49%	48%	50%	50%	52%	49%	47%	53%	50%	45%	54%	52%	54%	43%
	B	50%	43%	51%	52%	50%	50%	48%	51%	53%	47%	50%	55%	46%	48%	46%	57%
	Unweighted Count /	500	67	184	198	283	202	127	156	101	101	129	59	95	70	73	59
	Weighted Count	500	68	186	200	259	224	119	141	105	118	124	58	77	88	73	62

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		TOTAL	3.TOP ISSUES					4/5.COMBINED INITIAL PARCEL TAX				4/5.COMBINED INITIAL PARCEL TAX			
			Repairing deteriorating streets and sidewalks	Continue rehousing and providing services for homeless	Major investment in affordable housing	Planting and maintaining trees and improving park maintenance and infrastructure, including the waterfront	Electrification of gas-powered buildings to reduce climate impact	Yes	No	Undecided	All swing	Yes - strongly	Yes - weak	No - weak	No - strongly
HOME OWNERSHIP	Own	52%	61%	51%	47%	57%	45%	44%	62%	49%	50%	40%	49%	51%	71%
	Rent	45%	36%	46%	52%	37%	55%	53%	33%	48%	47%	58%	49%	45%	24%
	(Other)	2%	2%	2%	1%	5%		2%	3%	1%	2%	1%	2%	4%	3%
	(Don't know/refused)	1%	1%	1%	1%	1%		1%	1%	2%	1%	1%			2%
HOME OWNERSHIP / GENDER	Own Men	24%	31%	22%	22%	24%	12%	20%	27%	24%	21%	20%	20%	20%	33%
	Own Women	28%	30%	29%	25%	33%	33%	24%	35%	25%	28%	20%	29%	31%	38%
	Rent Men	21%	18%	21%	25%	19%	18%	22%	20%	20%	24%	19%	25%	26%	16%
	Rent Women	24%	18%	25%	27%	17%	37%	31%	13%	28%	24%	38%	23%	19%	8%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	30%	26%	22%	25%	22%	24%	28%	22%	24%	20%	27%	23%	31%
	Own South (CCD 3/4/7)	12%	14%	10%	12%	11%	15%	9%	15%	11%	9%	9%	8%	9%	19%
	Own West (CCD 1/2)	15%	17%	15%	13%	22%	8%	12%	20%	16%	16%	10%	14%	18%	21%
	Rent Hills (CCD 5/6/8)	18%	15%	16%	17%	17%	39%	22%	12%	19%	19%	20%	24%	13%	12%
	Rent South (CCD 3/4/7)	15%	11%	15%	20%	11%	11%	17%	11%	16%	16%	20%	14%	18%	6%
	Rent West (CCD 1/2)	12%	9%	14%	14%	9%	6%	15%	10%	13%	12%	18%	11%	14%	7%
REGION	Hills (CCD 5/6/8)	44%	47%	43%	40%	44%	61%	46%	42%	42%	45%	40%	52%	38%	46%
	South (CCD 3/4/7)	27%	27%	26%	32%	25%	26%	26%	27%	27%	26%	30%	23%	30%	25%
	West (CCD 1/2)	29%	26%	31%	28%	31%	13%	28%	30%	31%	29%	30%	25%	32%	29%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	25%	19%	19%	21%	19%	20%	20%	23%	21%	16%	24%	14%	24%
	Hills (CCD 5/6/8) Women	23%	22%	24%	21%	23%	42%	26%	22%	19%	24%	24%	28%	24%	22%
	South (CCD 3/4/7) Men	13%	13%	13%	16%	12%	4%	11%	15%	12%	12%	12%	10%	17%	13%
	South (CCD 3/4/7) Women	14%	14%	13%	16%	12%	22%	15%	13%	15%	14%	18%	13%	13%	12%
	West (CCD 1/2) Men	13%	13%	12%	12%	12%	7%	12%	15%	11%	12%	13%	11%	15%	16%
SPLIT	West (CCD 1/2) Women	16%	13%	18%	15%	19%	7%	15%	15%	19%	17%	17%	14%	17%	13%
	A	50%	45%	49%	50%	44%	64%	48%	46%	64%	54%	46%	52%	46%	45%
	B	50%	55%	51%	50%	56%	36%	52%	54%	36%	46%	54%	48%	54%	55%
	Unweighted Count /	500	185	225	252	106	54	219	186	93	272	117	102	77	109
	Weighted Count	500	178	229	255	102	53	223	180	94	277	118	106	77	103

RESEARCH ANALYSIS BY LAKE RESEARCH PARTNERS
 Washington , DC (202) 776 -9066 | Berkeley , CA (510) 286 -2097

CITY OF BERKELEY - JUNE 2024

		TOTAL	6.INITIAL TOT INCREASE				6.INITIAL TOT INCREASE				7.INITIAL SALES TAX			
			Yes	No	Undeci ded	All swing	Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	All swing
HOME OWNERSHIP	Own	52%	49%	55%	51%	50%	47%	50%	48%	61%	49%	60%	39%	48%
	Rent	45%	48%	41%	45%	47%	51%	46%	50%	34%	47%	37%	58%	49%
	(Other)	2%	2%	3%	2%	2%	2%	2%	1%	4%	3%	2%	2%	2%
	(Don't know/refused)	1%	1%	1%	2%	2%		2%		1%	1%	1%	2%	1%
HOME OWNERSHIP / GENDER	Own Men	24%	22%	26%	23%	22%	25%	19%	26%	26%	21%	29%	15%	20%
	Own Women	28%	27%	29%	29%	28%	22%	30%	23%	35%	28%	31%	23%	28%
	Rent Men	21%	22%	22%	18%	22%	21%	23%	28%	18%	22%	20%	22%	24%
	Rent Women	24%	26%	19%	27%	24%	30%	23%	22%	16%	25%	17%	36%	24%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	24%	24%	25%	24%	28%	22%	26%	23%	24%	29%	17%	24%
	Own South (CCD 3/4/7)	12%	11%	13%	10%	10%	9%	12%	8%	18%	10%	14%	9%	9%
	Own West (CCD 1/2)	15%	13%	18%	16%	15%	10%	16%	14%	21%	15%	18%	12%	15%
	Rent Hills (CCD 5/6/8)	18%	20%	15%	18%	18%	19%	20%	15%	14%	24%	12%	20%	18%
	Rent South (CCD 3/4/7)	15%	16%	14%	14%	15%	24%	10%	22%	8%	16%	12%	19%	16%
	Rent West (CCD 1/2)	12%	13%	12%	13%	14%	8%	16%	13%	11%	7%	13%	18%	14%
REGION	Hills (CCD 5/6/8)	44%	46%	41%	44%	43%	50%	43%	41%	41%	50%	42%	39%	43%
	South (CCD 3/4/7)	27%	27%	28%	26%	26%	33%	23%	30%	26%	26%	27%	29%	26%
	West (CCD 1/2)	29%	27%	31%	30%	31%	18%	34%	29%	33%	23%	31%	33%	31%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	20%	20%	21%	21%	22%	19%	24%	16%	22%	21%	18%	21%
	Hills (CCD 5/6/8) Women	23%	25%	21%	23%	22%	27%	24%	18%	25%	28%	21%	21%	23%
	South (CCD 3/4/7) Men	13%	10%	17%	11%	12%	15%	7%	19%	15%	12%	15%	9%	12%
	South (CCD 3/4/7) Women	14%	17%	11%	15%	15%	18%	16%	11%	11%	15%	11%	20%	14%
	West (CCD 1/2) Men	13%	15%	14%	10%	14%	9%	18%	13%	15%	11%	14%	13%	13%
	West (CCD 1/2) Women	16%	12%	17%	20%	17%	8%	15%	16%	18%	12%	17%	19%	17%
SPLIT	A	50%	52%	46%	54%	52%	47%	55%	45%	47%	52%	45%	57%	53%
	B	50%	48%	54%	46%	48%	53%	45%	55%	53%	48%	55%	43%	47%
	Unweighted Count /	500	189	190	118	318	77	112	88	102	153	238	105	272
	Weighted Count	500	187	184	124	318	77	110	84	100	146	237	113	277

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		TOTAL	7.INITIAL SALES TAX				8/9.COMBINED INFORMED PARCEL TAX			10.TOT INCREASE RE-BALLOT			11.SALES TAX RE-BALLOT		
			Yes - strongl y	Yes - weak	No - weak	No - strongl y	Yes	No	Undeci ded	Yes	No	Undeci ded	Yes	No	Undeci ded
HOME OWNERSHIP	Own	52%	46%	51%	58%	61%	44%	62%	47%	54%	53%	44%	51%	56%	43%
	Rent	45%	54%	42%	42%	34%	54%	33%	49%	44%	42%	53%	45%	40%	57%
	(Other)	2%		5%		3%	1%	4%	1%	2%	4%		2%	3%	
	(Don't know/refused)	1%		2%		2%	1%	1%	3%	1%	1%	3%	2%	1%	
HOME OWNERSHIP / GENDER	Own Men	24%	22%	21%	24%	32%	19%	29%	20%	22%	25%	25%	22%	28%	16%
	Own Women	28%	25%	30%	34%	29%	25%	33%	27%	31%	29%	19%	29%	28%	27%
	Rent Men	21%	23%	22%	30%	15%	20%	21%	24%	19%	22%	23%	20%	21%	24%
	Rent Women	24%	31%	20%	12%	19%	33%	12%	26%	25%	20%	31%	25%	19%	33%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	19%	28%	28%	29%	22%	29%	20%	25%	26%	18%	24%	28%	18%
	Own South (CCD 3/4/7)	12%	15%	6%	13%	14%	9%	15%	13%	12%	11%	13%	11%	12%	12%
	Own West (CCD 1/2)	15%	12%	17%	17%	18%	14%	18%	14%	16%	16%	12%	16%	16%	13%
	Rent Hills (CCD 5/6/8)	18%	21%	27%	7%	14%	23%	12%	18%	19%	15%	22%	23%	12%	24%
	Rent South (CCD 3/4/7)	15%	23%	10%	18%	9%	18%	12%	13%	15%	14%	17%	13%	15%	18%
	Rent West (CCD 1/2)	12%	10%	5%	17%	11%	13%	9%	18%	11%	13%	14%	9%	13%	15%
REGION	Hills (CCD 5/6/8)	44%	40%	58%	35%	46%	45%	43%	40%	45%	43%	43%	48%	42%	42%
	South (CCD 3/4/7)	27%	38%	17%	31%	24%	27%	28%	26%	27%	27%	30%	24%	28%	30%
	West (CCD 1/2)	29%	21%	25%	34%	30%	28%	29%	34%	28%	31%	27%	27%	30%	29%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	19%	25%	20%	21%	20%	21%	19%	18%	21%	27%	18%	21%	24%
	Hills (CCD 5/6/8) Women	23%	21%	33%	15%	25%	25%	22%	20%	27%	22%	17%	30%	21%	18%
	South (CCD 3/4/7) Men	13%	16%	8%	20%	13%	9%	17%	12%	12%	14%	12%	11%	15%	9%
	South (CCD 3/4/7) Women	14%	22%	9%	11%	11%	17%	12%	14%	15%	12%	18%	13%	13%	21%
	West (CCD 1/2) Men	13%	10%	13%	14%	15%	11%	15%	14%	13%	14%	9%	14%	14%	8%
	West (CCD 1/2) Women	16%	12%	12%	20%	15%	17%	14%	20%	15%	17%	17%	14%	16%	21%
SPLIT	A	50%	45%	57%	42%	47%	47%	47%	68%	51%	46%	59%	51%	46%	59%
	B	50%	55%	43%	58%	53%	53%	53%	32%	49%	54%	41%	49%	54%	41%
	Unweighted Count /	500	68	85	82	156	222	209	64	221	212	64	169	251	76
	Weighted Count	500	64	83	82	155	223	203	68	212	213	70	156	249	89

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		TOTAL	4/5-8/9.PARCEL TAX SHIFT				6-10.TOT INCREASE SHIFT					7-11.SALES TAX SHIFT				
			Solid Yes	Solid No	Persua dable	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No	Solid Yes	Solid No	Persua dable	Toward Yes	Toward No
HOME OWNERSHIP	Own	52%	45%	65%	45%	48%	50%	57%	55%	64%	42%	49%	58%	48%	61%	42%
	Rent	45%	54%	29%	51%	48%	47%	40%	44%	36%	51%	47%	38%	49%	34%	54%
	(Other)	2%	2%	4%	1%	2%	2%	3%			4%	3%	2%	1%	1%	4%
	(Don't know/refused)	1%		2%	3%	2%	1%	1%	1%		4%	1%	1%	2%	4%	
HOME OWNERSHIP / GENDER	Own Men	24%	19%	29%	20%	24%	21%	25%	26%	28%	22%	19%	29%	21%	29%	20%
	Own Women	28%	26%	36%	25%	23%	29%	31%	28%	35%	20%	30%	30%	27%	32%	23%
	Rent Men	21%	20%	20%	21%	27%	23%	23%	16%	10%	20%	19%	20%	20%	20%	30%
	Rent Women	24%	33%	10%	30%	21%	25%	16%	28%	26%	31%	28%	18%	30%	14%	24%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	24%	29%	18%	25%	25%	25%	23%	23%	25%	24%	29%	20%	25%	22%
	Own South (CCD 3/4/7)	12%	8%	15%	11%	12%	11%	12%	14%	18%	9%	9%	13%	13%	16%	11%
	Own West (CCD 1/2)	15%	13%	21%	16%	10%	14%	19%	17%	23%	9%	16%	17%	16%	21%	10%
	Rent Hills (CCD 5/6/8)	18%	22%	10%	21%	19%	21%	14%	17%	16%	19%	22%	12%	20%	18%	24%
	Rent South (CCD 3/4/7)	15%	17%	11%	16%	17%	16%	13%	16%	12%	15%	17%	12%	13%	4%	21%
	Rent West (CCD 1/2)	12%	14%	9%	14%	13%	11%	12%	11%	8%	16%	8%	13%	16%	11%	9%
REGION	Hills (CCD 5/6/8)	44%	47%	42%	40%	44%	46%	42%	41%	39%	46%	48%	43%	40%	45%	46%
	South (CCD 3/4/7)	27%	26%	27%	27%	29%	27%	26%	30%	30%	27%	27%	26%	26%	20%	32%
	West (CCD 1/2)	29%	27%	31%	32%	27%	26%	33%	29%	31%	27%	25%	31%	34%	35%	22%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	20%	20%	21%	23%	19%	21%	20%	12%	23%	16%	21%	19%	23%	31%
	Hills (CCD 5/6/8) Women	23%	27%	22%	19%	22%	27%	21%	22%	26%	22%	32%	22%	21%	22%	15%
	South (CCD 3/4/7) Men	13%	9%	16%	9%	20%	11%	16%	14%	17%	6%	11%	15%	10%	14%	14%
	South (CCD 3/4/7) Women	14%	17%	12%	18%	9%	16%	10%	16%	13%	21%	15%	12%	16%	5%	18%
	West (CCD 1/2) Men	13%	10%	16%	13%	13%	14%	14%	8%	9%	15%	12%	15%	13%	15%	8%
	West (CCD 1/2) Women	16%	17%	14%	20%	14%	12%	18%	21%	22%	13%	13%	16%	21%	20%	14%
SPLIT	A	50%	45%	44%	63%	61%	50%	45%	58%	52%	53%	49%	44%	58%	61%	63%
	B	50%	55%	56%	37%	39%	50%	55%	42%	48%	47%	51%	56%	42%	39%	37%
	Unweighted Count /	500	183	169	87	55	164	168	105	62	59	125	215	99	54	56
	Weighted Count	500	184	160	90	58	162	162	106	56	64	116	214	106	51	58

CITY OF BERKELEY - JUNE 2024

		TOTAL	TARGETS			SPLIT	
			Yes on all	Mixed	No on all	A	B
HOME OWNERSHIP	Own	52%	46%	50%	64%	52%	52%
	Rent	45%	50%	47%	32%	45%	45%
	(Other)	2%	2%	2%	3%	2%	2%
	(Don't know/refused)	1%	1%	1%	1%	1%	1%
HOME OWNERSHIP / GENDER	Own Men	24%	20%	24%	29%	25%	23%
	Own Women	28%	26%	26%	34%	28%	29%
	Rent Men	21%	22%	20%	24%	20%	22%
	Rent Women	24%	29%	27%	9%	25%	22%
HOME OWNERSHIP / REGION	Own Hills (CCD 5/6/8)	25%	24%	26%	26%	25%	25%
	Own South (CCD 3/4/7)	12%	10%	10%	16%	10%	13%
	Own West (CCD 1/2)	15%	12%	14%	22%	17%	14%
	Rent Hills (CCD 5/6/8)	18%	23%	20%	11%	18%	17%
	Rent South (CCD 3/4/7)	15%	19%	14%	11%	16%	14%
	Rent West (CCD 1/2)	12%	9%	13%	10%	11%	14%
REGION	Hills (CCD 5/6/8)	44%	48%	47%	39%	44%	44%
	South (CCD 3/4/7)	27%	29%	25%	28%	27%	27%
	West (CCD 1/2)	29%	22%	28%	33%	29%	29%
REGION / GENDER	Hills (CCD 5/6/8) Men	21%	19%	22%	21%	21%	21%
	Hills (CCD 5/6/8) Women	23%	30%	25%	18%	23%	23%
	South (CCD 3/4/7) Men	13%	12%	10%	19%	13%	13%
	South (CCD 3/4/7) Women	14%	17%	15%	9%	14%	14%
	West (CCD 1/2) Men	13%	12%	13%	15%	13%	13%
	West (CCD 1/2) Women	16%	10%	16%	18%	16%	16%
SPLIT	A	50%	52%	49%	46%	100%	
	B	50%	48%	51%	54%		100%
	Unweighted Count /	500	92	251	120	250	250
	Weighted Count	500	91	257	113	250	250

Berkeley Ballot Measure Polling/Results

2012		
Measure BB- Alameda County Transportati	Yes	No
Polling	61	18
Result- Approved (County)	71	29

Measure M- Infrastructure Bonds	Yes	No
Polling (March 2012)	61	19
Polling (Aug 2012)	59	26
Result-Approved	73	27

Measure N- Pool Bonds (not exceeding \$13M)	Yes	No
Polling	39	39
Result (not exceed \$19.4M)-Defeated	62	38

Measure O-Heat Pool	Yes	No
Initial Polling	36	41
Final Polling	43	33
Result-Defeated	60	40

Measure S- Prohibit Sitting on Sidewalks	Yes	No
Initial Polling	38	48
Final Polling	47	40
Result- Defeated	47	52

Measure T- Development Flexibility	Yes	No
Initial Polling	33	25
Final Polling	35	36
Result- Defeated	50	50

2014		
Measure D- Soda Tax/Gener	Yes	No
Polling	53	38
Result-Approved	76	24

Measure F- Increase Parks F	Yes	No
Polling	54	29
Result-Approved	75	25

2016			
Measure C1- AC Transit Tax		Yes	No
Polling		67	10
Result-Approved (County)		82	17

Measure E1- School Dist. Parcel Tax		Yes	No
Polling		66	14
Result-Approved		89	11

Measure T1- Facilities Bond		Yes	No
Polling		57	23
Result-Approved		87	13

Measure U1- Landlord Tax		Yes	No
Polling		60	27
Final Polling		67	16
Result-Approved		75	25

Measure A1- Affordable Housing Bon		Yes	No
Polling		67	11
Result-Approved (County)		73	26

2018			
Measure A- Sales Tax Increase		Yes	No
Polling		65	15
Result-Rejected		66	24

Measure O-Affordable Housing		Yes	No
Polling (March 2018)		61	18
Result- Approved (\$135M)		77	23

Measure P-Property Transfer T		Yes	No
Polling (March 18)		57	23
Result-Approved		72	28

2020		
Measure FF- Fire and Emergency Tax		
	Yes	No
Polling (for 8 cents per sq/ft)	65	23
Result-Approved (\$.1047 per sq/ft)	74	26

Measure HH-Climate Action Fund Tax		
	Yes	No
Polling	61	28
Result- Defeated	47	53

2021-22		
Measure L- Housing and Infr Yes No		
2021 Polling (\$500m in bonds)	58	29
2022 Polling (\$600m in bonds)	57	28
Result-Defeated (\$650m in bonds)	59	41

**Lake Research Partners
Summary of Polling Methodology
(City of Berkeley, 2024)**

The following section outlines LRP's approach to conducting telephone surveys of likely voters, including interviews obtained via cell phone, landline phone, and text-to-online (TTO). We use randomized, stratified, weighted telephone-based samples from updated, phone-matched voter files, which are the most accurate methodology to poll likely voters.

When drafting a survey, we pay close attention to language and question order, and we use carefully crafted questionnaire designs in order to identify and accurately gauge public sentiment without bias.

To ensure the sample will be representative demographically, we stratify the samples by mode of telephone as well as set quotas for survey administration by variables (including but not limited to): gender, education, region, race/ethnicity, party registration, and age.

While we do not typically set nightly quotas, we monitor progress on a daily basis to ensure the sample is administered accurately and evenly throughout calling hours and days, so that no one region, mode of interview, split form, or other stratum is oversampled at the expense of the others. This ongoing, daily supervision helps ensure that our quotas are met properly and by the time of completion.

In addition to the steps described in the preceding pages to ensure a representative sample, LRP also employs post-stratification weighting methods to ensure the sample of survey respondents is as representative as possible of likely voters in Berkeley. Specifically, where necessary we would adjust the contribution of certain data points in the sample to more closely reflect our independent knowledge of the population's demographic distribution. We set strict limits in our weighting, with no case receiving a weight of more than 2x, though close monitoring of the calling typically ensures that any weights applied to the data are far more modest.

LRP works with PDI, as a subcontractor, to draw the sample from the most recent updated California voter file. Phone numbers come from a randomized sample of voters in the City of Berkeley, which we then cellphone-match to ensure we have the most updated mobile numbers to reach younger and racially diverse respondents who rarely answer landlines.

For surveys in California, LRP typically uses McGuire Research, a Las Vegas, Nevada based small business, as a subcontractor to conduct the telephone CATI surveys. LRP works closely with McGuire's professional and experienced staff of researchers, programmers, statisticians and analysts daily to stay apprised of the progress on each study, from sample selection and pre-test through data collection and processing phases. Daily reports, tallies and quotas are supplied to LRP, which LRP uses to ensure adherence to calling quotas. LRP staff take advantage of remote interviewer monitoring to carefully supervise the first night of calling, and additional nights as needed to further ensure the correct implementation of the survey instrument.



ACTION CALENDAR
July 30, 2024

To: Honorable Mayor and Members of the City Council

From: Farimah Brown, City Attorney

Submitted by: Farimah Brown, City Attorney

Subject: Ballot Measure – Tax Measure to Reauthorize the General Tax on the Distribution of Sugar-Sweetened Beverage Products

RECOMMENDATION

1. Adopt a Resolution placing the attached measure reauthorizing the general tax on the distribution of sugar-sweetened beverages on the ballot for 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action to place the measure on the ballot. In general, election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. In addition, the number of measures placed on the ballot, and the length of the measures, are the primary driving factors in the fluctuation of election costs.

If adopted by the voters, the tax is estimated to generate approximately \$1,150,000 annually for the City's general fund.

CURRENT SITUATION AND ITS EFFECTS

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

Berkeley Municipal Code Section 7.72 imposes a general tax at the rate of 1¢ per fluid ounce on the distribution of sugar-sweetened beverage products within the City. The tax generates an estimated \$1,150,000 annually. Currently, the tax is set to expire on January 1, 2027. This measure would remove that expiration date, and reauthorize the tax beyond December 31, 2026 until such time as it is repealed or modified by the voters of the City of Berkeley.

Revenues from the tax may be used for general municipal purposes. If placed on the ballot by the City Council, the measure would require approval by a majority of voters in order to go into effect.

According to California Elections Code 9282(b), measures placed on the ballot by the legislative body, or a member or members of the legislative body authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure.

BACKGROUND

In November 2014, the voters of the City of Berkeley passed a 1¢ per fluid ounce general tax on the distribution of sugar-sweetened beverage products within the City. The tax is now codified in Chapter 7.72 of the Berkeley Municipal Code. Pursuant to the original measure enacted by voters, the tax is effective until December 31, 2026, and is set to expire on January 1, 2027.

In a Council meeting on May 24, 2024, the Council directed the City Attorney to prepare a measure removing the sunset date, and reauthorizing the tax beyond December 31, 2026 until such time as it is repealed or modified by the voters of the City of Berkeley. The tax rate, method of collection, method of implementation, exemptions, and other provisions in Chapter 7.72 of the Municipal Code would remain unchanged.

The Sugar-Sweetened Beverages Tax currently raises approximately \$1.15 million per year for the City's general fund, which is expected to continue if the tax is reauthorized by voters.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

ALTERNATIVE ACTIONS CONSIDERED

Council may decide to not place the measure on the 2024 ballot, or request that staff resubmit the item for a future election.

CONTACT PERSON

Farimah Brown, City Attorney, (510) 981-6998

Ballot Measure to Reauthorize the
General Tax on the Distribution of
Sugar Sweetened-Beverage Products

ACTION CALENDAR
July 30, 2024

Attachments

1. Resolution
 - a. Exhibit A: Text of Measure

RESOLUTION NO. -N.S.

SUBMITTING TO THE BERKELEY ELECTORATE AN ORDINANCE
REAUTHORIZING THE GENERAL TAX ON THE DISTRIBUTION OF SUGAR-
SWEETENED BEVERAGE PRODUCTS

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, a measure amending Chapter 7.72 of the Berkeley Municipal Code to reauthorize the general tax on the distribution of sugar-sweetened beverage products by extending the tax beyond its current expiration date of January 1, 2027 and instead authorizing the tax to remain in effect until repealed or modified by the voters; and

WHEREAS, the Council desires to submit this measure to be placed upon the ballot at the November 5, 2024 Statewide General Election, consistent with the Council's Resolution No. 71,289-N.S., adopted on May 7, 2024, calling for a General Municipal Election to be consolidated with said statewide election; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that this resolution is hereby adopted and a ballot measure amending Chapter 7.72 of the Berkeley Municipal Code to reauthorize the general tax on the distribution of sugar-sweetened beverage products shall be placed before the voters at the election on November 5, 2024.

BE IT FURTHER RESOLVED that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that, pursuant to California Elections Code sections 10002 and 10403, this City Council does hereby call an election on Tuesday, November 5, 2024, and requests that the Alameda County Board of Supervisors consolidate said election with the Statewide General Election on that same date in the manner and schedule established by Resolution No. 71,289-N.S., adopted on May 7, 2024, and submit the Measure to the qualified voters of the City at said consolidated election.

BE IT FURTHER RESOLVED that the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

BE IT FURTHER RESOLVED that the City of Berkeley hereby requests that the Alameda County Board of Supervisors permit the Registrar of Voters of Alameda County to perform services in connection with said election at the request of the City Clerk. These services to include all necessary services related to official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

BE IT FURTHER RESOLVED that the full text of the measure shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a simple majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code, and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that the City will reimburse the Registrar of Voters for the costs associated with placing the measure on the ballot.

BE IT FURTHER RESOLVED that said proposed Ordinance measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY GENERAL TAX ORDINANCE MEASURE	
Shall the measure to extend the existing general tax on the distribution of sugary drinks and sweeteners at the rate of 1¢ per fluid ounce, previously approved by Berkeley voters in 2014, with exceptions for small retailers, milk products, juice, baby formula, medical drinks, typical sweeteners added by consumers, diet drinks, and alcohol, for general government use, beyond its current expiration on January 1, 2027, until ended by voters, raising approximately \$1,150,000 per year, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the measure be shown as Exhibit A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of this resolution to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to

exceed 500 words in length, showing the effect of the measure to the existing law and the operation of the measure, and transmit the impartial analysis to the City Clerk.

BE IT FURTHER RESOLVED that arguments for and against, not to exceed 300 words in length, may be filed consistent with Election Code Section 9282 requirements. The City Council, or any members of the City Council authorized by the City Council, may file a direct argument for the measure.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that the measure, impartial analysis, any arguments for and against, and any rebuttal arguments filed under the authority of the Elections Code shall be available for public examination in the City Clerk's office pursuant to Elections Code Section 9295 for 10 calendar days, a period that shall begin immediately following the last filing deadline for the submission of such materials.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this resolution with the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

ORDINANCE NO. _____

REAUTHORIZING AND EXTENDING THE GENERAL TAX ON THE
DISTRIBUTION OF SUGAR-SWEETENED BEVERAGE PRODUCTS

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

Section 1. Findings.

- A. Responding to the major public health crisis of increased rates of diabetes, obesity, and tooth decay, particularly in low-income communities and communities of color, connected to the consumption of sugary beverages, on November 4, 2014, the voters of the City of Berkeley passed Measure D, which added Chapter 7.72 to the Berkeley Municipal Code and imposed a general tax on the distribution of sugary beverages at a rate of 1 cent per fluid ounce.
- B. Since its adoption, Measure D has measurably reduced the consumption of sugary beverages in the City of Berkeley, as compared to neighboring cities that have not imposed a tax on the distribution of sugary beverages. For example, a report by the Berkeley Food Institute of the University of California found that three years after the passage of Measure D residents of the City of Berkeley were drinking half the amount of soda and consuming 29 percent more water than before Measure D.
- C. Measure D will terminate on January 1, 2027, unless reauthorized by the People of the City of Berkeley.

Section 2. Reauthorization.

- A. The general tax imposed on the distribution of sugary beverages in the City of Berkeley at the rate of 1 cent per fluid ounce, which was imposed by Ordinance No. 7,388-N.S.(Imposing a General Tax on the Distribution of Sugar-Sweetened Beverage Products) and codified as Chapter 7.72 of the Berkeley Municipal Code, is hereby reauthorized beyond December 31, 2026, its last effective date.
- B. The second sentence of section 4 of Ordinance No. 7,388-N.S., which states that “[t]he last effective date of this Ordinance shall be December 31, 2026, and it shall terminate as of January 1, 2027” is hereby deleted and replaced with the following sentence: “This Ordinance shall be effective until repealed or modified by the voters of the City of Berkeley.”

Section 3. Code Amendment. Chapter 7.72 of the Berkeley Municipal Code is hereby amended as follows (additions denoted by underlined text and deletions denoted by ~~strike through~~):

Chapter 7.72

SUGAR-SWEETENED BEVERAGE PRODUCT DISTRIBUTION TAX

Sections:

- 7.72.010 Excise tax.**
- 7.72.020 Exemptions.**
- 7.72.030 Definitions.**
- 7.72.040 Duties, responsibilities and authority of the City Manager.**
- 7.72.050 Collection.**
- 7.72.060 Refunds.**
- 7.72.070 Enforcement.**
- 7.72.080 Not a sales and use tax.**
- 7.72.090 Sugar-Sweetened Beverage Product Panel of Experts.**
- 7.72.100 Increase appropriations limits.**
- 7.72.110 Amendment.**
- 7.72.120 Duration.**

~~**Code reviser's note:** Section 4 of Ord. 7388-NS provides, "This Ordinance shall be effective on January 1, 2015. The last effective date of this Ordinance shall be December 31, 2026, and it shall terminate as of January 1, 2027."~~

7.72.010 Excise tax.

A. In addition to any other taxes imposed by the City, the City hereby levies a tax of one cent (\$0.01) per fluid ounce on the privilege of Distributing Sugar-sweetened beverage products in the City.

B. For the purposes of this Chapter, the volume, in ounces, of a Sugar-sweetened beverage product shall be calculated as follows:

1. For a Sugar-sweetened beverage, the volume, in fluid ounces, of Sugar-sweetened beverages distributed to any person in the course of business in the City.

2. For Added caloric sweeteners, the largest volume, in fluid ounces, of Sugar-sweetened beverages that could be produced from the Added caloric sweeteners. In accordance with rules and regulations promulgated by the City pursuant to Section 7.72.040, the largest volume, in fluid ounces, that would typically be produced from the Added caloric sweeteners shall be determined based on the manufacturer's instructions or, if the Distributor uses the Added caloric sweeteners to produce a Sugar-sweetened beverage, the regular practice of the Distributor.

C. The tax shall be paid upon the first nonexempt Distribution of a Sugar-sweetened beverage product in the City. To the extent that there is a chain of Distribution within Berkeley involving more than one Distributor, the tax shall be levied on the first Distributor subject to the jurisdiction of the City. To the extent the tax is not paid as set forth above for any reason, it shall be payable on subsequent Distributions and by subsequent Distributors; provided, that the Distribution of Sugar-sweetened beverage products may not be taxed more than once in the chain of commerce.

7.72.020 Exemptions.

The tax imposed by this Chapter shall not apply:

- A. To any Distributor that is not subject to taxation by the City under the laws of the United States or the State of California;
- B. To any Distribution of a Sugar-sweetened beverage product to a Retailer with less than \$100,000 in annual gross receipts, as defined in Section 9.04.025, in the most recent year;
- C. To any Distribution of Natural or common sweeteners; or
- D. To any Distribution of Added caloric sweeteners to a Food Products Store as defined in Section 23F.04.010, if the Food Products Store then offers the Added caloric sweetener for sale for later use by customers of that store.

7.72.030 Definitions.

- A. "Added caloric sweetener" means any substance or combination of substances that meets all of the following four criteria:

1. Is suitable for human consumption;
2. Adds calories to the diet if consumed;
3. Is perceived as sweet when consumed; and
4. Is used for making, mixing, or compounding Sugar-sweetened beverages by combining the substance or substances with one or more other ingredients including, without limitation, water, ice, powder, coffee, tea, fruit juice, vegetable juice, or carbonation or other gas.

An Added caloric sweetener may take any form, including but not limited to a liquid, syrup, and powder, whether or not frozen. "Added caloric sweetener" includes, without limitation, sucrose, fructose, glucose, other sugars, and high fructose corn syrup, but does not include a substance that exclusively contains natural, concentrated, or reconstituted fruit or vegetable juice or any combination thereof.

B. "Alcoholic beverage" means any beverage subject to tax under Part 14 (commencing with Section 32001) of the California Revenue and Taxation Code, as that Part may be amended from time to time.

C. "Beverage for medical use" means a beverage suitable for human consumption and manufactured for use as an oral nutritional therapy for persons who cannot absorb or metabolize dietary nutrients from food or beverages, or for use as an oral rehydration electrolyte solution for infants and children formulated to prevent or treat dehydration due to illness. "Beverage for medical use" shall also mean a "medical food" as defined in Section 109971 of the California Health and Safety Code, as that definition may be amended from time to time. "Beverage for medical use" shall not include drinks commonly referred to as "sports drinks" or any other common names that are derivations thereof.

D. "Business Entity" means any Person except for a natural person.

E. "City" means the City of Berkeley, California.

F. "City Manager" means the City Manager of the City of Berkeley or his or her designee.

G. "Consumer" means a natural person who purchases a Sugar-sweetened beverage product in the City for a purpose other than resale in the ordinary course of business.

H. "Distribution" or "Distribute" means the transfer of title or possession (1) from one Business entity to another for consideration or (2) within a single Business entity, such as by a wholesale or warehousing unit to a retail outlet or between two or more employees or contractors. "Distribution" or "Distribute" shall not mean the retail sale to a Consumer.

I. "Distributor" means any Person who Distributes Sugar-sweetened beverage products in the City.

J. "Milk" means natural liquid milk, regardless of animal source or butterfat content, natural milk concentrate, whether or not reconstituted, regardless of animal source or butterfat content, or dehydrated natural milk, whether or not reconstituted and regardless of animal source or butterfat content, and plant-based milk substitutes, that are marketed as milk, such as soy milk and almond milk.

K. "Natural or common sweetener" means granulated white sugar, brown sugar, honey, molasses, xylem sap of maple trees, or agave nectar.

L. "Person" means an individual, trust, firm, joint stock company, business concern, business trust, government, receiver, trustee, syndicate, social club, fraternal organization, estate, corporation, including, but not limited to, a limited liability company, and association or any other group or combination acting as a unit.

M. "Retailer" means any Person who serves Sugar-sweetened beverage products to a Consumer.

N. "Simple syrup" means a mixture of water and one or more Natural or common sweeteners without any additional ingredients.

O. "Sugar-sweetened beverage" means any beverage intended for human consumption to which one or more Added caloric sweeteners has been added and that contains at least 2 calories per fluid ounce.

1. "Sugar-sweetened beverage" includes, but is not limited to all drinks and beverages commonly referred to as "soda," "pop," "cola," "soft drinks," "sports drinks," "energy drinks," "sweetened ice teas," or any other common names that are derivations thereof.

2. "Sugar-sweetened beverage" shall not include any of the following:

- (a) Any beverage in which milk is the primary ingredient, i.e., the ingredient constituting a greater volume of the product than any other;
- (b) Any beverage for medical use;
- (c) Any liquid sold for use for weight reduction as a meal replacement;
- (d) Any product commonly referred to as "infant formula" or "baby formula"; or
- (e) Any alcoholic beverage.

P. "Sugar-sweetened beverage product" means a Sugar-sweetened beverage or Added caloric sweetener.

7.72.040 Duties, responsibilities and authority of the City Manager.

A. It shall be the duty of the City Manager to collect and receive all taxes imposed by this Chapter, and to keep an accurate record thereof.

B. The City Manager is hereby charged with the enforcement of this Chapter, except as otherwise provided herein, and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this Chapter, including provisions for the reexamination and correction of returns and payments, and for reporting. Such rules and regulations may include, but are not limited to, the following:

1. The determination of the frequency with which a Distributor must calculate the tax. This determination shall not constitute an increase of the tax.
2. The determination of the frequency with which a Distributor must pay the tax. This determination shall not constitute an increase of the tax.
3. The determination of whether and how a Distributor must register with the City.
4. The determination of whether and how a Distributor who receives, in the City, Sugar-sweetened beverage products from another Distributor must report to the City the name of that Distributor.
5. The determination of whether and how a Distributor who receives, in the City, Sugar-sweetened beverage products from another distributor must report to the City the volume of Sugar-sweetened beverage products received from that Distributor.

6. The determination of what other documentation is required to be created or maintained by a Distributor.

C. The City Manager shall annually verify that the taxes owed under this Chapter have been properly applied, exempted, collected, and remitted.

7.72.050 Collection.

A. The amount of any tax, penalty, and interest imposed under the provisions of this Chapter shall be deemed a debt to the City. Any Distributor owing money under the provisions of this Chapter shall be liable in an action brought in the name of the City for the recovery of such amount.

B. In order to aid in the City's collection of taxes due under this Chapter, any Retailer that receives Sugar-sweetened beverage products from a Distributor shall, in accordance with rules and regulations promulgated by the City Manager pursuant to Section 7.72.040, either:

1. report to the City all such transactions, the volume in ounces of Sugar-sweetened beverage products received in each transaction, and the identity and contact information of the Distributor from whom the Sugar-sweetened beverage products were received; or
2. collect the tax that would be payable as a result of the transaction by the Distributor from whom the Sugar-sweetened beverage product was received and remit it to the City; or
3. provide to the City evidence that the Distributor from whom the Sugar-sweetened beverage products were received has registered as a Distributor with the City and that registration is current.

C. The City Council is authorized to have the taxes imposed by this Chapter collected by the County of Alameda or the California Board of Equalization in conjunction with the collection of other taxes for the City. If the City Council exercises this authorization, the duties and responsibilities of the City Manager shall be given, as appropriate, to the County of Alameda or the California Board of Equalization, which may delegate such duties and responsibilities as necessary and as authorized by law.

7.72.060 Refunds.

Whenever any tax under this Chapter has been paid more than once or has been erroneously or illegally collected or received by the City, it may be refunded only as provided in Chapter 7.20 of the Berkeley Municipal Code.

7.72.070 Enforcement.

Except as otherwise provided by this Chapter or by rule or regulation promulgated by the City Manager, the tax imposed by this Chapter shall be administered in the same manner as taxes imposed pursuant to Chapter 9.04 and, without limitation, shall be subject to the same delinquency penalties, appeals processes and other enforcement provisions set forth in Chapter 9.04.

7.72.080 Not a sales and use tax.

The tax imposed by this Chapter is a tax upon the privilege of conducting business, specifically, Distributing Sugar sweetened beverage products within the City of Berkeley. It is not a sales, use, or other excise tax on the sale, consumption or use of Sugar-sweetened beverage products.

7.72.090 Sugar-Sweetened Beverage Product Panel of Experts.

- A. There shall be established the Sugar-Sweetened Beverage Product Panel of Experts to make recommendations on how and to what extent the City should establish and/or fund programs to reduce the consumption of sugar-sweetened beverages in Berkeley and to address the effects of such consumption.
- B. An officer or employee of the City designated by the City Manager shall serve as secretary of the Panel.
- C. In accordance with Chapter 2.04, the Panel shall be composed of nine members appointed by the City Council.
- D. Terms shall expire and vacancies shall be filled in accordance with the provisions of Section 2.04.030 through 2.04.145 of this Code.

E. Each member of the Panel must:

1. Have experience in community-based youth food and nutrition programs; or
2. Have experience in school-based food and nutrition programs and be referred by the Berkeley Unified School District; or
3. Have experience in early childhood nutrition education; or
4. Have experience in researching public health issues or evaluating public health programs related to diabetes, obesity, and sugary drink consumption; or
5. Be a licensed medical practitioner.

F. In accordance with Section 3.02.040, members of the Panel may be reappointed but shall not serve more than eight consecutive years.

G. The Panel shall, by majority vote, do each of the following:

1. Annually appoint one of its members as chair and one of its members as vice-chair;
2. Approve bylaws to facilitate the proper functioning of the Panel;
3. *Establish a regular time and place of meeting.* All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. Minutes for each meeting shall be recorded, kept, and maintained; and
4. Publish an annual report that includes the following:
 - (a) recommendations on how to allocate the City's general funds to reduce the consumption of sugar sweetened beverages in Berkeley and to address the results of such consumption;
 - (b) information, if available, concerning the impact of this Chapter on the public health of the residents of the City; and
 - (c) any additional information that the Panel deems appropriate.

H. Within 15 days of receipt of the publication of the Panel's annual report, the City Manager shall cause the report to be published on the City's Internet website and to be

transmitted to the City Council and the Governing Board of the Berkeley Unified School District.

I. The City Council shall consider, but need not follow, the Panel's recommendations and shall annually inform the Panel as to the extent to which it has implemented the Panel's recommendations.

7.72.100 Increase appropriations limits.

Pursuant to California Constitution article XIII B, the appropriation limit for the City is increased by the aggregate sum authorized to be levied by this tax for each of the four fiscal years from 20~~21~~5-~~21~~6 through 20~~21~~8-~~21~~9.

7.72.110 Amendment.

The City Council, without a vote of the people, may, either permanently or temporarily, increase the dollar amount of the threshold for the small-business exemption in Section 7.72.020.B.

7.72.120 Duration.

This Ordinance shall be effective until repealed or modified by the voters of the City of Berkeley.

Section 4. Amendment, repeal, and reenactment. The City Council may repeal this ordinance, or amend it in any manner that does not result in an increase in the tax imposed herein, or add or modify exemptions, without further voter approval. If the City Council repeals this ordinance, it may subsequently reenact it without voter approval, as long as the reenacted ordinance does not result in an increase in the tax imposed herein.

Section 5. California Environmental Quality Act Requirements.

This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., including without limitation Public Resources Code section 21065, CEQA Guidelines section 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may

have a significant effect on the environment and pursuant to Public Resources Code section 21080, subdivision (b)(8) and CEQA Guidelines section 15273 as the approval of government revenues to fund existing services.

Section 6. General Tax; Simple Majority Vote Requirement. This Ordinance imposes a general tax and shall be effective if approved by a simple majority of the voters voting thereon.



ACTION CALENDAR

July 30, 2024

To: Honorable Mayor and Members of the City Council

From: Farimah Brown, City Attorney

Submitted by: Tess Mayer, Director of Library Services
Farimah Brown, City Attorney

Subject: Ballot Measure – Tax Measure to Fund Berkeley Public Library Operations and Services

RECOMMENDATION

1. Adopt a Resolution placing the attached special parcel tax measure for library operations and services on the ballot for 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action to place the measure on the ballot. In general, election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. In addition, the number of measures placed on the ballot, and the length of the measures, are the primary driving factors in the fluctuation of election costs.

If adopted by the voters, the tax is estimated to generate \$5,600,000 annually for the purpose of funding library operations and services.

CURRENT SITUATION AND ITS EFFECTS

At a regular meeting on April 3, 2024, the Board of Library Trustees (BOLT) approved a motion to communicate a recommendation to Council to include a Library tax measure on the November 2024 ballot, proposing a rate of 6¢ per square foot of improvements for dwelling units and 9¢ per square foot for all other properties, with annual adjustments, and exempting low-income homeowners.

The BOLT recommendation was presented to the City Council at the special meeting on May 24, 2024. At the special meeting, the Council voted to refer to the City Attorney to work with Library staff to develop a revenue measure for the November 2024 ballot. This measure is presented pursuant to that Council direction.

Ballot Measure - Property Tax Measure for Library Services, Building Staffing
Maintenance, Collections, and Staffing
July 30, 2024

As recommended by the BOLT, the attached measure creates a special parcel tax at a rate of 6¢ per square foot of improvements for dwelling units and 9¢ per square foot for all other properties. The rates could be adjusted annually by the City Council based on either the Consumer Price Index in the immediate San Francisco Bay Area or the per capita Personal Income Growth (“PIG”) factor in California.

The tax would be in addition to the City’s existing special parcel tax for library services, the current rates of which are 28¢ per square foot of improvements for dwelling units and 42.33¢ per square foot for all other properties. (See BMC § 7.56.030; Ordinance No. 7,927-N.S.)

The purpose of the special tax proposed by this measure is to fund library operations and services, including but not limited to building maintenance, collections and staffing. The measure identifies a set of spending priorities, which include, among others, keeping neighborhood libraries well-staffed and in good repair, maintaining weekend and evening hours, maintaining and expanding youth and educational programs, and maintaining and expanding the Berkeley Public Library’s diverse collections. The proceeds of the tax would be placed into the existing library fund or into another special fund to be used for the purpose of funding library operations and services.

The measure would create an exemption for property owned by individuals with “very low-income” as may be defined by the City Council. The tax would remain in effect until repealed by the voters. If placed on the ballot by the City Council, the tax would require approval by a two-thirds vote in order to go into effect.

According to California Elections Code 9282 (b), measures placed on the ballot by the legislative body, or a member or members of the legislative body authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure.

BACKGROUND

The City of Berkeley applies a citywide special tax (referred to as the Library Relief Act of 1980) on all residential and commercial property in Berkeley based on square footage. The tax became permanent in 1988 through an amendment.

This Library Tax Fund is the primary funding source supporting the full range of Berkeley Public Library public services. The Fund generates 99% of total revenues and bears 98% of total expenses. This voter-approved tax is intended to provide a stable revenue source to ensure the provision of library services. The Library employs the proceeds of the library tax to maintain and enhance the Library’s physical plant and infrastructure, purchase library materials, and provide public services.

As established in 1988, the tax is adjusted annually by either the Consumer Price Index in the immediate San Francisco Bay Area or the per capita PIG factor in California. City

Ballot Measure - Property Tax Measure for Library Services, Building Staffing
Maintenance, Collections, and Staffing
July 30, 2024

Council adjust the tax rates (residential and commercial) based on the recommendation of the Director of Library Services to the BOLT.

In recent years, the revenue increase afforded by the annual tax rate adjustment has not kept pace with rising costs associated with increased personnel and collection material expenses and the costs of operating five locations, including a historic, large Central Library and two historic branch buildings.

Although the Berkeley Public Library has had previous bond measures intended to fund the retrofit and expansion of the Central Library in 1996 and Branch renovations in 2000 and 2008, it has never had a change to this base tax rate, apart from the annual adjustments as described above. The annual adjustment to the tax rate of Fiscal Year 2023 was 4.44% and based on the PIG factor, raising an additional revenue of \$1,064,969, over Fiscal Year 2023. At the same time, expenditures in Fiscal Year 2023 were \$19,782,045, whereas in 2024 they are projected to be \$22,865,496, a difference of \$3,083,451.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

ALTERNATIVE ACTIONS CONSIDERED

Council may decide to not place the measure on the 2024 ballot, or request that staff resubmit the item for a future election.

CONTACT PERSON

Tess Mayer, Director of Library Services, (510) 981-6195
Farimah Brown, City Attorney, (510) 981-6998

Attachments:

1: Resolution

Exhibit A: Text of Measure

RESOLUTION NO. -N.S.

SUBMITTING TO THE BERKELEY ELECTORATE AN ORDINANCE ADDING
CHAPTER 7.57 TO THE BERKELEY MUNICIPAL CODE ADOPTING A SPECIAL TAX
TO FUND LIBRARY OPERATIONS AND SERVICES

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, a measure adding Chapter 7.57 to the Berkeley Municipal Code adopting a special tax to fund library operations and services; and

WHEREAS, the Berkeley Public Library is anticipating a structural deficit in the near future; and

WHEREAS, the Library will need to employ cost-saving measures in order to remain financially solvent if additional revenue is not identified; and

WHEREAS, these cost-saving measures could impact current hours, staffing levels, and the ability to complete identified deferred maintenance and capital improvement projects; and

WHEREAS, the Library has developed a robust new 2024-2028 strategic plan in partnership with community stakeholders that identifies relevant and significant service directions in support of community that also require investment of resources; and

WHEREAS, thousands of children participate in the Berkeley Public Library's reading and educational programs each year; and

WHEREAS, three current library facilities are over 75 years old, and their computer networks and technologies are seriously in need of updates; and

WHEREAS, public libraries are one of the few important community gathering spaces left that benefit children, teens, families, seniors, the disabled, and low-income residents; and

WHEREAS, the library provides books, computer access, classes and services for those that cannot afford to buy them; and

WHEREAS, community libraries provide a place for youth to do their homework and participate in after-school programs; and

WHEREAS, library programs for children and teens, including homework help and reading resources, are critical to providing our students with the resources they need; and

WHEREAS, the Berkeley Public Library ensures that all residents have free and equal access to a wide range of information; and

WHEREAS, libraries play a critical role in Berkeley, which is one of the highest circulating systems in California.

WHEREAS, the Berkeley Public Library helps support the economic vitality of the community by helping residents of all ages and backgrounds prepare for jobs, use computers, and succeed in school; and

WHEREAS, the Board of Library Trustees is responsible for developing budgetary priorities and recommends an annual budget for the operation and maintenance of the Library; and

WHEREAS, the Board of Library Trustees recommended to refer to Council a request for inclusion of a ballot measure calling for limited increase in Library tax on the November 2024 ballot; and

WHEREAS, the Council desires to submit this measure to be placed upon the ballot at the November 5, 2024 Statewide General Election, consistent with the Council's Resolution No. 71,289-N.S., adopted on May 7, 2024, calling for a General Municipal Election to be consolidated with said statewide election; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that this resolution is hereby adopted and a ballot measure adding Chapter 7.57 to the Berkeley Municipal Code imposing a special tax on square footage of all improvements in the City of Berkeley for the purpose of funding library services and operations shall be placed before the voters at the election on November 5, 2024.

BE IT FURTHER RESOLVED that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that, pursuant to California Elections Code sections 10002 and 10403, this City Council does hereby call an election on Tuesday, November 5, 2024, and requests that the Alameda County Board of Supervisors consolidate said election with the Statewide General Election on that same date in the manner and schedule established by Resolution No. 71,289-N.S., adopted on May 7, 2024, and submit the Measure to the qualified voters of the City at said consolidated election.

BE IT FURTHER RESOLVED that the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

BE IT FURTHER RESOLVED that the City of Berkeley hereby requests that the Alameda County Board of Supervisors permit the Registrar of Voters of Alameda County to perform services in connection with said election at the request of the City Clerk. These services to include all necessary services related to official ballot creation, sample ballot and voter

information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

BE IT FURTHER RESOLVED that the full text of the measure shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a two-thirds vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code, and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that the City will reimburse the Registrar of Voters for the costs associated with placing the measure on the ballot.

BE IT FURTHER RESOLVED that said proposed Ordinance measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY SPECIAL TAX ORDINANCE MEASURE	
Shall the measure creating a special parcel tax to maintain Berkeley Public Library facilities and services, prioritizing neighborhood libraries, weekend and evening hours, diverse collections, and youth, educational and other programs, at \$0.06 per square foot of improvements for dwelling units, and \$0.09 per square foot for other properties, generating \$5,600,000 annually until repealed, in addition to the current library tax of \$0.28 per square foot for dwelling units and \$0.4233 for other properties, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the measure be shown as Exhibit A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of this resolution to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure to the existing law and the operation of the measure, and transmit the impartial analysis to the City Clerk.

BE IT FURTHER RESOLVED that arguments for and against, not to exceed 300 words in length, may be filed consistent with Election Code Section 9282 requirements. The City Council, or any members of the City Council authorized by the City Council, may file a direct argument for the measure.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that the measure, impartial analysis, any arguments for and against, and any rebuttal arguments filed under the authority of the Elections Code shall be available for public examination in the City Clerk's office pursuant to Elections Code Section 9295 for 10 calendar days, a period that shall begin immediately following the last filing deadline for the submission of such materials.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this resolution with the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

ORDINANCE NO. #,###-N.S.

AUTHORIZING AND ADOPTING A SPECIAL TAX TO FUND LIBRARY OPERATIONS
AND SERVICES

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

Section 1. Findings and declarations.

The People of the City of Berkeley find and declare as follows:

- A. The Berkeley Public Library is anticipating a structural deficit in the near future.
- B. The Library will need to employ cost-saving measures in order to remain financially solvent if additional revenue is not identified.
- C. These cost-saving measures could impact current hours, staffing levels, and the ability to complete identified deferred maintenance and capital improvement projects.
- D. The Library has developed a robust new 2024-2028 strategic plan in partnership with community stakeholders that identifies relevant and significant service directions in support of community that also require investment of resources.
- E. Thousands of children participate in the Berkeley Public Library's reading and educational programs each year.
- F. Three current library facilities are over 75 years old, and their computer networks and technologies are seriously in need of updates.
- G. Public libraries are one of the few important community gathering spaces left that benefit children, teens, families, seniors, the disabled, and low-income residents.
- H. The library provides books, computer access, classes and services for those that cannot afford to buy them.
- I. Community libraries provide a place for youth to do their homework and participate in after-school programs.
- J. Library programs for children and teens, including homework help and reading resources, are critical to providing our students with the resources they need.
- K. The Berkeley Public Library ensures that all residents have free and equal access to a wide range of information.

- L. Libraries play a critical role in Berkeley, which is one of the highest circulating systems in California.
- M. The Berkeley Public Library helps support the economic vitality of the community by helping residents of all ages and backgrounds prepare for jobs, use computers, and succeed in school.
- N. The Board of Library Trustees is responsible for developing budgetary priorities and recommends an annual budget for the operation and maintenance of the Library.
- O. The Board of Library Trustees recommended to refer to Council a request for inclusion of a ballot measure calling for limited increase in Library tax on the November 2024 ballot

Section 2. Code Amendment. A new Chapter 7.57 is hereby added to the Berkeley Municipal Code to read as follows:

Chapter 7.57
LIBRARY RELIEF ACT OF 2024

Sections:

- 7.57.010 Imposition of special tax for library operations and services.**
- 7.57.020 Definitions.**
- 7.57.030 Tax authorized – Tax rate – Adjustments for inflation.**
- 7.57.040 Exemptions.**
- 7.57.050 Term of tax.**
- 7.57.060 Spending Priorities**
- 7.57.070 Duties and authority of the City Manager.**
- 7.57.080 Collection with property tax – Interest and penalties.**
- 7.57.090 Refunds.**
- 7.57.100 Collection of unpaid taxes.**
- 7.57.110 Savings clause.**
- 7.57.120 Violation – Penalty.**
- 7.57.130 Increase appropriations limit.**

7.57.010 Imposition of special tax for library operations and services.

A. This chapter may be cited as the "Library Relief Act of 2024." The tax imposed under this chapter is solely for the purpose of funding library operations and services, including but not limited to building maintenance, collections and staffing.

B. The City Council may impose the tax authorized by this Chapter at the rate and subject to the inflation adjustments set forth in Section 7.57.030.

C. This special tax is imposed under Section 4 of Article XIII A of the California Constitution and the City's constitutional authority as a charter city under Article XI, Section 5 of the California Constitution.

D. The proceeds of the tax imposed by this chapter shall be placed in the library fund established by Section 3.04.070 of the Berkeley Municipal Code or in another special fund to be used only for the purposes of funding library operations and services.

7.57.020 Definitions.

For purposes of this chapter only, the following terms shall be defined as set forth below:

A. "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "building" includes the word "structure."

B. "Dwelling" shall mean a building or portion of a building designed for human occupancy.

C. "Dwelling unit" shall mean a building or portion of a building designed for or occupied exclusively by one family.

D. "Family" shall mean one or more persons related by blood, marriage or adoption, and, in addition, any domestic servants or gratuitous guests thereof who are living together in a single dwelling unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single dwelling unit and maintain a common household.

E. "Improvements" shall mean all buildings or structures erected or affixed to the land.

F. "Square footage" shall mean the total gross horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls (which includes, notwithstanding paragraph 3 below, the square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.
2. Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building.
3. Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service or production areas.

G. "Structure" shall mean anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

H. "Parcel" shall mean a unit of real estate in one ownership as shown on the most current official assessment role of the Alameda County Assessor.

7.57.030 Tax authorized – Tax rate – Adjustments for inflation.

A. There is hereby imposed a tax on the square footage of all improvements in the City of Berkeley, except where the improvements are otherwise exempt from taxation by this chapter.

B. The rate of tax for the fiscal year 2025-26 shall be as follows:

1. For all dwelling units, the tax shall be imposed at the rate of \$0.06 per square foot of improvements.
2. For all other property, the tax shall be imposed at the rate of \$0.09 per square foot of improvements.

C. The City Council may increase the previous year's tax by up to the greater of the cost of living in the immediate San Francisco Bay Area, or per capita personal income growth in the State of California, as verified by the United States Bureau of Labor Statistics. If either index referred to above is discontinued, the City shall use any successor index specified by the applicable agency, or if there is none, the most similar index then in existence.

7.57.040 Exemptions.

A. The tax imposed by this Chapter shall not apply to parcels and improvements exempt from taxation by the City pursuant to the laws or constitutions of the United States or the State of California.

B. The tax imposed by this chapter shall not apply to any property owned by any person whose total personal income, from all sources, for the previous calendar year, does not exceed that level which shall constitute "very low-income," as may be established by resolution of the City Council. Any taxpayer claiming the exemption under this section shall be required to demonstrate his or her entitlement thereto annually by submitting an application and supporting documentation to the City Manager or the City Manager's designee in the manner and at the time established in regulations and/or guidelines hereafter promulgated by the City Manager subject to review by the City Council in its discretion. Such applications shall be on forms provided by the City Manager, or the City Manager's designee, and shall provide and/or be accompanied by such information as the City Manager shall require, including but not limited to, federal income tax returns and W-2 forms.

C. Any person or entity claiming an exemption from the tax imposed by this Chapter shall file a verified statement of exemption on a form prescribed by the City Manager prior to June 30th of the first fiscal year for which the exemption is sought.

7.57.050 Term of tax.

The tax imposed by this chapter shall be operative from July 1, 2025 until ended by voters.

7.57.060 Spending Priorities.

The following list of spending priorities shall be considered by the City when spending the proceeds of the tax imposed by this chapter. Nothing in this section shall be construed to limit the scope of permissible uses of the proceeds of this tax set forth in Section 7.57.010:

- A. Keep neighborhood libraries well-staffed and in good repair
- B. Maintain weekend and evening hours
- C. Increase afterschool reading programs, homework help and tutoring for children and teenagers
- D. Maintain high-quality children's story times and programming at all five libraries
- E. Provide literacy services for all ages
- F. Provide supportive places, resources and activities for children and teens
- G. Provide more copies of up-to-date books, e-books and other materials
- H. Maintain library facilities
- I. Expand summer learning programs
- J. Maintain the tool library for home repair, bike and culinary tools
- K. Improve accessibility for wheelchair and low mobility users in all library locations
- L. Improve library programs for seniors
- M. Install or upgrade air conditioning and install solar panels at the Central Library and neighborhood libraries to respond to climate crisis challenges
- N. Improve the usability of the library's website and optimize it for cell phone use and those with disabilities
- O. Expand multilingual collections and bilingual programming for all ages
- P. Upgrade all libraries for fast wifi service
- Q. Expand programs for job seekers
- R. Ensure free access to the top newspapers and magazines from all over the world
- S. Ensure the library collections reflect the community's diversity, equity and inclusion goals

- T. Fund social worker services in more than one location
- U. Revitalize the art and music floor at the Central Library
- V. Decrease wait times on new and popular digital titles
- W. Expand the 'library of things' for check out with items like camping equipment, boardgames and audiovisual equipment
- X. Remodel spaces for additional quiet study and music practice rooms
- Y. Provide separate space for quiet adult and older adult reading

7.57.070 Duties and authority of the City Manager.

It shall be the duty of the City Manager or the City Manager's designee to collect and receive all taxes imposed by this chapter, and to keep an accurate record thereof.

The City Manager or the City Manager's Designee is hereby charged with the enforcement of this chapter, except as otherwise provided herein, and may prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of this chapter, including provisions for the re-examination and correction of returns and payments. The Director of Finance may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

Upon disallowing any claim submitted pursuant to Section 7.57.080, the City Manager or the City Manager's designee shall mail written notice thereof to the claimant at the claimant's last known address.

7.57.080 Collection with property tax - Interest and penalties.

The City Council is authorized to have the taxes imposed by this chapter collected by the County of Alameda in conjunction with the county's collection of property tax revenues for the City of Berkeley. In the event that the County of Alameda collects the taxes imposed by this chapter, the imposition of penalties, additional fees and interest upon persons who fail to remit any tax imposed by this chapter, or who fail to remit any delinquent remittance under this chapter, shall be subject to and governed by the rules, regulations and procedures utilized by the County of Alameda in its collection of

property taxes for the City of Berkeley, and in its collection of this additional tax for the City of Berkeley.

Every penalty imposed and such interest as accrues under the provisions of this chapter shall become a part of the tax herein required to be paid.

7.57.090 Refunds.

Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the City under this chapter, it may be refunded as provided in Chapter 7.20 of the Berkeley Municipal Code or any such successor chapter.

7.57.100 Collection of unpaid taxes.

The amount of any tax, penalty, and interest imposed under the provisions of this chapter shall be deemed a debt to the City. Any person owing money under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount. The City shall be entitled to reasonable attorneys' fees and its costs of suit in any such action.

7.57.110 Savings clause.

The provisions of this chapter shall not apply to any person, association, corporation or to any property as to whom or which it is beyond the power of the City Council to impose the tax herein provided. If any sentence, clause, section or part of this chapter, or any tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section or part of this chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this chapter. It is hereby declared to be the intention of the City Council of the City of Berkeley that this chapter would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

7.57.120 Violation – Penalty.

Any person who fails to perform any duty or obligation imposed by this chapter shall be guilty of an infraction as set forth in Chapter 1.20 of this code. The penalties provided in this section are in addition to the several remedies provided in this chapter.

7.57.130 Increase appropriations limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City of Berkeley is hereby increased by the aggregate sum authorized to be levied by this special tax for each of the four fiscal years from 2025-2026 through 2028-2029.

Section 3. Amendment, repeal, and reenactment. The City Council may repeal this ordinance, or amend it in any manner that does not result in an increase in the tax imposed herein, or add or modify exemptions, without further voter approval. If the City Council repeals this ordinance, it may subsequently reenact it without voter approval, as long as the reenacted ordinance does not result in an increase in the tax imposed herein.

Section 4. California Environmental Quality Act Requirements. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., under, including without limitation, Public Resources Code section 21065 and CEQA Guidelines sections 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment and pursuant to Public Resources Code section 21080, subdivision (b)(8), and CEQA Guidelines section 15273 as the approval of government revenues to fund existing services.

Section 4. Special Tax; Two Thirds Vote Requirement. This Ordinance imposes a special tax and shall be effective only if approved by two-thirds of the voters voting thereon.



ACTION CALENDAR
July 30, 2024

To: Honorable Mayor and Members of the City Council

From: Farimah Brown, City Attorney

Submitted by: LaTanya Bellow, Interim City Manager
Farimah Brown, City Attorney

Subject: Ballot Measure – Increasing the Parks, Trees and Landscaping Maintenance Tax

RECOMMENDATION

1. Adopt a Resolution placing the attached measure to increase the parks, trees and landscaping maintenance tax 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action to place the measure on the ballot. In general, election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. In addition, the number of measures placed on the ballot, and the length of the measures, are the primary driving factors in the fluctuation of election costs.

The proposed measure is estimated to generate an additional \$3,779,931 annually for parks, trees and landscaping maintenance.

CURRENT SITUATION AND ITS EFFECTS

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

The City's Parks, Trees and Landscaping Maintenance Tax ("Parks Tax") is a special parcel tax at a current rate of \$0.2210 per square foot of improvements. (BMC § 7.10.020.B; Ordinance No. 7,918-N.S.) The tax generates an estimated \$18,297,945 annually. This proposed measure would increase the Parks Tax by 20%, resulting in a rate of \$0.2652 per square foot of improvements. It would generate an estimated \$3,779,931 of additional annual revenue, for a total annual Parks Tax revenue of \$22,077,876. The Parks Tax contains an exemption for property owned by individuals with "very low-income" as may be defined by the City Council

Ballot Measure - Increase the Parks Tax for Park Maintenance, Landscaping, and Tree Planting
 July 30, 2024 ACTION CALENDAR

Revenues from the tax may be used for expenses related to the acquisition and maintenance of improvements to City parks, trees and landscaping. (See BMC § 7.10.040.A.)

If placed on the ballot by the City Council, the measure would require approval by a two-thirds vote in order to go into effect.

Additionally, according to California Elections Code 9282 (b), measures placed on the ballot by the legislative body, or a member or members of the legislative body authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure.

BACKGROUND

The Parks Tax was established in 1997, replacing the Landscape Maintenance Tax. This Parcel Tax was amended in 2014 with 75% voter approval to increase the per square foot tax rate from \$0.1256 to \$0.1466 (approximately a 17% increase) and add an inflation escalator, such that the yearly increase can be tied to either the Consumer Price Index or the Personal Income Growth ("PIG") factor, whichever is greatest.

Allowable expenditures include expenses related to the acquisition and maintenance of improvements to City parks, trees and landscaping. The current FY25 revenues are expected to be approximately \$18.3M. (See Ordinance No. 7,918-N.S.)

The Parks Tax is generally healthy, but increased operational costs (some at the Waterfront to offset the Marina Fund in FY23 and FY24) and Capital Improvement costs will lead to operating losses between \$1.2- 3.1M in FY24, FY25 and FY26. The fund balance will be approximately 8.4%, less than \$1.6M, by the end of FY26 (see attached Parks Tax 5 Year Plan).

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

ALTERNATIVE ACTIONS CONSIDERED

Council may decide to not place the measure on the 2024 ballot, or request that staff resubmit the item for a future election.

Ballot Measure - Increase the Parks Tax for Park Maintenance, ACTION CALENDAR
Landscaping, and Tree Planting
July 30, 2024

CONTACT PERSON

LaTanya Bellow, Interim City Manager, (510) 981-7000
Farimah Brown, City Attorney, (510) 981-6998

Attachments:

1: Resolution

Exhibit A: Text of Measure

2: Off-Agenda Memo - Reference Information for Potential Parks Tax Increase

RESOLUTION NO. -N.S.

SUBMITTING TO THE BERKELEY ELECTORATE AN ORDINANCE AMENDING
CHAPTER 7.10 OF THE BERKELEY MUNICIPAL CODE TO INCREASE THE PARKS,
TREES AND LANDSCAPING MAINTENANCE TAX

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, a measure amending Chapter 7.10 of the Berkeley Municipal Code increasing the special tax to fund parks, trees and landscaping maintenance; and

WHEREAS, the Council desires to submit this measure to be placed upon the ballot at the November 5, 2024 Statewide General Election, consistent with the Council's Resolution No. 71,289-N.S., adopted on May 7, 2024, calling for a General Municipal Election to be consolidated with said statewide election; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that this resolution is hereby adopted and a ballot measure amending Chapter 7.10 of the Berkeley Municipal Code increasing the special tax to fund parks, trees and landscaping maintenance shall be placed before the voters at the election on November 5, 2024.

BE IT FURTHER RESOLVED that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that, pursuant to California Elections Code sections 10002 and 10403, this City Council does hereby call an election on Tuesday, November 5, 2024, and requests that the Alameda County Board of Supervisors consolidate said election with the Statewide General Election on that same date in the manner and schedule established by Resolution No. 71,289-N.S., adopted on May 7, 2024, and submit the Measure to the qualified voters of the City at said consolidated election.

BE IT FURTHER RESOLVED that the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

BE IT FURTHER RESOLVED that the City of Berkeley hereby requests that the Alameda County Board of Supervisors permit the Registrar of Voters of Alameda County to perform services in connection with said election at the request of the City Clerk. These services to include all necessary services related to official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

BE IT FURTHER RESOLVED that the full text of the measure shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a two-thirds vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code, and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that the City will reimburse the Registrar of Voters for the costs associated with placing the measure on the ballot.

BE IT FURTHER RESOLVED that said proposed Ordinance measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY SPECIAL TAX ORDINANCE MEASURE	
Shall the measure increasing the rate of the City's special parcel tax for parks, trees and landscaping maintenance from \$0.221 to \$0.2652 per square foot of taxable improvements, adjusted annually for inflation, exempting very low-income property owners as defined by the City Council, estimated to generate an additional approximately \$3.8 million annually for a total of approximately \$22 million annually, and effective until amended or repealed by voters, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the measure be shown as Exhibit A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of this resolution to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure to the existing law and the operation of the measure, and transmit the impartial analysis to the City Clerk.

BE IT FURTHER RESOLVED that arguments for and against, not to exceed 300 words in length, may be filed consistent with Election Code Section 9282 requirements. The City Council, or any members of the City Council authorized by the City Council, may file a direct argument for the measure.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that the measure, impartial analysis, any arguments for and against, and any rebuttal arguments filed under the authority of the Elections Code shall be available for public examination in the City Clerk's office pursuant to Elections Code Section 9295 for 10 calendar days, a period that shall begin immediately following the last filing deadline for the submission of such materials.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this resolution with the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

ORDINANCE NO. #,###-N.S.

AUTHORIZING AND ADOPTING AN INCREASE TO THE PARKS, TREES AND
LANDSCAPING MAINTENANCE TAX

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

Section 1. Code Amendment. Chapter 7.10 of the Berkeley Municipal Code is hereby amended as follows (additions denoted by underlined text and deletions denoted by *strike through*):

Chapter 7.10
PARKS, TREES AND LANDSCAPING MAINTENANCE TAX

Sections:

- 7.10.010 Special tax.**
- 7.10.020 Tax adopted--Tax rate--Term--Index.**
- 7.10.030 Exemption for very low-income homeowners.**
- 7.10.040 Definitions.**
- 7.10.050 Duties of the Director of Finance.**
- 7.10.060 Interest and penalties.**
- 7.10.070 Refunds.**
- 7.10.080 Collection.**
- 7.10.090 Savings clause.**
- 7.10.100 Violation--penalty.**
- 7.10.110 Increase appropriations limit.**

7.10.010 Special tax.

A. The tax adopted under this chapter is solely for the purpose of raising income and revenue which is necessary to provide for the direct cost of acquisition and maintenance of improvements in the City of Berkeley.

B. Section 4 of Article XIII A of the California Constitution (Proposition 13) allows two-thirds of the qualified electors of the City to impose a special tax within the City, provided the special tax is not an ad valorem tax on real property or a transaction tax or a sales tax on the sale of real property within the City. The tax imposed by this chapter is a special tax which is authorized for elector approval by Section 4 of Article XIII A of the California Constitution.

7.10.020 Tax adopted--Tax rate--Term--Index.

A. There is hereby adopted a special tax on the square footage of all improvements in the City of Berkeley, as defined herein.

B.1 The tax rate for the fiscal year 2016 shall be \$0.1466 per square foot of taxable improvements; provided, that this rate shall be increased or decreased annually in May pursuant to Section 7.10.020.D.

2. Notwithstanding paragraph (1), beginning fiscal year 2026, the tax rate shall be \$0.2652 per square foot of taxable improvements; provided, that this rate shall be increased or decreased annually in May pursuant to Section 7.10.020.D.

C. The tax imposed by this chapter shall be operative on July 1, 2015.

D. The tax may be increased or decreased annually in May, according to the greater of the increase or decrease in the cost of living in the immediate San Francisco Bay Area or personal income growth in the state of California, as verified by official United States economic reports.

E. For purposes of this section only the following terms shall be defined as set forth below:

1. "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "building" includes the word "structure."
2. "Commercial," "industrial" and "institutional" shall refer to all buildings and improvements within the City that are not classified by this chapter as dwelling units.
3. "Dwelling" shall mean a building or portion of a building designed for human occupancy
4. "Dwelling unit" shall mean a building or portion of a building designed for or occupied exclusively by one family.
5. "Family" shall mean one or more persons related by blood, marriage or adoption, and, in addition, any domestic servants or gratuitous guests thereof who are living together in a single dwelling unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single dwelling unit and maintain a common household.
6. "Improvements" shall mean all buildings or structures erected or affixed to the land.
7. "Square footage" shall mean the total gross horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls

(which includes, notwithstanding paragraph c. below, the square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

- (a) Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.
- (b) Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building.
- (c) Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service or production areas.

8. "Structure" shall mean anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

9. "Parcel" shall mean a unit of real estate in one ownership as shown on the most current official assessment role of the Alameda County Assessor.

7.10.030 Exemption for very low-income homeowners.

The tax imposed by this chapter shall not apply to any property owner by any person whose total personal income, from all sources, for the previous calendar year, does not exceed that level which shall constitute "very low-income," as may be established by resolution of the City Council. Any taxpayer claiming the exemption under this section shall be required to demonstrate his or her entitlement thereto annually by submitting an application and supporting documentation to the City Manager or his or her designee in the manner and at the time established in regulations and/or guidelines hereafter promulgated by the City Manager subject to review by the City Council in its discretion. Such applications shall be on forms provided by the City Manager, or his or her designee, and shall provide and/or be accompanied by such information as the City Manager shall require, including but not limited to, federal income tax returns and W-2 forms.

7.10.040 Definitions.

For purposes of this chapter, except Section 7.10.020, the following terms shall be defined as set forth below:

- A. "Improvement" means one or any combination of the following:
1. The installation or planting of landscaping.
 2. The installation or construction of statuary, fountains, and other ornamental structures and facilities.
 3. The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
 4. The installation of park or recreational improvements, including, but not limited to, all of the following:
 - (a) Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
 - (b) Lights, playground equipment, play courts, and public restrooms.
 5. The maintenance or servicing, or both, of any of the foregoing.
 6. The acquisition of land for park, recreational, or open-space purposes.
 7. The acquisition of any existing improvement otherwise authorized pursuant to this section.
- B. "Incidental expenses" include all of the following:
1. The costs of preparing plans, specifications, estimates and diagrams for improvements, including compensation to engineers and architects.
 2. The costs of printing, advertising and giving published, posted and mailed notices.
 3. Compensation payable to the County for collection of tax.
 4. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
- C. "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.
- D. "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:
1. Repair, removal, or replacement of all or any part of any improvement.

2. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
3. The removal of trimmings, rubbish, debris, and other solid waste.
4. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

E. "Service" or "servicing" means the furnishing of water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other park improvements.

7.10.050 Duties of the Director of Finance.

It shall be the duty of the Director of Finance to collect and receive all taxes imposed by this chapter, and to keep an accurate record thereof. The Director of Finance is hereby charged with the enforcement of this chapter, except as otherwise provided herein, and may prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of this chapter, including provisions for the re-examination and correction of returns and payments. The Director of Finance may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

7.10.060 Interest and penalties.

The City Council is authorized to have the taxes imposed by this chapter collected by the County of Alameda in conjunction with the county's collection of property tax revenues for the City of Berkeley. In the event that the County of Alameda collects the taxes imposed by this chapter, the imposition of penalties, additional fees and interest upon persons who fail to remit any tax imposed by this chapter, or who fail to remit any delinquent remittance under this chapter, shall be subject to and governed by the rules, regulations and procedures utilized by the County of Alameda in its collection of property taxes for the City of Berkeley, and in its collection of this additional tax for the City of Berkeley.

Every penalty imposed and such interest as accrues under the provisions of this chapter shall become a part of the tax herein required to be paid.

7.10.070 Refunds.

Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the City under this chapter, it may be refunded as provided in Chapter 7.20 of the Berkeley Municipal Code.

7.10.080 Collection.

The amount of any tax, penalty, and interest imposed under the provisions of this chapter shall be deemed a debt to the City. Any person owing money under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount.

7.10.090 Savings clause.

The provisions of this chapter shall not apply to any person, association, corporation or to any property as to whom or which it is beyond the power of the City Council to impose the tax herein provided. If any sentence, clause, section or part of this chapter, or any tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, section or part of this chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of this chapter. It is hereby declared to be the intention of the City Council of the City of Berkeley that this chapter would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

7.10.100 Violation--penalty.

Any person who fails to perform any duty or obligation imposed by this chapter shall be guilty of an infraction as set forth in Chapter 1.20 of the Berkeley Municipal Code. The penalties provided in this section are in addition to the several remedies provided in this chapter.

7.10.110 Increase appropriations limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City is increased by the aggregate sum authorized to be levied by this special tax for each of the four fiscal years from ~~2025-~~2026 through ~~2028-~~2029.

Section 2. Amendment, repeal, and reenactment. The City Council may repeal this ordinance, or amend it in any manner that does not result in an increase in the tax imposed herein, or add or modify exemptions, without further voter approval. If the City Council repeals this ordinance, it may subsequently reenact it without voter approval, as long as the reenacted ordinance does not result in an increase in the tax imposed herein.

Section 3. California Environmental Quality Act Requirements. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., under, including without limitation, Public Resources Code section 21065 and CEQA Guidelines sections 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment and pursuant to Public Resources Code section 21080, subdivision (b)(8), and CEQA Guidelines section 15273 as the approval of government revenues to fund existing services.

Section 4. Special Tax; Two Thirds Vote Requirement. This Ordinance imposes a special tax and shall be effective only if approved by two-thirds of the voters voting thereon.



City Manager's Office

July 17, 2024

To: Honorable Mayor and Members of the City Council

From: LaTanya Bellow, Interim City Manager

Re: Reference Information for Potential Parks Tax Increase

On December 12, 2023 the Parks Recreation and Waterfront (PRW) Commission [submitted a report](#) recommending that the City Council include a Parks Tax Increase of 4ct/ft² or ~20%, in the November 2024 ballot and that funding be identified to include this measure in a future community survey.

This report identifies three areas where additional Parks Tax funding is needed:

- 1) Unequal Funding Across Parks: Parks and landscape maintenance in the Waterfront be funded by the Parks Tax, instead of the Marina Fund.
- 2) Declining Urban Forest: The formation of a permanent city-wide Tree Planting Unit
- 3) Unfunded Major Maintenance and Capital Liabilities: Adding additional funding for PRW capital improvement projects (CIP).

As the City Council considers the PRW Commission's request, this document is meant to provide background and reference information. Attachment 1 details revenues associated with potential 18%, 20% and 28% increases to the Parks Tax.

BACKGROUND

Parks Tax History

The Parks Tax was established in 1997, replacing the Landscape Maintenance Tax. This parcel tax was amended in 2014 with 75% voter approval to increase the per square foot tax rate from \$0.1256 to \$0.1466 (approximately a 17% increase) and add an inflation escalator option, such that the yearly increase can be tied to either the Consumer Price Index (CPI) or Personal Income Growth (PIG), whichever is greatest.

Re: Reference Information for Potential Parks Tax Increase
July 17, 2024
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At the time this increase avoided the layoff of 4-5 Parks Tax funded staff and set aside over \$1.2M for CIP and minor maintenance. The Parks Tax is generally healthy, but increased CIP expenditures because of a reduction in General Fund CIP in FY24 and the transfer of some traditional Marina Fund operational costs will leave the fund balance at 8% by the end of FY26 and less than 1% by the end of FY27. The current parcel tax rate is \$0.213 per square foot and the anticipated FY25 revenue is approximately \$18,298,000.

Marina Fund History

The Marina Fund (MF) was established in 1964 as a requirement related to a State Boating & Waterways (DBW) loan to build the Marina. Since that time nearly all revenues and expenditures for Waterfront operations and most of the capital improvement projects have run through the Marina Fund. The main revenues supporting this fund are from berthers/slip holders and restaurant and hotel lease agreements. Both of these funding sources are largely the result of non-resident participants as an estimated less than 7% of slip holders are Berkeley residents, and likely fewer are guests of the DoubleTree Hotel.

The MF balance has been challenging to keep positive and by the late 1990s showed signs of distress. For decades slip holder fees were the lowest in the region, while no funding was set aside for Waterfront infrastructure improvements. An operational deficit has existed since 2008 because of the failure of much of the original infrastructure, safety concerns that developed in the Waterfront and COVID-19. Since 2008, the City has kept the Fund in the positive by reducing full-time positions, reducing Marina Fund spending on CIP and major maintenance, and most recently buttressing the Fund with COVID relief (American Rescue Plan) funds and General Fund. General Fund support has been needed since 2021 to maintain Waterfront operations when the MF balance finally evaporated. The Council authorized transfers to the MF of \$1.4M in FY22 and \$1.15M in FY23 using American Rescue Plan funding to keep the MF solvent. In FY24, Council authorized more than \$800k in one-time cost shifts off the MF, as well as an internal loan for the D & E Dock Replacement Project that saved the MF 30 years of debt service costs of \$385k/year. In order to stay in the positive in FY25 Marina Fund received a partial “holiday” for indirect costs (\$159K) and Workers Compensation expenditures (\$198K) and costs shifts to the Parks Tax (\$347K) that was generated by the Workers Compensation fund “holiday” for a total of \$704K. In FY26 the anticipated gap in the Marina Fund will be \$968k if these balancing measures do not continue.

The operational gap is trending down as it was \$2.1M in FY23, \$1.5M in FY24, and is projected to be \$1.4M in FY25, \$968K in FY26 and \$650K in FY27. Marina slip occupancy has risen for the last 2 years to 86% (from 78% in 2020), and is expected to continue to increase with multiple capital improvements underway. Additional revenue is

Re: Reference Information for Potential Parks Tax Increase
July 17, 2024
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projected from the eventual lease of 199 Seawall (former Hs Lordships), and higher rent from existing tenants as well as special event revenue as we emerge from the COVID-19 pandemic. These policy actions and improved revenue are projected to reduce the operational gap to \$650K in FY27, but this does not account for much needed CIP expenditures. Currently the operating budget only allows for \$350K of CIP expenses each year, while the unfunded need is over \$130M (See Attachment 3).

DISCUSSION

Costs that Can be Covered by Either the Marina Fund or Parks Tax

The Marina Fund has always paid for operational costs associated with the Waterfront, including parks and landscaping costs, despite these costs being eligible for the Parks Tax. Staff estimate that approximately \$1.55M (See Attachment 2) of Waterfront costs are associated with parks, park buildings and landscaping and therefore Parks Tax-eligible. In FY24, City Council authorized the use of one-time Parks Tax funds to pay for 2 positions in the Waterfront. Moving forward, this will be more difficult as the fund balance of the Parks Tax will only be 8% by the end of FY26.

The PRW Commission recommendation cites how a voter-approved tax measure to increase the Parks Tax could unburden the Marina Fund and eliminate its structural deficit. Additionally, as the deficit continues to shrink, these funds could help supplement unfunded projects in the Waterfront (see Attachment 3).

PRW Urban Forestry Tree Planting History: Need for Dedicated Staff

Since the establishment of the Parks Tax, the Urban Forestry Unit has primarily used State grant funds to purchase trees and tree planting supplies, while using Parks Tax-funded positions to plant trees city-wide. Urban Forestry staff typically dedicate time during the late Winter and early Spring to tree planting, while breaking from work on pruning and removals to plant about 200 new trees in parks, medians and sidewalk right of way each year.

Because of the recent drought conditions resulting in the death of many City trees, the aging of the City's urban forest and the need for Fire Fuel reduction in the certain areas of the City, City staff has had to remove significant numbers of trees. These removals, which have resulted in increased work, combined with the threat of negative effects relate to climate change, have made it important for the City to plant more trees. Additionally, in the last eight years many State and Federal grants have focused on providing tree planting funds to only plant areas with low tree canopy. The City has received four of these grants since 2016. In 2018 staff started dedicating \$75,000 of Parks Tax CIP funds to plant trees in areas of the City not covered by State and Federal grants.

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The need to plant more trees, the increased work due to climate change (more tree removals and increase in the amount of required young tree care) and the limitation of funds for tree planting has resulted in the need to establish a Tree Planting Unit that is in addition to the Urban Forestry staff who prune and remove trees. In FY24, Council authorized a new position to supervise tree planting activities funded by the Parks Tax. The PRW Department has been able to hire two new project-based Landscape Gardener positions with grant funds. With these three new positions, PRW has planted over 800 trees in 2024. Unfortunately, these project-based positions have been difficult to keep filled because they are temporary and the grant funding will soon expire. Moving forward, the goal is to establish career positions and budget that are dedicated to planting trees throughout the City to replace our aging urban forest, ensure a high number of tree plantings and a high frequency of watering each year, and have funding for match requirements more potential grants.

Annual PRW Capital Improvement Project Funding History

Parks, Recreation and Waterfront Department (PRW) annual/baseline Capital Improvement Project (PRW Baseline CIP) and major maintenance funding has historically come from the CIP Fund, Parks Tax, Marina Fund and the Camps Fund. Other funding sources such as grants, insurance claims, General Fund, Bayer Fund and developer agreements have also contributed to CIP project funding (See Attachment 4 for a list of over \$130M in non-City funding sources). Additionally, the 2016 Measure T1 Bond Measure has contributed approximately \$50M to PRW CIP.

Annual GF (CIP) Fund Contributions to CIP

From 2000 to 2003 the annual CIP contribution was \$750,000. By 2007 the allocation was reduced to \$400,000: \$200,000 for both ADA and playground safety improvements. This changed in the FY23 and FY24 budget cycle, when PRW Baseline CIP funding was increased to \$2,000,000 in FY23 and \$2,400,000 in FY24.

Annual Parks Tax Fund Contributions to PRW CIP

Since the early 2000s, the Parks Tax contributed \$250,000 per year to PRW Baseline CIP. When Measure F passed in 2014 this allocation rose to \$1,000,000. Since then, the allocation has risen slightly to \$1,065,000 and will be \$1,090,000 in FY26.

Annual Marina Fund Contributions to PRW CIP

Since the early 2000s, the Marina Fund has contributed between \$250,000- \$450,000 per year to PRW Baseline CIP. The contribution in FY25 and FY26 is \$350,000/year.

Annual Camps Fund Contributions to PRW CIP

From 2006 through 2013, when the Rim Fire destroyed Berkeley Tuolumne Camp, the Camps Funds contributed \$80,000-\$200,000 of annual funding to the PRW Baseline

Re: Reference Information for Potential Parks Tax Increase
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CIP. Until the Fund stabilizes, CIP expenditures are being allocated from the General Fund.

FY24 vs FY25 Baseline PRW CIP Funding

In FY24, the annual PRW Baseline CIP funding totaled \$3,815,000. In FY25 the annual PRW Baseline CIP funding is \$1,865,000. However, this gap was buttressed by an additional \$710,000 of funding for 3 emergency projects that increased the FY25 total to \$2,575,000.

Key Unfunded Projects

PRW has a long list of unfunded projects totaling approx. \$225M (see Attachment 3). Below is a list of staff identified highest needed projects:

- Aquatic Park (Dreamland) Play Structure Replacement - \$2.5M or \$4.5M
- Aquatic Park Tide Tube Maintenance/Replacement Project - \$4.0M
- Codornices Park 2-5, 5-12 Playground Replacement - \$1.06M
- Echo Lake Camp ADA, Phase 2 - \$2.3M
- Glendale-LaLoma Park 2-5, 5-12 Playground Replacement - \$1.06M
- Santa Fe ROW Rail to Park Project - \$3.150M
- Shorebird Park 2-12 Play Structure Replacement - \$790,000
- South Berkeley Landscaping (Here/There Area) - \$400,000
- South Cove Seawall Replacement - \$5.25M

These projects (See Attachment 5 for details) total \$20.5M and while they are not listed in order of priority the two projects that present the most immediate need are the Aquatic Park Tide Tubes and South Cove Seawall replacement.

Attachments:

- 1 – Parks Tax Revenue Scenarios
- 2 – Parks Tax-Eligible Waterfront Expenditures
- 3 – PRW Unfunded Needs
- 4 – PRW Outside Funding Sources
- 5 – Most Needed PRW CIP Projects with explanations

cc: Anne Cardwell, Deputy City Manager
 Tasha Tervalon, Interim Deputy City Manager
 Scott Ferris, Director of Parks, Recreation & Waterfront
 Jenny Wong, City Auditor
 Mark Numainville, City Clerk
 Matthai Chakko, Assistant to the City Manager
 Farimah Brown, City Attorney

Potential Parks Tax Increase in Nov 2024 (FY25)

FY25 Projected Revenue & \$/Sq Ft (Baseline) 18,297,945 0.213 \$/sq ft

FY25 Potential Increase	18% Increase ¹	20% increase ²	28% increase ³
Waterfront parks & landscaping ⁴	1,550,000	1,550,000	1,550,000
Tree planting unit ⁵	660,000	660,000	660,000
Additional CIP for Parks projects ⁶	1,080,000	1,450,000	2,910,000
	3,290,000	3,660,000	5,120,000

Change over Baseline	18% Increase	20% increase	28% increase
Additional \$/sq ft	0.0383	0.0426	0.0596
Total \$/sq ft	0.2513	0.2556	0.2726
Additional Revenue over Baseline	3,293,630	3,659,589	5,123,425
Total Revenue	21,591,575	21,957,534	23,421,370

¹Staff-recommended increase

²Commission-recommended increase; included in ballot measure survey

³Council alternative; included in ballot measure survey

⁴Est. Parks Tax-eligible costs currently paid from Marina Fund. This solves ongoing Marina Fund operational deficit and allocates an est. additional \$650k (for a total of \$1M) in capital to the MF yearly.

⁵Tree Planting Unit total cost is \$655,502; includes 2 Landscape Gardeners (\$280,502); part-time staff (\$100,000) and non-personnel costs (\$275,000).

⁶These amounts are in addition to the FY25 baseline Parks Tax capital of \$1.09M.

Marina Fund Expenses that are Eligible for Parks Tax

Category	FY23	FY23 Parks Tax Eligible %	FY23 Parks Tax Eligible (in \$)	FY25 Parks Tax Eligible (+6%)	Notes
Building Maintenance	912,524	20%	182,505	193,455	<i>Includes portions of 5 BM staff</i>
Landscape Services	757,125	100%	757,125	802,553	<i>Includes portions of 6 LG staff</i>
Recreation	552,979	0%	0	0	<i>Includes portions of 5 Rec staff</i>
Refuse Fees	236,200	33%	77,000	81,620	
Security	243,430	10%	24,343	25,804	
Marina Services	2,686,441	2%	48,600	51,516	
Debt Service	827,719				<i>Debt service on 2 state loans for prior dock replacements. In FY23, this included budget for a 3rd state loan, but is now reduced to \$485k/year, since City provided internal loan.</i>
Utilities	375,000		48,600		
Other	1,483,722				<i>Includes 5 Marina operations staff, hourly staff and non-personnel costs including professional services, field/office/tech supplies, bank fees, postage, etc.</i>
Waterfront Management	577,114	3%	16,000	16,960	<i>Includes 2 Waterfront management and accounting staff, and non-personnel costs including janitorial, advertising, internet, etc.</i>
PW: Electrical & Env'tl Compliance	126,128	0%	0	0	
Capital (+carryover)	631,864	12%	75,824	80,373	
Minor maintenance	250,000	25%	62,500	66,250	
Subtotal	6,973,805	18%	1,243,896	1,318,530	
PRW Admin	573,818	18%	102,350	108,491	<i>Includes portion of 9 PRW Director/Admin staff costs</i>
Indirect Costs	456,077	18%	81,349	86,230	
Other Internal Services	200,358	18%	36,064	38,228	<i>Includes IT, vehicles and mail</i>
TOTAL	\$8,204,058		\$1,463,660	\$1,551,480	

PRW Unfunded Capital & Major Maintenance Needs (as of May 2024)

Project	2024 Cost Estimate	District
Resident Camps		
Cazadero ADA Upgrades	\$1,060,000	All
Cazadero - Dining Hall Reconstruction	\$2,530,000	All
Cazadero- Pool Tile and Plaster	\$430,000	All
Cazadero Riverbed Erosion (City share)	\$300,000	All
Echo Lake ADA Project Phase 2	\$2,220,000	All
Echo Lake Camp Fire Safety / Water Tank	\$530,000	All
Echo Lake Fireplace Renovation	\$40,000	All
Echo Lake Tree Removal	\$200,000	All
Berkeley Tuolumne Camp Generator	\$150,000	All
Berkeley Tuolumne Camp Vegetation Installation	\$160,000	All
Berkeley Tuolumne Camp Trails	\$270,000	All
Resident Camps Projects Total	\$7,890,000	
Pools		
King Pool		
Locker Room/office Area Renovation	\$3,160,000	5
Decking/Piping	\$480,000	5
Roof	\$320,000	5
King Pool/Locker Room Replacement with 25M Pool/new facilities	\$16M	5
West Campus		
Locker Room/ Office Area Renovation	\$3,160,000	2
Decking/Piping	\$480,000	2
Pool at San Pablo Park (see FA Center Replacement)	\$16.5M	
Pools Projects Total	\$7,600,000	
Parks Buildings/Facilities*		
Frances Albrier Community Center (replacement) and Pool	\$40M	
Seismic/ Deferred maintenance (K)	\$2,900,000	2
MLK YAP Renovation and Seismic Upgrade (\$7M in T1; \$1.2M in grant funding)	\$3,675,000	3
Harrison Park Building		
Exterior Improvements -Roof and Painting	\$220,000	1
John Hinkel Park Hut Reconstruction	\$3,000,000	5
Virginia McGee Clubhouse (K)	\$170,000	1
Park Buildings/Facilities Projects Total	\$9,965,000	
Parks (General)		
Median Hardscape/Drought Tolerant Conversion- citywide arterials	\$5,800,000	all
Irrigation Lines & Heads Replacement	\$2,220,000	all
Adeline/Alcatraz Right of Way Landscaping	\$400,000	3
ADA Pathways, buildings, parking areas, etc.	\$10,770,426	all
Parks (General) Projects Total	\$19,190,426	
Parks (Specific)		
Aquatic Park		

Project	2024 Cost Estimate	District
Repair failing tide tubes throughout park	\$4,000,000	2
East side storm water infrastructure / drainage	\$5,270,000	
Pathways/lighting	\$3,160,000	2
Irrigation lines & heads replacement	\$1,270,000	2
Dreamland Renovation	\$2,500,000	2
Charlie Dorr Mini Park		
Renovation of play equipment 2-5	\$530,000	2
Codornices Park		
Renovation of lighting, pathways	\$950,000	6
Renovation of play equipment (2-5)	\$530,000	6
Renovation of play equipment (5-12)	\$530,000	6
Contra Costa Rock Park		
Pathways	\$110,000	5
Cragmont Rock Park		
Lighting, pathways and stone work	\$320,000	6
Renovation of basketball court	\$220,000	6
Dorothy Bolte Park		
Pathways, picnic, retaining walls, sidewalks	\$430,000	5
Frederick Mini Park		
Pathways	\$60,000	5
Retaining walls	\$220,000	5
Glendale LaLoma Park		
Replace pathways, parking lot, ADA and lighting	\$1,580,000	6
Renovate play equipment (2-5)	\$530,000	6
Renovate play equipment (5-12)	\$530,000	6
Great Stoneface Park		
ADA pathways	\$30,000	5
Greg Brown Park		
Renovation of basketball court	\$270,000	3
Renovate play equipment (2-12)	\$690,000	
Grizzly Peak		
Renovation of basketball court	\$200,000	6
Pathways	\$60,000	6
Grotto Rock Park		
ADA and pathways	\$60,000	5
Grove Park		
Field lights and standards	\$400,000	3
Harrison Park		
Reconfigure skate element	\$80,000	1
Skate Park large bowl improvements	\$110,000	1
Haskell-Mabel Mini Park		
Lighting/ Drainage	\$70,000	2
Indian Rock Park		
Pathways east side	\$60,000	5
James Kenney Park		

Project	2024 Cost Estimate	District
Renovation of Virginia Entrance	\$530,000	1
Renovation of ballfield, lighting, irrigation and ADA dugouts	\$1,270,000	1
Skate spot Construction	\$860k	1
ADA Access to Courtyard Restroom	\$160,000	1
Tennis Court Lights and Fixtures	\$25,000	1
John Hinkel		
Park pathways	\$850,000	5
Live Oak Park		
Lighting improvements on pathways	\$200,000	5
Establish irrigation/new artificial turf in South field	\$530,000	5
Renovation of basketball courts and drainage	\$950,000	5
Mortar Rock		
Pathways and stone work	\$30,000	5
Ohlone Park		
Pathways and lighting	\$740,000	1/4
Par Course	\$130,000	1/4
Renovate play equipment (near BB Courts) 2-5 Play Equipment	\$530,000	1
Renovate play equipment (near Grant) 5-12 Play Equipment	\$120,000	1
Prince St Totlot		
Renovate play equipment (2-5)	\$370,000	3
Remillard Park		
Renovate play equipment (5-12)	\$370,000	6
San Pablo Park		
Regrading, drainage and irrigation of Fields 1, 2 and 3	\$1,480,000	2
Santa Fe Right of Way		
Trackbed to Park Project - 4 blocks (\$5M in grant funding)	\$3,150,000	2
Shorebird Park		
2-12 Play Structure Replacement	\$790,000	2
Sixty-Third Street Mini-Park		
Renovate play equipment (2-5)	\$270,000	3
Strawberry Creek Park		
Pathways and lighting	\$220,000	2
Terrace View Park		
Phase 2- Middle: ADA, pathways and play equipment	\$1,370,000	6
Tom Bates Regional Sports Complex		
Fieldhouse, Restroom, Pickleball Courts & 10U Soccer (\$3.4M T1, \$457k PT funding)	\$3,900,000	1
North Youth Soccer Field / Pickleball Courts	\$410,000	1
South Restroom (Does Not Exist)	\$330k	1
South Parking Lot paving	\$1,270,000	1
North Parking Lot pavement and drainage	\$1,580,000	1
Willard Park		
Tennis Court Lights and Fixtures	\$25,000	8
Practice Wall Area/ Pathways	\$160,000	8
Parks (Specific) Projects Total	\$46,200,000	

Project	2024 Cost Estimate	District
Park Restrooms		
Parks Box Restrooms (3 parks: Cedar Rose, Live Oak, Codornices, \$400K/each)	\$1,270,000	1/2/6/8
Renovation of restroom/building (2 parks: Cragmont Rock, Glendale LaLoma \$500K/each)	\$1,060,000	6
New restrooms (5 parks > 1 acre: James Kenney, Aquatic Park South, Civic Center Park, King School Park, John Hinkel)	\$2.63M	1/2/4/5
Restrooms Total	\$2,330,000	
PRW-Grand Total	\$224,611,785	
<i>Parks</i>	\$77,685,426	
<i>Waterfront (see next page)</i>	\$131,436,359	
<i>Pools</i>	\$7,600,000	
<i>Camps</i>	\$7,890,000	

Waterfront - Unfunded Capital & Major Maintenance Needs (as of May 2024)

Amenities/Projects	2024 Cost Estimate
Existing Infrastructure in Need of Replacement/Major Maintenance	
<i>Inner Harbor (Revenue Generating Assets)</i>	
Finger Dock Replacements	\$1,600,000
Timber Pile Replacement (on L, M, N, O&K)	\$4,400,000
F&G Dock Redecking	\$500,000
Inner Harbor Basin Dredging	\$3,000,000
J-Dock Replacement	\$11,500,000
L-Dock Major Maintenance (Floats, Decking, Waler)	\$1,682,000
M-Dock Major Maintenance (Floats, Decking, Waler)	\$1,622,000
N-Dock Major Maintenance (Floats, Decking, Waler)	\$500,000
O-Dock Major Maintenance (Floats, Decking, Waler)	\$3,140,000
K-Dock Major Maintenance (Floats, Decking, Waler)	\$1,120,000
<i>Inner Harbor Subtotal:</i>	\$29,064,000
<i>Cesar Chavez Park</i>	
Interior Pathways Improvements and Amenities - Phase 2	\$2,900,000
Master Plan	\$1,000,000
<i>Cesar Chavez Park Pathways Subtotal:</i>	\$3,900,000
<i>Parking Lots</i>	
F & G Lot Reconstruction	\$950,000
O Lot Reconstruction	\$1,010,000
J & K Lot Reconstruction	\$1,060,000
Launch Ramp Lots Reconstruction	\$2,030,000
L & M Lot Reconstruction	\$1,320,000
Marina Blvd On-Street Parking (South of Virginia Street Extension)	\$2,100,000
199 Seawall Parking Lot	\$4,000,000
South Cove West Parking Lot (\$1.5M funded by SCC grant)	\$210,000
<i>Parking Lots Subtotal:</i>	\$12,680,000
<i>Streets</i>	
Seawall Drive Reconstruction - North of University Avenue Segment	\$790,000
Waterfront Entrance Kiosk Building on University Avenue	\$527,000
Seawall Drive Improvements (South of University Ave Segment)	\$3,400,000
<i>Streets Subtotal:</i>	\$4,717,000
<i>Shorelines/Pathways/Pier</i>	
Marina Blvd Resilient Shoreline & Public Access Improvements (Trail from CCP to Roundabout)	\$4,000,000
University Ave Shoreline and Habitat Resiliency Project	\$4,040,000
Inner Harbor Basin Northeast Sea Level Rise Improvement	\$3,220,000
199 Seawall Lot Eastern Shoreline Failure Repair	\$1,000,000

Amenities/Projects	2024 Cost Estimate
Bay Trail Improvements (Adventure Playground to Pier Plaza)	\$1,800,000
Berkeley Pier Renovation (including restroom)	\$37,381,500
Shorelines Subtotal:	\$51,441,500
South Cove Area	
South Cove Sailing Basin Boating Access Dredging (ROM)	\$14,500,000
South Cove Seawall Replacement	\$5,500,000
South Cove Area Subtotal:	\$20,000,000
Buildings (Not in Lease Agreements)	
Shorebird Nature Center-classroom (K)	\$105,000
125-127 University Improvements	\$1,300,000
O, LM, FGHI, DE Restrooms Structural Improvements	\$2,100,000
199 Seawall Building Priority Structural Repair	\$1,750,000
K Dock restroom renovation (Measure T1 funding: \$510k)	\$110,000
Buildings Subtotal:	\$5,365,000
Emergency Response Supporting Infrastructure	
Secondary Fire Water Loop	\$1,953,000
Emergency Response Subtotal:	\$1,953,000

ADA Needs (Waterfront facilities)	
Waterfront facilities ADA needs	\$2,315,859
ADA Needs Subtotal:	\$2,315,859

Total Unfunded Projects Needs:	\$131,436,359

New Capital Projects in Planning/Design (not all existing infrastructure)	
Preferred Plan - Berkeley Pier with Ferry Access Project	
Non-Motorized Watercraft Access Point	\$1.5M
Restroom Plaza & Pier Entrance Facility	\$1.2M
Bay Trail Improvements (Adventure Playground to Pier Plaza)*	\$1.8M
Seawall Drive Improvements (South of University Ave Segment)*	\$3.4M
Public Transit and Active Transportation Improvements on University Ave (Roundabout to Pier)	\$1.1M
199 Seawall Parking Lot - Amphitheater/Event Stage	\$1M
199 Seawall Parking Lot*	\$4M
Dual-Purpose Pier with Ferry Access**	\$5M to \$69.5M
Recently Funded by State Coastal Conservancy and ACTC grants, and WETA Contribution	(\$11.1M)
Berkeley Pier with Ferry Access Project Subtotal*:	\$19M to \$72.4M

Amenities/Projects	2024 Cost Estimate
Bike Park at University Ave.	\$2M

*Existing infrastructure, also included in list above.

**Actual City cost to be determined by future grants and WETA contribution

Non-City Funding: Grants, Donations, Insurance - 2000-2024

RECEIVED	TYPE
\$127,814,766	1. GRANTS, CBAs, MOUs, INSURANCE
\$1,496,990	2. DONATIONS
\$129,311,756	

	1. GRANTS, CBA, INSURANCE				
DATE	SOURCE	PROJECT	TYPE	REQUESTED	RECEIVED
2024	STATE COASTAL CONSERVANCY	MARINA BLVD SEA LEVEL RISE / BAY TRAIL PLANNING	Grant	\$478,000	\$477,000
2023	HUD GRANT	MLK YAP	Grant	\$750,000	\$750,000
2023	Clean Off-Road Equipment Voucher Project (CORE)	Purchase of eMower	Grant	\$75,000	\$75,000
2023	Surrendered Abandoned Vessel Exchange (SAVE)	Marina Boat Disposal	Grant	\$60,000	\$60,000
2023	USDA Urban and Community Forestry (IRA)	TREE PLANTING & STAFFING	Grant	\$3,736,000	\$1,000,000
2022-23	FEDERAL EARMARK	MLK/YAP SEISMIC AND CENTER RENOVATION	Grant	\$750,000	\$750,000
2022-23	FEMA	MLK/YAP SEISMIC AND CENTER RENOVATION	Grant	\$1,200,000	\$1,200,000
2022-23	STATE EARMARK / STATE COASTAL CONSERVANCY	5 WATERFRONT PROJECTS	Grant	\$15,000,000	\$15,000,000
2022	BAYER COMMUNITY BENEFITS	AQUATIC PARK PROJECTS	CBA*	\$385,000	\$385,000
2012-2022	JOINT POWERS AGREEMENT - ALBANY, EL CERRITO, RICHMOND, EMERYVILLE	TOM BATES ARTIFICIAL FIELDS REPLACEMENT	MOU	\$842,425	\$790,425
2009-2021	CBS OUTDOORS (2009-2021)	GILMAN FIELDS PH1 - ANNUAL PAYMENT	MOU	\$1,575,000	\$1,575,000
2012-2021	BAYER COMMUNITY BENEFITS (2012-2021)	AQUATIC PARK PROJECTS	CBA*	\$521,440	\$521,440
2012-2022	STATE DEPT EDUCATION (2012-2021)	SUMMER LUNCH PROGRAM	Grant	\$972,863	\$972,863
02/14/22	600 ADDISON DEVELOPMENT	AQUATIC PARK BOLIVAR DR & LANDSCAPING IMP.	CBA*	\$5,500,000	\$5,550,000
01/27/22	CLEAN CALIFORNIA /CALTRANS (STATE)	TURTLE GARDEN / CIVIC CENTER	Grant	\$600,000	\$591,666
10/29/21	PROP 68 STATE PARKS PROGRAM	SANTA FE RIGHT-OF-WAY RAILBED PARK	Grant	\$5,000,000	\$5,000,000
09/23/21	DBAW (STATE)	RESCUE 1 BOAT COLLAR REPLACEMENT	Grant	\$20,000	\$20,000
09/02/21	ENV ENHANCE & MITIG PRG /CALTRANS	TREE PLANTING SOUTH AND WEST BERKELEY	Grant	\$500,000	\$500,000
06/30/21	FEMA	BTC FIRE	Grant	\$696,863	\$696,863
06/30/21	INSURANCE	CAZADERO LANDSLIDE	Insurance	\$3,200,000	\$3,200,000
06/30/21	INSURANCE	KING PARK TREE FALL (2-5 Play Area)	Insurance	\$200,000	\$200,000
04/15/21	DBAW SAVE GRANT (STATE)	ABANDONED BOAT REMOVAL	Grant	\$42,000	\$42,000
01/26/21	PROP 68 PER CAPITA (STATE)	GROVE PARK PLAY STRUCTURE	Grant	\$503,328	\$503,328
01/01/21	INSURANCE	BTC FIRE/RECONSTRUCTION	Insurance	\$50,000,000	\$50,000,000

DATE	SOURCE	PROJECT	TYPE	REQUESTED	RECEIVED
05/07/20	DOUBLETREE HOTEL	MARINA STREETS (UNIVERSITY, MARINA, SPINNAKER)	CBA	\$3,000,000	\$3,000,000
03/25/20	DBAW SAVE GRANT (STATE)	ABANDONED BOAT REMOVAL	Grant	\$42,000	\$42,000
11/12/19	NATIONAL FISH & WILDLIFE FOUND (COSCO BUSAN)	NATURE CENTER PROGRAMS	Grant	\$10,000	\$10,000
09/12/19	BAY AREA AIR DISTRICT	BIKE LOCKERS @ MARINA MALL	Grant	\$50,000	\$50,000
07/29/19	WATER EMERGENCY TRANSPORTATION AUTHORITY	MARINA FERRY FACILITY PLANNING STUDY	MOU	\$250,000	\$250,000
07/03/19	URBAN GREENING (STATE)	TREES IN SOUTHWEST BERKELEY	Grant	\$725,878	\$725,878
02/11/19	DBAW SAVE GRANT (STATE)	ABANDONED BOAT REMOVAL	Grant	\$130,000	\$130,000
06/13/18	METROPOLITAN TRANSPORTATION COMMISSION (PCA1)	BAY TRAIL SEGMENT 3	Grant	\$483,925	\$483,925
12/31/17	CDBG BLOCK GRANT (FEDERAL)	BAHIA CHILD CENTER SIDING RENOVATION	Grant	\$180,000	\$180,000
12/31/17	INSURANCE	ECHO LAKE SNOW DAMAGE (2012 and 2016/17)	Insurance	\$510,808	\$510,808
10/12/17	DBAW SAVE GRANT (STATE)	ABANDONED BOAT REMOVAL	Grant	\$100,000	\$100,000
10/17/16	STATE COASTAL CONSERVANCY - WATER TRAIL	SOUTH COVE ADA GANGWAY	Grant	\$125,400	\$125,400
01/15/16	HOUSING COMMUNITY DEVELOPMENT (STATE)	JAMES KENNEY CENTER	Grant	\$1,950,000	\$1,036,700
12/31/15	INSURANCE	JOHN HINKEL CLUBHOUSE FIRE	Insurance	\$443,433	\$443,433
08/20/15	LUMINA FOUNDATION	YOUTH SUMMIT	Grant	\$15,000	\$1,000
05/13/15	STATE COASTAL CONSERVANCY (PCA1)	SOUTH COVE PARKING LOT (EAST)	Grant	\$500,000	\$500,000
03/12/15	FEMA	JAMES KENNEY CENTER SEISMIC	Grant	\$727,499	\$727,499
01/12/15	LUMINA COMMUNITY PARTNERSHIP FOR ATTAINMENT	COLLEGE READINESS	Grant	\$150,000	\$150,000
07/24/14	LUMINA COMMUNITY PARTNERSHIP FOR ATTAINMENT	COLLEGE READINESS	Grant	\$20,000	\$20,000
06/30/14	ENV ENHANCE & MITIG PRG /CALTRANS	TREE PLANTING	Grant	\$339,383	\$339,383
04/08/14	DBAW (STATE)	SOUTH COVE AREA DESIGN	Grant	\$2,000,000	\$160,000
02/25/13	DBAW SAVE GRANT(STATE)	ABANDONED BOAT REMOVAL	Grant	\$45,000	\$45,000
12/31/12	CDBG BLOCK GRANT (FEDERAL)	WEST CAMPUS POOL RENOV	Grant	\$31,500	\$31,500
11/15/12	ENV ENHANCE & MITIG PRG /CALTRANS	TREE PLANTING	Grant	\$243,540	\$243,540
06/27/12	NATIONAL FISH & WILDLIFE FOUND (COSCO BUSAN)	SOUTH COVE PARKING LOT (EAST)	Grant	\$217,000	\$217,000
06/27/12	NATIONAL FISH & WILDLIFE FOUND (COSCO BUSAN)	SOUTH COVE PILINGS REPLACEMENT	Grant	\$120,000	\$120,000
06/27/12	NATIONAL FISH & WILDLIFE FOUND (COSCO BUSAN)	SOUTH COVE RESTROOM	Grant	\$600,000	\$600,000
05/08/12	DBAW SAVE GRANT (STATE)	ABANDONED BOAT REMOVAL	Grant	\$40,000	\$40,000
12/31/11	CDBG BLOCK GRANT (FEDERAL)	SAN PABLO PARK BASKETBALL RENOV	Grant	\$85,500	\$85,500
12/31/11	DBAW (STATE)	B&C DOCKS	Loan	\$3,650,000	\$3,650,000
03/22/11	ALAMEDA COUNTY FIRST 5	0-5 PROGRAMS	Grant	\$2,976	\$2,976
02/22/11	ENV ENHANCE & MITIG PRG /CALTRANS	TREE PLANTING	Grant	\$248,600	\$248,600
02/02/11	ENV ENHANCE & MITIG PRG /CALTRANS	TREE PLANTING	Grant	\$201,700	\$201,700

DATE	SOURCE	PROJECT	TYPE	REQUESTED	RECEIVED
01/26/11	ALAMEDA COUNTY FIRST 5	0-5 PROGRAMS	Grant	\$150,000	\$150,000
01/11/11	CAL FIRE (STATE)	TREE PLANTING	Grant	\$137,500	\$137,500
04/10/10	MEASURE WW (EBRPD PARKS BOND) (2008-2021)	Aquatic Park Habitat Planting; Becky Temko Tot Lot Renovat; Berkeley Rose Garden Ph 1; Citywide picnic areas; Grove Park Tennis/Basket Court Renov; James Kenney Pk Play Area; John Hinkel Park Lower; Ohlone Dog Park; San Pablo Park Basketball Courts; Skate Park Joint Replacement; Strawberry Creek Park Courts; Terrace View Pk Basketball Courts; Tom Bates Regional Sports Complex Ph 2A; Virginia McGee Totlot Renov; Willard Park Play Area.	Grant	\$4,876,584	\$4,876,584
12/02/09	METROPOLITAN TRANSPORTATION COMMISSION	BAY TRAIL EXTENSION PHASE 1+2	Grant	\$1,928,000	\$1,928,000
10/08/09	ALAMEDA COUNTY FIRST 5	0-5 PROGRAMS	Grant	\$112,500	\$112,500
09/21/09	METROPOLITAN TRANSPORTATION COMMISSION (TDA)	AQUATIC PARK TOUCHDOWN PLAZA	Grant	\$503,127	\$503,127
02/10/09	DEPT FISH & GAME (STATE)	WATERFRONT OIL SPILL TRAILER	Grant	\$25,000	\$25,000
12/31/08	CDBG BLOCK GRANT (FEDERAL)	JAMES KENNEY FLOOR RENOVATION	Grant	\$26,655	\$26,655
12/31/08	DBAW (STATE)	H&I DOCKS	Loan	\$4,300,000	\$4,300,000
10/02/07	DBAW (STATE)	DOCKS -SOUTH COVE MIDDLE	Grant	\$90,000	\$90,000
3/20/2007	CBS OUTDOORS	GILMAN FIELDS PH1 - INITIAL PAYMENT / SIGN AGREEMENT	MOU	\$2,000,000	\$2,000,000
05/01/06	PROP 40 YTH SOCCER (STATE) VIA EBRPD	GILMAN FIELDS PH1	Grant	\$5,000,000	\$5,000,000
01/20/06	DBAW (STATE)	LAUNCH RAMP RESTROOM	Grant	\$382,439	\$382,439
12/31/05	CDBG BLOCK GRANT (FEDERAL)	MLK YOUTH CTR - SCOREBOARD/ELECTRICAL/ROOF	Grant	\$176,900	\$176,900
02/02/05	SAN FRANCISCO FOUNDATION	PARENTING PROGRAMS	Grant	\$20,000	\$20,000
12/03/04	CAL RECYCLE (STATE)	RUBBERIZED PLAYGROUND SURFACE	Grant	\$25,000	\$25,000
12/03/04	ENV ENHANCE & MITIG PRG /CALTRANS	TREE PLANTING	Grant	\$248,327	\$248,327
09/21/04	STATE COASTAL CONSERVANCY	BAY TRAIL PHASE 1 - DESIGN	Grant	\$80,000	\$80,000
03/31/04	STATE COASTAL CONSERVANCY	AQUATIC PARK NRMS STUDY	Grant	\$2,000,000	\$355,000
02/20/04	PROP 12 RZH PER CAPITA BLOCK GRANT (STATE PARKS BOND) (2001-2009)	James Kenney Ctr, 4 Park Play (CCA); Nature Ctr Classroom; San Pablo Picnic	Grant	\$318,824	\$318,824
02/20/04	PROP 40 PER CAPITA BLOCK GRANT (STATE PARKS BOND) (2004-2010)	WILLARD TENNIS CRT LIGHTING; CIVIC CTR PARK	Grant	\$460,000	\$460,000
02/20/04	PROP 40 RZH PER CAPITA BLOCK GRANT (STATE PARKS BOND) (2004-2010)	James Kenney Rec Ctr; San Pablo Path, Picnic & Backstop	Grant	\$283,242	\$283,242
11/12/03	HOUSING COMMUNITY DEVELOPMENT (STATE)	JAMES KENNEY CENTER	Grant	\$77,500	\$77,500

DATE	SOURCE	PROJECT	TYPE	REQUESTED	RECEIVED
10/28/03	DBAW (STATE)	WATERFRONT PUMPOUT STATION	Grant	\$60,000	\$60,000
03/11/03	PROP 12 URBAN RECREATIONAL & CULTURAL CENTERS (URCC) (STATE)	STRAWBALE BUILDING	Grant	\$290,000	\$290,000
09/24/02	CALRECYCLE (STATE)	STRAWBALE BUILDING	Grant	\$32,243	\$32,243
02/28/02	METROPOLITAN TRANSPORTATION COMMISSION (TDA)	OHLONE GREENWAY	Grant	\$43,573	\$43,573
02/25/02	CALRECYCLE (STATE)	RUBBERIZED PLAYGROUND SURFACE	Grant	\$50,000	\$50,000
01/28/02	UPARR (FEDERAL)	JAMES KENNEY CENTER UPSTAIRS	Grant	\$202,125	\$202,125
01/10/02	PROP 12 PER CAPITA BLOCK GRANT (STATE PARKS BOND) (2001-2009)	Skate Park; Live Oak Ctr; James Kenney Ctr; 4 Park Play (CCA); Live Oak Seismic; Civic Ctr Park; San Pablo Path	Grant	\$993,000	\$993,000
12/31/01	CDBG BLOCK GRANT (FEDERAL)	AQUATIC PARK PLAY EQUIPMENT RENOV	Grant	\$137,000	\$137,000
12/31/01	CDBG BLOCK GRANT (FEDERAL)	BERKELEY WAY MINI-PARK RENOVATION	Grant	\$47,800	\$47,800
12/31/01	CDBG BLOCK GRANT (FEDERAL)	PRINCE STREET TOT LOT RENOVATION	Grant	\$50,000	\$50,000
	TOTAL GRANTS			\$134,974,400	\$127,814,766
	*** CBA: Community Benefits Agreement				

2. DONATIONS

DATE	SOURCE	PROJ	TYPE	RECEIVED
01/21/22	RORICK TRUST	STRAWB CR PARK PICNIC/TREES	Donation	\$16,720
11/18/21	JENNY MAXWELL	AQUATIC PARK DOG FENCE	Donation	\$26,566
11/10/20	FRIENDS OF BERKELEY TUOLUMNE CAMP	BTC SHADE/VEGETATION	Donation	\$700,000
10/29/20	REGAN NURSERY	ROSES	Donation	\$1,100
04/23/20	FRIENDS OF BERKELEY TUOLUMNE CAMP	BTC SHADE-DESIGN	Donation	\$74,266
03/25/20	FRIENDS MARIN CIRCLE	MARIN CIRCLE BALUSTRADES	Donation	\$7,500
02/26/20	FRIENDS OHLONE PARK	OHLONE MURAL	Donation	\$9,500
10/22/19	BELCA (ECHO LAKE)	ECHO LAKE SUPPLIES	Donation	\$4,725
10/22/19	FRIENDS OF BERKELEY TUOLUMNE CAMP	ECHO LAKE SUPPLIES	Donation	\$7,050
03/21/19	FRIENDS ROSE GARDEN	ROSE GARDEN KIOSK	Donation	\$7,429
12/19/17	FRIENDS BECKY TEMKO	TOT LOT-BECKY TEMKO	Donation	\$7,000
08/10/17	BELCA (ECHO LAKE)	ECHO LAKE YOUTH CAMP TEEN TRIP; BUSES	Donation	\$4,995
10/27/16	FRIENDS ROSE GARDEN	ROSES	Donation	\$5,000
10/26/16	BELCA (ECHO LAKE)	ECHO LAKE YOUTH CAMP TEEN TRIP; BUSES	Donation	\$4,665
10/06/16	LOS AMIGOS DE CODORNICES	PLAQUE AT CODORNICES	Donation	\$1,749
09/08/16	OHLONE DOG PARK ASSOC	OHLONE DOG PARK	Donation	\$3,000
12/21/15	FRIENDS OF BERKELEY TUOLUMNE CAMP	ECHO LAKE YOUTH CAMP TEEN TRIP; BUSES	Donation	\$7,080

DATE	SOURCE	PROJECT	TYPE	RECEIVED
04/13/15	MEASURE F COMMITTEE (BPFP)	TREES	Donation	\$1,860
04/08/14	REEBOK CORP (shoes)	ADVENTURE PLAYGROUND	Donation	\$1,800
08/16/13	BELCA (ECHO LAKE)	ECHO LAKE YTH CAMP; BUS	Donation	\$4,265
07/10/13	BELCA (ECHO LAKE)	ECHO LAKE YTH CAMP; BUS	Donation	\$1,200
06/13/13	GOLDEN GATE FIELDS	JULY 4TH FIREWORKS	Donation	\$5,000
02/14/13	DEPT BOATING AND WATERWAYS (DBAW)	MARINA ENTRANCE SIGN	Donation	\$30,000
08/09/12	FRIENDS ROSE GARDEN	ROSE GARDEN - 75TH ANNIV CELEBRATION	Donation	\$8,100
03/29/12	HISTORICAL SOCIETY	PLAQUE-CIVIC CENTER PLAQUE	Donation	\$1,600
12/15/11	DICKENSON FUND	JAMES KENNEY CENTER	Donation	\$2,000
09/28/10	FRIENDS OF PIEDMONT CIRCLE	TREES	Donation	\$4,650
08/13/10	EAST BAY COMMITY FOUNDATION	NATURE CENTER SUPPLIES	Donation	\$1,783
07/14/09	NATL FISH & WILDLIFE FOUNDATION	SALMON HABITAT - CESAR CHAVEZ PARK	Donation	\$300,000
12/16/08	OPEN CIRCLE FOUNDATION	PUBLIC ART - CESAR CHAVEZ PARK NE WALL	Donation	\$100,000
12/15/08	ANONYMOUS	NATURE CENTER SUPPLIES	Donation	\$5,000
10/21/08	FRIENDS OF BERKELEY TUOLUMNE CAMP	BTC AUCTION-CHAIRS	Donation	\$1,449
09/12/08	BELCA (ECHO LAKE)	ECHO LAKE YTH CAMP; BUS	Donation	\$1,964
09/03/08	ALBANY-BERKELEY GIRLS SOFTBALL LEAGUE	GILMAN SOFTBALL FIELD	Donation	\$25,000
07/17/08	FRIENDS OF BERKELEY TUOLUMNE CAMP	BTC END OF SUMMER CELEBRATION	Donation	\$13,000
02/20/08	FRIENDS OF BERKELEY TUOLUMNE CAMP	BTC FIREPLACE/BRIDGE	Donation	\$60,000
07/05/06	UNITED POOL COUNCIL	KING POOL COVER	Donation	\$5,600
04/12/06	FRIENDS MARIN CIRLE	MARIN CIRCLE BOLLARDS	Donation	\$1,865
03/01/06	BEASELY / KRENTZMAN FAMILIES	MLK YAP PRGM	Donation	\$1,750
01/31/06	JOHN LUI - FRIENDS OF BERKELEY TUOLUMNE CAMP	BTC TRUCK	Donation	\$3,000
01/19/06	BAYER FOUNDATION	NATURE CENTER SUPPLIES	Donation	\$4,000
07/28/05	FRIENDS ROSE GARDEN	ROSE GARDEN SOILS	Donation	\$1,500
07/13/05	FRIENDS ROSE GARDEN /COUNCIL MEMBER OLDS	TREES	Donation	\$2,500
12/22/04	PERALTA COLL FOUNDATION	BHS POOL CHAIRLIFT	Donation	\$2,459
01/17/03	ANONYMOUS	NATURE CENTER SUPPLIES	Donation	\$10,000
05/09/00	CITY OF PALO ALTO	STRAWBALE BLDG-PHOTOVOLTAIC SYSTEM	Donation	\$4,800
05/09/00	STRONG FOUNDATION	STRAWBALE BLDG SUPPLIES	Donation	\$2,500
	TOTAL DONATIONS RECEIVED		Donation	\$1,496,990

Attachment 5

Parks, Recreation and Waterfront Department (PRW)
Highest CIP Priorities- FY25

Below is a list of PRW's unfunded highest priority emergency projects. This \$20.5M list is a subset of the departments \$225M unfunded list.

Aquatic Park Tide Tube Maintenance/Replacement Project - \$4.0M

The eight tide tubes servicing Aquatic Park need immediate replacement or sleeving. Staff have applied for a planning grant from the Federal PROTECT Grant that was not funded. Staff are submitting another grant to fund both the planning and construction of this project in September. City Council authorized an \$800,000 set aside for the matching total needed (20%) for this project in FY24.

South Cove Seawall Replacement- \$5.25M

This project received 50% of the needed planning funding (\$250,000) in the FY25 budget process. Staff are issuing the contract for these planning funds now and will begin public process in October.

Glendale-La Loma Park 2-5, 5-12 Playground replacement - \$1.06M

Current 2-5/5-12 play structures are not accessible and many of the 4 x 4 wood standards have failed.

Codornices Park 2-5, 5-12 Playground Replacement \$1.06M

Current 2-5/5-12 play structures are not accessible and many of the 4 x 4 wood standards have failed.

Aquatic Park (Dreamland) Play Structure Replacement (\$2.5M or \$4.5M)

\$300,000 in planning funds have been identified to design this 2-12 year- old play structure and the adjacent area. The designer is on board and the public process will begin this fall. This project will dovetail with a Public Works Storm drain/bioswale project. Additionally, if funding allows, project could include new parking, restroom and pathway reorganization.

Shorebird Park 2-12 Play Structure Replacement (\$790,000)

Current wood standards are failing and needs replacement.

South Berkeley Landscaping (Here/There)- \$400,000

This project includes landscaping around the BART entrance in South Berkeley (Here/There area), Bus lab triangle and the area at the south end of the BART station. Council authorized \$75,000 for planning, design and public process

Echo Lake Camp ADA, Phase 2- \$2.3M

Phase 1 is funded and will be complete by the end of October. Phase 2 is designed, but needs \$2.3M to construct.

Santa Fe ROW Project - \$3.150M

This railroad track to park project has \$5M in a State grant funds, but needs another \$3.15M to complete the 4-block park. The toxins in the 4-block area were significantly worse than expected and are requiring extra funding to clean up. Staff unsuccessfully applied for the gap (\$3.15M) from a separate Federal grant in 2023. We plan on applying again later this year for the same Federal grant. While this project is not an emergency, if we don't complete the original scope of this project by finding the additional funding by FY27, the City risks losing are \$5.0M of State grant funding.



ACTION CALENDAR
July 30, 2024

To: Honorable Mayor and Members of the City Council

From: Farimah Brown, City Attorney

Submitted by: LaTanya Bellow, Interim City Manager
Farimah Brown, City Attorney

Subject: Ballot Measure Amending Chapter 7.52 of the Berkeley Municipal Code to Increase and Extend the General Real Property Transfer Tax

RECOMMENDATION

1. Adopt a Resolution placing the attached measure to increase and extend the City's Real Property Transfer Tax 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.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal impacts related to the recommended action to place the measure on the ballot. In general, election services have seen a steep increase since 2018, with the City's first million-dollar election in 2020. In addition, the number of measures placed on the ballot, and the length of the measures, are the primary driving factors in the fluctuation of election costs.

If adopted by the voters, the tax is estimated to generate approximately \$5,000,000 to \$9,000,000 annually (dependent on market conditions) for the City's general fund.

CURRENT SITUATION AND ITS EFFECTS

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

Berkeley Municipal Code Chapter 7.52 imposes a real property transfer tax at a rate of one-and-one-half percent the value of consideration for transactions less than \$1,500,000, and of two-and-one-half percent the value of consideration for transactions worth greater than \$1,500,000. The tax assessed at two-and-one-half percent generates an estimated \$15,000,000 annually (revenues, which have ranged from ~\$9,000,000 to ~\$20,000,000, fluctuate greatly with market conditions). Currently, the two-and-one-half percent tax rate is set to expire on January 1, 2029.

This measure would expand upon the existing tiered real property transfer tax by imposing a transfer tax rate of two-and-one-half percent the value of consideration for transactions equal to or greater than \$1,500,000 and below \$1,800,000, and a rate of three percent the value of consideration for transactions equal to or greater than \$1,800,000 and below \$2,400,000, and a rate of three-and-one-half percent the value of consideration for transactions equal to or greater than \$2,400,000. For transactions worth less than \$1,500,000, the tax rate would remain one-and-one-half percent the value of consideration.

These numeric thresholds correspond to the 60th, 75th, and 90th percentile of transactions from calendar year 2024. These numeric thresholds would be adjusted annually to ensure they remain reflective of these percentiles, but could not be adjusted below \$1,500,000, \$1,800,000, and \$2,400,000, respectively.

Figure 1: Proposed Real Property Transfer Tax

Tax Rate	Property Value	Percentile of Transactions
1.5%*	Less than \$1,500,000	Below 60 th percentile
2.5%	\$1,500,000 - \$1,800,000	60 th percentile – 75 th percentile
3%	\$1,800,000 - \$2,400,000	75 th percentile – 90 th percentile
3.5%	Greater than \$2,400,000	Above 90 th percentile

*The new measure would not change this tax rate, and revenues associated with its collection are not considered Measure P revenues.

This measure would also remove the January 1, 2029 sunset provision such that the new tiered tax scheme does not expire.

The resulting revenues would be placed in the general fund to be used for various municipal services which could include navigation centers, mental health support, rehousing, and other services for the homeless.

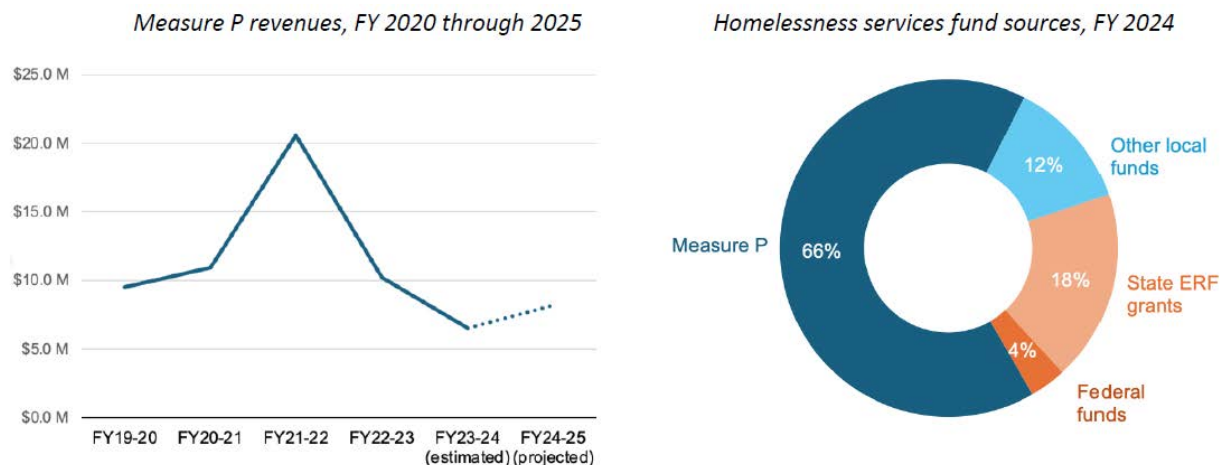
Additionally, according to California Elections Code 9282 (b), measures placed on the ballot by the legislative body, or a member or members of the legislative body authorized by that body, or an individual voter who is eligible to vote on the measure, or bona fide association of citizens, or a combination of voters and associations, may file a written argument for or against any city measure.

BACKGROUND

On November 6, 2018, the voters approved Measure P with 72.4% approval. Measure P increased the City's Real Property Transfer Tax such that for transactions of greater than \$1,500,000 the tax rate was two-and-one-half percent the value of consideration. For transactions at \$1,500,000 or less, the tax rate remained one-and-one-half percent the value of consideration. The two-and-one-half percent tax rate was set to expire on January 1, 2029, unless reauthorized by the voters prior to such date. Measure P also established a homeless services panel of experts who makes recommendations on how and to what extent the City should establish and/or fund programs to end or prevent homelessness in Berkeley and provide humane services and support.

The City uses funding from Measure P to establish new permanent housing, address immediate street conditions and hygiene, prevent households from becoming homeless and provide emergency shelter and temporary accommodation. However, Measure P is not the City's only funding for homeless services; while a significant source, it leverages millions of dollars in other State and Federal resources: for example, \$10M in State Encampment Resolution Funding and over \$30M in Homekey funding, which together have helped Berkeley create 177 new units of noncongregate interim and permanent housing units for persons experiencing homelessness. However, Measure P made up by far the largest part (66%) of the more than \$35 million the City allocated to affordable housing, homelessness services, and tenant supports in the 2023–24 fiscal year.

Measure P is Berkeley's Dominant Funding Source for Homeless Services



The latest Point in Time Count data from January 2024 indicates that Berkeley's homeless system is performing the way a system that has received a sustained influx in recent spending, both directly from Measure P and in Measure P's direct leverage of State resources, would expect it to: fewer people are on our streets (45% reduction in street homelessness), more are in shelter (54% increase in sheltered homelessness), and more of them are being connected to solutions that permanently resolve their homelessness (21% reduction overall).

On July 9, 2024, the City Manager presented a comprehensive analysis of the City's homeless services system to the City Council, in response to a Council referral.¹ The analyses found that the biggest obstacle Berkeley faces to sustaining and increasing this recent progress in reducing homelessness is an imminent "fiscal cliff," stemming from the potential loss of key resources in the future (including the sunseting of Measure P).

In a Council meeting on May 24, 2024, the Council directed the City Attorney to prepare a measure introducing a tiered real property transfer tax, removing the sunset date, and reauthorizing the tax beyond the January 1, 2029 expiration date until such time as it is repealed or modified by the voters of the City of Berkeley. The method of collection, method of implementation, exemptions, homeless service panel of experts, and other provisions in Chapter 7.52 of the Municipal Code would remain unchanged.

The tax assessed at two-and-one-half percent generates an estimated \$15,000,000 annually (revenues, which have ranged from ~\$9,000,000 to ~\$20,000,000, fluctuate greatly with market conditions). If the tax is updated and extended by voters, it is expected to generate \$5,000,000 to \$9,000,000 annually, depending on market conditions.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

This measure is presented to the Council for placement on the November 5, 2024 ballot pursuant to Council direction on May 24, 2024.

ALTERNATIVE ACTIONS CONSIDERED

Council may decide to not place the measure on the 2024 ballot, or request that staff resubmit the item for a future election.

CONTACT PERSON

LaTanya Bellow, Interim City Manager, (510) 981-7000
Farimah Brown, City Attorney, (510) 981-6998

Attachments:

1: Resolution

Exhibit A: Text of Measure

¹ See: <https://berkeleyca.gov/sites/default/files/documents/2024-07-09%20Item%2016%20Referral%20Response%20%20Gap%20Analysis%20of%20Berkeley%E2%80%99s%20Homelessness.pdf>

RESOLUTION NO. -N.S.

SUBMITTING TO THE BERKELEY ELECTORATE AN ORDINANCE AMENDING
CHAPTER 7.52 OF THE BERKELEY MUNICIPAL CODE TO INCREASE AND
EXTEND THE GENERAL REAL PROPERTY TRANSFER TAX

WHEREAS, the Berkeley City Council has elected to submit to the voters at the November 5, 2024 General Municipal Election, a measure amending Chapter 7.52 of the Berkeley Municipal Code increasing the general real property transfer tax; and

WHEREAS, the Council desires to submit this measure to be placed upon the ballot at the November 5, 2024 Statewide General Election, consistent with the Council's Resolution No. 71,289-N.S., adopted on May 7, 2024, calling for a General Municipal Election to be consolidated with said statewide election; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that this resolution is hereby adopted and a ballot measure amending Chapter 7.52 to the Berkeley Municipal Code increasing the general real property transfer tax shall be placed before the voters at the election on November 5, 2024.

BE IT FURTHER RESOLVED that the Board of Supervisors of Alameda County is hereby requested to include on the ballots and sample ballots the measure enumerated above to be voted on by the voters of the qualified electors of the City of Berkeley.

BE IT FURTHER RESOLVED that, pursuant to California Elections Code sections 10002 and 10403, this City Council does hereby call an election on Tuesday, November 5, 2024, and requests that the Alameda County Board of Supervisors consolidate said election with the Statewide General Election on that same date in the manner and schedule established by Resolution No. 71,289-N.S., adopted on May 7, 2024, and submit the Measure to the qualified voters of the City at said consolidated election.

BE IT FURTHER RESOLVED that the City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418.

BE IT FURTHER RESOLVED that the City of Berkeley hereby requests that the Alameda County Board of Supervisors permit the Registrar of Voters of Alameda County to perform services in connection with said election at the request of the City Clerk. These services to include all necessary services related to official ballot creation, sample ballot and voter information pamphlet preparation, vote-by-mail, polling places, poll workers, voter registration, voting machines, canvass operations, and any and all other services necessary for the conduct of the consolidated election; and

BE IT FURTHER RESOLVED that the full text of the measure shall be printed in the Voter Information Pamphlet mailed to all voters in the City of Berkeley.

BE IT FURTHER RESOLVED that the above enumerated measure requires a simple majority vote threshold for passage.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Berkeley, the Government Code, and the Elections Code of the State of California.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to obtain printing, supplies and services as required.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to enter into any contracts necessary for election consulting services, temporary employment services, printing services, and any such other supplies and services as may be required by the statutes of the State of California and the Charter of the City of Berkeley for the conduct of the November General Municipal Election.

BE IT FURTHER RESOLVED that the City will reimburse the Registrar of Voters for the costs associated with placing the measure on the ballot.

BE IT FURTHER RESOLVED that said proposed Ordinance measure shall appear and be printed upon the ballots to be used at said election as follows:

CITY OF BERKELEY GENERAL TAX ORDINANCE MEASURE	
Shall the measure setting the existing general tax on transfers of real property at 2.5% of a property's value for properties valued \$1.5M or higher, and increasing the rate from 2.5% to 3% for properties valued \$1.8M or higher, and increasing the rate from 3% to 3.5% for properties valued \$2.4M or higher; removing its January 1, 2029 expiration date; generating an estimated additional \$2M - \$4M for a total of \$5M - \$9M annually, be adopted?	YES
	NO

BE IT FURTHER RESOLVED that the text of the measure be shown as Exhibit A, attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a copy of this resolution to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure to the existing law and the operation of the measure, and transmit the impartial analysis to the City Clerk.

BE IT FURTHER RESOLVED that arguments for and against, not to exceed 300 words in length, may be filed consistent with Election Code Section 9282 requirements.

The City Council, or any members of the City Council authorized by the City Council, may file a direct argument for the measure.

BE IT FURTHER RESOLVED that pursuant to Elections Code Section 9285 (b), the City Council hereby adopts the provisions of Elections Code Section 9285 (a) providing for the filing of rebuttal arguments for city ballot measures.

BE IT FURTHER RESOLVED that the measure, impartial analysis, any arguments for and against, and any rebuttal arguments filed under the authority of the Elections Code shall be available for public examination in the City Clerk's office pursuant to Elections Code Section 9295 for 10 calendar days, a period that shall begin immediately following the last filing deadline for the submission of such materials.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this resolution with the Alameda County Board of Supervisors and the Alameda County Registrar of Voters.

ORDINANCE NO. #,###-N.S.

AUTHORIZING AND ADOPTING AMENDMENTS TO THE REAL PROPERTY
TRANSFER TAX

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

Section 1. Code Amendment. Chapter 7.52 of the Berkeley Municipal Code is hereby amended as follows (additions denoted by underlined text and deletions denoted by *strike through*):

Chapter 7.52
REAL PROPERTY TRANSFER TAX

Sections:

- 7.52.010 Title.**
- 7.52.020 Purpose.**
- 7.52.030 Definitions.**
- 7.52.040 Imposed.**
- 7.52.045 Unrecorded contracts for sale not taxable transfers.**
- 7.52.050 Applicability.**
- 7.52.060 Exceptions.**
- 7.52.070 Due date and penalty for delinquency.**
- 7.52.080 Declaration may be required.**
- 7.52.090 Determination of deficiency.**
- 7.52.100 Notice of determination.**
- 7.52.110 Notice serving.**
- 7.52.120 Petition for redetermination.**
- 7.52.130 Consideration of petition.**
- 7.52.140 Determination of petition.**
- 7.52.150 Finality of determination.**
- 7.52.170 Tax a debt to City.**
- 7.52.180 Administration.**
- 7.52.190 Homeless services panel of experts.**
- 7.52.200 Increase appropriations limit.**

7.52.010 Title.

The ordinance codified in this chapter may be cited as the "real property transfer tax ordinance of the City of Berkeley."

7.52.020 Purpose.

The tax imposed under this chapter is solely for the purpose of raising income and revenue which is necessary to pay the usual and current expenses of conducting the municipal government of the City.

7.52.030 Definitions.

As used in this chapter:

A. "Real property" and "realty" mean real property as defined by and under the laws of the state.

B. "Value of consideration" means the total consideration, valued in money of the United States, paid or delivered, or contracted to be paid or delivered in return for the transfer of real property, including the amount of any indebtedness existing immediately prior to the transfer which is secured by a lien, deed of trust, or other encumbrance on the property conveyed and which continues to be secured by such lien, deed of trust or encumbrance after said transfer, and also including the amount of any indebtedness which is secured by a lien, deed of trust or encumbrance given or placed upon the property in connection with the transfer to secure the payment of the purchase price or any part thereof which remains unpaid at the time of transfer. Value of the consideration also includes the amount of any special assessment levied or imposed upon the property by a public body, district or agency, where said special assessment is a lien or encumbrance on the property and the purchaser or transferee agrees to pay such special assessment or takes the property subject to the lien of such special assessment. The value of any lien or encumbrance of a type other than those which are

hereinabove specifically included, existing immediately prior to the transfer and remaining after said transfer, shall not be included in determining the value of the consideration. If the value of the consideration cannot be definitely determined, or is left open to be fixed by future contingencies, value of consideration shall be deemed to mean the fair market value of the property at the time of transfer, after deducting the amount of any lien or encumbrance, if any, of a type which would be excluded in determining the value of the consideration pursuant to the above provisions of this section.

7.52.040 Imposed.

A. There is hereby imposed on all transfers of lands, tenements, or other interests in real property located in the City of Berkeley a real property transfer tax at the rates set forth below. of one and one-half percent of the value of consideration, for transfers with a value at or below the threshold established in paragraph (C). Except as set forth in Section 7.52.060, this tax applies regardless of the method by which the transfer is accomplished or the relationship of the parties to the transfer. For purposes of this paragraph, the tax reduction available under Section 7.52.060.K shall be limited to the rebate that would be available based on the tax rate imposed pursuant to Paragraph A(1) of this section.

1. For properties where the value of consideration is below the first threshold, as established in Paragraph B of this section, the rate shall be one and one-half percent of the value of consideration;

2. For properties where the value of consideration is equal to or higher than the first threshold, as established in Paragraph B of this section, but below the second threshold, as established in Paragraph C of this section, the rate shall be two-and-one-half percent of the value of consideration;

3. For properties where the value of consideration is equal to or higher than the second threshold, as established in Paragraph C of this section, but below than the third threshold, as established in Paragraph D of this section, the rate shall be three percent of the value of consideration;

4. For properties where the value of consideration is equal to or greater than the third threshold, as established in Paragraph D of this section, the rate shall be three-and-one-half percent the value of consideration.

~~B.—There is hereby imposed on all transfers of lands, tenements, or other interests in real property located in the City of Berkeley a real property transfer tax at the rate of two-and-one-half percent of the value of consideration, for transfers with a value above the threshold established in paragraph (C). Except as set forth in Section 7.52.060, this tax applies regardless of the method by which the transfer is accomplished or the relationship of the parties to the transfer. For purposes of this paragraph, the tax reduction available under Section 7.52.060.K shall be limited to the rebate that would be available based on the tax rate imposed pursuant to Paragraph A.~~

~~B. C.~~ For purposes of the real property transfer tax imposed by this Section, the threshold is \$1,500,000, adjusted annually by the City of Berkeley on January 1 of every subsequent year to a number equal to the value of consideration for the transaction at the 60th percentile of transactions during the 12 months preceding September 1 of the preceding year, as recorded by the Alameda County Assessor, rounded to the nearest \$100,000 increment; provided, that in no case shall any adjustment lower the threshold below \$1,500,000.

C. For purposes of the real property transfer tax imposed by this Section, the second threshold is \$1,800,000 adjusted annually by the City of Berkeley on January 1 of every subsequent year to a number equal to the value of consideration for the transaction at the 75th percentile of transactions during the 12 months preceding September 1 of the preceding year, as recorded by the Alameda County Assessor, rounded to the nearest \$100,000 increment; provided, that in no case shall any adjustment lower the threshold below \$1,800,000.

D. For purposes of the real property transfer tax imposed by this Section, the third threshold is \$2,400,000 adjusted annually by the City of Berkeley on January 1 of every subsequent year to a number equal to the value of consideration for the transaction at 90th percentile of transactions during the 12 months preceding September 1 of the preceding year, as recorded by the Alameda County Assessor, rounded to the nearest \$100,000 increment; provided, that in no case shall any adjustment lower the threshold below \$2,400,000.

~~*D.—The two-and-one-half percent rate imposed in Paragraph B of this Section shall expire on January 1, 2029, unless reauthorized by the voters prior to such date.*~~

7.52.045 Unrecorded contracts for sale not taxable transfers.

Contracts for the sale of real property which do not require immediate conveyance of legal title to the buyer, and installment sales contracts do not constitute taxable transfers under this chapter unless and until they are recorded.

7.52.050 Applicability.

Any person who makes a transfer which is subject to the tax imposed under Section 17.52.040 of this chapter, and any persons to whom such transfer is made, shall be jointly and severally liable for payment of the tax imposed under said Section 17.52.040.

7.52.060 Exceptions.

- A. Any tax imposed pursuant to this chapter shall not apply to any instrument in writing given to secure a debt.
- B. Any deed, instrument or writing to which the United States, or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, is a party shall be exempt from any tax imposed pursuant to this chapter when the exempt agency is acquiring title.
- C. Any tax imposed pursuant to this chapter shall not apply to the making, delivery, or filing of conveyances to make effective any plan of reorganization or adjustment:
 - 1. Confirmed under the Federal Bankruptcy Act, as amended;
 - 2. Approved in an equity receivership proceeding in a court involving a railroad corporation, as defined in subdivision (m) of Section 205 of Title 11 of the United States Code, as amended;

3. Approved in an equity receivership proceeding in a court involving a corporation, as defined in subdivision (3) of Section 506 of Title 11 of the United States Code, as amended; or

4. Whereby a mere change in identity, form or place of organization is effected.

Subdivisions 1 to 4, inclusive, of this section shall only apply if the making, delivering or filing of instruments of transfer of conveyance occurs within five years from the date of such confirmation, approval or change.

D. Any tax imposed pursuant to this chapter shall not apply to the making or delivering of conveyances to make effective any order of the Securities and Exchange Commission, as defined in subdivision (a) of Section 1083 of the Internal Revenue Code of 1954; but only if:

1. The order of the Securities and Exchange Commission in obedience to which such conveyance is made recites that such conveyance is necessary or appropriate to effectuate the provisions of Section 79k of Title 15 of the United States Code, relating to the Public Utility Holding Company Act of 1935;
2. Such order specifies the property which is ordered to be conveyed;
3. Such conveyance is made in obedience to such order.

E.

1. In the case of any realty held by a partnership, no levy shall be imposed pursuant to this chapter by reason of any transfer of an interest in a partnership or otherwise, if:

(a) Such partnership (or another partnership) is considered a continuing partnership within the meaning of Section 708 of the Internal Revenue Code of 1954; and

(b) Such continuing partnership continues to hold the realty concerned.

2. If there is a termination of any partnership within the meaning of Section 708 of the Internal Revenue Code of 1954, for purposes of this chapter, such partnership shall be treated as having executed an instrument whereby there was conveyed, for

fair market value (exclusive of the value of any lien or encumbrance remaining thereon), all realty held by such partnership at the time of such termination.

3. Not more than one tax shall be imposed pursuant to this chapter by reason of a termination described in subdivision 2, and any transfer pursuant thereto, with respect to the realty held by such partnership at the time of such termination.

F.

1. Any tax imposed pursuant to this chapter shall not apply to any transfer of property from one spouse or domestic partner to the other in order to create a joint tenancy or tenancy in common of their common residence.

2. Any tax imposed pursuant to this chapter shall not apply to any transfer of property from one spouse to the other in accordance with the terms of a decree of dissolution or in fulfillment of a property settlement incident thereto; provided, however, that such property was acquired by the husband and wife or husband or wife prior to the final decree of dissolution. Any tax imposed pursuant to this chapter also shall not apply to any transfer from one domestic partner, as that term is used in the City of Berkeley's policy establishing domestic partnership registration, to another, where (1) prior to such transfer an affidavit of domestic partnership has been filed with the City Clerk pursuant to Section IV of the City of Berkeley's policy establishing domestic partnership registration; (2) subsequent to the filing of such affidavit of domestic partnership, either or both domestic partner(s) files a statement of termination with the City Clerk pursuant to Section V of the domestic partnership policy; (3) such transfer of real property is made pursuant to a written agreement between the domestic partners upon the termination of their domestic partnership; and (4) the real property was acquired by either or both domestic partner(s) prior to the filing of the statement of termination.

G. Any tax imposed pursuant to this chapter shall not apply to transfers, conveyance, lease or sub-lease without consideration which confirm or correct a deed previously recorded or filed.

H. Any tax imposed pursuant to this chapter shall not apply to transfers recorded prior to the effective date of the ordinance codified in this chapter.

I. The tax imposed pursuant to this chapter shall not apply with respect to any deed, instrument, or writing to a beneficiary or mortgagee, which is taken from the mortgagor or trustor as a result of or in lieu of foreclosure; provided, that such tax shall apply to the extent that the consideration exceeds the unpaid debt, including accrued interest and cost foreclosure. Consideration, unpaid debt amount and identification of grantee as beneficiary or mortgagee shall be noted on said deed, instrument or writing or stated in an affidavit or declaration under penalty of perjury for tax purposes.

J. Reserved.

K.

1. Up to one-third of the tax imposed by this chapter shall be reduced, on a dollar for dollar basis, for all expenses incurred on or after October 17, 1989 to "seismically retrofit" either any structure which is used exclusively for residential purposes, or any mixed use structure which contains two or more dwelling units.

2. The term "seismically retrofit" within the meaning of this chapter means any of the following:

(a) That work which is needed and directly related to make the structure capable of withstanding lateral loads equivalent to the force levels defined by Chapter 23 of the 1976 Uniform Building Code;

(b) Replacement or repair of foundations; replacement or repair of rotted mud sills; bracing of basement or pony walls; bolting of mud sills to standard foundations; installation of shear walls; anchoring of water heaters; and/or securing of chimneys, stacks or water heaters;

(c) Corrective work on buildings which fit the criteria in subsection K.1, which are listed on the City of Berkeley inventory of potentially hazardous, unreinforced masonry buildings when such work is necessary to meet City standards or requirements applicable to such buildings;

(d) Any other work found by the building official to substantially increase the capability of those structures, specified in subsection K.1, to withstand destruction or damage in the event of an earthquake.

3. The work to seismically retrofit structures as provided herein shall be completed either prior to the transfer of property or as provided in subsection K.4.

4. If the work to seismically retrofit the structures provided for herein is to be performed after the transfer of property which is subject to the tax imposed by this chapter, upon completion of such work and certification by the building official as to the amount of the expenses of such work the City Manager or their designee may refund such expenses not to exceed one-third of the tax imposed to the parties to the sale in accordance with the terms of such sale. Any remaining tax shall be retained by the City.

5. From the date of the recordation of the transfer document, the applicant shall have one year to complete all seismic retrofit work and submit a seismic retrofit verification application to the codes and inspection division of the City of Berkeley. If the work is not completed at the end of one year, that portion which has been completed may be credited to the applicant upon submission of a seismic retrofit verification application and substantiating documentation, as required by the codes and inspections division of the City of Berkeley, showing the dollar amount of work completed up to that date. All other monies remaining in escrow will be returned to the City of Berkeley upon written request by the Finance Department.

6. Within the one-year period established by paragraph 5, an applicant may request, and the City Manager may approve, an extension of up to one year. The City Manager or their designee may grant such an extension only for good cause. The decision of the City Manager or their designee shall be entirely within their discretion and shall be final.

(a) "Good cause" includes (i) the inability of the applicant, after a prompt and diligent search to find and retain the services of an architect, engineer, contractor or other service provider whose services are necessary for the seismic retrofit work; (ii) unforeseen and unforeseeable circumstances such as a significant change in the scope of the seismic retrofit work due to circumstances in the field which could not reasonably have been known earlier; and (iii) serious illness or other extraordinary and unforeseeable circumstances that prevented the timely commencement or completion of the seismic retrofit work.

(b) "Good cause" does not include (i) ignorance of the applicable City ordinances or regulations concerning the seismic retrofit rebate provided in this chapter or state or local laws relating to the standards with which seismic retrofit work must comply; or (ii) any delays which were within the control or responsibility of the applicant.

7.52.070 Due date and penalty for delinquency.

The tax imposed under this chapter is due and payable at the time the deed, instrument, or writing effecting a transfer subject to the tax is delivered, and is delinquent if unpaid at the time of recordation thereof. In the event that the tax is not paid prior to becoming delinquent, a delinquency penalty of ten percent of the amount of tax due shall accrue. In the event a portion of the tax is unpaid prior to becoming delinquent, the penalty shall only accrue as to the portion remaining unpaid. An additional penalty of ten percent shall accrue if the tax remains unpaid on the ninetieth day following the date of the original delinquency. Interest shall accrue at the rate of one-half of one percent a month, or fraction thereof, on the amount of tax, exclusive of penalties, from the date the tax becomes delinquent to the date of payment. Interest and penalty accrued shall become part of the tax.

7.52.080 Declaration may be required.

The tax imposed by this chapter shall be paid to the director by the persons referred to in Section 17.52.050. The director shall have the authority as part of any rules and regulations promulgated by them as provided for herein to require that the payment shall be accompanied by a declaration of the amount of tax due signed by the person paying the tax or by their agent. The declaration shall include a statement that the value of the consideration on which the tax due was computed includes all indebtedness secured by liens, deeds of trust, or other encumbrances remaining or placed on the property transferred at the time of transfer, and also includes all special assessments on the property which the purchaser or the transferee agrees to pay or which remains a lien on the property at the time of transfer. The declaration shall identify the deed, instrument or writing effecting the transfer for which the tax is being paid. The director may require delivery to them of a copy of such deed, instrument or writing whenever

they deem such to be reasonably necessary to adequately identify such writing or to administer the provisions of this chapter. The director may rely on the declaration as to the amount of the tax due provided they have no reason to believe that the full amount of the tax due is not shown on the declaration.

Whenever the director has reason to believe that the full amount of tax due is not shown on the declaration or has not been paid, they may, by notice served upon any person liable for the tax, require the person to furnish a true copy of their records relevant to the value of the consideration or fair market value of the property transferred. Such notice may be served at any time within three years after recordation of the deed, instrument or writing which transfers such property.

7.52.090 Determination of deficiency.

If on the basis of such information as the director receives pursuant to the last paragraph of Section 17.52.080, and/or on the basis of such other relevant information that comes into their possession, they determine that the amount of tax due as set forth in the declaration, or as paid, is insufficient, they may recompute the tax due on the basis of such information.

If the declaration required by Section 17.52.080, is not submitted, the director may make an estimate of the value of the consideration for the property conveyed and determine the amount of tax to be paid on the basis of any information in their possession or that may come into their possession.

One or more deficiency determinations may be made of the amount due with respect to any transfer.

7.52.100 Notice of determination.

The director shall give written notice to a person liable for payment of the tax imposed under this chapter of their determination made under Section 17.52.090. Such notice shall be given within three years after the recordation of the deed, instrument, or writing effecting the transfer on which the tax deficiency determination was made.

7.52.110 Notice serving.

Any notice required to be given by the director under this chapter may be served personally or by mail; if by mail, service shall be made by depositing the notice in the United States mail, in a sealed envelope with postage paid, addressed to the person on whom it is to be served at their address as it appears in the records of the City or as ascertained by the director. The service is complete at the time of the deposit of the notice in the United States mail, without extension of time for any reason.

7.52.120 Petition for redetermination.

Any person against whom a determination is made under this chapter or any person directly interested may petition the director for a redetermination within sixty days after service upon the person of notice thereof. If a petition for redetermination is not filed in writing with the Director, City Hall, Berkeley, California 94704, within the sixty-day period, the determination becomes final at the expiration of the period.

7.52.130 Consideration of petition.

If a petition for redetermination is filed within the sixty-day period, the director shall reconsider the determination and, if the person has so requested in their petition, shall grant the person an oral hearing, and shall give the person ten days' notice of the time and place of hearing. The director may designate one or more deputies for the purpose of conducting hearings and may continue a hearing from time to time as may be necessary.

7.52.140 Determination of petition.

The director may decrease or increase the amount of the determination before it becomes final, but the amount may be increased only if a claim for the increase is asserted by the director at or before the hearing.

7.52.150 Finality of determination.

The order or decision of the director upon a petition for redetermination becomes final thirty days after service upon the petitioner of notice thereof.

7.52.170 Tax a debt to City.

The amount of any tax, penalty, and interest imposed under the provisions of this chapter shall be deemed a debt to the City. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount.

7.52.180 Administration.

The Director of Finance of the City (in this chapter referred to as the director) shall collect the tax imposed under this chapter and shall otherwise administer this chapter. They may make such rules and regulations, not inconsistent with this chapter, as they may deem reasonably necessary or desirable to administer this chapter, as well as necessary forms and receipts.

7.52.190 Homeless services panel of experts.

- A. There shall be established the Homeless Services Panel of Experts to make recommendations on how and to what extent the City should establish and/or fund programs to end or prevent homelessness in Berkeley and provide humane services and support.
- B. An officer or employee of the City designated by the City Manager shall serve as secretary of the Panel.
- C. In accordance with Chapter 2.04, the Panel shall be composed of nine members appointed by the City Council.
- D. Terms shall expire and vacancies shall be filled in accordance with the provisions of Section 2.04.030 through 2.04.145 of this Code.

E. Each member of the Panel must:

1. Have experience in the development, administration, provision and/or evaluation of homeless programs in a government or non-profit capacity; or
2. Have current or past lived experience with homelessness; or
3. Have experience in researching the causes, impacts and solutions to homelessness; or
4. Have experience with state and/or local homeless policy, funding or programs; or
5. Have experience with federal homeless policy and funding administration such as the Continuum of Care Program; or
6. Have experience in the development and financing of affordable housing for formerly homeless persons; or
7. Have experience in the provision of mental health and/or substance use programs for homeless persons.

F. In accordance with Section 3.02.040, members of the Panel may be reappointed but shall not serve more than eight consecutive years.

1. For purposes of determining term limits under Section 3.02.040, a commissioner's service on the Homeless Commission shall be counted toward their service upon their appointment to the Homeless Services Panel of Experts.

G. The Panel shall, by majority vote, do each of the following:

1. Annually appoint one of its members as chair and one of its members as vice-chair;
2. Approve bylaws to facilitate the proper functioning of the Panel;
3. Establish a regular time and place of meeting. All meetings shall be noticed as required by law and shall be scheduled in a way to allow for maximum input from the public. Minutes for each meeting shall be recorded, kept, and maintained; and

4. Publish an annual report that includes the following:

- (a) Recommendations on how to allocate the City's general funds to fund homeless services programs in Berkeley;
- (b) Information, if available, concerning the impact of funded programs on the residents of the City; and
- (c) Any additional information that the Panel deems appropriate.

H. Within 15 days of receipt of the publication of the Panel's annual report, the City Manager shall cause the report to be published on the City's Internet website and to be transmitted to the City Council.

I. The revenue raised by the tax imposed by Section 7.52.040 is available to pay the usual and current expenses of conducting the municipal government of the City, as determined by the City Council. The City Council shall consider, but need not follow, the Panel's recommendations on how and to what extent to use this revenue to establish and/or fund programs to pay for homeless services and shall annually inform the Panel as to the extent to which it has implemented the Panel's recommendations.

J. The Homeless Services Panel of Experts shall also perform the following functions:

- 1. Continue the ongoing function previously performed by the Homeless Commission of monitoring and assisting in the City's progress in implementing needed homeless services and facilities;
- 2. Invite service providers and other interested members of the community to attend its meetings;
- 3. Report its recommendations concerning homeless services and facilities to the City Council;
- 4. Perform the federally mandated role of advising Council in the development and implementation of the Continuum of Care Plan;
- 5. Continue making annual funding recommendations to Council regarding the disbursement of Measure O and other related funds; and

6. Operate for an indefinite period of time.

7.52.200 Increase appropriations limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City is increased by the aggregate sum authorized to be levied by this general tax for each of the four fiscal years from 2026 (July 1, 2025 – June 30, 2026) through 2029 (July 1, 2028 – June 30, 2029).

Section 2. Amendment, repeal, and reenactment. The City Council may repeal this ordinance, or amend it in any manner that does not result in an increase in the tax imposed herein, or add or modify exemptions, without further voter approval. If the City Council repeals this ordinance, it may subsequently reenact it without voter approval, as long as the reenacted ordinance does not result in an increase in the tax imposed herein.

Section 3. California Environmental Quality Act Requirements. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., under, including without limitation, Public Resources Code section 21065 and CEQA Guidelines sections 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment and pursuant to Public Resources Code section 21080, subdivision (b)(8), and CEQA Guidelines section 15273 as the approval of government revenues to fund existing services.

Section 4. General Tax; Simple Majority Vote Requirement. This Ordinance imposes a general tax and shall be effective if approved by a simple majority of the voters voting thereon.



Cecilia Lunaparra
Councilmember, District 7

ACTION CALENDAR
July 30, 2024

To: Honorable Members of the City Council

From: Councilmember Lunaparra

Subject: Placing the Berkeley Tenant Protection and Right to Organize Act on the November 5, 2024 Ballot

RECOMMENDATION

1. Refer to staff to write a resolution submitting the Berkeley Tenant Protection and Right to Organize Act to a vote of the people 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.

CURRENT SITUATION AND ITS EFFECTS

Berkeley's rent stabilization ordinance provided the gold standard of tenant protections when it was passed in 1980. However, Berkeley's diverse range of needs has evolved and other jurisdictions have enacted innovative protections surpassing Berkeley's in the years since, including in neighboring municipalities such as Oakland and San Francisco. Berkeley should amend its laws to align with the current, dire needs of Berkeley residents and these new best practices.

This initiative would amend Berkeley's rent stabilization and eviction ordinance, codified in Chapter 13.76 of the Municipal Code by accomplishing the following.

1. Removing the exemption from price control and registration for the following rental units: government-owned or subsidized units that are not otherwise exempt from rent control by applicable federal or state law; units where the owner shares kitchen or bath facilities with the tenants if the owner moves in after the tenancy begins; and units owned by the Graduate Theological Union. In the event the state legislature repeals the Costa-Hawkins Act, the initiative would also amend the partial exemption for newly-constructed units by providing that such units would be fully-covered within 15 years of final inspection approval.

Additionally, the exemption for owner-occupied two-unit properties which were owner-occupied in 1979 would be phased out on transfer of ownership.

2. Modifying certain grounds for eviction by (1) prohibiting non-payment evictions when a tenant owes less than one month of fair market rent; (2) prohibiting evictions for alleged violations of tenancy terms that were unilaterally changed by the landlord; (3) limiting evictions for breach of a lease to breaches causing the landlord actual and substantial injury; and (4) prohibiting evictions for failure to renew a lease. The initiative would also require landlords to provide eviction notices that inform tenants about eviction resources, and to provide the Rent Stabilization Board (the “Board”) with a copy of any notice.

3. Allowing tenants to create an association to confer with landlords over issues common to all tenants. If adopted, the initiative would require landlords to meet with established tenant associations once per quarter if requested. In rental units subject to the price-control provisions of the Ordinance, a tenant could petition the Board for a rent reduction if a landlord violated the tenant’s right to organize.

4. Lowering the maximum allowable automatic adjustment of the rent ceiling, which is based on the Consumer Price Index, to 3% from the current maximum allowable increase of 7%.

5. Eliminating the ability of the Board and the City Council to remove price controls on rental units during periods of high vacancy.

6. Requiring landlords to notify tenants at the commencement of tenancy of their rights under the Ordinance and whether the landlord claims any exemptions from the Ordinance.

7. Allowing the Board to impose a fine for non-compliance with registration requirements, and would prohibit landlords from collecting rent until a unit is registered.

8. Prohibiting landlords from including charges for utilities in the lease in addition to monthly rent, unless the utility account is separately metered and registered to the tenant for leases entered into after February 6, 2024.

The initiative would also make non-substantive changes to the Ordinance such as updating findings, removing outdated language, and removing unnecessary terms.

Pursuant to Elections Code Section 9282, Council may authorize the Council as a whole, or members of the Council, to submit arguments for or against the measure.

FISCAL IMPACTS OF RECOMMENDATION

Minimal staff time is required.

ENVIRONMENTAL SUSTAINABILITY

No direct environmental impacts related to the recommended action.

ATTACHMENTS

1. Rent Stabilization Ordinance Amendments

CONTACT PERSON

Councilmember Cecilia Lunaparra, 510-981-7170
Sara Cerami, Chief of Staff

AN ORDINANCE OF THE PEOPLE OF THE CITY OF BERKELEY AMENDING BERKELEY MUNICIPAL CODE CHAPTER 13.76 TO FURTHER PROTECT THE RIGHTS OF TENANTS TO BE SAFE FROM ARBITRARY AND EXCESSIVE RENT INCREASES AND EVICTIONS, AND TO ESTABLISH THE RIGHT TO ORGANIZE TENANT ASSOCIATIONS

The People of Berkeley do hereby ordain as follows:

Section 1. Title. This amendment to Chapter 12.76 shall be known and may be cited as the “Berkeley Tenant Protection and Right to Organize Act.”

Section 2. Amendment of Chapter 13.76. Chapter 13.76 of the Berkeley Municipal Code is amended to read as follows:

13.76.010 Title.

This ~~C~~chapter shall be known as the Rent Stabilization and Eviction for Good Cause Ordinance.

13.76.020 Findings.

~~A. The Housing Element of the Berkeley Master Plan of 1977 states that:~~

- ~~1. Berkeley residents have the right to decent housing in pleasant neighborhoods which meet standards of adequacy at a range of prices they can afford. (Goal 1)~~
 - ~~2. Existing housing should be maintained and improved. (Goal 2)~~
 - ~~3. Berkeley should have an adequate supply of housing throughout the City for persons with special needs. (Goal 3)~~
-

4. ~~All residents should have equal access to housing opportunities, financing and insurance on a non-discriminatory basis. (Goal 4)~~

~~B. On June 6, 1972, the electorate of the City of Berkeley passed a rent control charter amendment that was later voided by the California Supreme Court as being unconstitutional.~~

~~AC. On June 5, 1973, the City Council (hereinafter, "Council") declared the existence of a housing emergency in the City of Berkeley (hereinafter, "the City"), based upon the Council's finding of a pattern of steadily rising rents, a shortage of decent housing and an increased deterioration of the existing housing stock in the City.~~

~~D. On November 7, 1978, the electorate of the City of Berkeley passed a renter property tax relief ordinance.~~

~~E. On October 25, 1979, the Berkeley City Council, Berkeley Housing Authority, the Berkeley Housing Advisory and Appeals Board, and members of the City's administrative staff held a public workshop regarding the current housing conditions in Berkeley.~~

~~F. On October 30, 1979, January 26, 1980 and February 21, 1980, the Berkeley City Council held public hearings at which members of the public expressed their views regarding current housing conditions in Berkeley and legislative proposals for rent stabilization and eviction controls.~~

~~G. The most significant provisions of the 1978 Renter Property Tax Relief Ordinance expired on December 30, 1979.~~

~~BH. On November 27, 1979, the Berkeley City Council passed an ordinance establishing a temporary rent stabilization program, effective until June 30, 1980.~~

~~C. In 1980, the People of Berkeley passed the Rent Stabilization and Eviction for Good Cause Ordinance, establishing the registration of rental units, the regulation of rental increase amounts, and the requirement for a landlord to provide good cause prior to terminating a tenancy.~~

~~D. In 1995, the California Legislature enacted the Costa-Hawkins Rental Housing Act, which prohibited the ability of local governments to control the rental amount on a rental unit at the commencement of a new tenancy and to control the rental amount in single family homes or rental~~

units with an initial Certificate of Occupancy issued after February 1, 1995. As a result of the Costa-Hawkins Rental Housing Act, many rental units became unaffordable to Berkeley residents.

E. The City continues to experience a severe housing shortage and an unprecedented increase in the number of unhoused or marginally housed residents experiencing housing hardships. According to data from the United States Census Bureau, in 2019, 53% of Berkeley renter households were "rent burdened," paying more than 30% of their household income towards rent.

F. Due to the continuance of the housing emergency which existed when the voters of Berkeley first enacted this Chapter, the Berkeley Rent Stabilization Board (hereinafter, "Board") finds that reasonable regulation of aspects of the landlord-tenant relationship is necessary to foster constructive communication, maintain an adequate supply of a variety of rental housing options, and protect the health, safety, and general welfare of the public.

G. Because the People of Berkeley have periodically updated this Chapter through various updates, the Board finds a need to enact non-substantive changes to this Chapter in 2024 in order to make the provisions of this Chapter more consistent with modern usage and clarity.

H. Pursuant to California Civil Code section 1946.2(g)(1)(B), the Board finds that this Chapter is more protective than the provisions of California Civil Code section 1946.2. The just cause for termination of a residential tenancy under this Chapter is consistent with California Civil Code section 1946.2; however, this Chapter further limits the reasons for termination of a residential tenancy, and provides for higher relocation assistance amounts in the event of a termination.

13.76.030 Purpose.

The purposes of this Chapter ~~is~~ are to regulate residential rent increases in the City of Berkeley, ~~and~~ to protect tenants from unwarranted rent increases and arbitrary, discriminatory, or retaliatory evictions, to facilitate the formation of tenant associations to balance the relationship between tenants and landlords, to help maintain the diversity of the Berkeley community, and to ensure compliance with legal obligations relating to the rental of housing. This legislation is designed to address the City ~~of Berkeley's~~ housing crisis, preserve the public peace, health and safety, and

advance the housing policies of the City with regard to low and fixed income persons, [marginalized communities](#), [minorities](#), students, [persons with disabilities](#), [handicapped](#), and [older adults](#) ~~the aged~~.

13.76.040 Definitions.

- A. "Board" refers to the elected Rent Stabilization Board established by this chapter and Article [XVII](#) of the Charter of the City of Berkeley.
- B. "Commissioners" means the members of the [B](#)oard who are denominated commissioners.
- C. "Housing services" include but are not limited to repairs, maintenance, painting, providing light, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishing, telephone, parking and any other benefit, privilege or facility connected with the use or occupancy of any rental unit, [including the right for tenants to organize as set forth in Section 13.76.135](#). Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.
- D. "Landlord" means an owner of record, lessor, sublessor or any other person or entity entitled to receive rent for the use or occupancy of any rental unit, or an agent, representative or successor of any of the foregoing.
- E. "Rent" means the consideration, including any deposit, bonus, benefit or gratuity demanded or received for or in connection with the use or occupancy of rental units and housing services. Such consideration shall include, but not be limited to, monies and fair market value of goods or services rendered to or for the benefit of the landlord under the rental agreement.
- F. "Rental agreement" means an agreement, oral, written or implied, between a landlord and a tenant for use or occupancy of a rental unit and for housing services.
- G. "Rental unit" means any unit in any real property, including the land appurtenant thereto, rented or available for rent for residential use or occupancy (including units covered by the Berkeley Live/Work Ordinance No. [5217-NS](#)), located in the City of Berkeley, together with all housing

services connected with use or occupancy of such property such as common areas and recreational facilities held out for use by the tenant.

H. "Property" means a parcel of real property which is assessed and taxed as an undivided whole.

I. "Tenant" means any renter, tenant, subtenant, lessee, or sublessee of a rental unit, or successor to a renter's interest, or any group of tenants, subtenants, lessees, or sublessees of any rental unit, or any other person entitled to the use or occupancy of such rental unit.

J. "Partially-covered unit" means any rental that is subject to all sections of this Chapter except: Section 13.76.100: Establishment of base rent ceiling and posting; Section 13.76.110: Annual general adjustment of rent ceilings; and Section 13.76.120: Individual adjustments of rent ceilings.

~~"Skilled nursing facility" means a health facility or a distinct part of a hospital which provides the following basic services: skilled nursing care and supportive care to patients whose primary need is for availability of skilled nursing care on an extended basis. It provides 24-hour inpatient care and, as a minimum, includes medical, nursing, dietary, pharmaceutical services and an activity program. The facility shall have effective arrangements, confirmed in writing, through which services required by the patients, but not regularly provided within the facility, can be obtained promptly when needed.~~

K. "Fully-exempt unit" means any rental unit that is not subject to any section of this Chapter.

~~"Health facility" means any facility, place or building which is organized, maintained and operated for the diagnosis, care and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which such persons are admitted for a 24-hour stay or longer.~~

L. "Tenant Association" means any group of tenants, residing in rental units in the same building or in different buildings operated by the same management company, agent or landlord, which requests to be so designated as set forth in Section 13.76.135 of this Chapter.

LM. "Rent ceiling" means the maximum allowable rent which a landlord may charge on any rental unit covered by this chapter.

MN. "Base rent ceiling" means the maximum allowable rent established under Section 13.76.100 of this Chapter.

NO. "Fees" means for the purpose of this chapter, a charge fixed by law for services of public officers or for use of a privilege under control of government.

P. "Nonprofit, accredited institution of higher education" means a post secondary educational institution whose legal status under the California Education Code is verified by an annual validation receipt from the California State Department of Education, and which is accredited by the Western Association of Schools and Colleges or the Association of Theological Schools and which is exempt from taxation under Section 501(c)(3) of the United States Internal Revenue Code and under Section 23701(d) of the Revenue and Taxation Code, and which, if otherwise required by law to do so, has obtained a valid unrevoked letter or ruling from the United States Internal Revenue Service or from the Franchise Tax Board which states that the organization so qualifies for exemption from taxation.

Q. "Newly Constructed" means a rental unit created after June 30, 1980. For purposes of this definition, the date a unit was created is based upon the date of the first certificate of occupancy issued for the subject unit. However, in the event of the repeal or amendment of Civil Code Section 1954.52, such that "certificate of occupancy" is no longer the operative standard set forth under state law, the date a unit was created shall be determined by the final inspection approval by the City.

13.76.050 Applicability.

A. All sections of ~~the~~ this ~~Chapter~~ Chapter shall apply to all real property that is being rented or is available for rent for residential use in whole or in part, except for the following as provided in this section.

B. The following rental units are Partially-covered units:

1. Newly constructed rental units. A rental unit created after June 30, 1980. For purposes of this partial exemption, the date a unit was created is based upon the date of the first certificate of occupancy issued for the subject unit.

However, in the event of the repeal or amendment of Civil Code Section 1954.52 such that "certificate of occupancy" is no longer the operative standard set forth under state law, the

date a unit was created shall be determined by the final inspection approval by the City. A rental unit shall only be deemed newly constructed for fifteen years after the date of final inspection approval by the City.

Notwithstanding any provision in this Chapter and to the extent that state or local law permits, any residential rental units created as a result of demolition or replacement where such demolition or replacement is affected via the creation of a "housing development project" as defined in the Housing Crisis Act of 2019 (Senate Bill 330), shall not be exempt as "newly constructed rental units" and, unless otherwise exempt, shall be covered by all provisions of this Chapter.

2. *Separately Alienable Rental Units.* Rental units in a residential property containing only a Single Family Dwelling (as defined in Subtitle 23F.04 of the Zoning Ordinance), unless the tenancy commenced before January 1, 1996. This partial exemption shall apply only as long as the pertinent provisions of California Civil Code Section 1954.50 et. seq. ("Costa-Hawkins") remain in effect and require such an exemption.

C. The following rental units are Fully-exempt units:

1. *Government-Owned or -Subsidized Rental Units.* Rental units which a government unit, agency or authority owns, operates, manages, or in which governmentally subsidized tenants reside only if applicable Federal or State law or administrative regulation specifically exempt such units from municipal rent control.

2. *Short-Term Transient Rentals.* Rental units which are rented primarily to transient guests for use or occupancy less than fourteen consecutive days in establishments such as hotels, motels, inns, tourist homes, and rooming and boarding houses. However, the payment of rent every fourteen days or less shall not by itself exempt any unit from coverage by this Chapter.

3. *Co-op Rental Units.* Rental units in nonprofit cooperatives owned and controlled by a majority of the residents.

4. *Rental Units in Health Facilities.* Rental units in any hospital, skilled nursing facility, health facility, asylum, or non-profit home for older persons.

For the purposes of this Subsection, the following definitions apply:

"Skilled nursing facility" means a health facility or a distinct part of a hospital which provides the following basic services: skilled nursing care and supportive care to patients whose primary need is for availability of skilled nursing care on an extended basis. It provides 24-hour inpatient care and, as a minimum, includes medical, nursing, dietary, pharmaceutical services and an activity program. The facility shall have effective arrangements, confirmed in writing, through which services required by the patients, but not regularly provided within the facility, can be obtained promptly when needed.

"Health facility" means any facility, place or building which is organized, maintained and operated for the diagnosis, care and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which such persons are admitted for a 24-hour stay or longer.

5. *Owner-Occupied Shared Rental Units.* A rental unit in a residential property where the landlord shares kitchen or bath facilities with the tenant(s) of such rental unit and where the landlord also occupied a unit in the same property as his/her principal residence at the inception of the tenancy.

For the purposes of this subsection, the term landlord shall be defined only as the owner of record holding at least 50% interest in the property.

6. *Fraternities and Sororities.* A rental unit or room which is rented by an active member of a fraternity or sorority recognized by the University of California Berkeley, or a rental unit or room which is rented by an active member of a fraternity or sorority identified by Rent Board Resolution. To qualify for the exemption, the rental unit must be owned by the fraternity or sorority or by an entity whose sole purpose is the maintenance and operation of

the fraternity or sorority's rental units for the benefit of the members in order to provide housing to said members at cost.

7. *Accessory Dwelling Units.* Rental units in a residential property containing only a Single Family Dwelling (as defined in Subtitle 23F.04 of the Zoning Ordinance) and one lawfully established and fully permitted Accessory Dwelling Unit where the landlord also occupies a unit in the same property as his/her principal residence. This subsection (13.76.0S0N) shall only apply to properties containing a single Accessory Dwelling Unit, shall only apply to units compliant with all applicable requirements of Chapter 23C.24 ("Accessory Dwelling Units"), and shall only apply to tenancies created after November 7, 2018.

8. *Shelters and Transitional Housing.* Rental units in a facility owned or leased by an organization exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code that has the primary purpose of operating a treatment, recovery, therapy, sanctuary or shelter program for qualified clients, where such rental units are provided incident to the client's participation in the primary program and where the client has been informed in writing of the temporary or transitional nature of the housing at the inception of his or her participation in the program.

However, except as may be preempted by the Transitional Housing Participant Misconduct Act (California Health and Safety Code Sections 50580 et. seq.) or other state or federal law, such rental units shall not be exempted from the requirements of Section 13.76.130, Good Cause Required for Eviction. For purposes of Section 13.76.130.A.2, the client's continued eligibility for participation in the treatment, recovery, therapy, sanctuary or shelter program shall be deemed a material term of the client's rental agreement with the program's operator.

9. *"Sabbatical" Exemption for Single-Family Homes.* A rental unit in a residential property containing only a Single Family Dwelling (as defined in Subtitle 23F.04 of the Zoning Ordinance) and owned by a property owner who:

a) owns only one residential unit in the City;

b) occupied that residential unit for at least 365 consecutive days as their principal residence immediately prior to renting the unit; and

c) is absent from the unit for a period not to exceed 24 months; and

d) such period is specified in the lease.

10. *Golden Duplex Exemption.* Rental units in a residential property which is divided into two units where one of the units was owner-occupied on December 31, 1979, and is currently occupied by the landlord as their principal residence. This exemption may only be claimed by a landlord who occupies a unit on the property as their principal residence on July 1, 2024. A landlord who qualifies for this exemption may claim it for any existing tenancy or any tenancy created after July 1, 2024, during the period of time in which the landlord occupies a unit on the property as their principal residence. Rental units which become non-exempt under this provision shall have the provisions of Subsections 13.76.080J and 13.76.100C. applied to them.

For the purposes of this subsection, the term landlord shall be defined only as the owner of record holding at least 50% interest in the property.

Rental units which are owned by any government agency. However, the exemption of units owned by the Berkeley Housing Authority from the terms of this chapter shall be limited to their exemption from the terms of Section 13.76.080, Rent Registration; Section 13.76.100, Establishment of Base Rent Ceiling and Posting; Section 13.76.110, Annual General Adjustment of Rent Ceilings; and Section 13.76.120, Individual Adjustments of Rent Ceilings, of this chapter.

- A. Rental units which are rented primarily to transient guests for use or occupancy less than fourteen consecutive days in establishments such as hotels, motels, inns, tourist homes, and rooming and boarding houses. However, the payment of rent every fourteen days or less shall not by itself exempt any unit from coverage by this chapter.
 - B. Rental units in nonprofit cooperatives owned and controlled by a majority of the residents.
 - C. Rental units leased to tenants assisted under the Section 8 program (42 U.S.C. Section 1437f) or the Shelter Plus Care Program (42 U.S.C. 11403 et. seq.) or similar federally funded rent subsidy program. Except as may be preempted by state or federal law, the exemption of such rental units from the terms of this chapter shall be limited to Section 13.76.080, Rent Registration; Section 13.76.100, Establishment of Base Rent Ceiling and Posting; Section 13.76.110, Annual General Adjustment of Rent Ceilings and Section 13.76.120, Individual Adjustments of Rent Ceilings, of this chapter. However, the exemption from Sections 13.76.080, 13.76.110 and 13.76.120 shall apply only for so long as the rent demanded does not exceed the authorized Payment Standard, which, for purposes of this subsection, is the maximum monthly rental assistance potentially available to an assisted household before deducting the household share of income paid for rent and utilities as established by the Berkeley Housing Authority or successor agency. For units where the rent demanded exceeds the Payment Standard, the Payment Standard or an initial rent above the Payment Standard if approved by the Berkeley Housing Authority, as reported to the board by the Berkeley Housing Authority or successor agency, shall become the unit's base rent ceiling and the reference point from which the rent ceiling shall be adjusted in accordance with Sections 13.76.110 and 13.76.120.
 - D. Rental units in any hospital, skilled nursing facility, health facility, asylum, or non-profit home for the aged.
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- E. Rental units in a residential property which is divided into a maximum of four units where one of such units is occupied by the landlord as his/her principal residence. Any exemption of rental units established under this subsection (~~13.76.050 F.~~) shall be limited to rental units that would have been exempt under the provisions of this chapter had this chapter been in effect on December 31, 1979. After July 1, 1982, this exemption shall no longer apply to rental units in a residential property which is divided into three or four units. It shall continue to apply to rental units in a residential property which is divided into two units, and which meet all the other requirements of this subsection (~~13.76.050 F.~~). Rental units which become non-exempt under this provision shall have the provisions of Subsections ~~13.76.080 I~~ and ~~13.76.100 C~~ applied to them.
- F. A rental unit in a residential property where the landlord shares kitchen or bath facilities with the tenant(s) of such rental unit and where the landlord also occupies a unit in the same property as his/her principal residence.
- G. For the purposes of Subsections ~~13.76.050 F.~~ and ~~G.~~, the term landlord shall be defined only as the owner of record holding at least 50% interest in the property.
- H. Newly constructed rental units, as defined in Section ~~13.76.040~~. However, the exemption of such newly constructed units shall be limited to their exemption from the terms of Section ~~13.76.100~~, Establishment of Base Rent Ceiling and Posting; Section ~~13.76.110~~, Annual General Adjustment of Rent Ceilings; and Section ~~13.76.120~~, Individual Adjustments of Rent Ceilings, of this chapter. To the extent that state law permits, the exemption of such newly constructed units shall be limited to the first 20 years after completion of construction.
- I. A rental unit which is rented by a nonprofit, accredited institution of higher education to a tenant or tenants who are student(s), faculty, or staff of the institution or of a member school of the Graduate Theological Union, provided, however, that the institution owned the unit as of January 1, 1988.
- J. A rental unit in a residential property owned by an organization exempt from federal income taxes under Section ~~501(c)(3)~~ of the Internal Revenue Code that is rented to a low income tenant and subject to a regulatory agreement with a governmental agency that controls the unit's rent levels. However, the exemption for such rental units from the terms of this chapter shall be limited to
- Section ~~13.76.080~~, Rent Registration; Section ~~13.76.100~~, Establishment of Base Rent Ceiling and
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Posting; Section 13.76.110, Annual General Adjustment of Rent Ceilings; and Section 13.76.120, Individual Adjustments of Rent Ceilings of this chapter and shall apply only for so long as the regulatory agreement is in effect. This exemption shall not apply to rental units at the property that are not subject to a regulatory agreement with a governmental agency or that are rented by a tenant who occupied the unit prior to the property's acquisition by the tax-exempt organization.

K. Rental units in a facility owned or leased by an organization exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code that has the primary purpose of operating a treatment, recovery, therapy, sanctuary or shelter program for qualified clients, where such rental units are provided incident to the client's participation in the primary program and where the client has been informed in writing of the temporary or transitional nature of the housing at the inception of his or her participation in the program. However, except as may be preempted by the Transitional Housing Participant Misconduct Act (California Health and Safety Code Sections 50580 et. seq.) or other state or federal law, such rental units shall not be exempted from the terms of Section

13.76.130, Good Cause Required for Eviction. For purposes of Section 13.76.130.A.2, the client's continued eligibility for participation in the treatment, recovery, therapy, sanctuary or shelter program shall be deemed a material term of the client's rental agreement with the program's operator.

M. A rental unit or room which is rented by an active member of a fraternity or sorority recognized by the University of California Berkeley, or a rental unit or room which is rented by an active member of a fraternity or sorority identified by Rent Board Resolution. To qualify for the exemption, the rental unit must be owned by the fraternity or sorority or by an entity whose sole purpose is the maintenance and operation of the fraternity or sorority's rental units for the benefit of the members in order to provide housing to said members at cost.

N. A rental unit in a residential property containing only a Single Family Dwelling (as defined in Subtitle 23F.04 of the Zoning Ordinance) and one lawfully established and fully permitted Accessory Dwelling Unit where the landlord also occupies a unit in the same property as his/her principal residence. This subsection (13.76.050N) shall only apply to properties containing a single Accessory Dwelling Unit, shall only apply to units compliant with all applicable requirements of Chapter 23C.24 ("Accessory Dwelling Units"), and shall only apply to tenancies created after November 7, 2018.

O. ~~A dwelling or a unit alienable separate from the title to any other dwelling unit unless the tenancy commenced before January 1, 1996. However, the exemption of such units shall be limited to their exemption from the terms of Section 13.76.100, Establishment of Base Rent Ceiling and Posting; Section 13.76.110, Annual General Adjustment of Rent Ceilings; and Section 13.76.120, Individual Adjustments of Rent Ceilings, of this chapter. A property owner who owns only one residential unit in the City of Berkeley, and occupied that residential unit for 365 consecutive days as their principal residence immediately prior to renting the unit, and is absent from the unit for a period not to exceed 24 months, and such period is specified in the lease, shall also be exempt from the terms of Section 13.76.080, Rent Registration, of this Chapter. The exemptions provided in this Section shall apply only as long as the pertinent provisions of California Civil Code Section 1954.50 et. seq. ("Costa-Hawkins") remain in effect and require such an exemption.~~

13.76.060 Rent Stabilization Board.

- A. *Composition.* There shall be in the ~~city of Berkeley City~~ an elected ~~R~~rent ~~S~~tabilization ~~B~~oard; the ~~B~~oard shall consist of nine ~~C~~ommissioners. The ~~B~~oard shall elect annually as chairperson one of its members to serve in that capacity.
- B. *Eligibility.* Residents who are duly qualified electors of the ~~C~~ity ~~of Berkeley~~ are eligible to serve as ~~C~~ommissioners on the ~~B~~oard.
- C. *Full ~~D~~isclosure of ~~H~~oldings.* Candidates for the position of ~~C~~ommissioner shall fulfill the requirements as set forth in the City Charter in Article III, Section 6 1/2.

In addition, when filing nomination papers, candidates shall submit a verified statement of their interests and dealings in real property, including but not limited to its ownership, sale or management and investment in and association with partnerships, corporations, joint ventures and syndicates engaged in its ownership, sale or management during the previous three years.

- D. *Election of ~~C~~ommissioners.* Commissioners shall be elected at the statewide general election held in November of even numbered years.
- E. *Terms of ~~O~~ffice.* Commissioners' terms of office shall be as set forth in Article XVII of the Berkeley City Charter.

F. *Powers and Duties.* The elected Rent Stabilization Board shall have the power to determine, to arbitrate and to set rent levels, whether through general or individual adjustments, of any unit which has controlled rents under any Berkeley Ordinance, and to administer any Berkeley program which regulates rents and evictions. The Board shall have the following powers and duties:

1. Set the rent ceilings for all rental units.
2. Require registration of all rental units under Section [13.76.080](#).
3. Publicize the manner in which the base rent ceiling is established under Section [13.76.100](#).
4. To make adjustments in the rent ceiling in accordance with Sections [13.76.110](#) and [13.76.120](#).
5. Set rents at fair and equitable levels in view of and in order to achieve the purposes of this Chapter.
6. To issue orders, rules and regulations, conduct hearings and charge fees as set below.
7. Make such studies, surveys and investigations, conduct such hearings, and obtain such information as is necessary to carry out its powers and duties.
8. Report annually to the city council of the city of Berkeley on the status of rental housing units covered by this Chapter.
- ~~9. Request the City Council to remove rent controls under Section [13.76.060Q](#).~~
- ~~9~~[10](#). Administer oaths and affirmations and subpoena witnesses and relevant documents.
- ~~10~~[11](#). Establish rules and regulations for settling civil claims under Section [13.76.150](#).
- ~~11~~[12](#). Seek injunctive relief under Section [13.76.150](#).
- ~~12~~[13](#). Pursue civil remedies in courts of appropriate jurisdiction.
- ~~13~~[14](#). Intervene as an interested party in any litigation brought before a court of appropriate jurisdiction by a landlord or tenant with respect to rental units covered by this Chapter.
- ~~14~~[15](#). Hold public hearings.

156. Charge and collect registration fees, including penalties for late payments and fines, as set by schedule, for failure to re-register a rental unit within fifteen (15) days of the commencement of a new tenancy.

16. Require that landlords of rental units subject to the requirement to register under Section 13.76.080 provide notice of the existence of this Chapter to each new tenant at the commencement of their tenancy.

17. Other powers necessary to carry out the purposes of this chapter which are not inconsistent with the terms of this Chapter.

18. Except as provided in Section 13.76.060N of this Chapter, the Board shall finance its reasonable and necessary expenses for its operation without the use of general fund monies of the city of Berkeley.

G. *Rules and Regulations:* The Board shall issue and follow such rules and regulations, including those which are contained in this Chapter, as will further the purposes of this Chapter. The Board shall publicize its rules and regulations prior to promulgation in at least one newspaper of general circulation in the city of Berkeley.

All rules and regulations and relevant documents explaining the decisions, orders, and policies of the Board shall be kept in the Board's office and shall be available to the public for inspection and copying.

The Board shall publicize this Chapter so that all residents of Berkeley will have the opportunity to become informed about their legal rights and duties under this Chapter. The Board shall prepare a brochure which fully describes the legal rights and duties of landlords and tenants under this Chapter. The brochure shall be made available to the public.

H. *Meetings:* The Board shall hold regularly scheduled meetings. Special meetings shall be called at the request of at least a majority of the Commissioners of the Board. The Board shall hold its initial meeting no later than July 15, 1980.

I. *Quorum:* Five Commissioners shall constitute a quorum for the Board.

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- J. *Voting*: The affirmative vote of five Commissioners of the Board is required for a decision, including all motions, rules, regulations, and orders of the Board.
- K. *Compensation*: The Rent Stabilization Board shall be a working Board. Commissioners shall be paid compensation and benefits in an amount set by the Board in order to compensate Commissioners for their time and work performed as required by this Chapter and the City Charter.
- L. *Dockets*: The Board shall maintain and keep in its office all hearing dockets, which shall be available for public inspection.
- M. *Vacancies*: If a vacancy shall occur on the Board, a qualified person to fill such vacancy shall be selected in accordance with the procedures set forth in Article V of the City Charter.
- N. *Financing*: The Board shall finance its reasonable and necessary expenses by charging landlords annual registration fees in amounts deemed reasonable by the Board. The registration fee for partially-exempt units shall reasonably approximate the cost of registration and counseling services for such units, and shall not include the cost of services from which such units are exempt. Such registration fees shall not be passed on to tenants in the form of rent increases except with the express prior approval of the Board. The Board is also empowered to request and receive funding, when and if necessary, from the City of Berkeley and/or any other available source for its reasonable and necessary expenses, including expenses incurred at the request of the City.
- O. *Staff*: The Board shall be a working Board and shall employ such staff as may be necessary to perform its functions efficiently and as provided by Berkeley Ordinance.
- P. *Registration*: The Board shall require the registration of all rental units covered by this chapter as provided for in Section 13.76.080. The Board may also require landlords to provide current information supplementing their registration statements.
- Q. *Decontrol*: ~~If the annual average vacancy rate for all rental units in the city of Berkeley exceeds five percent over a six month period, the city council is empowered, upon request by the board, at its discretion and in order to achieve the purposes of this chapter, to exempt rental units covered by this chapter from Sections 13.76.080, 13.76.100, 13.76.110 and 13.76.120 of this chapter. In determining the vacancy rate for the city of Berkeley the board and the city council shall consider~~
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~~all available data and may conduct their own survey. If units are exempted pursuant to this Subsection Q coverage shall be reimposed if the city council finds that the average annual vacancy rate has thereafter fallen below five percent. Prior to any decision to exempt or renew coverage for rental units under this Subsection Q the board shall hold at least two public hearings.~~

QR. *Conflict of Interest:* Commissioners shall be subject to the requirements of the California Political Reform Act and other applicable state and local conflict of interest codes. Commissioners shall not necessarily be disqualified from exercising any of their powers and duties on the grounds of a conflict of interest solely on the basis of their status as a landlord or tenant. However, a commissioner shall be disqualified from ruling on a petition for an individual adjustment of a rent ceiling under Section [13.76.120](#), where the commissioner is either the landlord of the property or a tenant residing in the property that is involved in the petition.

13.76.070 Security deposits.

Any payment or deposit of monies by the tenant, the primary function of which is to secure the performance of a rental agreement or any part of such agreement, including an advance payment of rent, shall be held by the landlord, in a fiduciary capacity for the benefit of the tenant and shall accrue simple interest at the rate equal to the average rates of interest paid on six-month certificates of deposit by banks doing business in the City ~~of Berkeley~~ until such time as the payment or deposit is returned to the tenant or entitled to be used by the landlord as provided in Civil Code Section [1950.5](#). The interest accrued by said payment or deposit through October 31st of each year shall be returned to the tenant annually in December of each year, either through a rent rebate or cash payment, and shall be at a rate equal to the 12-month average of the average rates of interest paid on six-month certificates of deposit by banks doing business in the City ~~of Berkeley~~ on the first business day of each month for the prior 12 months ending on November 1st, rounded to the nearest tenth. On or before November 15th of each year, the ~~B~~board shall give public notice of the rate to be effective for the following December. Upon the tenant's departure from the premises, the balance of any interest accrued since the last October 31st shall be paid at the average monthly rate from the last November 1st to the date of departure and shall be returned to the tenant along with the appropriate part of the principal and any prior unpaid interest. The ~~B~~board shall compute and publicize the interest rate applicable under this section on an ongoing basis.

13.76.080 Rent registration.

- A. The ~~B~~board shall require all landlords ~~subject to the provisions of this chapter prior to November 3, 2020,~~ to file a rent registration statement with the ~~B~~board by September 1, 1980 for each rental unit covered by this ~~C~~chapter, except for Fully-Exempt Units as set forth in Section 13.76.050.C. ~~The board shall require all landlords subject to Subsections 13.76.050I. and 13.76.050O. of this chapter to file a rent registration statement with the board for each rental unit covered by this chapter as outlined in Subsection 13.76.080L. A property owner who owns only one residential unit in the City of Berkeley, and occupied that residential unit for 365 consecutive days as their principal residence immediately prior to renting the unit, and is absent from the unit for a period not to exceed 24 months, and such period is specified in the lease, shall also be exempt from the terms of Section 13.76.080, Rent Registration, of this Chapter and need not file a rent registration statement for the subject rental unit.~~
- B. Landlords shall provide in their initial rent registration statement the following information:
- (1) The address of each rental unit;
 - (2) The name and address of the landlord(s) and the managing agent, if any;
 - (3) The date on which the landlord received legal title to or equitable interest in the rental unit;
 - (4) The housing services provided for the rental unit;
 - (5) The rent in effect on June 6, 1978;
 - (6) The rent in effect on December 30, 1979;
 - (7) The base rent ceiling;
 - (8) The lowest rent in effect between June 6, 1978, and the date of the adoption of this ~~C~~chapter;
 - (9) The amount of any deposits or other monies in addition to periodic rent demanded or received by the landlord in connection with the use or occupancy of the rental unit;
 - (10) Whether the rental unit was vacant or occupied on May 31, 1980;

(11) Rent in effect on December 31, 1981.

- C. All rent registration statements provided by landlords in accordance with this Chapter shall include an affidavit signed by the landlord declaring under penalty of perjury that the information provided in the rent registration statement is true and correct.
- D. Notice at Commencement of Tenancy. The landlord of any rental unit subject to this section must give the tenant a written notice on a form prescribed by the Board within 15 days of the commencement of the tenancy. The form shall include the following information:
- (1). The existence and scope of this Chapter;
 - (2). The tenant's rights to petition against certain rent increases, if applicable;
 - (3) Whether the landlord is permitted to set the initial rent and subsequent rents during the tenancy without limitation (such as pursuant to California Civil Code Sections 1947.12 and 1954.52); and
 - (4) Any provisions of this Chapter which the landlord claims the rental unit to be exempt from.

If rental units subject to this Chapter are located in at a property with an interior common area that all of the building's tenants have access to, the landlord must post a notice containing the information in subparagraph (1) and, if applicable to all units at the property, the information in subparagraphs (2) through (4).

All registration statements under this section shall include an affidavit signed by the landlord declaring under penalty of perjury that the landlord has provided this notice at the commencement of the current tenancy. A landlord that has failed to provide a notice pursuant to this subsection shall not be in compliance with this section.

- E. Vacancy Registration. Any landlord who rents a unit to a new tenant after January 1, 1996, shall re-register the rental unit with the Board within fifteen (15) days of the commencement of a new tenancy on a form prescribed by the Board. Re-registering the unit shall include providing all current tenancy information as established by the Board's Regulations.

~~D. The first annual registration fee of twelve dollars per unit shall be paid by the landlords to the board no later than September 1, 1980. Subsequent annual registration fees set in accordance with Section 13.76.060N of this chapter shall be paid no later than July 1 of each year. Because fees charged in years prior to 1991 were due on September 1, but paid for board expenses from each preceding July 1, the fee due 1991 shall be calculated to pay for twelve months of board expenses.~~

~~FE.~~ The ~~B~~board shall provide forms for the registration information required by this section and shall make other reasonable efforts to facilitate the fulfillment of the requirements set forth in this section.

~~GF.~~ Every annual registration fee required by this ~~C~~chapter which is not paid on or before July 1 is declared delinquent, and the ~~B~~board shall add to said registration fee and collect a penalty of one hundred percent of the fee so delinquent in addition to the fee. Every six months that the fee and penalty remain delinquent, the penalty shall be increased by one hundred percent of the original fee. The ~~B~~board may waive the penalty if payment is made within thirty days of the original due date.

A landlord may request the ~~B~~board to waive all or part of the penalty if ~~he/she~~the landlord can show good cause for the delinquent payment.

~~HG.~~ The amount of any registration fee, ~~and~~ penalty, ~~and fine~~ imposed by the provisions of this chapter shall be deemed a debt to the ~~C~~city.

~~IH.~~ Within thirty days after the filing of a rent registration statement, the ~~B~~board shall provide a true and correct copy of said statement to the occupant of the respective unit.

~~JL.~~ Landlords of formerly exempt units shall register within ~~60~~sixty days of coming under coverage of this ~~C~~chapter. The registration fee for this first-time registration shall be pro-rated based upon the number of months remaining to the next July 1 annual registration deadline.

~~KJ.~~ No landlord shall be deemed to be in compliance with this ~~S~~section with respect to a given unit until the landlord has completed registration for all covered units in the same property. Registration shall be deemed complete when all required information has been provided, any notice required by subsection 13.76.080.D has been provided to the Board, and all outstanding fees and penalties have been paid.

~~LK.~~ Registration fees shall not be passed along to the tenants without the express, prior approval of the ~~B~~board. Under no circumstances shall penalties be passed along to tenants.

M. A landlord may not demand or collect rent from tenants during any period in which the landlord is out of compliance with the requirements of this Section. A landlord may demand rent upon full compliance with all registration requirements.

N.L. Landlords of ~~P~~partially-Covered~~exempt~~ Uunits (set forth above in Section 13.76.050.B s 13.76.050I and 13.76.050O.) shall register within sixty-60 days of coming under coverage of this Cchapter. The registration fee for this first-time registration shall be pro-rated based upon the number of months remaining to the next July 1 annual registration deadline.

13.76.090 Confidentiality of information submitted to Board.

The Bboard shall adopt rules and regulations providing for the confidentiality of information submitted to the Bboard in support of a petition for an individual rent ceiling adjustment under Section 13.76.120 of this Cchapter when such confidentiality is deemed necessary by the Bboard and where otherwise permitted by state law.

13.76.100 Establishment of base rent ceiling and posting.

A. *Base Rent Ceiling.* Upon adoption of this Cchapter, no landlord shall charge rent for any rental unit covered by the terms of this Cchapter affecting rents in an amount greater than the lawful rent which was actually due and payable on, or last preceding, May 31, 1980, under the periodic term of the rental agreement, in accordance with the provisions of the Temporary Rent Stabilization Ordinance, No. 5212-N.S., except as permitted by the Bboard under Sections 13.76.110 and 13.76.120 of this Cchapter. Such lawful rent in effect on May 31, 1980, is the base rent ceiling and is a reference point from which the rent ceiling shall be adjusted in accordance with Sections 13.76.110 and 13.76.120. For such rental units where no rent was in effect on May 31, 1980, the base rent ceiling shall be the most recent lawful periodic rent in effect for that rental unit during the six months preceding that date. For such rental units where no periodic rent was in effect on May 31, 1980, or during the six months preceding that date and no other rent has been certified or determined by the Bboard after hearing, the base rent ceiling shall be the first periodic rent charged following May 31, 1980.

B. *Posting.* The Bboard may establish reasonable rules and regulations for the posting of rent ceiling and other relevant information to further the purposes of this Cchapter.

C. *Previously Exempt Units.* For rental units specified in Section [13.76.050B\(10\)](#), ~~13.76.050.F~~, the base rent ceiling shall be the rent in effect ~~on December 31, 1981~~ on June 1, 1980. For such rental units where the landlord lawfully established a new initial rent any time after January 1, 1996, the most recently established initial rent shall become the unit's base rent ceiling and the reference point from which the rent ceiling shall be adjusted in accordance with Sections 13.76.110 and 13.76.120. Initial rent shall mean the first periodic rental rate established for the existing tenancy.

For such rental units where no rent was in effect on December 31, 1981, the base rent ceiling shall be the most recent lawful periodic rent in effect for that rental unit during the six months preceding that date. For such rental units where no periodic rent was in effect on December 31, 1981, or during the six months preceding that date and no other rent has been certified or determined by the Bboard after hearing, the base rent ceiling shall be the first periodic rent charged following December 31, 1981.

D. *Vacancy Rent Increases Preserved.* This subdivision shall apply to the extent that state law no longer mandates that a landlord may establish the initial rental rate for any tenancy in a unit that is otherwise subject to a residential rent control ordinance. For such rental units where the landlord lawfully established a new initial rent under the Costa-Hawkins Rental Housing Act (Civil Code Section [1954.50](#) et seq.), the Base Rent Ceiling shall be the most recent lawfully established periodic rent. For such rental units that were exempt from rent stabilization pursuant to the Costa-Hawkins Rental Housing Act, the Base Rent Ceiling shall be the most recent lawfully established periodic rent.

E. *Utilities.* A tenant may only be responsible for utilities if either: 1) the utility charge is included in the base rent does not increase during the tenancy; or 2) the utility service is separately or individually metered and the lease agreement requires that the tenant registers the utility account in their own name.

This prohibition shall not apply to leases entered into before February 6, 2024 to the extent that the lease provides that the tenant shall pay for one or more utility. For all other tenancies, this prohibition shall apply regardless of whether the written lease allows for split utility charges or ration utility billing services. In the event a lease entered into after February 6, 2024 charges the tenant for

utilities in violation of this section, the landlord may petition pursuant to Section 13.76.120 of this Chapter to adjust the rent ceiling to include the average cost of utilities for the unit.

13.76.110 Annual general adjustment of rent ceilings.

A. Effective January 1 of each year, the rent ceiling for all rental units covered by this ~~C~~chapter for which the landlord did not establish an initial rent during the prior calendar year shall be adjusted by 65% of the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) in the

San Francisco-Oakland-San Jose region as reported and published by the U.S. Department of Labor, Bureau of Labor Statistics, for the twelve month period ending the previous June 30. In determining the allowable percentage rent increase, numbers of .04 and below shall be rounded down to the nearest tenth decimal place and numbers of .05 and above shall be rounded up to the nearest tenth decimal place. In no event, however, shall the allowable annual adjustment be less than zero (0%) or greater than ~~seven-three~~ percent (~~73~~%). The ~~B~~board shall publish and publicize the annual general adjustment on or about October 31st of each year.

B. An upward general adjustment in rent ceilings does not automatically provide for a rent increase. Allowable rent increases pursuant to a general upward adjustment shall become effective only after the landlord gives the tenant at least a 30 days written notice of such rent increase and the notice period expires.

C. If the maximum allowable rent specified under this ~~C~~chapter for a rental unit is greater than the rent specified for such unit in the rental agreement, the lower rent specified in the rental agreement shall be the maximum allowable rent until the rental agreement expires. If the maximum allowable rent specified under this ~~C~~chapter for a rental unit is less than the rent specified for such unit in the rental agreement, the lower rent specified under this ~~C~~chapter shall be the maximum allowable rent.

D. No rent increase pursuant to an upward general adjustment of a rent ceiling shall be effective if the landlord:

1. Has continued to fail to comply, after order of the ~~B~~board, with any provisions of this ~~C~~chapter and/or orders or regulations issued thereunder, or

2. Has failed to bring the rental unit into compliance with the implied warranty of habitability, or
3. Has failed to make repairs as ordered by the housing inspection services of the ~~City of~~ [Berkeley](#), or
4. Has failed to completely register by July 1, except as provided in Subsection [E](#) below.

E. The amount of an upward general adjustment for which a landlord shall be eligible shall decrease by ten percent (10%) per month for each month beyond October 1 for which the landlord fails to register.

F. An owner who has previously been out of compliance with the ordinance, regulations, or applicable housing, health and safety codes, and has been denied Annual General Adjustments, may be granted them prospectively as set forth in ~~Rent~~ Board [r](#)Regulations.

13.76.120 Individual adjustments of rent ceilings.

A. *Petitions.* Upon receipt of a petition by a landlord and/or tenant, the rent ceiling of individual controlled rental units may be adjusted upward or downward in accordance with the procedures set forth elsewhere in this [S](#)section. The petition shall be on the form provided by the [B](#)board. The [B](#)board may set a reasonable per unit fee based upon the expenses of processing the petition to be paid by the petitioner at the time of filing. ~~No petition shall be filed before September 1, 1980.~~ Notwithstanding any other provision of this [S](#)section, the [B](#)board or hearing examiner may refuse to hold a hearing and/or grant an individual rent ceiling adjustment for a rental unit if an individual hearing has been held and decision made with regard to the rent ceiling for such unit, within the previous six months.

B. *Hearing Procedure.* The [B](#)board shall enact rules and regulations governing hearings and appeals of individual adjustments of rent ceilings which shall include the following:

1. *Hearing Examiner.* A hearing examiner appointed by the [B](#)board shall conduct a hearing to act upon the petition for individual adjustments of rent ceilings and shall have the power to administer oaths and affirmations.

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2. *Notice.* The Bboard shall notify the landlord if the petition was filed by the tenant, or the tenant, if the petition was filed by the landlord, of the receipt of such a petition and a copy thereof.
 3. *Time of Hearing.* The hearing officer shall notify all parties as to the time, date and place of the hearing.
 4. *Records.* The hearing examiner may require either party to an individual rent ceiling adjustment hearing to provide it with any books, records and papers deemed pertinent in addition to that information contained in registration statements. The hearing examiner shall conduct a current building inspection and/or request the City to conduct a current building inspection if the hearing examiner finds good cause to believe the Bboard's current information does not reflect the current condition of the controlled rental unit. The tenant may request the hearing examiner to order such an inspection prior to the date of the hearing. All documents required under this section shall be made available to the parties involved prior to the hearing at the office of the Bboard. In cases where information filed in a petition for an individual rent ceiling adjustment or in additional submissions filed at the request of the hearing examiner is inadequate or false, no action shall be taken on said petition until the deficiency is remedied.
 5. *Open Hearings.* All individual rent ceiling adjustment hearings shall be open to the public.
 6. *Right of Assistance.* All parties to a hearing may have assistance in presenting evidence and developing their position from attorneys, legal workers, Tenant Association, recognized tenant organization representatives or any other persons designated by said parties.
 7. *Hearing Record.* The Bboard shall make available for inspection and copying by any person an official record which shall constitute the exclusive record for decision on the issues at the hearing. The record of the hearing, or any part of one, shall be obtainable for the cost of copying. The record of the hearing shall include: all exhibits, papers and documents required to be filed or accepted into evidence during the proceedings; a list of participants present; a summary of all testimony accepted in the proceedings; a statement of all materials officially noticed; all recommended decisions, orders and/or rulings; all final decisions, orders and/or rulings, and the reasons for each final decision, order and/or ruling. Any party may have the proceeding tape recorded or otherwise transcribed at his or her own expense.
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8. *Quantum Burden of Proof and Notice of Decision.* No individual rent ceiling adjustment shall be granted unless supported by the preponderance of the evidence submitted at the hearing. All parties to a hearing shall be sent a notice of the decision and a copy of the findings of fact and law upon which said decision is based. At the same time, parties to the proceedings shall also be notified of their right to and the time limit for any appeal allowed by the Board and/or to judicial review of the decision pursuant to this section and Section 13.76.180 of this chapter.
 9. *Consolidation.* All landlord petitions pertaining to tenants in the same building shall be consolidated for hearing, and all petitions filed by tenants occupying the same building shall be consolidated for hearing unless there is a showing of good cause not to consolidate such petitions.
 10. *Appeal.* Any person aggrieved by the decision of the hearing examiner may appeal to the Board or to any appeals panel of the Board established by the Board, so long as such panel has at least three commissioners. On appeal the Board or panel shall affirm, reverse, remand, or modify the decision of the hearing examiner. The Board or panel may conduct a new (de novo) hearing or may act on the basis of the record before the hearing examiner without holding a hearing. An appeal to the Board shall be filed no later than thirty days after receipt of the notice of the decision of the hearing examiner. The Board may set a reasonable appeal fee to be paid by the appellant at the time of filing the appeal.
 11. *Finality of Decision.* The decision of the hearing examiner shall be the final decision of the Board in the event of no appeal to the Board. The decision of the hearing examiner shall not be stayed pending appeal; however, in the event that the Board or panel reverses or modifies the decision of the hearing examiner, the Board shall order the appropriate party to make retroactive payments to restore the parties to the position they would have occupied had the hearing examiner's decision been the same as that of the Board's.
 12. *Time for Decision.* The rules and regulations adopted by the Board shall provide for final Board action on any individual rent adjustment petition within 120 days following the date of filing of the individual rent ceiling adjustment petition, unless the conduct of the petitioner or other good cause is responsible for the delay.
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13. *Board Action in Lieu of Reference to Hearing Examiner.* The ~~B~~board, on its own motion or on the request of any landlord or tenant, may hold a hearing on an individual petition for a rent ceiling adjustment without the petition first being heard by a hearing examiner.

C. In making individual adjustments of the rent ceiling, the ~~B~~board or the hearing examiner shall consider the purposes of this ~~C~~chapter and shall specifically consider all relevant factors, including (but not limited to):

1. Increases or decreases in property taxes;
2. Unavoidable increases or any decreases in maintenance and operating expenses;
3. The cost of ~~planned or~~ completed capital improvements to the rental unit (as distinguished from ordinary repair, replacement and maintenance) where such capital improvements are necessary to bring the property into compliance or maintain compliance with applicable local code requirements affecting health and safety, and where such capital improvement costs are properly amortized over the life of the improvement;
4. Increases or decreases in the number of tenants occupying the rental unit, living space, furniture, furnishings, equipment, or other housing services provided, or occupancy rules;
5. Substantial deterioration of the controlled rental unit other than as a result of normal wear and tear;
6. Failure on the part of the landlord to provide adequate housing services, or to comply substantially with applicable state rental housing laws, local housing, health and safety codes, or the rental agreement;
7. Whether parties conferred in good faith relating to housing services and conditions, landlord-tenant relations, rent increases, and other issues of common interest or concern;

~~8~~7. The pattern of recent rent increases or decreases;

~~9~~8. The landlord's rate of return on investment. In determining such return, all relevant factors, including but not limited to the following shall be considered: the landlord's actual cash down payment, method of financing the property, and any federal or state tax benefits accruing to the landlord as a result of ownership of the property.

10 9. Whether or not the property was acquired or is held as a long-term or short-term investment; and

11 10. Whether or not the landlord has received rent in violation of the terms of this chapter or has otherwise failed to comply with the Cchapter.

It is the intent of this Cchapter that individual upward adjustments in the rent ceilings on units be made only when the landlord demonstrates that such adjustments are necessary to provide the landlord with a fair return on investment.

D. No individual upward adjustment of a rent ceiling shall be authorized by the Bboard by reason of increased interest or other expenses resulting from the landlord's refinancing the rental unit if, at the time the landlord refinanced, the landlord could reasonably have foreseen that such increased expenses could not be covered by the rent schedule then in existence, except where such refinancing is necessary for the landlord to make capital improvements which meet the criteria set forth in Section 13.76.120 C.3. This paragraph shall only apply to that portion of the increased expenses resulting from the refinancing that were reasonably foreseeable at the time of the refinancing of the rental unit and shall only apply to rental units refinanced after the date of adoption of this Cchapter.

E. Except for cases of individual hardship as set forth in Subsection 13.76.120 I of this Cchapter, no individual upward adjustment of a rent ceiling shall be authorized by the Bboard because of the landlord's increased interest or other expenses resulting from the sale of the property, if at the time the landlord acquired the property, the landlord could have reasonably foreseen that such increased expenses would not be covered by the rent schedule then in effect. This Subsection (13.76.120 E) shall only apply to rental units acquired after the date of adoption of this Cchapter.

F. No upward adjustment of an individual rent ceiling shall be authorized by the Bboard under this Section if the landlord:

1. Has continued to fail to comply, after order of the Bboard, with any provisions of this Cchapter and/or orders or regulations issued thereunder by the Bboard, or
2. Has failed to bring the rental unit into compliance with the implied warranty of habitability.

G. Allowable rent increases pursuant to an individual upward adjustment of the rent ceiling shall become effective only after the landlord gives the tenant at least a 30 day written notice of such rent increase and the notice period expires.

H. If the Board makes a downward individual adjustment of the ceiling, such rent decrease shall take effect no later than 30 days after the effective date set by the Board for the downward adjustment.

I. No provision of this Chapter shall be applied so as to prohibit the Board from granting an individual rent adjustment that is demonstrated necessary by the landlord to provide the landlord with a fair return on investment.

13.76.130 Good Just cause required for eviction.

A. No landlord shall be entitled to recover possession of a rental unit covered by the terms of this chapter unless said landlord shows the existence of one of the following grounds:

1. Non-payment of Rent. The tenant has failed to pay rent to which the landlord is legally entitled pursuant to the lease or rental agreement and under the provisions of state or local law, unless the tenant has withheld rent pursuant to applicable law; and said failure has continued after service on the tenant of a written notice setting forth the amount of rent then due and requiring it to be paid, within a period, specified in the notice, of not less than three days. Rent that is lawfully withheld pursuant to emergency legislation that authorizes rent withholding during the effective period of a state of emergency applicable in Berkeley-the City shall not constitute grounds for recovery of possession except as expressly provided in the applicable emergency legislation. Emergency legislation adopted during the emergency may prohibit recovery of possession for lawfully withheld rent even after the expiration of a state or local emergency. This subsection shall not constitute grounds where the amount of rent demanded is less than one month of fair market rent for a unit of equivalent size in the metro area OaklandFremont, CA HUD Metro FMR as determined by the U.S. Department of Housing and Urban Development for the fiscal year in which the rent is demanded.

2. Substantial Violation of Material Lease Causing Actual Injury. The tenant has continued, after written notice to cease, to substantially violate any of the material terms of the rental agreement, except the obligation to surrender possession on proper notice as required by law, and provided that such terms are reasonable and legal and have been accepted in writing by the tenant or made part of the rental agreement; and provided further that, where such terms have been accepted by the tenant or made part of the rental agreement subsequent to the initial creation of the tenancy, the landlord shall have first notified the tenant in writing that he or she need not accept such terms or agree to their being made part of the rental agreement.

Material terms of the rental agreement only include those terms of the rental agreement which both parties have expressly agreed upon and do not include any changes of the terms of tenancy, other than the amount of rent owing for the premises, which the landlord has attempted to impose unilaterally under Civil Code Section 827.

In order to assert this ground for eviction, the landlord must demonstrate all of the following:

- a. that the tenant's lease violation caused substantial actual damage to the landlord, and
- b. that the tenant's behavior was unreasonable.

Actual injury must be a direct result of the tenant's breach of lease and is not limited to physical or personal injury. Substantial actual injury includes but is not limited to the harm caused by a tenant's failure to comply with income recertification mandated by state or federal statute or regulation for deed-restricted affordable housing units.

Notwithstanding any contrary provision in this Chapter or in the rental agreement, a landlord is not entitled to recover possession of a rental unit under this Subsection where a tenant permits his or her rental unit to be occupied by a subtenant, provided:

- (a) The landlord has unreasonably withheld consent to the subtenancy; and
- (b) The tenant remains an actual occupant of the rental unit; and

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- (c) The number of tenants and subtenants actually occupying the rental unit does not exceed the number of occupants originally allowed by the rental agreement or the Board's regulations, whichever is greater.
 - (d) Withholding of consent by the landlord shall be deemed to be unreasonable where:
 - i. The tenant's written request for consent was given at least two weeks prior to commencement of the subtenancy;
 - ii. The proposed new subtenant has, upon the landlord's written request, completed the landlord's standard form application or provided sufficient information to allow the landlord to conduct a standard background check, including references and credit, income and other reasonable background information; and
 - iii. The proposed new subtenant meets the landlord's customary occupancy qualifications and has not refused the landlord's request to be bound by the terms of the current rental agreement between the landlord and the tenant; and
 - iv. The landlord has not articulated in writing a well-founded reason for refusing consent.

Any notice to cease given pursuant to this Subsection must state allegations in sufficient detail so that a reasonable person would understand the alleged violation and resulting injury, including the specific term of the lease allegedly violated, the date of the alleged violation, and the injury that occurred as a result of the alleged violation.

3. Substantial Damage to Premises. ~~The Premises.~~ The tenant has willfully caused or allowed substantial damage to the premises beyond normal wear and tear and has refused, after written notice, to pay the reasonable costs of repairing such damage and cease damaging said premises.

4. ~~The tenant has refused to agree to a new rental agreement upon expiration of a prior rental agreement, but only where the new rental agreement contains provisions that are substantially identical to the prior rental agreement, and is not inconsistent with local, state and federal laws.~~

45. *Destruction of Peace.* The tenant has continued, following written notice to cease, to be so disorderly as to destroy the peace and quiet of other tenants or occupants of the premises or the tenant is otherwise subject to eviction pursuant to subdivision 4 of Code of Civil Procedure Section 1161.

56. *Refusal of Lawful Access to Unit.* The tenant has, after written notice to cease, refused the landlord access to the unit as required by state or local law.

67. *Substantial and Necessary Repairs.*

(a) The landlord, after having obtained all necessary permits from the City ~~of Berkeley~~, seeks in good faith to undertake substantial repairs which are necessary to bring the property into compliance with applicable codes and laws affecting the health and safety of tenants of the building or where necessary under an outstanding notice of code violations affecting the health and safety of tenants of the building, and where such repairs cannot be completed while the tenant resides on the premises.

(b) Where such repairs can be completed in a period of 60 or fewer days, and the tenant, within 30 days after the service of a notice of termination of his or her tenancy, agrees in writing to vacate the premises during the period required to complete the repairs at no charge to the landlord, other than abatement of the obligation to pay rent for the premises during the period required to complete the repairs, the landlord may not recover possession pursuant to this ~~subsection~~ (13.76.130A.67.) unless the tenant shall fail or refuse to vacate the premises in accordance with such agreement.

(c) Where the landlord owns any other residential rental units in the City ~~of Berkeley~~, and any such unit is vacant and available at the time of premises or the entry of a judgment by a court of competent jurisdiction awarding possession of the premises to the landlord, the landlord shall, as a condition of obtaining possession pursuant to this ~~subsection~~ (13.76.130A.67.), notify tenant in writing of the existence and address of each such vacant rental unit and offer tenant the right, at the tenant's option:

- i. To enter into a rental agreement (to be designated as a "temporary rental agreement") on any available rental unit which the tenant may choose, at a rent not to exceed the lesser of the lawful rent which may be charged for such available rental unit

or the lawful rent in effect, at the time of the notice of termination of tenancy, on the unit being vacated, said rental agreement to be for a term of the lesser of ninety days or until completion of repairs on the rental unit being vacated by tenant; or

ii. To enter into a new rental agreement or lease for such available rental unit at a rent not to exceed the lawful rent which may be charged for such available rental unit.

(d) Where the landlord recovers possession under this subsection [13.76.130A.\(67\)](#), the tenant must be given the right of first refusal to re-occupy the unit upon completion of the required work. In the event the landlord files an application for an individual rent adjustment within six months following the completion of the work, the tenant shall be a party to such proceeding the same as if he or she were still in possession, unless the landlord shall submit, with such application, a written waiver by the tenant of his or her right to re-occupy the premises pursuant to this [subsection](#).

~~8. The landlord, after having obtained all necessary permits from the City of Berkeley, seeks in good faith to recover possession of the rental unit, in order to remove the rental unit from the market by demolition.~~

[79. Owner Move-in Evictions.](#)

(a) The landlord seeks in good faith with honest intent and without ulterior motive to recover possession for his/her own use and occupancy as his/her principal residence for a period of at least 36 consecutive months; or

(b) For the use and occupancy as the principal residence by the landlord's spouse or by the landlord's child, or parent for a period of at least 36 consecutive months.

(c) For the purposes of this [subsection](#) ([13.76.130A.79](#)), the term landlord shall be defined as the owner of record, as of the time of giving of a notice terminating tenancy, and at all times thereafter to and including the earlier of the tenant's surrender of possession of the premises or the entry of a judgment of a court of competent jurisdiction awarding possession of the premises to the landlord, holding at least a 50% interest in the property and shall not include a lessor, sublessor, or agent of the owner of record.

(d) All notices terminating tenancy pursuant to subsection [13.76.130A.79](#) shall include the following: the existence and potential availability of relocation assistance under subsection

[13.76.130A.79.g](#); the existence of tenant protections for families with minor children as defined in [subsection 13.76.130A.79.k](#); the name and relationship of any qualified relative for purposes of [subsection 13.76.130A.79b](#); and the landlord's ownership interest in any residential properties in the City of Berkeley where such interest, in any form whatsoever, is ten percent (10%) or greater. The landlord shall, within ten days of giving notice, file a copy of the notice terminating tenancy with the Rent Board.

(e) The landlord may not recover possession under this [subsection \(13.76.130A.79\)](#) if a comparable unit, owned by the landlord in the City of Berkeley, was, at the time of the landlord's decision to seek to recover possession of the rental unit, already vacant and available, or if a comparable unit, owned by the landlord in the City of Berkeley, thereafter becomes vacant at any time until the earlier of the tenant's surrender of possession of the premises or the entry of a judgment of a court of competent jurisdiction awarding possession of the premises to the landlord. In an action by or against the tenant, evidence that a comparable unit was vacant and available within ninety days prior to the date of a notice terminating the tenant's tenancy shall create a presumption that such unit was vacant and available at the time of the landlord's decision to seek to recover possession of the premises. "Presumption" means that the court must find the existence of the presumed fact unless and until the contrary is proven by a preponderance of the evidence.

(f) The landlord shall offer any non-comparable unit owned by the landlord to the tenant if a non-comparable unit becomes available before the recovery of possession of the tenant's unit at a rate based on the rent the tenant is paying with an upward or downward adjustment based on the condition, size, and other amenities of the replacement unit. Disputes concerning the initial rent for the replacement unit shall be determined by the Rent Board.

(g) Where a landlord recovers possession of a unit under [subsection 13.76.130A.79](#), the landlord is required to provide standard relocation assistance to tenant households where at least one occupant has resided in the unit for one year or more in the amount of \$15,000.

The landlord is required to provide an additional \$5,000 relocation assistance to tenant households that qualify as low-income; or include disabled or elderly tenants; minor children; or tenancies which began prior to January 1, 1999. The relocation fees set forth above shall be increased in accordance with the rules set forth in [Subsection](#)

[13.76.130A.79.h](#) below. The procedures for payment of this relocation assistance are set forth below in [Subsection 13.76.130A.79.p.\(i\)](#) through [\(iv\)](#). The following definitions apply for any tenant households evicted for owner move-in under [Subsection 13.76.130A.79](#):

- i. "Low-income tenants" means persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937, or as otherwise defined in Health and Safety Code Section [50079.5](#).
- ii. A person is "disabled" if ~~he/she~~[that person](#) has a physical or mental impairment that limits one or more of a person's major life activities within the meaning of the California Fair Housing and Employment Act (Government Code § [12926](#)).
- iii. "Elderly" is defined as sixty (60) years of age or older.
- iv. "Minor child" means a person who is under 18 years of age.
- v. "Tenancy began prior to January 1, 1999" is a tenancy where an "original occupant" (as defined by ~~Berkeley Rent~~ Board [r](#)Regulation) still permanently resides in the rental unit.

(h) Effective January 1 of each year beginning in 2018, the fees set forth above in [Subsection 13.76.130A.79.g.](#), ~~shall~~[may](#) be increased in an amount based on the Consumer Price Index - All Urban Consumers in the San Francisco-Oakland-San Jose Region averaged for the 12-month period ending June 30, of each year, as determined and published by United States Department of Labor. Any increase shall be published by the Board on or before October 31st of each year.

- (i) It shall be evidence that the landlord has acted in bad faith if the landlord or the landlord's qualified relative for whom the tenant was evicted does not move into the rental unit within three months from the date of the tenant's surrender of possession of

the premises or occupy said unit as his/her principal residence for a period of at least 36 consecutive months.

- (j) Once a landlord has successfully recovered possession of a rental unit pursuant to [subsection 13.76.130A.79.a](#), then no other current or future landlords may recover possession of any other rental unit on the property pursuant to [subsection 13.76.130A.79.a](#). It is the intention of this subsection that only one specific unit per property may be used for such occupancy under [subsection 13.76.130A.79.a](#) and that once a unit is used for such occupancy, all future occupancies under [subsection 13.76.130A.79.a](#) must be of that same unit.
- (k) A landlord may not recover possession of a unit from a tenant under [subsection 13.76.130A.79](#) if any tenant in the rental unit has a custodial or family relationship with a minor child who is residing in the unit, the tenant with the custodial or family relationship has resided in the unit for 12 months or more, and the effective date of the notice of termination of tenancy falls during the school year. The term "school year" as used in this subsection means the first day of instruction for the Fall Semester through the first day of the month following the last day of instruction for the Spring Semester, as posted on the Berkeley Unified School District website for each year.
 - i. For purposes of [subsection 13.76.130A.79.k](#), the term "custodial relationship" means that the person is a legal guardian of the child, or has a caregiver's authorization affidavit for the child as defined by Section [6550](#) of the California Family Code, or that the person has provided full-time custodial care of the child pursuant to an agreement with the child's legal guardian or court-recognized caregiver and has been providing that care for at least one year or half of the child's lifetime, whichever is less. The term "family relationship" means that the person is the biological or adoptive parent, grandparent, brother, sister, aunt or uncle of the child, or the spouse or domestic partner of such relations.
- (l) A landlord may not recover possession of a unit from a tenant under [subsection 13.76.130A.79](#) if any tenant in the rental unit:

i. Is 60 years of age or older and has been residing on the property for five years or more; or ii. Is disabled and has been residing on the property for five years or more; or

iii. Has resided on the property for five years or more and the landlord has a ten percent (10%) or greater ownership interest, in any form whatsoever, in five or more residential rental units in the City of Berkeley.

(m) A tenant who claims to be a member of one of the classes protected by [Ssubsection 13.76.130A.79.I](#) must submit a statement, with supporting evidence, to the landlord. A tenant's failure to submit a statement at any point prior to the trial date of an unlawful detainer action for possession of the tenant's unit shall be deemed an admission that the tenant is not protected by [Ssubsection 13.76.130A.79.I](#). A landlord may challenge a tenant's claim of protected status by raising it as an issue at trial in an unlawful detainer action for possession of the tenant's unit.

(n) The provisions of [Ssubsection 13.76.130A.79.I](#) shall not apply to the following situations:

i. Where a person is the owner of three or fewer residential units in the City of Berkeley and has no greater than a nine percent (9%) ownership interest in any other residential unit in the City of Berkeley; or

ii. Where each residential rental unit in [the City Berkeley](#) in which the landlord holds an ownership interest of ten percent (10%) or greater is occupied by a tenant otherwise protected from eviction by [Ssubsection 13.76.130A.79.I](#) and the landlord's qualified relative who is seeking possession of a unit subject to [Ssubsection 13.76.130A.79.b](#) is 60 years of age or older or is disabled as defined in [Ssubsection 13.76.130A.79.I.\(ii\)](#) above; or

iii. Where each residential rental unit in [the City Berkeley](#) in which the landlord holds an ownership interest of ten percent (10%) or greater is occupied by a tenant otherwise protected from eviction by [Ssubsection 13.76.130A.79.I](#), the landlord has owned the unit for which possession is being sought subject to [Ssubsection](#)

[13.76.130A.79.a](#) for five years or more and is 60 years of age or older or is disabled as defined in [subsection 13.76.130A.79.i\(ii\)](#).

(o) Where a landlord recovers possession under Subsection [13.76.130A.79](#), the tenant must be given the right of first refusal to re-occupy the unit upon its next vacancy.

(p) When a landlord is required to provide a relocation assistance payment subject to [subsection 13.76.130A.79.g](#), the payment shall be divided among the tenants occupying the rental unit at the time of service of the notice to terminate tenancy.

i. Within ten days of service of a notice terminating tenancy under [subsection 13.76.130A.79](#), the landlord shall deposit the standard relocation assistance (for households where an occupant has resided one year or more) with the City or its designated agent to be held in escrow. Within ten days after the funds are deposited into escrow, the City shall release the standard relocation assistance to the tenant household, unless the landlord notifies the Rent Stabilization Program in writing that ~~he/she~~[the landlord](#) disputes the tenant's eligibility to receive such assistance.

ii. In order to claim entitlement to additional relocation assistance under [subsection 13.76.130A.79.g](#), a tenant must notify the landlord and the Rent Stabilization Program in writing that ~~the tenant~~[he/she](#) is claiming low-income, disabled, elderly, tenant with minor child status, or a claim that the tenancy began prior to January 1, 1999 (hereinafter "entitlement to additional relocation assistance") per [subsection 13.76.130A.79.g](#) within 30 days of filing of notice of termination of tenancy with the Rent Stabilization Program. The landlord shall deposit the additional relocation payment with the Rent Stabilization Program or its designated agent to be held in escrow for any tenant household who claims entitlement to additional relocation assistance within ten days after such notice claiming entitlement to additional relocation assistance is mailed. Within ten days after the funds are deposited into escrow, the Rent Stabilization Program shall authorize release of the relocation assistance to the tenant household that claims entitlement to additional relocation assistance, unless the landlord notifies the Rent Stabilization Program in writing that ~~the landlord~~[he/she](#) disputes the tenant's eligibility to receive such assistance.

iii. When a tenant household's eligibility to receive standard or additional relocation assistance as described in [Subsection 13.76.130A.79.g](#) is disputed, either party may file a [Rent Board](#) petition [with the Board](#) requesting a determination of eligibility or file a claim in a court of competent jurisdiction. The [BoardRent Stabilization Program](#) shall release disputed relocation assistance funds to either the tenant or the landlord upon receipt of either a written agreement by both the landlord and the affected tenant, an order of a court of competent jurisdiction, or an order of a City or [Rent Board](#) hearing examiner issued pursuant to a petition process conducted in accordance with applicable [Rent Board r](#)Regulations.

iv. The landlord may rescind the notice of termination of tenancy prior to any release of relocation payment to the tenants by serving written notice stating such rescission on the tenants. In such instance, the relocation payment shall be released to the landlord. Subsequent to the release of any relocation payment to the tenants, the landlord may rescind the notice of termination of tenancy only upon the written agreement of the tenants to remain in possession of the rental unit. If the tenants remain in possession of the rental units after service of a landlord's written notice of rescission of the eviction, the tenants shall provide an accounting to the landlord of the amount of the relocation payment expended for moving costs, return to the landlord that portion of the relocation payment not expended for moving costs, and assign to the landlord all rights to recover the amount of relocation payment paid to third parties. If a rescission occurs under this [Subsection](#), the tenant(s) shall continue the tenancy on the same terms as before the notice was served.

v. Where a landlord has served a notice of termination of tenancy on a tenant prior to the date that this amendment takes effect and the notice of termination of tenancy has not expired, the landlord shall deposit the full relocation payment with the City or its designated agent to be held in escrow for the tenants if the tenants have not vacated the rental unit as of the effective date of this amendment, and the landlord shall pay the full relocation payment to the tenants if the tenants have vacated the rental unit as of the effective date of this amendment. Said deposit in escrow or payment to the tenants shall be made within ten days of the effective date of this amendment.

vi. Failure of the landlord to make any payment specified herein shall be a defense to any action to recover possession of a rental unit based upon the landlord's termination of tenancy notice pursuant to this [Ssubsection \(13.76.130A.79\)](#). In addition, if the tenants of a rental unit have vacated the unit as a result of a notice of termination of tenancy pursuant to this [Ssubsection \(13.76.130A.79\)](#), and the landlord fails to make any payment specified herein, the landlord shall be liable to the tenants for three times the amount of the payment as well as reasonable attorney fees.

(q) A tenant who prevails in an action brought under this [Ssubsection \(13.76.130A.79\)](#), in addition to any damages and/or costs awarded by the court, shall be entitled to recover all reasonable attorney's fees incurred in bringing or defending the action.

(r) At least twice annually, ~~Rent~~ Board staff shall report to the ~~Rent~~ Board regarding the occupancy status of units possession of which has been recovered pursuant to this [Ssubsection \(13.76.130A.79\)](#) within the prior 36 months.

(s) If any provision or clause of this [Ssubsection \(13.76.130A.79\)](#) or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses, and to this end the provisions and applications of this [Ssubsection](#) are severable.

[810. *Exemption of Temporary Lease of Owner's Principal Residence.*](#) A landlord or lessor seeks in good faith to recover possession of the rental unit for ~~his/her~~ [their](#) occupancy as a principal residence, where the landlord or lessor has previously occupied the rental unit as ~~his/her~~ [their](#) principal residence and has the right to recover possession of the unit for ~~his/her~~ [their](#) occupancy as a principal residence under an existing rental agreement with the current tenants.

[911. *Expiration of Temporary Rental Agreement for Replacement Housing During Substantial Repairs.*](#) The tenant fails to vacate a rental unit occupied under the terms of a temporary rental agreement entered into pursuant to the provisions of [Ssubsection 13.76.130A.67.c.](#), following expiration of the term of said temporary rental agreement, and following written notice of the availability of tenant's previous rental unit for re-occupancy by tenant (if the term of the rental agreement has expired by reason of the completion of repairs on the old rental unit), or of

written notice to quit (if the term of the rental agreement has expired by reason of the expiration of a period of 90 days).

- B. *Contents of Notice to Terminate Agency.* A landlord's failure to specify good just cause as listed above in subsections 1. through 11. of Section [13.76.130A](#). in the notice of termination or the notice to quit and in the complaint for possession shall be a defense to any action for possession of a rental unit covered by the terms of this chapter. Any notice terminating tenancy must additionally include a statement that advice regarding the notice terminating tenancy is available from the Rent Board, the current phone number for the Rent Board's housing counseling services, and the current address to the Rent Board's website.
- C. *Allegation of Notice to Terminate Tenancy* In any action to recover possession of a rental unit covered by the terms of this chapter, except an action to recover possession under Subsection [13.76.130A.67](#), and [13.76.130A.8](#), or [13.76.130A.11](#), a landlord shall allege, as to each rental unit on the property, substantial compliance as of the date of the notice of termination or notice to quit and as of the date of the commencement of the action for possession with the implied warranty of habitability and compliance as of the date of the notice of termination or notice to quit and as of the date of the commencement of the action for possession with Sections [13.76.100](#) (Rent Ceiling) and [13.76.080](#) (Rent Registration) of this Cchapter.
- D. *Filing of Termination Notices and Unlawful Detainer Summons and Complaints.* The landlord shall file with the Bboard a copy of any notice of termination, notice to quit, and summons and complaint, within ten days no later than three business days after the tenant has been served with such notice or summons and complaint. The Board may provide an email address to which the landlord may send any notice of termination, notice to quit, and summons and complaint.

13.76.135 Right to Organize.

- A. *Tenant Association.* This section shall be limited to 1) parcels that contain five or more rental units; and 2) parcels that contain three or four rental units, so long as the rental units are managed by a property management company as defined by Board regulation.

Tenants of such a residential rental property may establish a Tenant Association by providing their Landlord a petition signed by Tenants representing at least 50% of the occupied rental units, including Rooming Houses as defined by Board regulation, of the residential rental property certifying their desire to form a Tenant Association, and identifying the Tenant Association. For purposes of this subsection, a petition may include individual written statements signed by said Tenants or some combination of individual and collective written statements.

B. *Confer in Good Faith.* Landlords and Tenant Associations shall confer with each other in good faith regarding housing services and conditions, community life, landlord-tenant relations, rent increases, and other issues of common interest or concern. "Confirm in good faith" means that the parties shall have the mutual obligation, personally or through their authorized representatives, to meet and confer and continue for a reasonable period of time, in order to exchange freely information, opinions, and proposals, and to endeavor to reach agreement. Examples of conferring in good faith include, but are not limited to, maintaining a designated point of contact, engaging in regular communications, responding to reasonable requests for information, allowing participation by non-resident advocates, providing adequate time for limited-English speakers to obtain translation services, providing and adhering to timelines for addressing habitability concerns, and negotiating and putting agreements into writing. In addition, a Landlord may not prohibit a Tenant from allowing a Tenant Association representative to attend meetings involving the Landlord and one or more Tenants. The Board, through regulation, may further define good faith.

C. *Organizing Activities.* "Organizing Activities" means:

1. initiating contact with tenants, including conducting door-to-door surveys, to ascertain interest in and/or seek support for forming a Tenant Association;
 2. joining or supporting a Tenant Association;
 3. distributing literature, requesting or providing information, offering assistance, convening meetings (which may occur without a landlord or landlord representative present), or
 4. otherwise acting on behalf of one or more tenants in the building regarding issues of common interest or concern.
-

The term "Organizing Activities" shall include, but is not limited to, the operations of a Tenant Association. A person's participation or failure to participate in Organizing Activities shall have no effect on whether that person qualifies as a tenant. The Board, through regulation, may further define Organizing Activities. In addition, a tenant's right to engage in Organizing Activities, to receive assistance from a Tenant Association, and to have Organizing activities occur at the property shall qualify as a housing service, and a landlord's failure to confer in good faith with a Tenant Association may send the Landlord a single standing request to attend meetings for the duration of the calendar year.

D. A Landlord must on written request of the Tenant Association attend, either themselves or through their representative, at least one Tenant Association meeting per calendar quarter, though more frequent attendance at the request of the Tenant Association is permitted. Landlord or Landlord's representative must remain in attendance at the meeting until all agenda items are complete, unless the meeting extends for more than two hours, in which case the Landlord or Landlord's representative may withdraw from the meeting and request that the remaining items be continued to a subsequent meeting. These meetings shall occur at a mutually convenient time and place. To request that a landlord or their representative attend a meeting, the Tenant Association shall send the Landlord a written request at least 14 days in advance; alternatively, if the Tenant Association meets at a regularly scheduled time and place, then the Tenant Association may send the Landlord a single standing request to attend meetings for the duration of the calendar year.

E. *Private Right of Action.* In the event of a violation of this section, any Tenant Association, or individual tenant, aggrieved by the violation may institute a civil proceeding for injunctive relief, and actual money actual damages as specified below, and whatever other relief the court deems appropriate. In addition to the above awards of damages in a civil action under this Chapter, a prevailing plaintiff shall be entitled to an award of reasonable attorney's fees.

13.76.140 Retaliation prohibited.

No landlord may threaten to bring, or bring, an action to recover possession, cause the tenant to quit the unit involuntarily, serve any notice to quit or notice of termination of tenancy, decrease any services, including a tenant's right to engage in Organizing Activities, or increase the rent where the

landlord's intent is retaliation against the tenant for the tenant's assertion or exercise of rights under this [Chapter](#). Such retaliation shall be a defense to an action to recover possession, or it may serve as the basis for an affirmative action by the tenant for actual and punitive damages and injunctive relief. In an action by or against a tenant, evidence of the assertion or exercise by the tenant of rights under this [Chapter](#) within six months prior to the alleged act of retaliation shall create a presumption that the landlord's act was retaliatory. "Presumption" means that the court must find the existence of the fact presumed unless and until its nonexistence is proven by a preponderance of the evidence. A tenant may assert retaliation affirmatively or as a defense to the landlord's action without the aid of the presumption regardless of the period of time which has elapsed between the tenant's assertion or exercise of rights under this [Chapter](#) and the alleged act of retaliation.

13.76.150 Remedies.

A. *For [Violation of Rent Ceilings or Failure to Register](#).* If a landlord fails to register in accordance with Section [13.76.080](#) of this [Chapter](#), or if a landlord demands, accepts, receives or retains any payment in excess of the maximum allowable rent permitted by this [Chapter](#), a tenant may take any or all of the following actions until compliance is achieved:

1. A tenant may petition the [Board](#) for appropriate relief. If the [Board](#), after the landlord has proper notice and after a hearing, determines that a landlord has willfully and knowingly failed to register a rental unit covered by this [Chapter](#) or violated the provisions of Sections [13.76.100](#), [13.76.110](#) and [13.76.120](#) of this [Chapter](#), the [Board](#) may authorize the tenant of such rental unit to withhold all or a portion of the rent for the unit until such time as the rental unit is brought into compliance with this [Chapter](#). After a rental unit is brought into compliance, the [Board](#) shall determine what portion, if any, of the withheld rent is owed to the landlord for the period in which the rental unit was not in compliance. Whether or not the [Board](#) allows such withholding, no landlord who has failed to comply with the [Chapter](#) shall at any time increase rents for a rental unit until such unit is brought into compliance.
2. A tenant may withhold up to the full amount of his or her periodic rent which is charged or demanded by the landlord under the provisions of this [Chapter](#). In any action to recover possession based on nonpayment of rent, possession shall not be granted where the tenant has withheld rent in good faith under this [Section](#).

3. A tenant may seek injunctive relief on behalf of herself or himself to restrain the landlord from demanding or receiving any rent on the unit until the landlord has complied with the terms of this [Chapter](#).

4. A tenant may file a damage suit against the landlord for actual damages when the landlord receives or retains any rent in excess of the maximum rent allowed under this [Chapter](#). Upon further proof of a bad faith claim by the landlord or the landlord's retention of rent in excess of the maximum rent allowed by this [Chapter](#), the tenant shall receive a judgment of up to \$750 in addition to any actual damages.

B. *For Violation of Eviction Proceedings.* If it is shown in the appropriate court that the event which the landlord claims as grounds to recover possession under Subsection 13.76.130A.~~67~~, [Subsection 13.76.130A.8](#), [Subsection 13.76.130A.79](#), or [Subsection 13.76.130A.810](#) is not initiated within two months after the tenant vacates the unit, or it is shown the landlord's claim was false or in bad faith, the tenant shall be entitled to regain possession and to actual damages. If the landlord's conduct was willful, the tenant shall be entitled to damages in an amount of \$750 or three times the actual damages sustained, whichever is greater.

C. [Both the City Attorney and the Board shall have the separate authority to may](#) bring an action for injunctive relief ~~on behalf of the City or~~ on behalf of tenants seeking compliance by landlords with this [Chapter](#) ~~or~~.

D. ~~The board may seek injunctive relief~~ to restrain or enjoin any violation of this chapter or of the rules, regulations, orders and decisions of the [B](#)board.

~~D~~E. If a tenant fails to bring a civil or administrative action within 120 days from the date of the first occurrence of a violation of this [Chapter](#), the [B](#)board may either settle the claim arising from the violation or bring such action. Thereafter, the tenant on whose behalf the board acted may not bring an action against the landlord in regard to the same violation for which the board has made a settlement or brought an action. In the event the [B](#)board settles the claim it shall be entitled to retain from any payments made by the landlord, the costs it incurred in settlement, and the tenant aggrieved by the violation shall be entitled to the remainder.

13.76.160 Partial invalidity.

If any provision of this Chapter or application thereof is held to be invalid, this invalidity shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provisions or applications, and to this end the provisions and applications of this chapter are severable.

13.76.170 Nonwaiverability.

Any provision in a rental agreement which waives or modifies any provision of this Chapter is contrary to public policy and void.

13.76.180 Judicial review.

A landlord or tenant aggrieved by any action or decision of the Board may seek judicial review in a court of appropriate jurisdiction.

13.76.190 Criminal penalties.

Any landlord who is found by a court of competent jurisdiction to be guilty of a willful violation of Section 13.76.130 of this Chapter shall be subject to up to a \$500 fine and/or 90 days in jail for a first offense and up to a \$1000 fine and/or six months in jail for any subsequent offenses.

Section 3. Severability – Liberal Construction. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect other provisions or applications of this Chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this Chapter are declared to be severable. The People of Berkeley declare that they would have adopted this Ordinance and each section, subsection, sentence, clause, or phrase of the Ordinance in spite of the fact that any one or more of the same be declared unconstitutional or invalid. This Chapter shall be liberally construed to achieve the purposes of this Chapter and to preserve its validity.

Section 4. Competing Ordinances. In the event that there is another ordinance on the ballot during the same election which seeks to regulate residential housing which also passes, the ordinance which obtains the higher number of votes shall be the controlling ordinance.

Section 5. Effective Date. This Ordinance shall be effective only if approved by a majority of the voters voting thereon and shall go into effect ten (10) days after the vote is declared by the City Council. The Mayor and City Clerk and hereby authorized to execute this Chapter to give evidence of its adoption by the voters.



Igor Tregub
Councilmember, District 4

ACTION CALENDAR
JULY 30, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Igor Tregub

Subject: Alternative Ballot Measure to Large Buildings Fossil Fuel Emissions Tax Ballot Initiative

RECOMMENDATION

Adopt a Resolution to place on the ballot an alternative measure to the initiative-submitted Fossil Fuel Emission Tax Ballot Measure for Large Buildings. This alternative measure was crafted with input from various stakeholders, including labor, environmental organizations, and the small business and nonprofit community.

Or

Direct staff to provide analysis, by the August 5, 2024, Special Meeting of the Berkeley City Council, of placing on the ballot a companion measure to the above-referenced initiative-submitted Fossil Fuel Emission Tax Ballot Measure, and to recommend alternative actions to mitigate certain unintended consequences of the initiative should it be adopted by Berkeley voters.

FINANCIAL IMPLICATIONS

The qualified initiative, if passed, calls for creation and management of a special fund. Per that measure, the assessment of the tax starts in 2025 and collection of the tax commences in February 2026. This timeframe imposes very short timeframe between the passage of the tax and the need to establish a program to properly calculate and assess the tax for individual property owners and manage collection and proper distribution of the proceeds from the tax. All of this will likely impose the need to hire additional staff before any moneys are received by the city from the tax.

The alternative measure aims to prevent and/or mitigate the immediate fiscal impact on the City and aims to provide additional time to incorporate significant up-front expenditures associated with implementing this measure into the mid-cycle budget amendments and/or next two-year budget.

Internal

Alternative Ballot Measure to Large Buildings Fossil Fuel Emissions Tax Ballot Initiative

CURRENT SITUATION AND ITS EFFECTS

Numerous efforts have been launched in the City of Berkeley at various points to address the climate crisis we face, including through the decarbonization of its buildings. These include a prohibition on natural gas infrastructure in new buildings, which was unanimously approved as an ordinance by the Berkeley City Council in 2019¹ but struck down by the Ninth U.S. Circuit Court of Appeals,² and a currently proposed effort to regulate nitrous oxide (NOx) emissions in certain new buildings.³

An initiative petition titled “Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger” was filed with the City Clerk on May 15, 2024. The petition was certified by the Registrar of Voters as being sufficient on May 28, 2024.⁴

BACKGROUND

The Large Buildings Fossil Fuel Emissions Tax Ballot Measure has qualified as an initiative for the November 2024 ballot. To address numerous concerns from various stakeholders who have the potential to be adversely impacted by the implementation of this initiative, a collaborative effort was initiated by our office. The to-be-delivered redline changes represent an effort to align the intent of the initiative to respond to the climate crisis at the scale it requires with the fiscal limitations and other realities that the City of Berkeley as well as the owners of and tenants in residential, commercial, and industrial properties face, particularly within the context of today’s economy. In particular, the alternative measure seeks to extend the phase-in period for implementation; exempt a broader number of nonprofits, small businesses, and residential and commercial tenants than the initiative-submitted ordinance; and harmonize the process of collecting and levying fees by the City of Berkeley with existing systems and practices, as compared to the initiative-qualified ballot measure.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The environmental sustainability and climate impacts of both the alternative measure and the ballot-submitted initiative are unknown and require further staff analysis. However, the intent of the measure is to align the intent of the initiative to respond to the climate crisis at the scale it requires with the fiscal limitations and other realities that the City of Berkeley as well as the owners of and tenants in residential, commercial, and industrial properties face, particularly within the context of today’s economy.

CONTACT PERSON

¹ <https://berkeley.municipal.codes/BMC/12.80>

² <https://apnews.com/article/berkeley-california-natural-gas-ban-overturned-appeals-court-7dafca58d19963f322100d73caf9c31a>

³ <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2024-05-16%20Agenda%20Packet%20-%20Health.pdf>

⁴

<https://berkeleyca.gov/sites/default/files/documents/07%2009%2024%20Supp%201%20Item%2019%20CAO.pdf>

[Internal](#)

Alternative Ballot Measure to Large Buildings Fossil Fuel Emissions Tax Ballot Initiative

Councilmember Igor Tregub
Olga Bolotina, Chief of Staff

Council District 4 510-981-7140

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

Alternative Ballot Measure to Large Buildings Fossil Fuel Emissions Tax Ballot Initiative

WHEREAS, Numerous efforts have been launched in the City of Berkeley at various points to address the climate crisis we face, including through the decarbonization of its buildings. These include a prohibition on natural gas infrastructure in new buildings, which was unanimously approved as an ordinance by the Berkeley City Council in 2019 but struck down by the Ninth U.S. Circuit Court of Appeals, and a currently proposed effort to regulate nitrous oxide (NOx) emissions in certain new buildings; and

WHEREAS, An initiative petition titled “Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger” was filed with the City Clerk on May 15, 2024 and certified by the Registrar of Voters as being sufficient on May 28, 2024; and

WHEREAS, To address numerous concerns from various stakeholders who have the potential to be adversely impacted by the implementation of this initiative, a collaborative effort was initiated by our office; and

WHEREAS, The to-be-delivered redline changes represent an effort to align the intent of the initiative to respond to the climate crisis at the scale it requires with the fiscal limitations and other realities that the City of Berkeley as well as the owners of and tenants in residential, commercial, and industrial properties face, particularly within the context of today’s economy; and

WHEREAS, In particular, the alternative measure seeks to extend the phase-in period for implementation; exempt a broader number of nonprofits, small businesses, and residential and commercial tenants than the initiative-submitted ordinance; and harmonize the process of collecting and levying fees by the City of Berkeley with existing systems and practices, as compared to the initiative-qualified ballot measure.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley Adopt a Resolution to place on the ballot an alternative measure to the initiative-submitted Fossil Fuel Emission Tax Ballot Measure for Large Buildings. This alternative measure was crafted with input from various stakeholders, including labor, environmental organizations, and the small business and nonprofit community

Or

Direct staff to provide analysis, by the August 5, 2024, Special Meeting of the Berkeley City Council, of placing on the ballot a companion measure to the above-referenced initiative-submitted Fossil Fuel Emission Tax Ballot Measure, and to recommend

[Internal](#)

Alternative Ballot Measure to Large Buildings Fossil Fuel Emissions Tax Ballot Initiative

alternative actions to mitigate certain unintended consequences of the initiative should it be adopted by Berkeley voters.



Office of the City Manager

09

INFORMATION CALENDAR

July 30, 2024

To: Honorable Mayor and Members of the City Council

From: LaTanya Bellow, Interim City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Analysis and Response to Questions regarding Two Pavement/Sidewalk-Related Voter Initiatives on the November 5, 2024 Ballot

INTRODUCTION

At a regular Council Meeting on May 14, 2024, the City Council requested a report, under the provisions of California Elections Code Section 9212, on the two Pavement/Sidewalk related Voter Initiatives citizen initiative that will appear before Berkeley voters on the November 5, 2024 ballot.

The two initiatives are known as:

- **SAFE STREETS** (*Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Initiative*)
- **Fix the Streets and Sidewalks**

The Section 9212 report, prepared in response to this request and drafted as an Off-Agenda Memo, is attached.

CURRENT SITUATION AND ITS EFFECTS

As specified in Election Code Section 9212, this report must be presented to City Council no later than 30 days after the date on which the City Clerk certified the sufficiency of the initiative petition. Council requested that this 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.

BACKGROUND

Staff from the Public Works Department have provided analysis and information on the Two Pavement/Sidewalk-Related Voter Initiatives' potential impacts, to the greatest extent possible given constraints on available time and resources.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Environmental impact may vary depending on the course of action and project implementation and phasing.

POSSIBLE FUTURE ACTION

Future action will be dependent on the outcome of these initiatives at the ballot on November 5, 2024.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Overviews of the financial implications of adopting each of the initiatives have been provided in the attached Off-Agenda Memo.

CONTACT PERSON

Terrance Davis, Director Public Works Department

Attachments:

- 1: July 25, 2024 Off-Agenda Memo: Analysis and Response to Questions regarding Two Pavement/Sidewalk-Related Voter Initiatives on the November 5, 2024 Ballot



Office of the City Manager

July 24, 2024

To: Honorable Mayor and Members of the City Council

From: LaTanya Bellow, Interim City Manager

Re: Analysis and Response to Questions regarding Two Pavement/Sidewalk-Related Voter Initiatives on the November 5, 2024 Ballot

Background:

Registered voters within the City of Berkeley will likely be asked to vote on two 50%-threshold voter initiatives to fund street and sidewalk repair on the November 5, 2024 General Election Ballot. Both voter initiatives are intended to improve streets, sidewalks and other related infrastructure, including specific funding allocations, and include typical language regarding background, purpose, exemptions, expiration, oversight, reporting, adjustment of inflation, etc.

The two initiatives are known as:

- **SAFE STREETS** (*Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Initiative*)
- **Fix the Streets and Sidewalks**

This brief staff report aims to provide an overview of pertinent issues and address specific questions from the Mayor and City Council. Staff collaborated closely with consultants.

Executive Summary

Important conclusions are listed below and detailed further in this staff report.

- Both voter initiatives are well-structured and would benefit pavement/sidewalk maintenance in the City.
- Neither voter initiative will generate sufficient revenue to achieve the desired and stipulated pavement conditions index rating (PCI) of 70 out of 100.
- All City costs associated the stipulated pavement/sidewalk improvements including collection, oversight, engineering, inspection, planning and reporting are eligible to be reimbursed form voter initiative revenues. These “soft costs” are estimated to be approximately 15%-20% of total costs.

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Re: Analysis and Response to Questions Regarding Two Pavement/Sidewalk-related Voter Initiatives on the November 5, 2024 Ballot

- o Additional FTEs, equipment and consulting services will be required to implement either voter initiative – however, these costs can be fully funded by the measures.
- Annual Year 1 Tax for typical 1,750 Single Family Residence
 - o SAFE STREETS = \$297.50
 - o Fix the Streets and Sidewalks = \$227.50

Estimated Revenue Generated, City Costs and Stipulated Allocations

The tables below display the 1.) Estimated revenue to the City, broken down by land use, 2.) estimated City costs, and 3.) stipulated allocations by type of infrastructure. Tables 1, 2, and 3 are for the SAFE STREETS voter initiative and Tables 4, 5, and 6 are for the Fix the Streets and Sidewalk voter Initiative.

SAFE STREETS Voter Initiative:

Table 1
Year 1 SAFE STREET Voter Initiative Revenue

SAFE STREETS Initiative 2024:				
<i>Classification</i>	<i>Parcels</i>	<i>Building Square Feet</i>	<i>Rate</i>	<i>Assessment</i>
Residential Parcels	25,250	58,031,516	\$ 0.17	\$ 9,865,358
Commercial Parcels	1,799	20,656,774	\$ 0.25	\$ 5,164,194
Undeveloped	605	-		\$ -
Non-Taxable	1,494	-		\$ -
Total	29,148	77,362,783		\$ 15,029,551

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Re: Analysis and Response to Questions Regarding Two Pavement/Sidewalk-related Voter Initiatives on the November 5, 2024 Ballot

Table 2
Year 1 SAFE STREET Summary of Associated City Costs

SAFE STREETS Initiative 2024:		
Revenue (a)		\$ 15,029,551
City Expenses		Estimated Costs
Construction Management	Annual	\$ 513,918
Independent Oversight Commission	4/year	\$ 105,573
Reporting		
Public Input meetings	3 Every 3 Years	\$ 41,548
City Manager's Report	Annual	\$ 33,790
Auditors Report	Every 3 Years	\$ 55,944
City Manager Duties	Annual	\$ 25,000
Council Review	Annual	\$ 25,000
Project Related Design	Annual	\$ 146,333
CIP, Paving Plan, Off cycle events	Annual	\$ 114,394
Transportation Element in General Plan	Every 10 Years	\$ 500
Public Works Project Delivery process update	Every 10 Years	\$ 3,112
Collection		
Levy prep	Annual	\$ 15,000
County Collection Fee	Annual	\$ 29,148
Attorneys Allowance	Annual	\$ 10,000
Enforcement	Annual	\$ 10,000
Deductions		
Low Income (2500 units * 0.17 *1,750 sqft)	Annual	\$ 743,750
Management of Low-Income Exemption program	Annual	\$ 10,000
Sum of Annual non-direct costs (b)		\$ 1,883,010
Effective Project Revenue (a-b=c)		\$ 13,146,542
Effective Percentage (c/a)		87%

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Re: Analysis and Response to Questions Regarding Two Pavement/Sidewalk-related Voter Initiatives on the November 5, 2024 Ballot

Table 3
Year 1 SAFE STREETS Stipulated Allocations

SAFE STREETS Initiative 2024:				
<i>Allocations</i>	<i>Portion</i>	<i>Frequency</i>	<i>Rate</i>	<i>Assessment</i>
Streets and Sidewalks - Streets	45%			\$5,915,943.69
Streets and Sidewalks - Sidewalks and pedestrian paths	15%			\$1,971,981.23
Safety Improvements	30%			\$3,943,962.46
Environmental Enhancements, County Fees,	10%			\$1,314,654.15
Total Revenue (a)	100%			\$ 13,146,542

SAFE STREETS Total Estimated Revenue (14 Years) = \$240,000,000 (assumes 2% CPI)

FIX THE STREETS Voter Initiative:

Table 4
Year 1 Fix the Streets and Sidewalks Initiative Revenue

Fix the Streets and Sidewalks Initiative 2024:				
<i>Allocations</i>	<i>Portion</i>	<i>Frequency</i>	<i>Rate</i>	<i>Assessment</i>
Street Repair, Repaving, Reconstruction	37.5%			\$ 3,836,054
Sidewalk and Pathway Repair	35%			\$ 3,580,317
High Priority Pedestrian Safety	13.5%			\$ 1,380,979
Traffic Calming on Bicycle Boulevards	7%			\$ 716,063
Green Infrastructure and Environmental Enhancements	7%			\$ 716,063
Total Revenues	100%			\$10,229,478

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Re: Analysis and Response to Questions Regarding Two Pavement/Sidewalk-related Voter Initiatives on the November 5, 2024 Ballot

Table 5
Year 1 Fix the Streets and Sidewalks Summary of Associated City Costs

Fix the Streets and Sidewalks Initiative 2024:		
Revenue (a)		\$ 10,229,478
City Expenses		Estimated Costs
Construction Management	Annual	\$ 428,265
Independent Oversight Commission	Annual	\$ 185,514
Reporting		
CIP, Paving Plan, Off cycle events	Annual	\$ 114,394
Public Works Annual Report	Annual	\$ 33,790
3 Public meetings	Annual	\$ 41,548
City Auditors Report	every 3 years	\$ 55,944
City Manager Duties	Annual	\$ 25,000
Council Review	Annual	\$ 25,000
Project Related Design	Annual	\$ 121,944
Develop baseline use, metrics and Chapter 7.6	One Time/12 Years	\$ 121,106
Programmatic evaluations	Annual	\$ 38,244
Collection		
Levy prep	Annual	\$ 15,000
County Collection Fee	Annual	\$ 29,148
Attorneys Allowance	Annual	\$ 10,000
Enforcement	Annual	\$ 10,000
Deductions		
Low Income (2500 units * 0.13 *1,750 sqft)	Annual	\$ 568,750
Management of Low Income Exemption program	Annual	\$ 25,000
Sum of Annual non-direct costs (b)		\$ 1,848,647
Effective Project Revenue (a-b=c)		\$ 8,380,831
Effective Percentage (c/a)		82%

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Table 6
Year 1 Fix the Streets and Sidewalks Stipulated Allocations

Allocations	Portion	Frequency	Rate	Assessment
Street Repair, Repaving , Reconstruction	37.5%			\$ 3,142,812
Sidewalk and Pathway Repair	35%			\$ 2,933,291
High Priority Pedestrian Safety	13.5%			\$ 1,131,412
Traffic Calming on Bicycle Boulevards	7%			\$ 586,658
Green Infrastructure and Environmental Enhancements	7%			\$ 586,658
Total Revenues	100%			\$ 8,380,831

Fix the Streets and Sidewalks Total Estimated Revenue (12 Years) = \$137,000,000 (assumes 2% CPI)

Responses to Questions

Question 1:

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:

Answer 1:

Graph 1, PCI Levels Achieved for Various Funding Scenarios (Attachment 1), prepared by Pavement Engineering Incorporated (PEI), shows PCI levels achieved for various funding scenarios. Please note that the City currently invests approximately \$19 million per year towards pavement/sidewalk maintenance and this investment level will be continued and added to the voter initiative taxes, if approved.

- SAFE STREETS Initiative - Yr. 1 Total Pavement Investment = \$5.9million*+\$19 million= **\$24.9** million
 - o SAFE STREETS PCI Achieved = 57 (Fair Condition)
 - *See Table 3
- Fix the Streets and Sidewalks Initiative - Yr. 1 Total Pavement Investment = \$3.1M**+\$19M = **\$22.1** M
 - o Fix the Streets and Sidewalks PCI Achieved = 55 (Fair Condition)
 - **See Table 6

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Re: Analysis and Response to Questions Regarding Two Pavement/Sidewalk-related Voter Initiatives on the November 5, 2024 Ballot

Question 2:

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;

Answer 2:

The Vision Zero Action Plan recommends both capital projects and programmatic efforts to eliminate traffic deaths and severe injuries on Berkeley streets. The City currently allocates approximately \$187,500 annually towards the Vision Zero Program for action plan implementation and staffing. Safety projects identified by the Vision Zero Action Plan, including the Martin Luther King Jr Vision Zero Quick Build and the Adeline Street Transportation Improvements Project are funded through grants matched with Berkeley's Measure B/BB funding. Either measure would have significant impact on Vision Zero Action Plan Implementation, particularly in Public Works' ability to plan and construct capital safety projects on high-injury streets, however the SAFE STREETS Initiative is estimated to provide more funding for these efforts, specifically stating that all safety improvements funded through it must be consistent with City adopted plans: Vision Zero Action Plan, Pedestrian Plan, Bicycle Plan, Complete Streets Policy.

SAFE STREETS Initiative – Year 1

Safety Improvements - \$4,508,865

Fix the Streets and Sidewalks Initiative - Year 1

High Priority Pedestrian Safety - \$1,380,979

Traffic Calming on Bicycle Boulevards - \$716,063

Total: \$2,097,042

It should also be noted that sidewalk and pathway repair allocations in both measures also support the goals of the Berkeley Vision Zero Action Plan, Pedestrian Plan, and Safe Routes to Schools program by improving pedestrian safety and connectivity through sidewalk, curb ramps and pathway repair. However, even considering these allocations, the SAFE STREETS Initiative would still result in more overall funding for Vision Zero Action Plan implementation and related safety plans.

Question 3:

A summary of the staff time and City activities required in each measure; and an estimate of any additional staff costs generated by each measure that is not funded by the measure;

Answer 3:

Both measures include language indicating all costs, including "incidental costs" associated with the initiatives are eligible to be paid for by the tax revenue generated from the initiative. We recommend if either voter initiative is approved that the City thoroughly identifies and tracks any associated costs and ensures they are paid from the respective

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initiative's revenues. However, careful review by legal counsel is recommended to identify any costs that may not be included in this memo.

The language for each of the initiatives is as follows:

SAFE STREETS Voter Initiative

7.11.010 F.

"Proceeds of the tax may be used to pay or reimburse the City for actual, verifiable costs of City staff when they are performing work on, or necessary and incidental to, projects funded by the tax, or public input, oversight, and accountability elements required by this chapter. Proceeds of the tax may also be used to pay or reimburse the City for the costs of City Auditor staff time spent auditing the tax expenditures of this measure."

Fix the Streets and Sidewalks Voter Initiative

7.11.10 G.

"Proceeds of the tax may be used to pay or reimburse the City for actual, verifiable costs of City staff when they are performing work on, or necessary and incidental to, such projects."

Summary of Allocations and Associated Costs:

Tables 2 and 4, above, summarize the cost allocations and associated estimated non-direct-project costs for both voter initiatives. Again, all non-project costs should be eligible to be funded by voter initiative revenues. These estimates indicate about three-quarters of the revenue would support direct project costs.

Question 4:

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

Answer 4:

Staff estimates that an allocation of approximately \$3.5 million per year (adjusted for inflation) over the next 12 years would eliminate the backlog of sidewalk repairs needed throughout the City. The effect on other City funding would depend on which ballot measure, if any, is implemented. If the City is able to continue contributions over and above any ballot measure revenue, then the 12 year period could be shortened

SAFE STREETS Sidewalk allocation = \$ 1,971,981 per year (See table 3)

Fix the Streets and Sidewalks Initiative = 2,933,291 per year (See table 6)

Question 5:

Any other information of interest to the City or the public, as determined by the City Manager

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Re: Analysis and Response to Questions Regarding Two Pavement/Sidewalk-related Voter Initiatives on the November 5, 2024 Ballot

Answer 5:

Strict Allocations of Revenue Use

Each voter initiative includes specific funding allocations. See Tables 3 and 6, above which illustrate anticipated revenue for each allocation.

Maintenance of Effort Provisions

Maintenance of Effort (“MOE”) provisions are popular with voters and taxpayers, and they are intended to prevent local agencies from reducing existing discretionary sources of revenue (e.g. general fund) for a particular service when a new revenue source (e.g. special tax) is established. (This is often called “supplanting”). Both voter initiatives contain MOE provisions (see 7.11.020 in Fix the Streets and Sidewalks and 7.11.030 in SAFE STREETS), which add additional constraints and complexity for City budgeting, particularly during financially challenging periods.

Start-Up Timing

Infrastructure-related special taxes often require significant “start-up” time. Approximately 24 to 36 months of ramp-up should be allowed until the annual spending is equal to the annual revenue, and significant project work has been initiated.

Contracting Out or New Full Time Employees (FTE)

The City will need to make strategic decisions regarding the pros and cons of contracting out the project work versus making significant equipment and personnel investments to perform work internally with its own staff. Staff estimate that one additional FTE at the Assistant Civil Engineer level and an Engineering Inspector (with new vehicle) will be required for design and construction management/inspection of the projects to be considered with passage of either ballot measure. These functions could be performed by contracted consultants, but at an approximately 35% higher labor cost and the institutional knowledge that would come with Berkeley staff.

Low-Income Exemptions

Both initiatives include Low Income Exemption provisions which will significantly reduce the overall revenues as shown in Tables 2 and 4, above. Previous experience indicates an estimate of 10% of residences will apply for and receive these exemptions.

Attachments:

1. Graph 1: PCI Levels Achieved for Various Funding Scenarios

cc:

LaTanya Bellow, Interim City Manager
 Anne Cardwell, Deputy City Manager
 Tasha Tervalon, Interim Deputy City Manager

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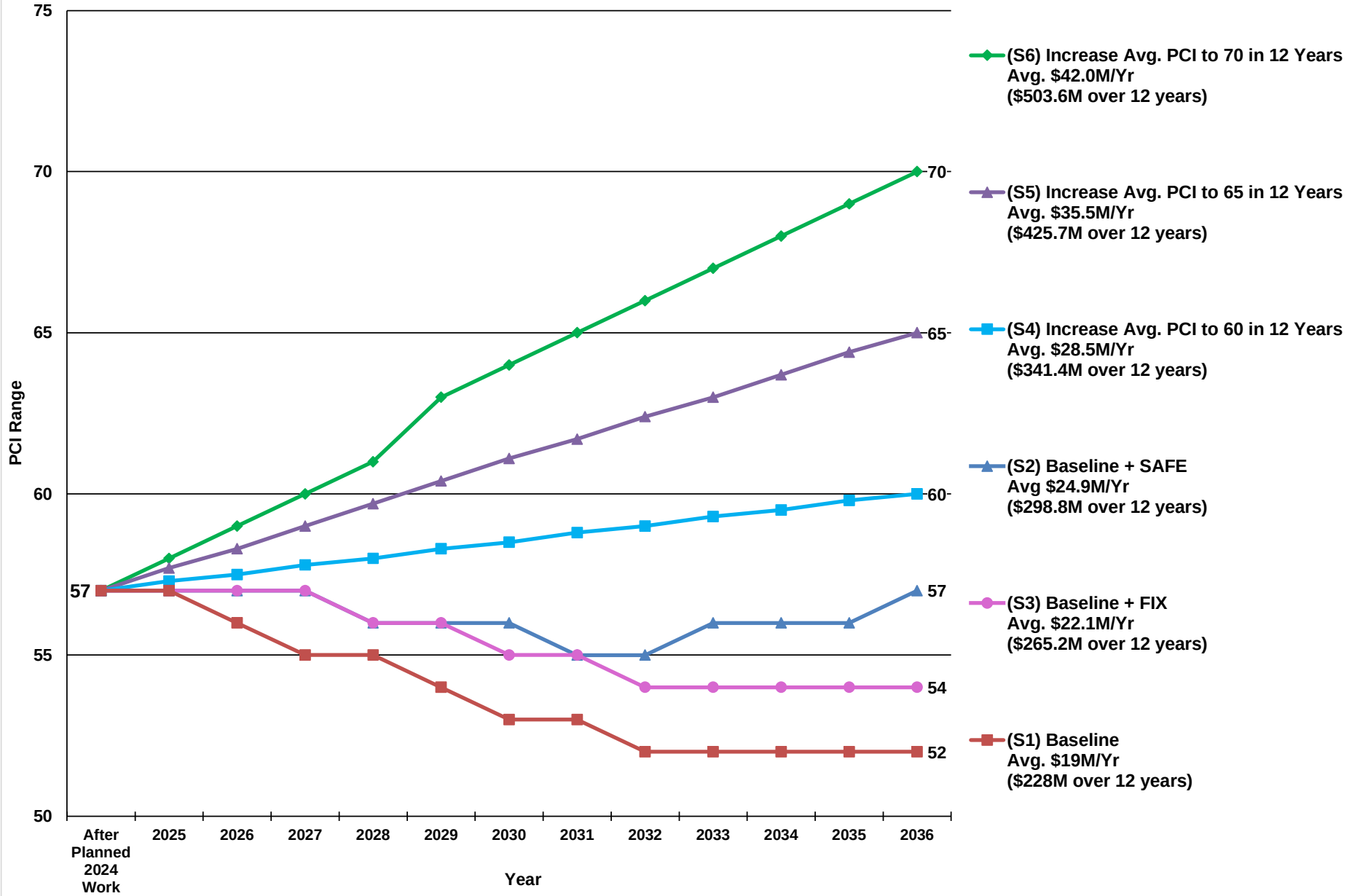
Jenny Wong, City Auditor
Farimah Brown, City Attorney
Mark Numainville, City Clerk
Matthai Chakko, Assistant to the City Manager

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Paving Projection Scenarios (Target and Budget)





Office of the City Manager

INFORMATION CALENDAR
July 30, 2024

To: Honorable Mayor and Members of the City Council
From: LaTanya Bellow, Interim City Manager
Submitted by: Jordan Klein, Director, Planning and Development Department
Subject: Section 9212 Report: Large Buildings Fossil Fuel Emissions Tax

INTRODUCTION

At a special meeting on June 14, 2024, the City Council requested a report, under the provisions of California Elections Code Section 9212, on the "Large Buildings Fossil Fuel Emissions Tax" ordinance citizen initiative that will appear before Berkeley voters on the November 5, 2024 ballot. The Section 9212 report, prepared in response to this request, is attached.

CURRENT SITUATION AND ITS EFFECTS

City Council specified that the report should include:

- Potential economic impacts and benefits, if any, on local businesses and city tax revenues;
- Analysis of costs to the City and other potential costs;
- Consideration of additional factors such as the social cost of carbon, safety risks, gas use trajectory, and potential benefits for the Large Buildings Fossil Fuel Emissions Tax initiative;
- City staffing implications;
- Feasibility of implementing the proposed initiative ordinances; and
- Any other information and analysis of potential interest to the City or the public, as determined by the City Manager and identified during the review process.

As specified in Election Code Section 9212, this report must be presented to City Council no later than 30 days after the date on which the City Clerk certified the sufficiency of the initiative petition.

BACKGROUND

Staff from Planning and Development, Finance, the Office of Economic Development, and the Rent Stabilization Board have provided analysis and information on the Large Buildings Fossil Fuel Emissions Tax's potential impacts, to the greatest extent possible given constraints on available time and resources. The attached report is based on

staff's research and outreach with community members, technical experts, and impacted communities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The attached report details potential sustainability and climate impacts associated with the "Large Buildings Fossil Fuel Emissions Tax" ordinance citizen initiative, and its implementation if it is approved by voters on November 5, 2024.

POSSIBLE FUTURE ACTION

Future action will be dependent on the outcome of this initiative at the ballot on November 5, 2024.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

If this initiative is approved by voters, the Large Building Fossil Fuel Emissions Tax would tax buildings which are 15,000 square feet or larger on their natural gas use beginning in 2025. The tax would apply to approximately 609 buildings in Berkeley. Staff estimate that the tax would generate approximately \$26.7 million in its first year. The tax rate would escalate by 6% plus the local consumer price index (CPI) each year. The estimated first year tax collection is larger than Berkeley's total annual sales tax revenue, and is about a third of Berkeley's annual secured property taxes.

If the owners of affected properties perceived the Large Buildings Fossil Fuel Emissions Tax to be overly burdensome, they could choose to remove property from the market, thus reducing City business license revenue. In that scenario, there would also be potential losses in sales tax, transient occupancy tax, and short-term rental taxes, if a building became or remained vacant. Also in this scenario, City revenues would in effect move from existing sources which go to the City's General Fund, to be allocated by Council for a variety of community needs and priorities, to the Fossil Fuel Free Buildings Just Transition Fund for natural gas conversion of existing buildings.

It is unclear whether the initiative specified funding for City hiring to support the Fossil Fuel Free Buildings Just Transition Fund (approximately 10% of tax revenues) will be sufficient.

CONTACT PERSON

Jordan Klein, Planning and Development Department, 510-981-7534

Attachments:

1. California Elections Code Section 9212 Report: Large Buildings Fossil Fuel Emissions Tax, July 2024



California Elections Code Section 9212 Report

LARGE BUILDINGS FOSSIL FUEL EMISSIONS TAX

JULY 2024

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Additionally, many stakeholders commented that if this tax was to pass, it would be counteractive to the many policy changes made by City Council in recent years to retain startups and R&D companies as they grow, including many that are developing renewable energy technologies and other environmental or climate solutions.	22
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Executive Summary

On June 14, 2024, City Council requested a report, under the provisions of California Elections Code Section 9212, on the "Large Buildings Fossil Fuel Emissions Tax" ordinance citizen initiative that will appear before Berkeley voters on the November 5, 2024 ballot. The proposed Large Building Fossil Fuel Emissions Tax would tax buildings, 15,000 square feet (sqft) or larger, on their natural gas use beginning in 2025. The tax would apply to approximately 609 buildings in Berkeley and would generate approximately \$26.7 million of tax in its first year. The tax revenue would create a Fossil Fuel Free Buildings Just Transition Fund that would be used to fund building decarbonization retrofit work, prioritizing low-rise residential buildings and restaurants.

This summary section provides key findings on the impacts requested by Council. These are excerpted from the full analysis of potential impacts of this initiative which comprises the remainder of this report.

City Council specified that the report should include the following:

- Potential economic impacts and benefits, if any, on local businesses and city tax revenues;
- Analysis of costs to the City and other potential costs;
- Consideration of additional factors such as the social cost of carbon, safety risks, gas use trajectory, and potential benefits for the Large Buildings Fossil Fuel Emissions Tax initiative;
- City staffing implications;
- Feasibility of implementing the proposed initiative ordinances; and
- Any other information and analysis of potential interest to the City or the public, as determined by the City Manager and identified during the review process.

Potential economic impacts and benefits, if any, on local businesses and city tax revenues

There was insufficient time for a formal quantitative study of economic impact based on this proposed tax measure. However, staff conducted outreach to dozens of business and non-profit organization leaders from the various sectors of the Berkeley economy for their feedback on the proposed tax, including grocery stores, healthcare providers, arts & culture organizations, life sciences businesses, hotels, and manufacturers.

- Some stakeholders perceive that the passage of this tax would compound the problem that existing taxes are already considerably higher in Berkeley than other Bay Area locations.
- Some stakeholders hypothesized that businesses would likely reduce employment and services as a short-term reaction to this initiative. The long-term economic impact of this initiative could include businesses leaving Berkeley, thereby resulting in fewer companies, fewer jobs, a smaller city tax base (corresponding with lower city service levels), higher costs of food and services, and decreased quality of life for Berkeley residents. Others noted that the adoption of an initiative that so dramatically increases costs over such a short period of time further "adds to the stigma of Berkeley...as a tough place to start a business."
- The potential exemption for non-profits, if adopted by Council, is not expected to apply to any properties, as no Berkeley non-profit organizations owning buildings of 15,000 sqft or greater have total annual revenues of under \$1,000,000.
- The initiative precludes City Council from adopting any other exemptions, waivers, or discounts to the Large Buildings Fossil Fuel Emissions Tax. The inability to provide relief to larger non-

profits, healthcare facilities, essential services such as grocery stores, or other properties that serve the public interest may result in a reduction of community services to Berkeley residents.

City tax revenues: Revenues from the Large Buildings Fossil Fuel Emissions Tax are estimated to be significant, approximately \$26.7M in the first year, and the tax rate escalates by 6% plus the local consumer price index (CPI) each year. This estimated first year tax collection is larger than Berkeley's annual sales tax revenue and about a third of annual secured property taxes.

Business license taxes make up 8% of the City's General Fund revenue. A large portion of business license taxes comes from rental of real property, including a tax on owners of five or more residential rental units. If the Large Buildings Fossil Fuel Emissions Tax becomes overly burdensome to property owners, they may remove the property from the market and reduce overall business license revenue. Additionally, there is a potential loss in sales tax, transient occupancy tax, and short-term rentals if a building becomes or remains vacant. The Large Buildings Fossil Fuel Emissions Tax would exclusively fund the Fossil Fuel Free Buildings Just Transition Fund; business license, sales, and other taxes generate General Fund revenue which can be applied to a variety of community needs.

Analysis of costs to the City and other potential costs

In addition to the City tax revenues discussed above, other potential costs include:

- **Impacted building owners and communities:** Some stakeholders expected that the Large Buildings Fossil Fuel Emissions Tax would negatively impact the competitiveness of Berkeley, and have unintended economic consequences on citywide economic development and quality of life.
- **Renters:** Despite the residential rental protection language in the initiative, the tax may result in higher rental costs for subject properties either at the time of lease renewal or, for price-controlled units, adjustments during times of vacancy.
- **Customers:** Customers may be impacted by the increased costs to businesses with pass-through costs, and a reduction in services and quality.
- **Workers:** In the short-term, properties subject to the Large Buildings Fossil Fuel Emissions Tax may reduce their staffing and/or remove employee benefits to generate the capital needed to pay the tax, resulting in a reduction in jobs and job quality.

Consideration of additional factors such as the social cost of carbon, safety risks, gas use trajectory, and potential benefits for the fossil fuel tax initiative

- The Large Buildings Fossil Fuel Emissions Tax is a carbon tax, based on high estimates of the social cost of carbon. The goals of this initiative -- to disincentivize greenhouse gas emissions and increase funding for building electrification and climate action programs -- are aligned with adopted City plans.
- If successful in its intended purpose, this initiative could reduce or eliminate natural gas use in existing buildings throughout Berkeley, thereby reducing the greenhouse gas emissions associated with buildings. Such reductions would help achieve Berkeley's goal of becoming a Fossil Fuel Free City and mitigate climate change impacts.
- According to an analysis of the funding needed to decarbonize residential buildings in Berkeley, as of July 2022 there was an estimated \$20,000 - \$40,000 funding gap per housing unit in

Berkeley, with low-income housing consistently facing larger funding gaps of almost \$4,000/unit more on average. The initiative would create and provide annual revenues for the Fossil Fuel Free Buildings Just Transition Fund, which could be used to address this gap in funding.

- Reducing natural gas can mitigate safety risks. Natural gas line rupture is one of the chief causes of post-earthquake fires. Additionally, natural gas line rupture has climate implications.
- The initiative may increase regional employment opportunities for contractors working in the electrification retrofit market (commercial and residential). It would likely spur new construction projects in Berkeley of buildings 15,000 sqft or greater to be built all-electric, in order to avoid future payment of the proposed Large Building Fossil Fuel Emissions Tax.

City staffing implications

- The Large Building Fossil Fuel Emissions Tax and resulting Fossil Fuel Free Buildings Just Transition Fund would more than double the City's current funding and staffing for climate action programs. The City's Climate Equity Fund Home Electrification Pilot and Just Transition Residential Electrification Pilot for low-to-moderate income electrification retrofits are currently using \$1.75M in implementation funds. The Fossil Fuel Free Buildings Just Transition Fund could provide annual funding for these programs and other building decarbonization retrofits in Berkeley.
- The City would have to frontload funding, and authority to hire, in Fiscal Year 2025 in order to calculate and collect the Large Buildings Fossil Fuel Emissions Tax before any tax proceeds for this purpose is received. The initiative specified funding for administration of Large Buildings Fossil Fuel Emissions Tax (3% of tax revenues) is likely sufficient to provide the staffing needs following Fiscal Year 2025.
- The City could also frontload funding and hiring for the design of the Fossil Fuel Free Buildings Just Transition Fund programs to enable implementation in the beginning of Fiscal Year 2027 (shortly after the first revenue collection). Alternatively, utilizing the resources of the Fossil Fuel Free Buildings Just Transition Fund for all hiring, program design, and implementation would likely result in Fund distribution beginning in Fiscal Year 2028.
- It is unclear whether the initiative specified funding for hiring to support the Fossil Fuel Free Buildings Just Transition Fund (approximately 10% of tax revenues) will be sufficient. Its administrative percentage is low in comparison to the costs for municipal clean energy and home decarbonization programs in other jurisdictions, and in comparison to the City's Just Transition Residential Electrification Pilot (27% for program administration).

Feasibility of implementing the proposed initiative ordinances:

- **Data:** Complexities of tax administration will include obtaining accurate building size and natural gas use information; the latter will need to be self-reported because California Data Privacy Laws prohibit the utility (PG&E) from providing this data without express permission from the property owner/account holder.
- **Timing:** The annual tax payment deadline specified in the initiative is not aligned with existing data collection processes and does not provide sufficient time to collect building gas usage data (PG&E's Building Benchmarking Portal does not provide complete annual data until mid-February of the following year), calculate tax, issue tax bills, and provide at least 30 days for payment before the annual deadline of February 28.

- **Flexibility:** The initiative allows for flexibility in how the funds are distributed, but provides limited opportunities for City Council or staff to address adverse impacts of the initiative, implement best practices not included in the initiative, or respond to lessons learned.
- **Conflicting Definitions:** Some definitions set forth in the initiative are not aligned with other definitions and processes utilized by the City, which adds complication to verification and implementation.
- **Workforce:** There is a need to build up the workforce for commercial and residential building electrification in the Bay Area to meet the City and State's ambitious climate and decarbonization goals. Progress is being made, but the current workforce constraints will be an impediment to the properties subject to this initiative.

Any other information and analysis of potential interest to the City or the public, as determined by the City Manager and identified during the review process:

- **Drafting Process:** The initiative was not developed in partnership or consultation with the City. Therefore, the City does not know the extent to which the community was engaged during the drafting process or whether this process was aligned with the City's approach of equitable community engagement.
- **Cost of gas comparison:** As set by the initiative, the first year tax rate would be \$2.96 per therm of natural gas, which is 1.5 to 2 times the average price of natural gas. The tax rate is expected to double within 10 years, triple within 15 years, and conclude at close to 10 times the first-year rate.
- **Potential impacts to PG&E territory ratepayers:** PG&E forecasts its annual budget based on anticipated electrical demand, and this budget forecast cost is spread across all ratepayers of the PG&E territory. PG&E has an obligation to serve, and will do so as required, but it may impact PG&E territory budget and timeline. As such, a large increase in projects in Berkeley, as a result of this initiative, could impact the budget forecast and potentially the rates of the entire PG&E territory, as well as the timelines of all projects needing service upgrades, including areas such as communities in the Central Valley that face significant environmental justice concerns.
- **Timeline for decarbonizing subject properties:** In most cases it will take building owners several years before equipment and facilities can be transitioned to electric alternatives, likely requiring them to pay the tax during this transition period. There are also timeline constraints outside of the control of the property owner and City including PG&E timelines for energization and global supply shortages of transformers and other equipment that can add significant time to construction projects.

The remainder of this report the details on the full findings of staff's research for this Section 9212 report.

Background/Overview

An initiative petition titled “Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger” (also known as the “Large Buildings Fossil Fuel Emissions Tax” Ordinance) was filed with the Berkeley City Clerk on May 15, 2024. The petition was certified by the Registrar of Voters as sufficient on May 28, 2024.

On the agenda at the June 14, 2024 Special City Council Meeting, City Council referred to the City Manager preparation of a report under the provisions of California Elections Code Section 9212 on the proposed “Large Buildings Fossil Fuel Emissions Tax” ordinance that will appear before Berkeley voters on the November 5, 2024 ballot.¹

City Council specified that the report should include the following:

- Potential economic impacts and benefits, if any, on local businesses and city tax revenues;
- Analysis of costs to the City and other potential costs;
- Consideration of additional factors such as the social cost of carbon, safety risks, gas use trajectory, and potential benefits for the Large Buildings Fossil Fuel Emissions Tax initiative;
- City staffing implications;
- Feasibility of implementing the proposed initiative ordinances; and
- Any other information and analysis of potential interest to the City or the public, as determined by the City Manager and identified during the review process.

As specified in Election Code Section 9212, this report must be presented to City Council no later than 30 days after the date on which the City Clerk certified the sufficiency of the initiative petition.

Initiative Summary

The “Large Buildings Fossil Fuel Emissions Tax” citizen initiative states that, “The Buildings Emissions Tax is intended to disincentivize natural gas consumption and greenhouse gas emissions, thereby increasing the number of commercial and large residential property owners switching energy sources from fossil fuel gas to electricity, while also raising funds for municipal services, including funding a program to: reduce greenhouse gas emissions rapidly through decarbonizing buildings; support unionized trades and municipal jobs; and improve public safety, health, and indoor and outdoor air quality.”

The citizen-led initiative would impose an annual Large Buildings Fossil Fuel Emissions Tax on residential and non-residential buildings 15,000 square feet or larger that generate greenhouse gas emissions through the use of natural gas. Government-owned buildings, single family residences, and buildings with at least 50% affordable units are exempt. The annual tax amount for each building is determined by its annual natural gas usage multiplied by various factors specified in the initiative, resulting in a first-year tax rate of \$2.9647 per therm of natural gas consumed. The tax would become effective January 1, 2025, with the first tax payment due by February 28, 2026. The tax is estimated to raise \$26.7M in its

¹ June 14, 2024 Item 1: Elections Code Section 9212 Reports on Initiative Ordinances “Control of Infectious Aerosols in City Buildings” and “Large Buildings Fossil Fuel Emissions Tax”
<https://berkeleyca.gov/sites/default/files/documents/2024-06-14%20Special%20Item%2001%20Elections%20Code%20Section%209212%20Reports.pdf>

first year and would increase each year by 6% plus the increase in the local Consumer Price Index (CPI) until it's expiration on December 31, 2050.

The initiative would use the generated tax revenues to establish a Fossil Fuel Free Buildings Just Transition Fund to support building decarbonization programs for existing buildings, prioritizing natural gas conversion and building decarbonization retrofits in low-rise residential buildings and restaurants. The Environment and Climate Commission would serve as the oversight committee to monitor the fund and make recommendations on how to utilize it.

Attachment 1 includes the full initiative language.

Initiative Methodology

Tax-based funds for clean energy and climate projects established through ballot measures in other jurisdictions, such as Portland, OR (Portland Clean Energy Fund) and Denver, CO (Denver Climate Protection Fund), have been developed with coalitions that included input from city staff, community organizations, and technical experts on their initiative development processes. The ballot initiatives were created in facilitated, transparent public processes, that allowed for feedback, refinement, and multiple perspectives. These programs included equity impacts and are seen as best practices.²

Staff is not aware of any feasibility analyses or impact studies that were conducted. Because the City was not involved in the drafting of this initiative, staff does not know whether, how, and to what extent the community, including community organizations and impacted communities, was engaged during the drafting process. This initiative does not allow the City Council to make changes to its language; rather, it would require proposed changes to go back to voters.

Methodology of Developing This Report

Staff from Planning and Development, Finance, the Office of Economic Development and the Rent Stabilization Board have provided analysis and information on the Large Buildings Fossil Fuel Emissions Tax's potential impacts, to the greatest extent possible given constraints on available time and resources. This report is based on staff's research and outreach with community members, technical experts, and impacted communities.

Given the limited timeframe provided to develop this report, it does not include a full economic analysis of the full scope of impacts of the initiative. This report also is not able to provide a technical analysis of grid capacity relative to the initiative, as PG&E grid capacity cannot be determined until a service request for an upgrade is received.

Estimates of Subject Properties and Tax Revenues

The proposed Large Building Fossil Fuel Emissions Tax would cover approximately 609 buildings in Berkeley (see **Figure 1**) and is estimated to generate approximately \$26.7 million of tax in its first year for the Fossil Fuel Free Buildings Just Transition Fund.³ The tax applies to buildings of 15,000 square feet

² *Guidelines for creating community-driven building retrofit programs* (C40, April 2024):

https://www.c40knowledgehub.org/s/article/Guidelines-for-creating-community-driven-building-retrofit-programs?language=en_US

³ Please note that, should the initiative become law, the applicability of the Large Building Fossil Fuel Emissions Tax to these buildings will be confirmed on a case-by-case basis.

(sqft) or larger; owners of smaller buildings, including single-family homes, are not directly impacted by the tax. However, all users of natural gas in Berkeley are subject to the Utility Users Tax (BMC Chapter 7.70) which imposes a tax of 7.5% on the charges made for natural gas for its storage, transportation, and delivery. Through this initiative, buildings of at least 15,000 sqft in Berkeley would be subject to the Large Building Fossil Fuel Emissions Tax in addition to the Utility Users Tax.

FIGURE 1: Estimated number of buildings, by property type and square footage category, subject to the Large Building Fossil Fuel Emissions Tax

Property Type	Building Square Footage (sqft)					Estimated Number of Buildings
	15,000-24,999	25,000-49,999	50,000-99,999	100,000-249,999	250,000 or more	
Education	4	8	1	0	0	13
Enclosed and Strip Malls	0	1	1	0	0	2
Food Sales	3	5	0	1	0	9
Healthcare	3	2	2	0	3	10
Hotel/Lodging	30	5	2	2	0	39
Mixed (Residential/Commercial)	28	24	7	4	0	63
Office	17	19	7	3	0	46
Other	6	6	8	0	1	21
Industrial	31	28	17	7	2	85
Public Assembly	8	2	2	2	0	14
Religious Worship	18	6	0	0	0	24
Residential	135	64	26	5	0	230
Retail	8	4	4	1	1	18
Service	0	1	0	0	0	1
Warehouse and Storage	20	9	5	0	0	34
Total	311	184	82	25	7	609

Attachment 2 provides the estimated first year taxes for buildings that are 15,000 sqft or larger. This initial list of taxable buildings is an estimate, subject to change as updated square footage information becomes available. In addition, case-by-case assessments of buildings for taxation may be needed for some properties. Annual natural gas data has been estimated based on the 47% of potentially taxable buildings that reported their usage through the California Air Resources Board's (CARB) mandatory reporting of greenhouse gas emissions⁴ or through Berkeley's Building Emissions Saving Ordinance (BESO) in 2022 or 2021. Natural gas usage data for the remaining 53% buildings is estimated by using a therms/square foot value provided by the US Energy Information Administration's [Commercial Buildings](#)

⁴ Under California's Regulation for the mandatory reporting of greenhouse gas emissions, industrial sources, fuel suppliers, and electricity importers must report their annual GHG emissions to CARB: <https://ww2.arb.ca.gov/mrr-data>

[Energy Consumption Survey \(CBECS\)](#).⁵ The tax amount for buildings using CBECS natural gas usage values will change as actual usage data is provided, and CARB and BESO data may also include inaccuracies. For example, BESO energy benchmarking data can be submitted as “campuses” for multiple co-owned and co-located properties. In this scenario, it is possible that some of the individual buildings are less than 15,000 sqft. BESO benchmarking is intended to provide transparency and education about energy use, to help identify areas for improvement and to quantify or verify energy savings; it is not designed as an instrument for levying tax.

The estimated tax for industrial buildings is likely to show an underestimate as CBECS data does not have a distinct industrial building therms/square foot value; instead it incorporates those buildings under a general "Other" category. Actual gas usage for industrial buildings will vary widely depending on the industrial use.

Annual Tax Rate Increase

As set by the initiative, the first year tax rate would be \$2.96 per therm of natural gas, which is 1.5 to 2 times the average price of natural gas. Over the last three years, natural gas for commercial customers⁶ cost an average of \$1.51/therm in the summer and \$1.67/therm in the winter and cost an average of \$1.98/therm for residential customers through PG&E.⁷

The annual tax rate is set to increase each year by the percent increase in the Consumer Price Index for the San Francisco/Oakland/Hayward area plus 6%. **Figure 2** shows the estimated tax rate until the expiration of the tax on December 31, 2050. The tax rate is expected to double within 10 years, triple within 15 years, and conclude at nearly 10 times the first-year rate.

FIGURE 2: Estimated projected Large Building Fossil Fuel Emissions Tax rate (\$/therm)

	Tax Year					
	2025	2030	2035	2040	2045	2050
Projected Tax Rate* (\$/Therm)	\$2.96	\$4.60	\$7.15	\$11.10	\$17.24	\$26.77

*Assumed an annual CPI increase of 3.2% (the average annual percent increase from 2013-2023)⁸

Impacts to Specific Property and Business Types

The impact of the tax will vary by building type. **Figure 3** shows an estimated first year tax assessment by property type and square footage. The natural gas usage is based on assumed therms/sqft values provided by CBECS. Actual tax amounts will vary by building. Healthcare facilities, food service and food sales properties and businesses are likely to pay the highest tax per square foot compared to other property types.

⁵ U.S. Energy Information Administration. *2018 Commercial Buildings Energy Consumption Survey (CBECS)*: <https://www.eia.gov/consumption/commercial/data/2018/index.php?view=consumption>

⁶ Most commercial customers fall under PG&E's G-NR1 natural gas rate for small businesses.

⁷ PG&E Natural Gas Rate Data: <https://www.pge.com/tariffs/en/rate-information/gas-rates.html>

⁸ Association of Bay Area Governments. *Bay Area Consumer Price Index* (May 15, 2024): <https://abag.ca.gov/tools-resources/data-tools/consumer-price-index>

FIGURE 3: Estimated first year Large Building Fossil Fuel Emissions Tax* assessment based on property type, assumed natural gas usage (provided through CBECS³) and square footage**

Property Type	15,000 sqft	25,000 sqft	50,000 sqft	100,000 sqft	250,000 sqft
Education	\$8,200	\$13,700	\$27,400	\$54,900	\$137,200
Food Sales	\$32,300	\$53,900	\$107,700	\$215,500	\$538,700
Food Service	\$57,900	\$96,600	\$193,200	\$386,300	\$965,800
Health Care	\$26,900	\$44,800	\$89,500	\$179,000	\$447,600
Hotel/Lodging	\$13,400	\$22,400	\$44,800	\$89,500	\$223,800
Office	\$8,400	\$14,000	\$28,100	\$56,100	\$140,300
Religious Worship	\$6,900	\$11,400	\$22,800	\$45,700	\$114,200
Residential	\$9,300	\$15,600	\$31,100	\$62,300	\$155,600
Retail	\$8,000	\$13,300	\$26,700	\$53,300	\$133,400
Warehouse	\$5,100	\$8,400	\$16,900	\$33,700	\$84,300

* The annual tax amount is estimated to double within 10 years, triple within 15 years, and conclude at nearly 10 times the first-year rate.

**Actual natural gas usage can vary widely by building.

Figure 4 lists the estimated first year tax for the top 20 buildings in Berkeley that have submitted gas usage data to the City or State, through CARB's mandatory reporting or BES0. Three of the top five buildings with the highest estimated tax are healthcare facilities.

FIGURE 4: Estimated Large Building Fossil Fuel Emissions Tax* for top 20 buildings based with reported natural gas usage data.

Business/Building Name	Building Type	Address	Estimated Tax in 2025 (First Year)	Estimated Tax in 2030**
Bayer Main Campus	Industrial	2550 7TH ST	\$6,460,081	\$10,032,831
Alta Bates Summit Medical Center - Ashby	Health Care	2450 ASHBY AVE	\$2,531,583	\$3,931,676
Alta Bates Herrick Hospital Campus	Health Care	2001 DWIGHT WAY	\$909,863	\$1,413,064
Takara Sake USA	Retail	719 ALLSTON WAY	\$566,388	\$879,628
Kaiser Permanente Berkeley Lab	Health Care	1740 SECOND ST	\$397,353	\$617,109
Berkeley Bowl West	Food Sales	920 HEINZ AVE	\$231,596	\$359,680
Doubletree Hotel & Meeting Center	Hotel/Lodging	200 MARINA BLVD	\$190,386	\$295,679
Downtown Berkeley YMCA	Public Assembly	2001 ALLSTON WAY	\$178,417	\$277,090
901 Heinz Ave	Industrial	901 HEINZ AVE	\$166,633	\$258,790
901 Gilman St	Industrial	901 GILMAN ST	\$163,590	\$254,063

Business/Building Name	Building Type	Address	Estimated Tax in 2025 (First Year)	Estimated Tax in 2030**
Regent Street Medical Office Building and Care Center	Healthcare	2999 REGENT ST	\$152,654	\$237,079
Gilman District North (Whole Foods)	Food Sales	1011 GILMAN ST	\$133,670	\$207,596
Great Western Building (Sky Deck)	Office	2150 SHATTUCK AVE	\$131,633	\$204,433
Berkeley City Club	Hotel/Lodging	2315 DURANT AVE	\$121,559	\$188,788
Safeway (North Shattuck)	Food Sales	1425 HENRY ST	\$116,830	\$181,443
Whole Foods Ashby	Food Sales	3000 TELEGRAPH AVE	\$109,649	\$170,291
The Graduate Berkeley Hotel	Hotel/Lodging	2600 DURANT AVE	\$108,819	\$169,002
Hotel Shattuck Plaza	Hotel/Lodging	2086 ALLSTON WAY	\$97,864	\$151,987
Pacific School of Religion Student Housing	Residential	1798 SCENIC AVE	\$94,655	\$147,004
Fourth & U Apartments	Residential	700 UNIVERSITY AVE	\$92,846	\$144,195

* The annual tax amount is estimated to double within 10 years, triple within 15 years, and conclude at nearly 10 times the first-year rate.

**The estimated tax in 2030 assumes natural gas usage has remained the same since 2025.

Limited Exemptions

The Large Buildings Fossil Fuel Emissions Tax provides exemptions for City, County, or State-owned buildings, single family homes, and residential buildings with 50% or more units deed-restricted to be affordable to households making less than 80% of the area median income. Additionally, City Council can annually adopt exemptions, waivers, discounts, or rebates for non-profit organizations classified as 501(c)(3)s which have total annual revenues under \$1,000,000.

Based on staff's initial analysis, 22 buildings with affordable housing units and 47 buildings owned and operated by public entities, such as the City of Berkeley, UC Berkeley, Berkeley Unified School District, and Lawrence Berkeley National Laboratory, are exempt from the tax. No Berkeley non-profit organizations owning buildings of 15,000 sqft or greater have total annual revenues of under \$1,000,000; this potential exemption is not expected to apply to any properties.

City Council would not have the authority to adopt exemptions, waivers, or discounts aside from the exemptions listed above. The inability to provide additional exemptions to larger non-profits, healthcare facilities, essential services such as grocery stores, or other properties that serve the public interest may result in a reduction of community services to Berkeley residents.

Impacts to Residents and Consumers

Equity Impacts

The initiative directs use of the Fossil Fuel Free Buildings Just Transition Fund for building decarbonization retrofits, prioritizing low-rise residential buildings and restaurants, including low- or no-interest loans to assist property owners in retrofitting properties. This funding, if applied to low-income residents and other disadvantaged communities, would increase resources to these communities beyond what will become available through regional, state, and federal programs including BayREN, Ava Community Energy, the California Energy Commission Equitable Building Decarbonization Program, and the Inflation Reduction Act Home Energy Rebate Programs.

The City works to center equity in its sustainability and decarbonization work. Foundational to equitable decarbonization policy is working alongside disadvantaged communities in the development of any new policies and programs to ensure that underrepresented voices are included early on and throughout the implementation process to ensure equitable outcomes. Through the Berkeley Existing Building Electrification Strategy, community helped develop the Equity Guardrails, which specify minimum requirements related to equity that must be met before a building decarbonization policy or program should be enacted.

Because voters, rather than the City, drafted the initiative, the Equity Guardrails were not applied. As a result, not all equity impacts of this initiative are known at the time of writing this report.

Impact to Ratepayers

This initiative is expected to require a large number of electric service upgrades in Berkeley in order for subject buildings to accommodate full electrification, as well as to allow for the electrification that would be supported by the tax proceeds deposited in the Fossil Fuel Free Buildings Just Transition Fund. Costs for service upgrades are shared by PG&E and property owners. PG&E develops annual electrification forecasting, in conjunction with the California Public Utility Commission's Integrated Energy Policy Report, that is used to determine the PG&E electrification budget for the entire PG&E territory. As policies and regulations spurring electrification are adopted, such as the Bay Area Air Quality Management District's Building Appliances Rules 9-4 and 9-6, which will begin prohibiting the sale and installation of water heaters and furnaces that emit nitrogen oxide starting in 2027, they are adopted into the PG&E annual forecast.

If adopted on November 5, 2024, this initiative would become effective in less than 2 months, on January 1, 2025. In addition to providing inadequate time for subject facilities to electrify their operations, and for City staff to hire and plan for tax collection and fund management, this timeline would not allow PG&E to incorporate this initiative into their electrification forecasting for budgeting resources before its effective date. As a result, if PG&E's spending to support building electrification in Berkeley exceeds expectations, the electrification projects that PG&E could support in other areas of its territory would be compromised. For example, PG&E upgrades for electrification in communities in the Central Valley and the greater East Bay that face significant environmental justice concerns, may be limited if Berkeley receives more of ratepayer funds for electrification than forecast.

Impacts to Renters

Robust renter protections are critical to developing and implementing any policy, program, or initiative that impacts residential real estate, and renters represent a large and historically underserved group of our community. The initiative includes language intended to protect renters: “the Buildings Emissions Tax is intended to incentivize climate mitigation improvements to large buildings in Berkeley but shall not permit the costs of such improvements to be passed on to residential tenants in the form of rent increases or other increased costs.” However, this language is unenforceable in many tenancies as written and does not have an actualized mechanism to prevent harm to renters, such as increased costs or displacement. Despite the language in the initiative, the tax may result in higher rental costs for rental units in subject properties either at the time of lease renewal or, for price-controlled units, adjustments during times of vacancy.

State law gives owners the right to set initial rent at the onset of a new tenancy even in price-controlled housing, such as rental units covered by the City’s Rent Stabilization Ordinance. In such price-controlled housing, the Rent Stabilization Board can ensure that an owner does not pass the cost of the tax to existing tenants because the tax cannot be used to raise the rent ceiling (the maximum rent that can be charged). However, for non-price controlled housing, including housing that is granted eviction protection through Measure MM and housing that is fully exempt from Berkeley’s Rent Stabilization Ordinance, an owner is permitted to raise the rent as they see fit (with a cap for those units that fall under the state rent cap rules). For such units, it would be difficult to determine why an owner raised the rent unless the rental increase is very transparently linked to the tax (i.e., the total amount of the tax divided by the number of units). Owners of residential rental units subject to price-control may pass on the cost of the tax by raising the starting rent of new tenancies. Of the 293 residential buildings in the inventory of 609 properties estimated to be subject to this tax, around 60% of the rented units are price-controlled. In the remaining 40% of the rented units, the statement within this initiative is likely unenforceable.

Renters are subject to additional potential burdens and risks⁹, including:

- The onus is on the renter to be aware of and advocate for their rights, but less than 3% of renters nationwide have the assistance of an attorney in court for an eviction and it is difficult to prove a rent increase or eviction due to upgrades as landlords are not required to provide reasoning for rent increases.
- Rent stabilization laws often lack enforcement mechanisms, making it difficult to hold landlords accountable. The lack of proactive and reactive enforcement allows some landlords to exploit loopholes and disregard rent stabilization provisions, resulting in illegal rent increases, tenant harassment, and evictions.
- Rental units could be removed from the market all together due to the high cost to upgrade, or redevelop them by invoking the Ellis Act.

⁹ Ruthy Gourevitch. *Decarbonization without Displacement: Tenant advocacy in the context of Inflation Reduction Act Implementation*. Climate + Community Project (January 2024): <https://www.climateandcommunity.org/decarbonization-without-displacement>

- Landlords could use “construction-as-harassment”, or projects that are undertaken to make tenants so uncomfortable in their homes that they voluntarily leave, as a way to force renters out of their home.

Renter protections are complex, and require an ecosystem of partners, supports, and resources to be effective. The City is working with partners to develop innovative and comprehensive ways to develop and implement meaningful renter protections that can be enforced and therefore lead to the desired outcome of keeping renters in their homes affordably.

Impacts to Consumers

One of the ways that businesses can adapt to increased costs, especially in the short run, when relocation isn’t an option and new business models are still being explored, is to pass those costs along to their customers. Grocery stores and health care providers, for example, represent eight of the twenty Berkeley properties with the highest estimated first year tax payments under this initiative (see **Figure 4**).

In addition, consumers may experience a reduction in services and quality as businesses and non-profits make short term adjustments to the impact of the unexpected tax by reducing their staffing (and/or the benefits offered to employees), reducing the quality of their service offerings to customers, and reducing or eliminating the services and benefits that they offer to the community such as non-profit programming and business sponsorship of community activities.

Social Cost of Carbon

The social cost of carbon is an estimate that is used to value, in dollars, the long-term damage done by a ton of carbon dioxide (CO₂) emissions in a given year, which also represents the value of damages of avoided, or benefit of, an emissions reduction. The social cost of carbon is used to quantify extra costs associated with carbon emissions, and the value of acting on climate mitigation. Its intent in this initiative, and other policy and programmatic uses, is to create production and consumption decisions that address climate change.

However, estimates of the social cost of carbon vary. The Large Buildings Fossil Fuel Emissions Tax is a carbon tax. Specifically, the initiative directs that the value of \$382/metric ton for carbon dioxide (MT CO₂) and \$10,044/metric ton for methane (MT CH₄) be used for the base year (2025) tax.

It is unclear where the sources for these dollar amounts came from and the basis for their use. These values are higher than the highest estimates provided by the US EPA’s most recent report on the social cost of greenhouse gases, including nearly 4 times the highest rate in the case of methane. The US EPA’s most recent estimates of the social cost of carbon for emissions in 2025 range from \$130-\$360/MT CO₂ and from \$1,590-\$2,737/MT CH₄, depending on the discount rate (1.5%-2.5%) used for each gas.¹⁰

In addition, it is unclear how the annual escalation rate for the tax, of the local CPI plus 6%, was determined. The 2023 US EPA Report on the Social Cost of Greenhouse Gases: Estimates Incorporating

¹⁰ *Report on the Social Cost of Greenhouse Gases: Estimates Incorporating Recent Scientific Advances*. US EPA (Nov 2023), Docket ID No. EPA-HQ-OAR-2021-0317, Appendix A.5: https://www.epa.gov/system/files/documents/2023-12/epa_scghg_2023_report_final.pdf

Recent Scientific Advances shows annual increases in the social cost of CO₂ after 2025 in the 1-2% range and CH₄ in the 3-4% range.

Mitigation of Safety Risk and Natural Gas Use Trajectory

Reducing natural gas can mitigate safety risks. Natural gas line rupture is one of the chief causes of post-earthquake fires. Additionally, natural gas line rupture has climate implications. The main component of natural gas is methane, which is a potent greenhouse gas that is 25 times more harmful to the atmosphere over a 100-year period than carbon dioxide.¹¹

If successful in its intended purpose, this initiative would reduce or eliminate natural gas use in existing buildings throughout Berkeley, thereby reducing the greenhouse gas emissions associated with buildings. Such reductions would help achieve Berkeley's goal of becoming a Fossil Fuel Free City and mitigate climate change impacts. Buildings contributed to 43% of Berkeley's total greenhouse gas emissions in 2021.

Since 2000, natural gas usage in Berkeley's building sector has decreased by 26%. Natural gas usage in buildings will continue to decrease in Berkeley though current local policies, like BESO, as well as regional policies, and the rate would likely be accelerated by this initiative.

At the regional level, the Bay Area Air Quality Management District has established zero NOx appliance standards to reduce emissions of nitrogen oxides from residential and commercial furnaces and water heaters in buildings in the Bay Area. The zero NOx standard would prevent the sale and installation of new NOx emitting furnaces and water heaters starting in 2027. Currently, only electric systems, such as heat pumps, can achieve the zero NOx requirements. These new regional standards will contribute to decreasing natural gas usage in the Bay Area and in Berkeley.

Other Benefits

According to an analysis¹² of the funding needed to decarbonize residential buildings in Berkeley, as of July 2022 there was an estimated \$20,000 - \$40,000 funding gap per housing unit in Berkeley, with low-income housing consistently facing larger funding gaps of almost \$4,000/unit more on average. The initiative would create and provide annual revenues for the Fossil Fuel Free Buildings Just Transition Fund, which could be used to address this gap in funding. The initiative may also increase employment opportunities for contractors working in the electrification retrofit market (commercial and residential). It would likely spur new construction projects in Berkeley of buildings 15,000 sqft or greater to be built all-electric, in order to avoid future payment of the proposed Large Building Fossil Fuel Emissions Tax.

Impacts on Businesses and Employment

To fully gauge the economic development impacts, a comprehensive cost-benefit analysis or economic impact analysis would need to be undertaken. This type of analysis could not be commissioned within

¹¹ City of Berkeley. *First Draft 2024 Local Hazard Mitigation Plan - Element B Risk Assessment* (June 4, 2024): <https://berkeleyca.gov/sites/default/files/documents/2024%20LHMP%20First%20Draft%20-%20Element%20B%20Risk%20Assessment.pdf>

¹² Firefly Consulting, Building Electrification Institute, and Association for Energy Affordability. *Berkeley Funding Gap Analysis for Residential Building Decarbonization* (July 2022, updated February 2023): https://static1.squarespace.com/static/5b6a482db27e39e8fc65bbf/t/63e289ba89fc513fb919d2e4/1675790781061/BEI-Berkeley_Residential+Funding+Gap+Analysis_Feb+2023.pdf

the allotted timeline and budget available to produce this report. However, staff found that such analysis could be produced by a private firm, real estate research group, academic study center, or urban consulting practice for \$20,000-\$75,000 in 4 to 8 weeks and recommend such a study be undertaken.

In the meantime, consulted stakeholders - primarily owners and tenants of properties in Berkeley that are 15,000 sqft or larger and other local business and non-profit leaders - hypothesized that the long-term economic impact of this initiative could include businesses leaving Berkeley, thereby resulting in fewer companies, fewer jobs, a smaller city tax base (corresponding with lower city service levels), higher costs of food and services, and decreased quality of life for Berkeley residents. Others noted that the adoption of an initiative that so dramatically increases costs over such a short period of time further “adds to the stigma of Berkeley...as a tough place to start a business.”

Impacts to Citywide Economic Development

Economic development can be measured in many ways with jobs, productivity/wages, sales tax revenues, wealth creation, vacancy rates, new housing starts, home sale prices and rents, and building values, among the many indicators. The City of Berkeley Office of Economic Development (OED) publishes an economic dashboard including a variety of these data points annually, with the last comprehensive report produced in Q4 2023. At that time, OED reported a mixed bag with regard to Berkeley’s rebound since the COVID-19 pandemic: on some measures, such as the number of innovation industry startups or sales tax revenues, the city had returned to (or even surpassed) pre-pandemic levels, while on others, such as commercial vacancy rates and unemployment rates, the data showed poorer performance than before the pandemic. As of June 2024, the unemployment rate in Berkeley was 4.5%, higher than the US unemployment rate of 4.3% and lower than the rates for CA (5.3%) and Alameda County (4.6%)¹³. Meanwhile, in the first two quarters of 2024, office and lab vacancy rates rose to 14.4% and 43.2%¹⁴, respectively.

While there was insufficient time for a formal quantitative study of economic impact based on this proposed tax measure, OED conducted outreach to dozens of business and non-profit organization leaders, representing the many sectors that fuel the Berkeley economy for their feedback on the proposed tax.

The vast majority of stakeholders consulted expected that, should it pass, the large buildings natural gas tax would negatively impact the competitiveness of Berkeley, and have unintended economic consequences on citywide economic development. This is, in large part, because:

- 1) Berkeley competes with other locations in the Bay Area and globally for business activity; when the costs of doing business in Berkeley increase, other locations look more appealing for a business deciding where to locate or grow. And, in the case that a business does not have location flexibility in the short run and has thin (or no) margins, the business would offset the increased cost of doing business due to the tax burden by reducing services or variable costs (e.g., labor), raising prices, or going out of business.

¹³ State of California Employment Development Department, Labor Market Information Division. Accessed July 23, 2024 from <https://labormarketinfo.edd.ca.gov/data/unemployment-and-labor-force.html>.

¹⁴ Greater Oakland Office Market Overview 2Q24 and San Francisco Bay Area Life Science Market Overview 2Q24. Newmark, (Second Quarter 2024).

- 2) Businesses in many sectors critical to the Berkeley economy (e.g., arts and culture, retail, restaurants, manufacturing) already face higher-than-average costs of doing business locally, making it challenging for them achieve profitability or even break even.

With regard to the former, the proposed tax would result in a significant and increasing differential in the cost of being a Berkeley tenant or building owner compared to competitive local cities such as Emeryville, Albany, Oakland, San Leandro, or Richmond. In the short term, companies with multiple-year leases or high costs of relocation anticipate responding by reducing variable costs such as payroll. In the long term, many anticipate relocating to another nearby city where they can still access target markets or customers.

Some stakeholders perceive that the passage of this tax would compound the problem that existing taxes are already higher in Berkeley than most other Bay Area locations. In 2023, the Bay Area Council analyzed the 20 largest job centers across Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara counties and estimated the annual business tax burdens for three hypothetical companies for 15 Bay Area cities using tax rates for the 2022 tax year. The published report revealed that Berkeley's current tax burden was the *third highest of all cities* for 3 example businesses of various sizes based on annual revenues and employees: a professional services company, a financial services company, and an information company.¹⁵

More broadly, in recent years, the costs for Berkeley and other Bay Area businesses have increased due to increased minimum wage (labor costs) and sharp increases in operating costs, including but not limited to electricity. In addition, the cost of construction materials in 2024 has increased 82.5% since 2020 and it is likely that increasing demand for construction projects and the labor needed to produce them will sustain higher materials and labor pricing through the remainder of this year and into 2025.¹⁶

When large employers choose to relocate from Berkeley or close their doors, the city's tax base, which relies on business and property tax revenues to support its general fund, is impacted. While it is difficult to project the extent to which the higher tax burden proposed by this initiative would impact the locational, hiring, and other decisions of large employers, it is safe to assume that it will have some impact. It will increase the cost of operating in Berkeley and will factor into business investment strategies for both property owners and tenants. In addition, the initiative could put businesses and nonprofit organizations operating with low profit margins out of business completely, adversely impacting the diversity of the local economy and the vitality of Berkeley's diverse arts, entertainment, recreation and cultural organizations.

Impacts to specific sectors

Not all industry sectors rely on natural gas in the same way or for the same reasons. The following section provides an overview of key financial considerations facing some of the industry sectors in Berkeley. This does not include a full sector analysis, which would require more time than provided to develop this report.

¹⁵ *Business Taxes in the Bay Area: A City Level Analysis*. Bay Area Council Economic Institute (February 2023): <https://www.bayareaeconomy.org/files/pdf/BACEI-SF-Business-Tax-Feb2023.pdf>

¹⁶ Sebastian Obando. *Higher Material Prices Here to Stay*. Construction Dive (June 1, 2023): <https://www.constructiondive.com/news/falling-material-prices-expected-reverse-course/651744/>

Grocery Stores

Grocery stores are two to three times more energy intensive than other types of commercial buildings, primarily due to the electricity needed for refrigeration.¹⁷ In addition, grocery stores typically use natural gas for space and water heating, cooking, and for air handlers to remove humidity from the air to prevent fogging on refrigerated display case doors, condensation on refrigeration equipment, buildup of frost on frozen food packaging, and humidity in the air of the sales floor. Because electricity requirements of grocery stores are already very high, electrification of existing natural gas systems will trigger upgrades to electrical service as well as to wiring, outlets, and electrical panels throughout the building.

Grocery stores in California are currently being required to reduce their use of hydrofluorocarbons (HFC) for refrigeration, due to the high global warming impact of HFCs. California regulations require grocery stores with High GWP (Global Warming Potential) refrigerants to attain a company-wide average weighted GWP of less than 1400 or a 55% or greater reduction in GHGp (Greenhouse Gas Emission Potential) below 2019 levels by 2030. For the typical grocery store to retrofit refrigeration systems to “natural” refrigerants, such as CO₂, ammonia, and hydrocarbons, an option for compliance with the State requirements, the cost is about \$2 million. The State provided a 10-year timeline for compliance, coupled with technical guidance, information sharing, workforce development activities, and financial support.

HelpAdvisor, a company focused on finance and health, recently conducted a study based on U.S. Census Household Pulse Survey data. It determined that Californians spend more money on groceries every week than residents of any other state.¹⁸ As supermarkets have faced many cost increases in recent years due to rising minimum wages, real estate and regulatory compliance with local and state laws, additional costs to switch out necessary HVAC and air handling equipment could further impact the cost of food in Berkeley or drive supermarkets out of Berkeley to neighboring communities.

Restaurants

Restaurants use gas for cooking, heating and cooling their spaces, and heating hot water. Restaurant profit margins typically span from 0-15%, but the average restaurant profit margin usually falls between 3-5%.¹⁹ In recent years, restaurants have faced rising costs which threaten margins further: costs of food, staff, and regulatory compliance (e.g., utilizing compostable or reusable takeout containers to eliminate single use disposables) have all risen in recent years in Berkeley.

Increasing the cost of doing business in Berkeley would be especially challenging for an already low-margin, highly competitive industry and is likely to contribute further to food price increases.

¹⁷ Nall, Daniel H. *Integration of Refrigeration and HVAC in Grocery Stores*. ASHRAE Journal (January 2017), pp. 48-54: https://syska.com/wp-content/uploads/2017/03/2017Jan-048-055_Engineers-Notebook_Nall1.pdf.

¹⁸ *The Average American Household Spends More Than \$1,000 a Month on Groceries*. HelpAdvisor (HelpAdvisor, 2024): <https://www.helpadvisor.com/community-health/cost-of-groceries-report>

¹⁹ Justin Guinn. *What is the Average Restaurant Profit Margin? Tips for Benchmarking and Optimizing*. Toast.com (accessed July 2024): <https://pos.toasttab.com/blog/on-the-line/average-restaurant-profit-margin>

The initiative states that restaurants, along with low-rise residential housing, would be prioritized for distribution of the Fossil Fuel Free Buildings Just Transition Fund that would be generated by the tax revenue generated by this initiative.

Healthcare

Berkeley has several healthcare facilities that would be subject to this tax, including hospital facilities, mental health care facilities, labs, and others. Natural gas is used in all the basic functions of a hospital building, including space and water heating, sterilization processes, and emergency backup generators. Heated water is needed for laundry, cooking (patient meals, staff and visitor dining areas), and bathrooms for patients, staff and the public. For purposes of infection control, patient privacy, and comfort, patient rooms in hospitals are now single beds with their own bathrooms. Gas usage is high because hospitals operate 24/7 every day of the year.²⁰ There are currently no all-electric hospitals nationally, though the University of California, Irvine is building an all-electric hospital which is expected to open in 2025.²¹

Hospitals face financial challenges, as shown in a May 2024 report, *Current State of California Hospital Finances*, commissioned by the California Hospital Association, which reports five key findings on the financial state of California hospitals through 2023²²:

- 1) Hospital finances remain at risk. Growing operating losses fueled by sicker patients, combined with declining cash balances and debt loads, are still placing many hospitals in unsustainable financial positions.
- 2) Profit margins remain depressed relative to pre-pandemic levels (approximately 1.1% in 2023 compared to 5.2% in 2019). 70% of hospitals experience have margins at or below 3%, whereby the cash flow generated is usually insufficient to fully support capital needs, invest strategically, and grow reserves.
- 3) Hospitals are still experiencing major financial challenges, with no further relief in sight. Since 2020, hospitals have lost a combined \$25.3 billion of operating income.
- 4) Expenses are still significantly elevated from pre-pandemic levels. Total expenses in 2023 for California hospitals were \$28.9 billion higher than pre-pandemic levels, outpacing increases in revenue. Rising expenses for salaries, contract labor, medical supplies, drugs and purchased services have contributed to the increase.
- 5) Hospitals are treating patients with more severe health needs, which is driving higher expenses. More severe patient health needs have led to a significant rise in length of hospital stays compared to before the pandemic. Meanwhile, labor shortages in post-acute settings and prior authorization policies have prevented timely patient discharge from hospitals, leading to increased hospital expenses without commensurate revenue increases.

²⁰ Information provided by the Hospital Council-Northern and Central California.

²¹ *All-electric hospital will be the country's first when it opens in 2025*. UCI Health (April 24, 2023): <https://www.ucihealth.org/news/2023/04/electric-carbon-neutral-hospital>

²² *Current State of California Hospital Finances*. Kaufman Hall (May 2024): <https://calhospital.org/file/kaufman-hall-report-2024/>

These financial pressures impact hospitals and healthcare providers in Berkeley and have contributed to the announcement by Berkeley's only full-service hospital, Alta Bates Summit Medical Center (run by Sutter Health), that it plans to close its Berkeley site by 2030.

While City of Berkeley Mayor Jesse Arreguín has said the City is "willing to pass bonds and taxes, we're willing to look at permitting, we're willing to do anything in partnership with Sutter Health to find a path to keep Alta Bates open"²³, additional costs to comply with this tax would further exacerbate the financial challenges and ability for healthcare services to be provided in Berkeley.

Arts & Culture

The City of Berkeley is nationally recognized for its cultural vitality. It is home to over 150 active arts and culture non-profits offering a diverse array of theater, music, festivals, dance, visual arts, and more. The city is also home to a wide range of artists and artisans, who operate as small businesses producing fine arts such as painting, sculpture, music, and crafts like textiles, stained glass, and metalwork.

The City of Berkeley has long recognized the importance of the arts to local economic health and livability. Arts organizations generate revenue, create jobs, and improve quality of life, which helps attract businesses and tourism to Berkeley. According to the City of Berkeley's Economic Impact Report of 2017²⁴, the arts and culture industry in Berkeley generated nearly \$165 million in total economic activity, including both direct and indirect impacts.

However, Berkeley's arts sector is struggling in the aftermath of the pandemic and many of the non-profits are operating at a loss. Berkeley's arts sector is not alone in this post-pandemic plight. According to a National Endowment for the Arts analysis: "After adjusting for inflation, the value added by performing arts presenters (including festivals) fell by nearly 73 percent between 2019 and 2020."¹³ Current threats to the arts sector include additional post-pandemic challenges such as: inflation impacting costs for labor, materials, and talent; huge reductions in season subscriptions sales¹⁴ and audience reluctance to return to arts venues due to ongoing COVID concerns.

Some arts sector stakeholders expressed concern that the addition of this proposed tax, on top of post-pandemic challenges, would require them, in the short-term, to lay off employees and reduce their offerings to the community. They cited that reductions in their programming would have downstream effects on local arts educators, theater professionals, musicians, and others who they employ.

As event-related spending by arts audiences creates valuable economic impacts for local merchants such as restaurants, bars, retail stores, hotels, and parking garages, should the several Berkeley arts organizations housed in buildings that would be impacted by this initiative go out of business, there would likely be resulting negative effects to the local economy, especially in certain areas of the city that depend upon a vibrant arts ecosystem to keep other business afloat – such as Downtown Berkeley.

²³ Amanda Hari. *Alta Bates/ scheduled closure raises concerns about East Bay becoming a hospital desert*. KRON 4 (Berkeley, February 27, 2024): <https://www.kron4.com/news/bay-area/alta-bates-scheduled-closure-raises-concerns-about-east-bay-becoming-a-hospital-desert/>

²⁴ City of Berkeley. *2017 Economic Impact Report*: <https://berkeleyca.gov/sites/default/files/2022-02/Berkeley%20Arts%20Economic%20Impact%20Report.pdf>

Non-profits and Community Based Organizations

As written, the initiative allows City Council (by a two-thirds vote, with annual renewals) to exempt non-profit organizations with total annual revenues under \$1,000,000. However, based on staff's review of available data, none of the non-profit properties subject to this tax would qualify for this exemption.

Life Sciences

West Berkeley contains many life science and research & development (R&D) facilities including the 46-acre Bayer Campus, the Wareham Development Aquatic Park Campus, Bonneville Labs, theLAB Berkeley, Foundry 31, and Berkeley Commons, among others. Apart from the electrified Foundry 31 and Berkeley Commons facilities, the majority²⁵ of these buildings use natural gas for space heating and to ventilate occupied spaces to protect the health and safety of workers in the building. Due to building health and safety requirements, the air flow rate in laboratories is significantly higher (up to 25 times higher) than other building types²⁶. The gas (or electricity) consumption per square foot is therefore significantly higher for labs than other commercial uses, such as an office building, where air is typically changed only once or twice per hour.

In many of Berkeley's existing life science facilities, it would take significant time and resources to replace the existing gas-powered HVAC technologies due to constraints on grid capacity and building infrastructure. These constraints are discussed in further detail below. Further, policies that penalize current energy consumption used for air ventilation could have the perverse impact of threatening worker health and safety.

Additionally, many stakeholders commented that if this tax was to pass, it would be counteractive to the many policy changes made by City Council in recent years to retain startups and R&D companies as they grow²⁷, including many that are developing renewable energy technologies and other environmental or climate solutions²⁸.

Hotels & Lodging

A February 2023 report by the Bay Area Council described how the recovery of the country's leisure, hospitality, and tourism industries has lagged behind other sectors: "While the U.S. economy had fully recovered its pandemic job losses by mid-2022, the Bay Area entered 2023 still down approximately 50,000 jobs from its pre-pandemic employment peak. Much of the region's jobs deficit is associated

²⁵ Wareham Development estimates at least 90%.

²⁶ In "Laboratories for the 21st Century: An Introduction to Low-Energy Design" published by the US Environmental Protection Agency (EPA) and U.S. Department of Energy, it states "The basic energy challenge confronting laboratory designers is the high cost of conditioning the large volume of ventilation air needed to meet safety requirements and building codes. Unlike office buildings, which are typically designed around a ventilation standard of 20 cubic feet per minute (cfm) per person of outside air — equal to about one air change per hour (ACH) or less — lab modules normally require 100% outside air — often at exchange rates between 6 and 10 ACH — to meet the aggressive exhaust requirements of fume hoods. And in some laboratory designs, ventilation rates are arbitrarily set at levels from 15 to 25 ACH, whether or not there is a need for such a high rate."

²⁷ The City of Berkeley authorized early-stage startups to exempt the first \$1 million of government-issued R&D grants from local gross receipts taxes in 2019, updated its definition of "Research and Development" in 2022, and is currently developing a package of zoning changes to "Keep Innovation in Berkeley" (presented to the Planning Commission on July 17, 2024).

²⁸ In 2023, approximately 14% of Berkeley's innovation industries were classified as "Clean Tech," which includes technologies for climate adaptation and carbon mitigation:

https://berkeleystartupcluster.com/startups/?tx_startup_industry=cleantech

with the leisure, hospitality, and tourism industries.”²⁹ Lower hotel revenues, combined with increased labor costs (due to rising minimum wages and medical benefit prices) and higher food costs, have forced hotels to accept lower margins and seek additional sources of income (e.g., as event venues, eating and drinking establishments, lodging for the unhoused). Since the pandemic, hotels in Berkeley have struggled to get occupancy rates up to pre-pandemic levels of at least 80%. Berkeley has seen a 7.6% loss of room inventory since June 2023, along with a slower paced occupancy and a 7.3% decrease in revenue.

Gas use in Berkeley hotels varies by facility size and the amenities offered on site. Gas is used to heat water for drinking, showering, and pools; washing and drying laundry on-site in industrial machines; heating rooms and public spaces; and for cooking at on-site food & beverage facilities.

For some of the larger hotels, retrofits to electrify could cost millions of dollars and, for those designated as historic buildings (such as the Berkeley City Club and Hotel Shattuck Plaza), the costs and issues associated with electrification are expected to be more even challenging. Even smaller properties estimated their costs would be tens of thousands of dollars to electrify.

The general managers of Berkeley hotels consulted for this analysis expressed that, unlike other industries where business leaders have the flexibility to move locations, their long-term leases and place-specific investments make it unlikely they would relocate. Instead, they would be required to choose between several undesirable options: decrease benefits for workers (if not unionized), increase rates for customers (which they expect would negatively impact occupancy due to rate resistance, and thus decrease hotel revenues and the city’s collection of transient occupancy tax revenues), or lower margins (if not already operating at a loss or breakeven point).

Manufacturers

Many manufacturers use technologies that rely on natural gas for the production process and would be subject to this tax. For example, many small, local food production companies utilize expensive gas-fired equipment for heating at scale and speculated that this tax could threaten their survival in Berkeley. And owners of buildings with manufacturing tenants anticipated that if they had to pay to this tax, they would pass the cost along to the tenants since lease terms dictate that government-imposed taxes get passed along to the lessor. As commercial tenants have multi-year leases and are unable to exit these leases on the grounds that new taxes have been imposed, they would have no choice other than to pay the taxes until their lease expires. In the long term, the building owner might switch to electrification, but given the large investment and long-time horizon required to make these switches, this might not happen within the current lease term, especially if there were only a few years left on the lease or the gas-powered system had been installed recently.

On the other hand, Berkeley manufacturers of electric alternatives like Bellwether Coffee³⁰ and Channing St Copper³¹ might see an uptick in local sales of their electric coffee roasters and induction cookstoves if this initiative were to pass. In the case of Bellwether, the amount of local uptake (and thus

²⁹ *Business Taxes in the Bay Area: A City Level Analysis*. Bay Area Council Economic Institute (February 2023): <https://www.bayareaeconomy.org/files/pdf/BACEI-SF-Business-Tax-Feb2023.pdf>

³⁰ Grayson Caldwell. *The future of the coffee industry: The electrification revolution*. Fast Company (February 16, 2024): <https://www.fastcompany.com/91028564/the-future-of-the-coffee-industry-the-electrification-revolution>.

³¹ Also known as Channing Copper, or Copper: <https://copperhome.com/>

economic and environmental impact) would depend on whether commercial customers could absorb the cost of purchasing, installing, and training workers on the new technology while bearing the additional cost of the natural gas tax while phasing out their gas-powered machines. In the case of Channing St Copper, the company is currently only undertaking limited-batch production but expects to scale in coming months and would certainly stand to gain from more local residential customers, for whom funds raised from this initiative would be prioritized for electrification support.

Workforce

Decarbonization will require significant shifts and investment in the workforce, specifically to develop high-road jobs in the transition to a fossil-fuel free economy. The Bay Area needs to further increase its capacity in this workforce. Properties subject to this initiative will be competing for the same assessors, designers, and installers. Buildings that house industries such as healthcare, R&D, manufacturing, and grocery stores, will need specialized expertise and customized equipment for electrification retrofits; workforce options will be limited.

The City has been working in partnership with regional and national leaders to advance high-road jobs in decarbonization, particularly for low-rise residential retrofits through the High Road Training Partnership.³² The Large Building Fossil Fuel Emissions Tax initiative states that the City prioritize the use and support of labor satisfying the definition of 7.77.030.C (“Minimum Labor Standards”). These labor standards should be reviewed and developed in partnership with workforce and labor experts to ensure they are aligned with the definitions of High-Road jobs currently being developed as part of the HRTTP process. These standards are also written prescriptively and should be adaptable to best practices and lessons learned over time.

The Bay Area Housing Finance Authority (BAHFA) will be placing a general obligation bond measure on the November 5 general election ballot in each of the nine Bay Area counties to raise and distribute \$20 billion for the production of new affordable housing and the preservation of existing affordable housing throughout the region. This Bay Area-wide initiative, if passed, is the culmination of many years of work to address housing affordability, and would provide \$2 billion to Alameda County, 15% of which must be spent to preserve existing affordable housing. This regionwide initiative would have a program to administer the funds and would require the same stretched workforce to conduct the work.

There is a need to build up the high-road workforce for building electrification in the Bay Area to meet the City and State’s ambitious climate and decarbonization goals. Progress is being made, but the current constraints will be an impediment to the properties subject to this initiative.

Constraints for building owners to transition off natural gas

The City shares the goal of decarbonizing Berkeley’s building stock and has been a leader in building electrification policy. Staff has a deep understanding of the potential benefits as well as the existing current challenges in large scale building electrification for larger buildings. City staff also conducted interviews with communities that would be impacted by this initiative to understand potential impacts, as well as technical experts and PG&E.

³² High Road Training Partnership: <https://risingsunopp.org/policy/>

Existing Building Retrofits and Costs

This initiative would impact more than 600 existing Berkeley building owners, many of whom already made large capital investments and building design decisions that cannot be modified quickly. Existing buildings electrification projects tend to be complex and time-consuming, particularly for commercial properties. Berkeley building owners and business managers expressed interest in building electrification, but also relayed the challenges including physical space constraints, significant lead times, and costs.

Most studies and assessments on the time and resources required for electrification retrofits have focused on residential retrofits; a few include mid-sized office buildings. A 2022 literature review by Berkeley's Rosen Consulting Group estimated that overall costs to retrofit a typical gas-powered office building in New York ranged from \$12-\$24/sqft.³³ Other types of commercial buildings are more complex. The lead time for equipment to enable electrification retrofits in commercial buildings is significant. Earlier this year an NREL team found that lead times for distribution transformers has increased by 4 times in the last 3 years, with prices increases of 4-9 times over the same period; some transformer orders are now taking 2 years.³⁴ Realistically, if properties subject to this initiative began aggressively pursuing electrification now, they would still be likely to be subject to this tax for at least 3 years, if not longer.

When electrical service upgrades are required for a building to electrify, as would be expected for buildings of 15,000 sqft or greater, costs are shared by PG&E and the property owner. The property owner must cover all of the behind-the-meter upgrades; PG&E uses a customized formula to determine their allowance for front-of-the-meter wiring and infrastructure; the remainder of those costs fall to the property owner.

In the case of electrical service upgrades being needed for a home electrification retrofit, PG&E will cover \$3,225 worth of expenses per meter to enable an electrification project. In a study³⁵ conducted by NV5 and Redwood Energy in 2022, the total cost for service upgrades for home electrification projects was reported to range between approximately \$2,000 to \$30,000 for the property owner.

Existing Building Retrofit Timelines

In many cases it will take building owners several years before equipment and facilities can be transitioned to electric alternatives. Given the initiative's January 1, 2025 implementation timeline, even building owners who could make the large capital investments required to electrify their buildings would likely require multiple years for the process to be completed, and thus would still have to pay the tax during the transition period.

³³ *New York Building Electrification and Decarbonization Costs*. Rosen Consulting Group (June 2022): <https://www.nyserda.ny.gov/-/media/Project/Climate/Files/2022-Comments/NY-Building-Electrification-Cost-Full-Report-June2022>

³⁴ *Major Drivers of Long-Term Distribution Transformer Demand*. NREL (February 2024): <https://www.nrel.gov/docs/fy24osti/87653.pdf>

³⁵ *Service Upgrades for Electrification Retrofits Study Final Report*. NV5 (May 27, 2022): <https://pda.energydataweb.com/api/view/2635/Service%20Upgrades%20for%20Electrification%20Retrofits%20Study%20FINAL.pdf>

There are also timeline constraints outside of the control of the property owner and City. PG&E has an estimated timeline of 6-18 months to complete service upgrade requests. However, in recent years, local projects have experienced timeframes beyond this estimate, including significant delays in energization once projects are complete. PG&E's timeline is influenced by many factors including the amount of additional service capacity needed at a site to accommodate additional electrical load, transformer and other equipment supply shortages, as well as their shifting of resources and staffing, beginning in 2016, to address wildfire risk reduction. Some projects have been delayed due to both PG&E's investment in wildfire threat and extreme weather, as well as a significant growth in electric demand after flat demand³⁶.

Grid Constraints to Electrification

Grid capacity and readiness is pertinent to the timeframe building electrification retrofit project will require. Ultimately the grid, and distribution system, can be altered and upgraded, if needed, to supply additional service, but the timeline and expense may be high. Specific details for any given project or property are, however, not known until service request is initiated and PG&E conducts the technical assessment.

PG&E forecasts its annual budget based on anticipated electrical demand, and this budget forecast cost is spread across all ratepayers of the PG&E territory – the budget is not regionalized to local jurisdictions. Ultimately, PG&E has an obligation to serve, and will do so as required, but it may impact PG&E territory budget and timeline. As such, a large increase in projects in one jurisdiction such as Berkeley could impact the budget forecast and potentially the rates of the entire PG&E territory, as well as the timelines of all projects needing service upgrades in a territory. Generally, larger upgrade projects take longer than smaller ones, which could impact wait times for other projects also needing upgrades.

Impacts to the City of Berkeley

Fiscal & Staffing Impacts for collecting the Large Buildings Fossil Fuel Emissions Tax

This section outlines the staffing impacts to the City for administering and collecting the tax from subject buildings. The initiative allocates 3% of tax proceeds for administration for the tax (for the Finance Department and other City departments) and then 10% of the remaining 97% of total tax revenues to cover staffing for the Fossil Fuel Free Buildings Just Transition Fund. Under current estimates, 3% of the first-year tax revenue would be approximately \$800,000.

In order to implement the tax, the Finance Department would require additional staffing for at least the following positions, budget estimates are based on Fiscal Year 2024 hourly rates:

- 1/3 FTE Administrative Office Assistant III (1 FTE = \$150,874; 1/3 FTE = \$50,291)
- 1/2 FTE Assistant Management Analyst (1 FTE = \$166,895; 1/2 FTE = \$83,447.50)
- 1/10 FTE Revenue Collection Manager (1 FTE = \$265,963; 1/10 FTE = \$26,596.30)

The Office of Energy and Sustainable Development (OESD) would require staffing for at least the following new position:

³⁶ Jeff Quackenbush. *Bills aim to fix California's long delays in connecting construction projects to the grid*. North Bay Business Journal (March 10, 2023): <https://www.northbaybusinessjournal.com/article/article/bills-aim-to-fix-californias-long-delays-in-connecting-construction-projec/>

- 1 FTE Senior Management Analyst (1 FTE = \$234,606)

In addition to staffing to implement the tax, the Rent Stabilization Board estimates that \$40,000 would be needed to conduct outreach and educate tenants on the tax.

The 3% revenue allocation for the tax administration should cover the staffing and outreach costs needed based on the current first year tax revenue estimate. However, the City would need to frontload the budget, and grant authority to hire, in Fiscal Year 2025 in order to allow for tax collection. The initiative requires the program to begin collecting the tax in February 2026.

Complexities of tax administration will include obtaining accurate building size and natural gas use information; the latter will need to be self-reported because California Data Privacy Laws prohibit the utility (PG&E) from providing that data directly, without permission from the property owner/account holder.

Fiscal & Staffing Impacts for implementing the Fossil Fuel Free Buildings Just Transition Fund

Funds from the Large Building Fossil Fuel Emissions Tax and resulting Fossil Fuel Free Buildings Just Transition Fund would more than double the City's current staffing for climate action programs. The current Fiscal Year 2025 personnel budget for OESD is approximately \$1.7M; the initiative is estimated to provide over \$2.5M for staffing to implement the Fossil Fuel Free Buildings Just Transition Fund in its first year.

The Fossil Fuel Free Buildings Just Transition Fund, receiving annual tax revenues estimated at \$26.7M to start, is many times larger than the City's existing programs for low to moderate income electrification retrofits. The City's currently operating Climate Equity Fund Home Electrification Pilot and Just Transition Residential Electrification Pilot are using a total of \$1.75M in funds. The Fossil Fuel Free Buildings Just Transition Fund would allow for a significant increase the number of existing home electrification retrofit projects that could be supported each year.

The initiative provides that 10% of the revenues, after the initial 3% is removed for administration of the tax, be used to "fund permanent, career, City positions in an employee bargaining unit subject to a collective bargaining agreement to administer and facilitate a citywide program of Natural Gas Conversion and Building Decarbonization Retrofits and administrative expenses connected therewith." In comparison to staffing examples from other municipal clean energy and home decarbonization programs, this allocation is low:

- **City of Madison Efficiency Navigator Program:** 34% of program budget for program administration³⁷
- **Philadelphia's Built to Last Program:** 23% of budget for program administration³⁸

³⁷Community-Driven Building Retrofit Programs – City of Madison Case Study: Efficiency Navigator. C40 Cities (Accessed July 2024): https://c40.my.salesforce.com/sfc/p/36000001Enhz/a/Vo000000455x/Y0BeqqQQJuQn_NosGfeH9CUNzxVLqpl3mroJRNZ0ds

³⁸Community-Driven Building Retrofit Programs – City of Philadelphia Case Study: Built to Last. C40 Cities (Accessed July 2024):

- **Denver’s Climate Protection Fund:** 15% of budget for program administration³⁹
- **Denver’s Healthy Homes Pilot:** 17% of budget for program administration⁴⁰

As another comparison, the City’s Just Transition Residential Electrification Pilot, with a budget of \$1.5M, has \$400,000 (27%) dedicated to program administration.

The initiative allows for flexibility in how the funds are distributed, stating that 90% of the revenues, after the initial 3% is removed for tax administration, is to be used to “to fund expenses associated with Natural Gas Conversion of existing buildings, prioritizing Building Decarbonization Retrofits. The City shall prioritize funding for Natural Gas Conversion and Building Decarbonization Retrofits in low-rise residential buildings and restaurants, including low- or no-interest loans to assist property owners in retrofitting properties or otherwise to achieve the purposes of this Chapter.” As such, the Fossil Fuel Free Buildings Just Transition Fund could be used to both fund and expand existing City programs such as the Climate Equity Fund and Just Transition Residential Electrification Pilot programs that include, in part, direct install of home electrification measures in low to moderate income households through work with contracted non-profit partners. It could also be used for a variety of other grant, loan, or potentially other types of programs to further natural gas conversions of existing buildings.

Given the broad opportunities in program design, which will also be influenced and assessed by the Berkeley Environment and Climate Commission as the Oversight Committee named by this initiative, it is difficult to make accurate assumptions about what positions would be needed and how much budget would be required.

It is unclear whether the initiative specified funding for hiring to support the Fossil Fuel Free Buildings Just Transition Fund (approximately 10% of tax revenues) will be sufficient. Although the 10% assigned for administration of this Fund appears low, it may be adequate given the expected amount of the tax revenue. Under current estimates, there would be over \$2.5M for program administration in the first year. For example, Berkeley’s Rental Housing Safety Program, within the Planning Department, has a similar annual budget, and employees about 12 full-time employees including inspectors, analysts, and office specialists. If the Fossil Fuel Free Buildings Just Transition Fund is used primarily to distribute grants and loans, it is possible that fewer staff positions would be needed.

The City could also frontload funding and hiring for the design of the Fossil Fuel Free Buildings Just Transition Fund programs to enable implementation in the beginning of Fiscal Year 2027 (shortly after the first revenue collection). Alternatively, utilizing the resources of the Fossil Fuel Free Buildings Just Transition Fund for all hiring, program design, and implementation would likely result in Fund distribution beginning in Fiscal Year 2028. Initially staff would be needed to develop the design of the

<https://c40.my.salesforce.com/sfc/p/36000001Enhz/a/Vo000000454L/qAb4qXLVdeM7IabjqR.4tHIPFC3iyCcWzFu8ZQfS674>

³⁹*Community-Driven Building Retrofit Programs – City of Denver Case Study: Building Electrification Incentive Program and Healthy Homes Pilot Program.* C40 Cities (Accessed July 2024):

https://c40.my.salesforce.com/sfc/p/36000001Enhz/a/Vo000000452j/2XSB4VJed78tHJsTOCMzcbWcKMBnt.swFAp7C_Bxp2o

⁴⁰*Community-Driven Building Retrofit Programs – City of Denver Case Study: Building Electrification Incentive Program and Healthy Homes Pilot Program.* C40 Cities (Accessed July 2024):

https://c40.my.salesforce.com/sfc/p/36000001Enhz/a/Vo000000452j/2XSB4VJed78tHJsTOCMzcbWcKMBnt.swFAp7C_Bxp2o

Fossil Fuel Free Buildings Just Transition Fund program, in partnership with the Oversight Committee, Council, and the community. As that is developed, staffing would be needed to implement the program, including its administration and assessment.

Impacts to the City's General Fund & Tax Revenues

The estimated tax revenue for the initiative, currently estimated at \$26,700,000 for the first year, is significant in comparison to other annual city revenue sources budgeted in the FY2024 budget⁴¹:

- **Soda Tax:** \$1,147,387
- **Utility Users Tax:** \$17,454,320
- **Sales Tax:** \$19,654,225
- **Property Transfer Taxes:** \$22,873,786
- **Secured Property Tax:** \$84,725,717

Impacts on Other Tax Revenues

Business license taxes make up 8% of the City's General Fund revenue. A large portion of business license taxes comes from rental of real property, including tax on owners of five or more residential rental units. If the tax becomes overly burdensome to property owners, they may remove the property from the market and reduce overall business license revenue. Additionally, there is a potential loss in sales tax, transient occupancy tax, and short-term rentals if a building becomes or remains vacant. The Large Buildings Fossil Fuel Emissions Tax only would only fund the Fossil Fuel Free Buildings Just Transition Fund, unlike the business license, sales, and other taxes that generate General Fund revenue that can be applied to a varied of community needs.

Impacts to the Building Emissions Saving Ordinance (BESO)

BESO is a City ordinance aimed at reducing emissions in existing buildings. BESO operates as two distinct programs, a Time of Listing program for buildings less than 25,000 sqft and the Large Building program for buildings 25,000 sqft or greater.

The Large Building Fossil Fuel Emissions Tax does not align with BESO's definition of large buildings. While the BESO program requires medium-sized buildings between 15,000-25,000 sqft to submit annual energy benchmarks, these buildings are not classified as large buildings and are not part of BESO's Large Building Program. Instead, these properties are subject to BESO's Time of Listing program requirements for small and medium sized buildings.

When BESO was first passed in 2015, benchmarking was only required for buildings 25,000 sqft and greater. The energy benchmarking threshold was lowered in 2020 to medium sized buildings (15,000 sqft or greater) to help the BESO team better assist medium sized buildings owners identify areas for improvement and to quantify or verify energy savings. BESO's energy benchmarking requirement was not designed as an instrument for levying tax.

⁴¹ Revenue sources listed are for budgeted FY 2024 revenues:

<https://berkeleyca.gov/sites/default/files/documents/FY-2025-2026-Proposed-Biennial-Budget.pdf>

Additionally, recent amendments to BESO direct staff to develop energy upgrade requirements for all building sizes for Council's consideration to reduce emissions from Berkeley's building sector. For Berkeley's large buildings, staff is working to develop Building Performance Standards (BPS) for City Council's consideration which will require large buildings to transition off fossil fuels over time to achieve Berkeley's climate action goals. Building performance standards can accommodate the range of technical and financial constraints through interim emissions targets and various compliance pathways. The creation of BPS and other local existing building requirements must be aligned with Berkeley's equity guardrails and developed with the community to ensure equitable outcomes. If passed, the proposed tax would make it challenging for the BESO team to develop an equitable BPS policy with the community and would supersede the work staff and community have done to start the BPS development process.

Impacts to the Environment and Climate Commission

The initiative states that Berkeley's Environment and Climate Commission will serve as the Oversight Committee for the Fossil Fuel Free Buildings Just Transition Fund, to ensure that it is administered in a manner that is accountable to the community, consistent with the law, and to advise Council on appropriations for the Fund. This Commission has not had oversight authority to date; enabling this change would likely include amending the Commission's enabling legislation, creating bylaws and a workplan, an enhanced Commissioner application and vetting process for appointment, and new training for Commissioners. Per the initiative the Commission would "conduct a needs assessment as to retrofitting existing buildings in the City and make annual recommendations about appropriations from the Fund to the Council informed by that needs assessment" on annual basis, beginning on December 31, 2025.

As referenced in the initiative, additional City staffing, paid for by the Fossil Fuel Free Buildings Just Transition Fund, will be required to support the Environment and Climate Commission as the Oversight Committee for this Fund.

Administrative & Operational Feasibility of Tax Implementation

There are several administrative aspects of the initiative as written which will make it difficult to implement on the timeline prescribed in the initiative.

Timeline of the Tax

As written in the initiative, the annual tax is based on natural gas consumption in the previous calendar year. It is due annually by February 28, starting in 2026. To meet this deadline, building owners would need to immediately self-report their annual data to OESD who would then review and finalize a natural gas consumption report to provide to the Finance Department for billing purposes. Finance would then issue bills, accept payment, and apply penalties and interest as needed. However, PG&E's Building Benchmarking Portal, the main system that allows building owners to obtain whole building energy data, does not provide complete annual data until mid-February of the subsequent year. There is not sufficient time to collect natural gas data from building owners, issue tax bills, and provide at least 30 days for payment before the annual deadline of February 28.

Additionally, the OESD deadline for buildings subject to BESO benchmarking requirements to report natural gas consumption is July 1, though many users report months later. To facilitate administration,

the billing should be delayed until September and the penalty should be enforced the following month or thereafter.

The timeline of collecting the tax starting in 2026 also does not provide any budget ahead of time for the City to hire staff and develop for the program before the tax is expected to be fully implemented.

Availability of Natural Gas Usage Data

Due to California data privacy laws, the City is unable to obtain natural gas usage for individual buildings directly from the utility and would rely on building owners to self-report their building's natural gas usage. A local ordinance cannot supersede California privacy laws, and PG&E is not able to share energy usage information.⁴²

While some natural gas usage data is available for individual buildings through BESO, which requires commercial and residential buildings over 15,000 square feet to self-report their annual energy usage to OESD through annual energy benchmarks, industrial buildings are not subject to BESO. Currently, natural gas usage data is only available for 47% of the buildings subject to the Large Buildings Fossil Fuel Emissions Tax. New City processes would be needed to require subject building owners to disclose their natural gas usage data, which is considered private, in order to collect the tax.

Additionally, the initiative does not provide instructions or a methodology to estimate gas usage in order to tax building owners who choose not to self-report their data.

Conflicting Definitions

Some definitions set forth in the initiative are not aligned with other definitions and processes utilized by the City, which adds complication to verification and implementation. For example, the City of Berkeley's Finance Department maintains a taxable square footage dataset to implement special taxes based on a calculation of the specific tax rate multiplied by the square footage of a property. The initiative as written utilizes a specific definition for "Gross Floor Area" which differs from the City's definition of taxable square footage as well as the County's building square footage definition. Further, in 7.77.030J & M, there are more exceptions to taxable buildings, including that the interior must be actively heated or cooled and should exclude affordable housing units. This will require staff to cull information from several different sources and will become difficult to verify and administer. Another example is the definition of "owner" in the initiative is not aligned with the Alameda County Assessor's ownership data used by the City.

Limited Ability to Amend

Section 7.77.120 of the draft ordinance provides limited opportunities for City Council or staff to address adverse impacts of the initiative, implement best practices not included in the draft language, and to address any lessons learned along the way. Council cannot amend the ordinance, without going back to the community for a vote, to address the impacts listed in this report. Council amendments also are specifically not allowed to:

- Increase the tax,

⁴² *Notice of Accessing, Collecting, Storing, Using & Disclosing Energy Usage Information* (PG&E, last updated July 1, 2022): <https://www.pge.com/en/privacy-center/notice-of-accessing-collecting-storing-using-and-disclosing-energy-usage-information.html>

- Reduce the inflation-adjusted tax rates or reduce tax unless there is substantial evidence a temporary reduction is needed to address unusual circumstances, or
- Provide additional exemptions outside what the ordinance states.

Because this is a citizen-developed measure, it must be presented on the ballot exactly as drafted and can pass with a majority (greater than 50%) vote. Any changes to the initiative, beyond the authorized amendments would require going back to the community for a vote.

Conclusion

This initiative strives to address a very important concern for the Berkeley community: the catastrophic effects of global climate change, to which natural gas contributes. City staff researched the potential economic impacts and benefits on local businesses and city tax revenues, feasibility of implementing the proposed initiative ordinances, City staffing implications, and other expected costs or benefits of potential interest to the City or the public, within the time and resource constraints given to write this report. Staff's analysis, including potential unintended consequences that may limit the initiative in having its desired positive impacts on our community and the environment, are detailed in the report.

Attachments:

Attachment 1: "Initiative Ordinance to Adopt a Special Tax on Natural Gas Consumption in Buildings 15,000 Sq. Ft. or Larger" (also known as the "Large Buildings Fossil Fuel Emissions Tax" Ordinance)

Attachment 2: Estimated first year Large Buildings Fossil Fuel Emissions Tax for buildings with at least 15,000 square feet

RECEIVED

FEB 28 2024

CITY OF BERKELEY
FINANCE DEPARTMENT

ORDINANCE NO. #,###-N.S.

ADDING CHAPTER 7.77 TO THE BERKELEY MUNICIPAL CODE TO IMPOSE AN
EXCISE TAX ON GENERATING GREENHOUSE GAS EMISSIONS IN LARGE
BUILDINGS

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

Section 1. Adoption. That Chapter 7.77 of the Berkeley Municipal Code is hereby adopted to read as follows:

Chapter 7.77

LARGE BUILDINGS FOSSIL FUEL EMISSIONS TAX

Sections:

7.77.010 Short Title.

7.77.020 Findings and Purpose.

7.77.030 Definitions.

7.77.040 Imposition of Tax.

7.77.050 Exemptions and Exclusions.

7.77.060 Administration — Penalties.

7.77.070 Fossil Fuel Free Buildings Just Transition Fund; Deposit of Proceeds.

7.77.080 Expenditure of Proceeds.

7.77.090 Fossil Fuel Free Buildings Just Transition Oversight Committee.

7.77.100 Technical Assistance to the Finance Department.

7.77.110 Prohibited Conduct.

7.77.120 Amendment of Ordinance.

7.77.130 Severability.

7.77.010 Short Title.

This Chapter shall be known as the "Large Buildings Fossil Fuel Emissions Tax Ordinance," and the tax it imposes shall be known as the "Large Buildings Fossil Fuel Emissions Tax."

7.77.020 Findings and purpose.

The people of the City of Berkeley find and declare as follows:

A. Scientific evidence has established that natural gas combustion, procurement and transportation produce significant greenhouse gas emissions that contribute to global warming and climate change.

B. The following addition to the Berkeley Municipal Code is reasonably necessary because of local climatic, geologic and topographical conditions as listed below:

(1) As a coastal city located on the San Francisco Bay, Berkeley is vulnerable to sea level rise, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, which contribute to melting of glaciers and thermal expansion of ocean water — resulting in rising sea levels.

(2) Berkeley is already experiencing the repercussions of excessive greenhouse gas emissions as rising sea levels threaten the City's shoreline and infrastructure, have caused significant erosion, have increased impacts to infrastructure during extreme tides, and have caused the City to expend funds to modify its sewer system.

(3) Berkeley is situated along a wildland-urban interface and is extremely vulnerable to wildfires and firestorms, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, drought conditions, vegetative fuel, and length of fire seasons.

(4) Structures in Berkeley are located along or near the Hayward fault, which is likely to produce a large earthquake in the Bay Area.

C. The following addition to the Berkeley Municipal Code is also reasonably necessary because of health and safety concerns as Berkeley residents suffer from asthma and other health conditions associated with poor indoor and outdoor air quality exacerbated by the combustion of natural gas.

D. The people of Berkeley, as codified through Measure G (Resolution No. 63,518-N.S.), the City of Berkeley Climate Action Plan (Resolution No. 64,480-N.S.), Berkeley Climate Emergency Declaration (Resolution No. 68,486-N.S.), Prohibition of Natural Gas Infrastructure in New Buildings (Ordinance 7672-NS), all recognize that rapid, far-reaching and unprecedented changes in all aspects of society are required to limit global warming and the resulting environmental threat posed by climate change, including the prompt phasing out of natural gas as a fuel in buildings.

E. Substituting electric heating and cooling infrastructure in new buildings fueled by less greenhouse-gas-intensive electricity is linked to significantly lower greenhouse gas emissions.

F. All-electric building design benefits the health, welfare, and resiliency of Berkeley and its residents.

G. In 2020, the City's building sector accounted for the majority of the City's community-wide greenhouse emissions and natural gas combustion in the residential and commercial sectors respectively accounted for 18 and 14 percent of community-wide emissions.

H. Methane gas leaked into the atmosphere is 84 times more potent as a greenhouse gas than carbon dioxide over the first 20 years of emission.

I. The true greenhouse-gas-emissions impact of Berkeley's natural gas combustion, procurement and transportation is likely many times higher than reported due to leaks of methane gas across the natural gas system, including within Berkeley.

J. It is the intent of the People to disincentivize obsolete natural gas infrastructure and associated greenhouse gas emissions in existing commercial and large residential buildings, thereby reducing the environmental and health hazards produced by the consumption and transportation of natural gas.

K. The City is also working to ensure all public funds available to electrify existing buildings from the City, regional, State and Federal governments are maximized.

L. Even with the addition of City, regional, State, and Federal resources, the City is unable to assist all of its residents with services and funds to convert natural gas appliances and infrastructure to use cleaner electricity.

M. The increased costs of meeting the challenges of electrifying existing buildings, which the City estimates will cost \$1.4 billion for low-rise residential buildings alone, has impacted the City's finances and its capacity to respond to the climate challenges described here.

N. The City needs new funds to pay for municipal services. The Buildings Emissions Tax is intended to disincentivize natural gas consumption and greenhouse gas emissions, thereby increasing the number of commercial and large residential property owners switching energy sources from fossil fuel gas to electricity, while also raising funds for municipal services, including funding a program to: reduce greenhouse gas emissions rapidly through decarbonizing buildings; support unionized trades and municipal jobs; and improve public safety, health, and indoor and outdoor air quality.

O. The special tax this measure imposes is an excise tax on the privilege of consuming natural gas in large buildings to fund climate mitigation strategies and other City services and on the privilege of access to municipal services. It is not a tax on title to property or on the value of property.

P. The Buildings Emissions Tax is intended to incentivize climate mitigation improvements to large buildings in Berkeley but shall not permit the costs of such

improvements to be passed on to residential tenants in the form of rent increases or other increased costs.

7.77.030 Definitions.

Unless otherwise defined in this Chapter, the terms used in this Chapter shall have the meanings given to them in Chapters 2.44, 9.04, and 19.81, as amended from time to time. For purposes of this Chapter, the following definitions apply:

- A. "Alternative Infrastructure and Appliances" means building improvements or infrastructure and appliances that operate on or generate electricity or other zero-carbon-emissions energy sources that are non-fossil-fuel-based or -derived, to include but not limited to those associated with plumbing, HVAC, cooking, clothes drying, heat pumps, solar panels, battery storage, electric panel upgrades, electric vehicle and mobility charging, and any related building electrical system upgrades.
- B. "Base Amount" is defined in section 7.77.070(E)(1).
- C. "Building Decarbonization Retrofits" means Natural Gas Conversion performed by labor subject to Minimum Labor Standards.
- D. "Eligible programs" is defined in section 7.77.070(E)(2).
- E. "Environmental Justice" is defined in section 7.77.080(C).
- F. "Fund" or "Fossil Fuel Free Buildings Just Transition Fund" is defined in Section 7.77.070(A).
- G. "Gross Floor Area" means the total area, as measured between the principal exterior surfaces of the enclosed fixed walls of the building(s). This includes all areas inside the building(s) such as: occupied tenant areas, common areas, meeting areas, break rooms, restrooms, elevator shafts, mechanical equipment areas, and storage rooms. Gross Floor Area should not include interstitial plenum space between floors, which may house pipes and ventilation.
- H. "Minimum Labor Standards" means labor or contractors subject to or providing all of the following:
 - (1) a bona fide collective bargaining agreement;
 - (2) compliance with applicable prevailing wage determinations made by the Director of Industrial Relations Pursuant to California Labor Code Part 7, Chapter 1, Article 2, Sections 1770, 1773, & 1773.1;
 - (3) employer contributions to worker skills and training;
 - (4) healthcare and pension benefits;
 - (5) targeted hiring requirements, including a minimum percentage of work hours performed by disadvantaged workers and/or graduates from approved MC3 (multi-craft core curriculum) pre-apprenticeship programs, and a minimum percentage work hours performed by registered apprentices; and
 - (6) any other applicable City of Berkeley labor standards under this Code or any ordinance of the City Council implementing this Chapter.
- I. "Natural Gas Conversion" means the material and labor associated with replacing natural gas building appliances and infrastructure with Alternative Infrastructure and Appliances.
- J. "Taxable Non-Residential Building" means a building with at least 15,000 square feet of Gross Floor Area that is used or could be used for any occupancy type(s) other than residential where the interior of such Gross Floor Area is actively heated or cooled.

K. "Single-Family Building" means any building comprised solely of 1 to 4 residential units, regardless of size.

L. "Tax Proceeds" is defined in section 7.77.070(A).

M. "Taxable Residential Building" means a building with at least 15,000 square feet of Gross Floor Area that is used or could be used for any residential or mixed-use occupancy type(s) where the interior of such Gross Floor Area is actively heated or cooled. Taxable Residential Building shall not mean Single-Family Buildings and residential buildings more than 50 percent of the units of which are deed-restricted to be affordable to households making less than 80 percent of the Area Median Income.

N. "Oversight Committee" or "Fossil Fuel Free Buildings Just Transition Oversight Committee" is defined in Section 7.77.070(E).

O. "Owner" means a person possessing title to a Taxable Non-Residential Building or Taxable Residential Building as of 11:59 p.m. on December 31 of any calendar year. In the case of a building held in cooperative, condominium, tenants in common, or joint tenants form of ownership, "Owner" means the board of managers, board of directors, homeowners association, or other representative body of the jointly owned building with authority to make decisions about assessments or charges on joint owners to fund maintenance and alterations.

7.77.040 Imposition of Tax.

A. Except as otherwise provided in this Chapter, for the purposes described in Section 7.77.080, the City imposes an annual Large Buildings Fossil Fuel Emissions Tax on each Owner generating greenhouse gas emissions from Taxable Non-Residential Buildings and Taxable Residential Buildings.

B. Large Buildings Fossil Fuel Emissions Tax amounts shall be determined based on the estimated greenhouse gas emissions in metric tons of carbon dioxide equivalent and methane of each Taxable Non-Residential Building and Taxable Residential Building for a tax year, calculated as the sum of:

- (1) The product of \$382, the total therms of natural gas consumed in the Taxable Non-Residential Building or Taxable Residential Building during the tax year, and the natural gas carbon emissions factor; and
- (2) The product of \$10,044, the total therms of natural gas consumed in the Taxable Non-Residential Building or Taxable Residential Building during the tax year, the natural gas leakage factor, the natural gas methane content factor, and the natural gas therm to metric ton factor.

C. For purposes of this Chapter:

- (1) The natural gas carbon emissions factor shall be 0.0053.
- (2) The natural gas therm to metric ton factor shall be 0.0026.
- (3) The natural gas leakage factor shall be 0.04.
- (4) The natural gas methane content factor shall be 0.9.

D. The City Manager, based on calculations from the Finance Department, shall annually adjust the base tax rates in subsection 7.77.040 B. (Originally, \$382 and \$10,044), commencing on January 1, 2026, by the sum of:

- (1) The percentage increase in the increase in the Consumer Price Index: All Urban Consumers for the San Francisco/Oakland/Hayward Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31 of the preceding year, beginning with the 2025 tax year; plus

(2) 6%.

E. The Large Buildings Fossil Fuel Emissions Tax shall be payable by the Owner. Not more than one tax per Taxable Non-Residential Building or Taxable Residential Building shall be imposed under this Section 7.77.040 for a tax year by reason of multiple Owners subject to tax. If there are multiple Owners subject to tax, each shall be jointly and severally liable for the tax.

F. The Large Buildings Fossil Fuel Emissions Tax shall take effect on January 1, 2025 and is first due on February 28, 2026. The Large Buildings Fossil Fuel Emissions Tax shall expire at the end of the day on December 31, 2050.

7.77.050 Exemptions and Exclusions.

A. For only so long as, and to the extent that, the City is prohibited from imposing the Large Buildings Fossil Fuel Emissions Tax, any person upon whom the City is prohibited under the Constitution or laws of the State of California or the Constitution or laws of the United States from imposing the Large Buildings Fossil Fuel Emissions Tax shall be exempt from the Large Buildings Fossil Fuel Emissions Tax.

B. The City, the State of California, and any county, municipal corporation, district, or other political subdivision of the State shall be exempt from the Large Buildings Fossil Fuel Emissions Tax, except where any constitutional or statutory immunity from taxation is waived or is not applicable.

C. The City Council by a vote of two-thirds of all City Councilmembers may by Ordinance adopt further exemptions, waivers, discounts, or rebates for the tax for an organization that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as it may be amended from time to time, and that has total annual revenues under \$1,000,000, and provided that the Council (i) must renew each such exemption annually and (ii) makes an affirmative determination that the imposition of the tax otherwise required by this Chapter would make continued ownership of the property infeasible and that the benefits to the City from the particular organization outweigh the burden to the climate, the City's climate program, and/or other impacts which reasonably may be anticipated to be generated by modification of the tax.

7.77.060 Administration — Penalties.

A. Except as otherwise provided under this Chapter, the City Manager or their designee shall enforce the provisions of this Chapter and may prescribe, adopt, and enforce rules and regulations to facilitate administration and enforcement of this Chapter.

B. The tax required by this Chapter is delinquent if not received by the City on or before February 28 of each year.

C. Any person who fails to timely pay tax due under this Chapter shall pay a one-time penalty of 10 percent of the amount due, in addition to the tax, plus interest on the unpaid tax at the rate of one percent per month from the date on which the tax became due until the date of payment.

D. Transactions with the principal purpose of avoiding or evading all or a portion of the Large Buildings Fossil Fuel Emissions Tax shall be disregarded for purposes of determining the amount of the Large Buildings Fossil Fuel Emissions Tax and whether the Large Buildings Fossil Fuel Emissions Tax is due. Any Owner determined to have engaged in one or more transactions with the principal purpose of avoiding or evading

all or a portion of the Large Buildings Fossil Fuel Emissions Tax shall be liable for the Large Buildings Fossil Fuel Emissions Tax and also liable for a penalty in an amount equal to the Large Buildings Fossil Fuel Emissions Tax. If unpaid, the penalty shall be subject to interest under paragraph C of this section, but not to the 10 percent penalty provided there.

E. Any tax required to be paid by an Owner under this Chapter shall be deemed a debt owed by the Owner to the City. Any person owing money to the City under this Chapter shall be liable to an action brought in the name of the City for the recovery of such amount, along with any collection and other costs incurred by the City as a result of the person's noncompliance with this Chapter, including, but not limited to, reasonable attorneys' fees, plus interest and penalties as provided in this Chapter.

7.77.070 Fossil Fuel Free Buildings Just Transition Fund; Deposit of Proceeds.

A. Establishment of Fund. The Fossil Fuel Free Buildings Just Transition Fund ("Fund") is hereby established as a special purpose fund, and shall receive all taxes, penalties, interest, and costs collected from the Large Buildings Fossil Fuel Emissions Tax imposed under this Chapter ("Tax Proceeds").

B. Use of Fund. Monies in the Fund shall be used exclusively for the purposes described in Section 7.77.080 of this Chapter.

C. Administration of Fund. Commencing with a report filed no later than February 15, 2026, covering the fiscal year ending June 30, 2025, the City Manager shall file annually with the Council, by February 15 of each year, a report of the monies collected in and expended from the Fund during the prior fiscal year, the status of any project required or authorized to be funded by Section 7.77.080, and such other information as the Finance Director, in the Finance Director's sole discretion, deems relevant to the implementation of this Chapter.

D. Accounting. All Tax Proceeds shall be deposited in the Fund. The Fund shall be maintained separate and apart from all other City funds and shall be subject to appropriation. Any balance remaining in the Fund at the close of any fiscal year shall be deemed to have been provided for a special purpose and shall be maintained in the Fund for the purposes described in Section 7.77.080.

E. Appropriations May Not Supplant Existing Expenditures. Monies in the Fund shall be expended only for Eligible Programs. Monies in the Fund shall not be spent to supplant existing programs funded by the City for climate programs, which shall continue to be funded, at a minimum, at the Base Amount. All funds unexpended from the Fund shall be held in the Fund and may be expended on Eligible Programs. For purposes of this subsection E:

(1) "Base Amount" means the City Department of Finance's calculation of the amount of City appropriations (not including appropriations from the Fund and exclusive of expenditures funded by private funding or funded or mandated by state or federal law) for Eligible Programs for the fiscal year ending June 30, 2024.

(2) "Eligible Programs" means all programs and expenditures described in Section 7.77.080.

7.77.080 Expenditure of Proceeds.

Monies in the Fund shall be appropriated and used exclusively for the following purposes:

- A. Up to 3% of the Tax Proceeds distributed in any proportion to the Finance Department and other City Departments for the administration of the Tax and of the Fund.
- B. Refunds of any overpayments of the Tax, including any related penalties, interest, and collection costs.
- C. All remaining amounts for the following purposes, in the following percentages, which amounts shall include the costs of administering the programs described. The voters also intend that, in expending remaining amounts, the City prioritize principles of environmental justice, tenant protections and other initiatives to prevent displacement of residents; retrofit projects at a neighborhood, block, utility zone or designation, or other comparable geographic scale; and ensure compliance with Berkeley Municipal Code Chapter 13.84 specifying requirements for property owners who relocate residents for tenant improvements. For purposes of this section, "environmental justice" means mitigating disproportionate impacts on communities identified in the State of California's Enviroscreen database or any successor to that database. The voters also intend that the City prioritize the use and support of labor satisfying the definition of 7.77.030.C ("Minimum Labor Standards").
 - (1) 90% to fund expenses associated with Natural Gas Conversion of existing buildings, prioritizing Building Decarbonization Retrofits. The City shall prioritize funding for Natural Gas Conversion and Building Decarbonization Retrofits in low-rise residential buildings and restaurants, including low- or no-interest loans to assist property owners in retrofitting properties or otherwise to achieve the purposes of this Chapter.
 - (2) 10% to fund permanent, career, City positions in an employee bargaining unit subject to a collective bargaining agreement to administer and facilitate a citywide program of Natural Gas Conversion and Building Decarbonization Retrofits and administrative expenses connected therewith.

D. Notwithstanding subsections C(1) and (2) of this section, if the Council finds on the basis of substantial evidence that the infrastructure and appliances of the building stock in the City have been completely and permanently transitioned from natural gas, remaining Tax Proceeds may fund other City programs that directly reduce or avoid greenhouse gas emissions.

E. The Fossil Fuel Free Buildings Just Transition Oversight Committee established under Section 7.77.090 ("Oversight Committee") shall make recommendations to the Council to ensure the Fund is administered consistently with this section.

7.77.090 Fossil Fuel Free Buildings Just Transition Oversight Committee.

A. The Environment and Climate Commission established pursuant to Chapter 3.82 of this Code or any successor to that commission shall serve as the Oversight Committee and make recommendations to the Council to ensure the Fund is administered consistently with section 7.77.080.

B. The Oversight Committee shall monitor, and make recommendations as to, the administration of the Fund, to ensure it is administered in a manner that is accountable to the community and consistent with this Chapter and other law, and to advise the Council on appropriations from the Fund. The Oversight Committee shall:

- (1) Develop recommendations for the use of the Fund;
 - (2) By December 31, 2025, and every year thereafter, conduct a needs assessment as to retrofitting existing buildings in the City and make annual recommendations about appropriations from the Fund to the Council informed by that needs assessment;
 - (3) Promote and facilitate transparency in the administration of the Fund;
 - (4) Promote implementation of the programs funded by the Fund in a manner that is equitable, culturally sensitive, and supportive of labor;
- C. The City shall provide adequate staffing to the Oversight Committee to achieve its purposes.
- D. The Transportation and Infrastructure Commission or any successor to it, the Labor Commission or any successor to it, the Council Facilities, Infrastructure, Transportation, Environment and Sustainability Policy Committee or any successor to it, may each make recommendations to the Council to ensure the Fund is administered consistently with this Chapter.
- E. Nothing in this section 7.77.090 shall limit the authority of the Council to propose, amend, and adopt a budget under the Charter.

7.77.100 Technical Assistance to the Finance Department.

The Office of Energy and Sustainable Development or any successor office or department shall provide technical assistance to the Finance Department upon the City Manager's or Director of Finance's request to administer the Large Buildings Fossil Fuel Emissions Tax.

7.77.110 Prohibited Conduct.

Except as the Berkeley Rent Stabilization Board expressly determines, the Owner of a Taxable Residential Building shall not pass on the tax imposed by this Chapter to tenants in the form of rent increases or in any other manner. Inclusion of such charges shall be a complete defense to any action for unlawful detainer for failure to pay rent absent such express determination of the Berkeley Rent Stabilization Board.

7.77.120 Amendment of Ordinance.

- A. The Council may, by two-thirds vote of the entire City Council, amend this Chapter to further its purposes, provided that such amendments do not constitute a tax increase within the meaning of California Government Code section 53750, subdivision (h) or expand the exemptions provided by section 7.77.050, or amend this section 7.77.120.
- B. The City Council shall not reduce the inflation-adjusted tax rates authorized by this Chapter or otherwise reduce the tax absent a finding supported by substantial evidence that doing so is necessary to address unusual circumstances such as a natural disaster, the undercollection is temporary, and the reduced tax will nevertheless achieve the purposes of this Chapter.
- C. For purposes of this section 7.77.120, the purposes of this Chapter are those stated in section 7.77.020 and the expenditures authorized by section 7.77.080.

7.77.130 Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance, 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 People of the City of Berkeley hereby declare that they would have passed this ordinance, and each word, phrase, sentence, part, section, subsection, or other portion hereof, irrespective of the fact that any one or more words, phrases, sentences, parts, sections, subsections, or other portions hereof has been declared invalid or unconstitutional.

Section 2. Increase Appropriations Limit. Pursuant to California Constitution Article XIII B and applicable laws, for four years from November 5, 2024, the appropriations limit for the City shall be increased by the aggregate sum collected by the levy of the tax imposed under this ordinance.

Section 3. Special Tax; Majority Vote Requirement. This Ordinance imposes a Special tax and shall be effective only if approved by a majority of the voters voting thereon.

Section 4. Certification; Publication; Numbering.

- A. Upon approval by the voters, the City Clerk shall assign this ordinance an ordinance number and insert it where indicated on the first page above, certify to the passage and adoption of this ordinance, and cause it to be published according to law.
- B. Upon approval by the voters, the Mayor and City Clerk shall execute this ordinance where indicated below to give evidence of that approval.

We hereby certify that the foregoing ordinance was duly adopted by the voters of the City of Berkeley participating in the November 5, 2024 election.

, Mayor

Attest:

Mark Numainville, City Clerk

Attachment 2: Estimated first year Large Building Fossil Fuel Emissions Tax for buildings with at least 15,000 square feet.

The following list provides the estimated first year Large Building Fossil Fuel Emissions Tax for buildings with at least 15,000 square feet. This estimate assumes these buildings would be subject to the tax. A case by case assessment as to whether the tax applies to a particular building will be made at a later time. Annual natural gas data is available for some buildings that reported their usage through the California Air Resources Board's (CARB) mandatory reporting of greenhouse gas emissions or through Berkeley's Building Emissions Saving Ordinance (BESO). Natural gas usage data for the remaining buildings is estimated by using a therms/square foot value provided by the US Energy Information Administration's Commercial Buildings Energy Consumption Survey (CBECS). The estimated tax amount will change as annual usage data is provided.

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
054 177300304	Bayer Main Campus	2550 7TH ST	94710	25k-49,999k	Industrial	\$ 6,460,081	CARB
052 157308707	Alta Bates Summit Medical Center - Ashby	2450 ASHBY AVE	94705	250k+	Health Care	\$ 2,531,583	BESO
055 189700501	Alta Bates Herrick Hospital Campus	2001 DWIGHT WAY	94704	250k+	Health Care	\$ 909,863	BESO
052 157405908	Alta Bates Medical Campus	3001 COLBY ST	94705	250k+	Health Care	\$ 858,254	CBECS
056 195600100	Takara Sake USA	719 ALLSTON WAY	94710	50k-99,999k	Industrial	\$ 566,388	BESO
057 211000101	Kaiser Permanente Berkeley Lab	1740 SECOND ST	94710	100k-249,999k	Industrial	\$ 397,353	BESO
054 174800201		2700 SEVENTH ST	94710	250k+	Industrial	\$ 303,213	CBECS
052 151200103	Foundry 31 (Former Marchant Bldg)	3100 SAN PABLO AVE	94710	250k+	Industrial	\$ 244,161	CBECS
053 165100101	Berkeley Bowl West	920 HEINZ AVE	94710	100k-249,999k	Food Sales	\$ 231,596	BESO
060 252800701	Doubletree Hotel & Meeting Center	200 MARINA BLVD	94710	100k-249,999k	Hotel/Lodging	\$ 190,386	BESO
057 202800300	Former United Artists Theater	2274 SHATTUCK AVE	94704	100k-249,999k	Public Assembly	\$ 182,202	CBECS
057 202601500	Downtown Berkeley YMCA	2001 ALLSTON WAY	94704	100k-249,999k	Public Assembly	\$ 178,417	BESO
053 165801801		901 HEINZ AVE	94710	25k-49,999k	Industrial	\$ 166,633	BESO
060 235700100		901 GILMAN ST	94710	100k-249,999k	Industrial	\$ 163,590	BESO
052 157305102	Regent Street Medical Office Building and Care Center	2999 REGENT ST	94705	50k-99,999k	Health Care	\$ 152,654	BESO
057 203202100	Residence Inn Hotel Downtown	2129 CENTER ST	94704	250k+	Retail	\$ 143,755	CBECS
060 235500802	Gilman District North (Whole Foods)	1011 GILMAN ST	94710	25k-49,999k	Food Sales	\$ 133,670	BESO
057 202600201	Great Western Bldg (Sky Deck Building)	2150 SHATTUCK AVE	94704	100k-249,999k	Office	\$ 131,633	BESO
055 188500202	Berkeley City Club	2315 DURANT AVE	94704	25k-49,999k	Hotel/Lodging	\$ 121,559	BESO
055 189504100	Logan Park Apartments	2352 SHATTUCK AVE	94704	100k-249,999k	Mixed (Residential/Commercial)	\$ 119,344	CBECS
059 226202102	Safeway (North Shattuck)	1425 HENRY ST	94709	25k-49,999k	Food Sales	\$ 116,830	BESO
052 157700101	Whole Foods Ashby	3000 TELEGRAPH AVE	94705	15k-24,999k	Food Sales	\$ 109,649	BESO
055 187201400	The Graduate Berkeley Hotel	2600 DURANT AVE	94704	50k-99,999k	Hotel/Lodging	\$ 108,819	BESO
057 202601203		2052 CENTER ST	94704	100k-249,999k	Office	\$ 108,435	CBECS
059 231000900		1500 SAN PABLO AVE	94702	100k-249,999k	Mixed (Residential/Commercial)	\$ 107,540	CBECS
057 202701200	Hotel Shattuck Plaza	2086 ALLSTON WAY	94704	100k-249,999k	Hotel/Lodging	\$ 97,864	BESO
058 218900104	Pacific School of Religion Student Housing	1798 SCENIC AVE	94709	25k-49,999k	Residential	\$ 94,655	BESO
Multiple APNs	Fourth & U Apartments	700 UNIVERSITY AVE	94710	100k-249,999k	Residential	\$ 92,846	BESO
054 177000402	Former H. C. Macaulay Foundry	811 CARLETON ST	94710	100k-249,999k	Industrial	\$ 79,264	CBECS
057 212000100	David Brower Center	2150 ALLSTON WAY	94704	25k-49,999k	Office	\$ 78,952	BESO
056 196001500	Aquatic I and III	2001 4TH ST	94710	100k-249,999k	Residential	\$ 76,435	BESO
057 206000100	New Californian	1988 M L KING JR WAY	94704	100k-249,999k	Residential	\$ 76,147	BESO
057 202300400	Wells Fargo Building	2140 SHATTUCK AVE	94704	50k-99,999k	Office	\$ 75,089	BESO
059 226301001	Andronico's North Berkeley	1550 SHATTUCK AVE	94709	25k-49,999k	Food Sales	\$ 74,227	BESO
053 165200105	Berkeley Business Center	1099 ASHBY AVE	94710	250k+	Other	\$ 70,674	BESO
056 196701601	La Quinta Inn by Wyndham Berkeley	900 UNIVERSITY AVE	94710	50k-99,999k	Hotel/Lodging	\$ 70,460	BESO
055 189401403	Berkeley Park Apartments	2025 DURANT AVE	94704	50k-99,999k	Residential	\$ 70,252	BESO
056 199601203		1417 ADDISON ST	94702	25k-49,999k	Food Sales	\$ 68,432	CBECS
056 195400900	Avalon Berkeley	2020 3RD ST	94710	50k-99,999k	Residential	\$ 68,294	BESO

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
056 199404901	Chaparral House	1299 ALLSTON WAY	94702	15k-24,999k	Health Care	\$ 67,832	BESO
057 211100306		1795 2ND ST	94710	100k-249,999k	Industrial	\$ 67,327	CBCECS
057 202401002	The Promenade	1936 UNIVERSITY AVE	94704	25k-49,999k	Office	\$ 64,281	BESO
054 177000801		2600 7TH ST	94710	100k-249,999k	Industrial	\$ 63,528	CBCECS
053 164401101		740 HEINZ AVE	94710	100k-249,999k	Industrial	\$ 62,195	CBCECS
057 202302600	Berkeley Central	2055 CENTER ST	94704	100k-249,999k	Residential	\$ 61,957	BESO
060 236300106		1255 EASTSHORE FWY	94710	25k-49,999k	Service	\$ 60,334	CBCECS
054 176401205	Saul Zaentz Media Center	2600 10TH ST	94710	100k-249,999k	Office	\$ 59,803	BESO
053 170300800	Ed Roberts Campus	3075 ADELINE ST	94703	50k-99,999k	Office	\$ 59,163	BESO
056 194700101		701 DWIGHT WAY	94710	100k-249,999k	Industrial	\$ 58,350	CBCECS
057 202400102	Stonefire Berkeley	1974 UNIVERSITY AVE	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 57,951	CBCECS
055 187504500		2503 HASTE ST	94704	50k-99,999k	Residential	\$ 57,709	CBCECS
054 171101400	Hashemi - Stuart	2525 STUART ST	94705	15k-24,999k	Residential	\$ 56,237	BESO
055 187701300	The Granada at Sather Gate	2301 TELEGRAPH AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 54,835	BESO
054 173701900	Oregon Park Apartments	1425 OREGON ST	94702	25k-49,999k	Residential	\$ 54,490	BESO
055 187601302		2500 DURANT AVE	94704	25k-49,999k	Residential	\$ 54,159	BESO
055 182200901		2035 BLAKE ST	94704	50k-99,999k	Residential	\$ 53,632	CBCECS
054 176401204		2657 9TH ST	94710	50k-99,999k	Office	\$ 53,430	CBCECS
054 174600205		2701 EIGHTH ST	94710	15k-24,999k	Industrial	\$ 51,674	BESO
053 162703701	Higby	3015 SAN PABLO AVE	94702	50k-99,999k	Residential	\$ 51,626	CBCECS
056 199902001		2235 SACRAMENTO ST	94702	25k-49,999k	Hotel/Lodging	\$ 51,245	BESO
060 253500102	Golden Gate Fields	1100 EASTSHORE HWY	94710	50k-99,999k	Public Assembly	\$ 50,901	CBCECS
053 164700202	Weatherford BMW	735 ASHBY AVE	94710	50k-99,999k	Industrial	\$ 49,293	CBCECS
057 202600702	Berkeley Center Bldg	2175 MILVIA ST	94704	25k-49,999k	Office	\$ 49,235	BESO
055 188002201		2414 TELEGRAPH AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 48,842	BESO
054 176301001	Kaiser Medical Office Building	2621 10TH ST	94710	50k-99,999k	Health Care	\$ 48,572	CBCECS
057 204600804	Modera Berkeley	2125 UNIVERSITY AVE	94704	100k-249,999k	Mixed (Residential/Commercial)	\$ 48,487	BESO
055 188201000	Picardo Arms Apartments	2491 ELLSWORTH ST	94704	25k-49,999k	Residential	\$ 48,326	BESO
055 189401704		2300 SHATTUCK AVE	94704	100k-249,999k	Mixed (Residential/Commercial)	\$ 47,919	BESO
055 187001000	The Berk on College	2700 BANCROFT WAY	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 47,882	BESO
053 168300100	Berkeley Bowl	2020 OREGON ST	94703	25k-49,999k	Food Sales	\$ 47,760	BESO
056 195700301	Former Wine.com Building 1	747 BANCROFT WAY	94710	50k-99,999k	Industrial	\$ 47,690	CBCECS
056 195700203	Former Wine.com Building 2	2200 4TH ST	94710	50k-99,999k	Industrial	\$ 47,690	CBCECS
055 182201902		2000 DWIGHT WAY	94704	50k-99,999k	Other	\$ 47,593	CBCECS
053 169101601	CalFarm Bldg	2855 TELEGRAPH AVE	94705	50k-99,999k	Office	\$ 46,880	CBCECS
055 189501901	Varsity Berkeley	2024 DURANT AVE	94704	50k-99,999k	Residential	\$ 46,816	BESO
059 234700100		750 GILMAN ST	94710	50k-99,999k	Industrial	\$ 46,781	CBCECS
055 188001502		2407 DANA ST	94704	25k-49,999k	Religious Worship	\$ 46,609	BESO
063 312005000	Zaytuna College	2770 MARIN AVE	94708	25k-49,999k	Education	\$ 46,353	BESO
053 164401403	Wareham Development Aquatic Park Research Campus	700 HEINZ AVE	94710	50k-99,999k	Industrial	\$ 46,231	CBCECS
055 187700100		2590 BANCROFT WAY	94704	50k-99,999k	Other	\$ 46,007	CBCECS
055 182000101	Parker Apartments	2600 SHATTUCK AVE	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 45,942	BESO
Multiple APNs		2550 DANA ST	94704	50k-99,999k	Residential	\$ 45,368	BESO
055 183902000	The Panoramic Berkeley	2539 TELEGRAPH AVE	94704	50k-99,999k	Residential	\$ 44,826	CBCECS
057 202701000		2060 ALLSTON WAY	94704	50k-99,999k	Retail	\$ 44,736	CBCECS
053 164300102		929 POTTER ST	94710	50k-99,999k	Industrial	\$ 44,323	CBCECS

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
060 235200201	Camelia Outlet Center	1001 CAMELIA ST	94710	50k-99,999k	Other	\$ 42,728	CBECS
058 219900800	Treehaven	2523 RIDGE RD	94709	25k-49,999k	Residential	\$ 42,701	BESO
056 195800603		2229 4TH ST	94710	50k-99,999k	Office	\$ 42,398	CBECS
056 197701001		2120 SAN PABLO AVE	94702	50k-99,999k	Other	\$ 42,382	CBECS
057 202500800	Berkeley Repertory Theatre	2025 ADDISON ST	94704	50k-99,999k	Public Assembly	\$ 42,361	BESO
048H769000300	Redwood Gardens Apartments	2951 DERBY ST	94705	100k-249,999k	Residential	\$ 42,091	BESO
058 217700100	University Park Apartments	1709 SHATTUCK AVE	94709	50k-99,999k	Residential	\$ 41,840	BESO
055 184302603		2511 HILLEGASS AVE	94704	50k-99,999k	Education	\$ 41,684	CBECS
053 168200100	Harriet Tubman Terrace Apartments	2870 ADELINE ST	94703	50k-99,999k	Residential	\$ 41,397	BESO
059 234000802		1421 2ND ST	94710	50k-99,999k	Industrial	\$ 41,316	CBECS
060 235200100	Gilman District South	1000 GILMAN ST	94710	25k-49,999k	Enclosed and strip malls	\$ 40,633	BESO
053 164400703	Wareham Development Aquatic Park Research Campus	725 POTTER ST	94710	50k-99,999k	Industrial	\$ 40,396	CBECS
056 200402400		1632 UNIVERSITY AVE	94703	25k-49,999k	Mixed (Residential/Commercial)	\$ 40,288	BESO
053 164400100	Aquatic Park Center	2910 SEVENTH ST	94710	50k-99,999k	Industrial	\$ 40,241	CBECS
055 188802700	Channing Apartments	2236 CHANNING WAY	94704	15k-24,999k	Residential	\$ 40,094	BESO
055 188901400	Garden Village	2201 DWIGHT WAY	94704	50k-99,999k	Residential	\$ 39,828	CBECS
057 211000102	Kaiser Lab	1725 EASTSHORE HWY	94710	50k-99,999k	Industrial	\$ 38,776	CBECS
058 220300401		1771 HIGHLAND PL	94709	25k-49,999k	Residential	\$ 38,776	BESO
059 226100102		1451 SHATTUCK AVE	94709	15k-24,999k	Food Sales	\$ 38,640	CBECS
057 204601101		1987 SHATTUCK AVE	94704	50k-99,999k	Other	\$ 37,904	CBECS
052 157401404		3000 COLBY ST	94705	25k-49,999k	Health Care	\$ 37,811	CBECS
061 261102801		915 COLUSA AVE	94707	15k-24,999k	Food Sales	\$ 37,500	BESO
057 203401000	The WeWork Building	2015 KALA BAGAI WAY	94704	25k-49,999k	Office	\$ 37,473	BESO
058 219901001		1799 EUCLID AVE	94709	15k-24,999k	Residential	\$ 36,731	BESO
057 203000200	Gaia Apartments	2116 ALLSTON WAY	94704	50k-99,999k	Residential	\$ 36,646	BESO
055 183800201	Glenn Building Apartment	2430 DWIGHT WAY	94704	50k-99,999k	Residential	\$ 36,547	BESO
055 189300503	Stadium Place	2310 FULTON ST	94704	50k-99,999k	Residential	\$ 36,524	CBECS
055 186701100	Bishop Berkeley Apartments	2709 DWIGHT WAY	94704	25k-49,999k	Residential	\$ 36,296	BESO
057 201602101	The Overture at 1812	1812 UNIVERSITY AVE	94703	50k-99,999k	Residential	\$ 36,135	CBECS
057 205602300	MB Apartments	1912 MILVIA ST	94704	50k-99,999k	Residential	\$ 35,844	CBECS
058 219101201	Ridge House	2424 RIDGE RD	94709	25k-49,999k	Hotel/Lodging	\$ 35,843	CBECS
055 188501000	The Metropolitan	2301 DURANT AVE	94704	50k-99,999k	Residential	\$ 35,585	BESO
055 188200800	Evans Manor	2315 DWIGHT WAY	94704	25k-49,999k	Hotel/Lodging	\$ 35,292	BESO
053 166102701		2821 TENTH ST	94710	15k-24,999k	Industrial	\$ 34,978	BESO
055 186501300	Warring Street Apartments	2461 WARRING ST	94704	25k-49,999k	Residential	\$ 34,882	BESO
057 205300700	Nash Hotel	2041 UNIVERSITY AVE	94704	15k-24,999k	Hotel/Lodging	\$ 34,801	BESO
056 199502801	Berkeley Apartments - Acton Courtyard	2002 ACTON ST	94702	50k-99,999k	Residential	\$ 34,576	BESO
057 202302500		2072 ADDISON ST	94704	50k-99,999k	Other	\$ 34,477	CBECS
057 202201701		2100 MILVIA ST	94704	50k-99,999k	Office	\$ 34,315	BESO
056 196101700	The Aquatic	800 UNIVERSITY AVE	94710	50k-99,999k	Residential	\$ 34,151	CBECS
055 189600701	Haste Park Apartments	2033 HASTE ST	94704	25k-49,999k	Residential	\$ 33,951	BESO
057 211602003		1609 4TH ST	94710	50k-99,999k	Industrial	\$ 33,704	CBECS
053 170400102		700 GRAYSON ST	94710	50k-99,999k	Industrial	\$ 33,664	CBECS
054 177800101	The Sawtooth Bldg	2547 8TH ST	94710	50k-99,999k	Industrial	\$ 33,663	CBECS
056 196301506		2240 SIXTH ST	94710	50k-99,999k	Industrial	\$ 33,526	CBECS
057 202400701	Addison Arts Apartments	1933 ADDISON ST	94704	50k-99,999k	Residential	\$ 33,132	BESO

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
055 188201700		2322 HASTE ST	94704	15k-24,999k	Residential	\$ 32,755	BESO
057 202502100		2066 UNIVERSITY AVE	94704	25k-49,999k	Residential	\$ 32,457	BESO
057 209701401		811 UNIVERSITY AVE	94710	25k-49,999k	Mixed (Residential/Commercial)	\$ 32,112	BESO
057 210900103	Extra Space Storage	600 CEDAR ST	94710	50k-99,999k	Warehouse and Storage	\$ 31,904	CB ECS
058 219400600		2477 VIRGINIA ST	94709	15k-24,999k	Residential	\$ 31,754	BESO
053 163300107		3000 SAN PABLO AVE	94702	50k-99,999k	Other	\$ 31,461	CB ECS
054 174703300		2703 7TH ST	94710	50k-99,999k	Industrial	\$ 31,419	CB ECS
055 185000401		2514 PIEDMONT AVE	94704	25k-49,999k	Residential	\$ 31,132	BESO
055 187301400	Casa Bonita Apartments	2605 HASTE ST	94704	15k-24,999k	Residential	\$ 30,963	BESO
057 202600405		2190 SHATTUCK AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 30,838	CB ECS
058 218103300		1717 OXFORD ST	94709	15k-24,999k	Residential	\$ 30,694	BESO
055 187800501	Sather Lane Shops	2433 DURANT AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 30,504	BESO
057 203100300	Allston Place	2161 ALLSTON WAY	94704	25k-49,999k	Residential	\$ 30,222	CB ECS
054 170701001	St. Johns Presbyterian Church	2717 GARBER ST	94705	25k-49,999k	Religious Worship	\$ 30,008	BESO
055 187800300	Spectra Southside	2328 TELEGRAPH AVE	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 29,781	BESO
056 200401600	California Walk	2091 CALIFORNIA ST	94703	25k-49,999k	Residential	\$ 29,634	BESO
057 208501004	Holiday Inn Express	1175 UNIVERSITY AVE	94702	25k-49,999k	Hotel/Lodging	\$ 29,436	BESO
055 184200801	Everest Properties	2520 HILLEGASS AVE	94704	50k-99,999k	Residential	\$ 28,589	BESO
054 172300200	Sports Basement	2727 MILVIA ST	94703	50k-99,999k	Retail	\$ 28,452	CB ECS
055 189001302	Berkeley Apartments - Fine Arts Building	2451 SHATTUCK AVE	94704	50k-99,999k	Residential	\$ 28,269	BESO
057 211500101		1700 5TH ST	94710	50k-99,999k	Retail	\$ 28,232	CB ECS
055 183102801	Americana Apartments	2324 DWIGHT WAY	94704	25k-49,999k	Residential	\$ 28,153	BESO
057 202502300		2009 ADDISON ST	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 28,137	CB ECS
Multiple APNs		2747 SAN PABLO AVE	94702	25k-49,999k	Residential	\$ 28,086	CB ECS
055 183700100		2556 TELEGRAPH AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 28,055	CB ECS
054 172201403		2000 WARD ST	94703	25k-49,999k	Residential	\$ 27,851	CB ECS
052 157307400	Telegraph Gardens	3001 TELEGRAPH AVE	94705	25k-49,999k	Mixed (Residential/Commercial)	\$ 27,520	CB ECS
055 188400100	First Congregational Church of Berkeley (Campus)	2345 CHANNING WAY	94704	15k-24,999k	Religious Worship	\$ 27,474	BESO
055 188000501		2441 HASTE ST	94704	25k-49,999k	Residential	\$ 26,980	CB ECS
055 189900100		1942 CHANNING WAY	94704	15k-24,999k	Residential	\$ 26,962	BESO
055 187601500		2516 DURANT AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 26,813	BESO
Multiple APNs		2601 COLLEGE AVE	94704	25k-49,999k	Residential	\$ 26,771	CB ECS
057 210000108		1901 FOURTH ST	94710	25k-49,999k	Mixed (Residential/Commercial)	\$ 26,553	CB ECS
052 151400701		708 FOLGER AVE	94710	25k-49,999k	Industrial	\$ 26,454	CB ECS
059 226500601	The Luxor Apartments	1406 HENRY ST	94709	15k-24,999k	Residential	\$ 26,356	BESO
055 184600901		2520 COLLEGE AVE	94704	25k-49,999k	Residential	\$ 26,322	BESO
055 189001201	The Dwight	2121 DWIGHT WAY	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 25,894	BESO
057 202701100	The Berkeley Center	2070 ALLSTON WAY	94704	25k-49,999k	Retail	\$ 25,864	CB ECS
054 177700200		927 PARKER ST	94710	25k-49,999k	Industrial	\$ 25,420	CB ECS
053 164400900		822 ANTHONY ST	94710	25k-49,999k	Industrial	\$ 25,318	CB ECS
055 184201401	Hillegass Apartments	2530 HILLEGASS AVE	94704	25k-49,999k	Residential	\$ 25,105	CB ECS
059 234400401		1320 SECOND ST	94710	25k-49,999k	Industrial	\$ 24,879	CB ECS
062 287100702		1737 SOLANO AVE	94707	25k-49,999k	Residential	\$ 24,737	CB ECS
057 202302300	ELS Bldg	2030 ADDISON ST	94704	25k-49,999k	Office	\$ 24,686	CB ECS
058 218202400		2255 HEARST AVE	94709	15k-24,999k	Residential	\$ 24,312	BESO
057 202400202	Tioga Bldg	2020 MILVIA ST	94704	25k-49,999k	Office	\$ 24,276	CB ECS

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
057 203201000		2109 KALA BAGAI WAY	94704	25k-49,999k	Residential	\$ 24,093	BESO
055 186500700		2430 PROSPECT ST	94704	15k-24,999k	Residential	\$ 23,764	BESO
055 187701902		2580 BANCROFT WAY	94704	25k-49,999k	Residential	\$ 23,709	CBCECS
055 181501702	Sutter Health Clinic - Urgent Care	2500 MILVIA ST	94704	25k-49,999k	Health Care	\$ 23,489	BESO
059 231900502		601 CEDAR ST	94710	50k-99,999k	Warehouse and Storage	\$ 23,402	CBCECS
058 211802400		1721 5TH ST	94710	25k-49,999k	Other	\$ 23,358	CBCECS
057 206402401		1812 DELAWARE ST	94703	25k-49,999k	Residential	\$ 23,353	CBCECS
055 186801700	Delta Gamma House	2710 CHANNING WAY	94704	15k-24,999k	Hotel/Lodging	\$ 23,258	BESO
055 187100103	Bancroft Hotel	2680 BANCROFT WAY	94704	15k-24,999k	Hotel/Lodging	\$ 23,183	BESO
060 235100106		950 GILMAN ST	94710	25k-49,999k	Industrial	\$ 23,182	CBCECS
058 218801104		1807 ARCH ST	94709	25k-49,999k	Education	\$ 23,117	CBCECS
Multiple APNs		1515 OXFORD ST	94709	25k-49,999k	Residential	\$ 22,834	CBCECS
055 188802301		2405 FULTON ST	94704	25k-49,999k	Residential	\$ 22,600	CBCECS
055 183902100		2593 TELEGRAPH AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 22,596	CBCECS
060 236300104	Central Self Storage Berkeley	600 HARRISON ST	94710	50k-99,999k	Warehouse and Storage	\$ 22,595	CBCECS
055 187801000		2419 DURANT AVE	94704	15k-24,999k	Residential	\$ 22,592	BESO
055 184600300		2644 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 22,553	BESO
055 184600101	Riviera Apartments	2501 BENVENUE AVE	94704	15k-24,999k	Residential	\$ 22,485	BESO
055 189700200	The Barker Bldg	2484 SHATTUCK AVE	94704	25k-49,999k	Office	\$ 22,442	CBCECS
057 203001000		2231 SHATTUCK AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 22,406	BESO
060 235301402	REI Walgreens Center	1050 GILMAN ST	94710	50k-99,999k	Retail	\$ 22,157	BESO
055 189101200		2429 SHATTUCK AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 21,820	BESO
056 199000101	Strawberry Creek Design Center	2121 BONAR ST	94702	25k-49,999k	Office	\$ 21,762	CBCECS
055 186800701		2721 HASTE ST	94704	25k-49,999k	Residential	\$ 21,626	CBCECS
056 195200201	Audubon Cellars	91 BOLIVAR DR	94710	25k-49,999k	Industrial	\$ 21,598	CBCECS
055 187201200	Royston Apartments	2601 CHANNING WAY	94704	25k-49,999k	Residential	\$ 21,563	CBCECS
060 243003201		1330 SACRAMENTO ST	94702	15k-24,999k	Residential	\$ 21,385	BESO
057 202900900	The Masonic	2105 BANCROFT WAY	94704	25k-49,999k	Office	\$ 21,211	BESO
055 184300500	Thornhill Apartments	2524 BENVENUE AVE	94704	15k-24,999k	Residential	\$ 21,145	BESO
057 204904000		1801 SHATTUCK AVE	94709	25k-49,999k	Residential	\$ 20,997	CBCECS
055 186300100		2830 BANCROFT WAY	94704	15k-24,999k	Hotel/Lodging	\$ 20,884	BESO
057 203100200		2171 ALLSTON WAY	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 20,742	CBCECS
058 217700708		1740 WALNUT ST	94709	15k-24,999k	Residential	\$ 20,702	BESO
055 189800801		1927 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 20,423	BESO
059 234600600		711 CAMELIA ST	94710	25k-49,999k	Industrial	\$ 20,416	CBCECS
057 208102900	Chestnut Apartments	1955 CHESTNUT ST	94702	15k-24,999k	Residential	\$ 20,323	BESO
053 165500800	Berkeley Arts Complex	729 HEINZ AVE	94710	50k-99,999k	Warehouse and Storage	\$ 20,235	CBCECS
058 224500903	Former Hillside School	1581 LE ROY AVE	94708	25k-49,999k	Other	\$ 20,198	CBCECS
055 184601501		2540 COLLEGE AVE	94704	25k-49,999k	Residential	\$ 20,012	BESO
055 187601700		2526 DURANT AVE	94704	25k-49,999k	Residential	\$ 19,902	BESO
055 186601200		2421 PIEDMONT AVE	94704	15k-24,999k	Hotel/Lodging	\$ 19,799	BESO
055 187000701		2723 DURANT AVE	94704	15k-24,999k	Hotel/Lodging	\$ 19,690	CBCECS
054 174600204	Berkeley Humane Society	2700 NINTH ST	94710	25k-49,999k	Education	\$ 19,666	CBCECS
055 184402401		2627 HILLEGASS AVE	94704	15k-24,999k	Residential	\$ 19,664	BESO
055 186400200		2300 WARRING ST	94704	15k-24,999k	Hotel/Lodging	\$ 19,623	BESO
057 210900102	Gannett Outdoor	1695 EASTSHORE HWY	94710	25k-49,999k	Industrial	\$ 19,489	CBCECS

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
056 194301401		2448 6TH ST	94710	25k-49,999k	Industrial	\$ 19,356	CBECS
057 208702200	The Delaware Apartments	1800 SAN PABLO AVE	94710	25k-49,999k	Residential	\$ 19,326	BESO
061 260204001	The Oaks - Touchstone Climbing Gym	1861 SOLANO AVE	94707	15k-24,999k	Public Assembly	\$ 19,309	CBECS
058 219200102	CDSP - Parsons Hall	2451 RIDGE RD	94709	25k-49,999k	Education	\$ 19,305	BESO
054 176600100		910 PARKER ST	94710	25k-49,999k	Office	\$ 19,260	CBECS
056 194500301		2324 FIFTH ST	94710	25k-49,999k	Industrial	\$ 19,233	CBECS
055 188201100		2431 ELLSWORTH ST	94704	25k-49,999k	Residential	\$ 19,218	BESO
057 211400105		1716 4TH ST	94710	50k-99,999k	Other	\$ 19,146	BESO
055 186600103		2401 PIEDMONT AVE	94704	15k-24,999k	Hotel/Lodging	\$ 19,067	BESO
055 184603101		2515 BENVENUE AVE	94704	25k-49,999k	Residential	\$ 19,001	BESO
058 220000900		1865 EUCLID AVE	94709	15k-24,999k	Residential	\$ 18,932	BESO
057 211500901		1795 4TH ST	94710	25k-49,999k	Retail	\$ 18,825	CBECS
055 189401501		2028 BANCROFT WAY	94704	25k-49,999k	Other	\$ 18,817	CBECS
056 197902700	University Ave Apartments	1176 UNIVERSITY AVE	94702	25k-49,999k	Residential	\$ 18,810	CBECS
055 189201301		2399 SHATTUCK AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 18,729	BESO
058 216902801		1920 FRANCISCO ST	94709	25k-49,999k	Residential	\$ 18,626	BESO
058 217600301		2083 DELAWARE ST	94709	15k-24,999k	Mixed (Residential/Commercial)	\$ 18,530	BESO
058 219800800		2535 LE CONTE AVE	94709	15k-24,999k	Residential	\$ 18,495	BESO
059 232501803	Haws Drinking Fountain	1435 4TH ST	94710	25k-49,999k	Industrial	\$ 18,478	CBECS
055 187101501		2600 BANCROFT WAY	94704	15k-24,999k	Public Assembly	\$ 18,440	CBECS
056 194600101		2325 3RD ST	94710	25k-49,999k	Industrial	\$ 18,396	CBECS
058 219001201		2340 LE CONTE AVE	94709	15k-24,999k	Residential	\$ 18,323	BESO
055 182401500		2567 SHATTUCK AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 18,295	BESO
055 188500103	Wesley House	2398 BANCROFT WAY	94704	15k-24,999k	Hotel/Lodging	\$ 18,282	CBECS
057 208800801		1966 SAN PABLO AVE	94702	15k-24,999k	Mixed (Residential/Commercial)	\$ 18,276	BESO
053 168602200		2829 SHATTUCK AVE	94705	15k-24,999k	Hotel/Lodging	\$ 18,250	CBECS
055 186801100	College Avenue Apartments	2415 COLLEGE AVE	94704	25k-49,999k	Residential	\$ 18,175	BESO
Multiple APNs	University Terrace	2146 JEFFERSON AVE	94703	15k-24,999k	Residential	\$ 18,121	BESO
058 216800800		1835 DELAWARE ST	94703	15k-24,999k	Residential	\$ 17,857	BESO
055 189501501		2000 DURANT AVE	94704	25k-49,999k	Residential	\$ 17,674	CBECS
059 226100101	Jewish Community Center of the East Bay	1414 WALNUT ST	94709	15k-24,999k	Public Assembly	\$ 17,667	CBECS
055 187500800	The Den	2508 CHANNING WAY	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 17,639	BESO
055 186401300		2325 PIEDMONT AVE	94704	15k-24,999k	Hotel/Lodging	\$ 17,609	CBECS
055 186300301		2313 WARRING ST	94704	15k-24,999k	Hotel/Lodging	\$ 17,594	BESO
055 188400305		2333 CHANNING WAY	94704	15k-24,999k	Residential	\$ 17,561	BESO
055 188500104		2362 BANCROFT WAY	94704	25k-49,999k	Religious Worship	\$ 17,560	CBECS
055 187700700		2525 DURANT AVE	94704	15k-24,999k	Residential	\$ 17,551	BESO
055 186900100		2328 PIEDMONT AVE	94704	15k-24,999k	Hotel/Lodging	\$ 17,532	CBECS
055 188100400		2482 TELEGRAPH AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 17,476	CBECS
059 234400700		1331 EASTSHORE HWY	94710	25k-49,999k	Industrial	\$ 17,444	CBECS
055 182100500		2598 SHATTUCK AVE	94704	25k-49,999k	Residential	\$ 17,414	CBECS
057 203400600		2037 KALA BAGAI WAY	94704	15k-24,999k	Office	\$ 17,410	BESO
057 208102600		1275 UNIVERSITY AVE	94702	15k-24,999k	Residential	\$ 17,409	BESO
058 216802901		1822 FRANCISCO ST	94703	15k-24,999k	Residential	\$ 17,393	BESO
056 194301901		2431 FIFTH ST	94710	25k-49,999k	Industrial	\$ 17,343	CBECS
060 235902306		1210 6TH ST	94710	25k-49,999k	Industrial	\$ 17,341	CBECS

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
055 186800300	Chateau Apartments	2747 HASTE ST	94704	15k-24,999k	Residential	\$ 17,249	BESO
056 194600604		2390 FOURTH ST	94710	25k-49,999k	Mixed (Residential/Commercial)	\$ 17,197	CBCECS
055 188000100	Telegraph Commons Apartments	2486 CHANNING WAY	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 17,179	CBCECS
057 202901300		2110 KITTREDGE ST	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 17,168	CBCECS
057 203000100		2108 ALLSTON WAY	94720	25k-49,999k	Mixed (Residential/Commercial)	\$ 17,092	CBCECS
059 229300104		1260 HOPKINS ST	94702	25k-49,999k	Residential	\$ 17,049	CBCECS
055 187802100	Bancroft Commons	2470 BANCROFT WAY	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 17,012	CBCECS
057 205300500		2067 UNIVERSITY AVE	94704	25k-49,999k	Other	\$ 16,814	CBCECS
055 184102200		2637 REGENT ST	94704	15k-24,999k	Residential	\$ 16,753	BESO
057 202800400	Pasand Courtyard	2276 SHATTUCK AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 16,738	CBCECS
055 184702101		2539 COLLEGE AVE	94704	15k-24,999k	Residential	\$ 16,688	BESO
055 184400400		2606 BENVENUE AVE	94704	25k-49,999k	Residential	\$ 16,649	BESO
059 225602201		1541 OXFORD ST	94709	15k-24,999k	Residential	\$ 16,638	BESO
057 202301300	TRW Financial Systems	2001 CENTER ST	94704	25k-49,999k	Office	\$ 16,600	CBCECS
Multiple APNs		2029 CHANNING WAY	94704	25k-49,999k	Residential	\$ 16,527	CBCECS
055 186500201		2409 WARRING ST	94704	15k-24,999k	Hotel/Lodging	\$ 16,356	CBCECS
055 184501502	Berkeley Playhouse	2640 COLLEGE AVE	94704	15k-24,999k	Public Assembly	\$ 16,347	CBCECS
058 217701501	Hillside Village	1797 SHATTUCK AVE	94709	50k-99,999k	Residential	\$ 16,327	BESO
057 207900101		1300 DELAWARE ST	94702	15k-24,999k	Residential	\$ 16,298	BESO
055 189102101	The Rapa-Nui	2150 CHANNING WAY	94704	15k-24,999k	Residential	\$ 16,246	BESO
057 202501001	Merrill Lynch Bldg	2001 ADDISON ST	94704	25k-49,999k	Office	\$ 16,161	CBCECS
055 184601401		2536 COLLEGE AVE	94704	25k-49,999k	Residential	\$ 16,038	CBCECS
057 210000810	Jamestown Premier Berkeley Grotto	1915 4TH ST	94710	50k-99,999k	Enclosed and strip malls	\$ 15,893	BESO
055 186600300		2424 WARRING ST	94704	15k-24,999k	Hotel/Lodging	\$ 15,870	CBCECS
058 212800301	Golden Bear Hotel	1620 SAN PABLO AVE	94702	15k-24,999k	Hotel/Lodging	\$ 15,831	CBCECS
055 186802100		2732 CHANNING WAY	94704	15k-24,999k	Hotel/Lodging	\$ 15,797	BESO
055 189602501	Channing Campus Apartments	2020 CHANNING WAY	94704	15k-24,999k	Residential	\$ 15,744	BESO
053 165100104		2865 7TH ST	94710	25k-49,999k	Industrial	\$ 15,733	CBCECS
058 219100200		1820 EUCLID AVE	94709	15k-24,999k	Mixed (Residential/Commercial)	\$ 15,656	CBCECS
055 183201301		2315 PARKER ST	94704	15k-24,999k	Residential	\$ 15,612	BESO
055 187001702	Zeta Psi Fraternity	2728 BANCROFT WAY	94704	15k-24,999k	Hotel/Lodging	\$ 15,555	CBCECS
057 205300600		2057 UNIVERSITY AVE	94704	15k-24,999k	Hotel/Lodging	\$ 15,513	CBCECS
055 186700801		2729 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 15,459	CBCECS
055 189301501		2323 SHATTUCK AVE	94704	25k-49,999k	Other	\$ 15,446	BESO
055 181900102	Aquatic Shattuck	2628 SHATTUCK AVE	94704	50k-99,999k	Mixed (Residential/Commercial)	\$ 15,430	BESO
055 185300200	Delta Sigma Sorority	2311 PROSPECT ST	94704	15k-24,999k	Hotel/Lodging	\$ 15,369	CBCECS
055 186300500		2327 WARRING ST	94704	15k-24,999k	Hotel/Lodging	\$ 15,351	CBCECS
058 218103200		1725 OXFORD ST	94709	15k-24,999k	Residential	\$ 15,302	BESO
057 202601300	Constitution Square	2168 SHATTUCK AVE	94704	25k-49,999k	Office	\$ 15,266	BESO
054 176500100	Willig Building	2603 8TH ST	94710	50k-99,999k	Industrial	\$ 15,252	BESO
054 171903700	Secure Space Storage	2721 SHATTUCK AVE	94705	25k-49,999k	Warehouse and Storage	\$ 15,177	CBCECS
057 204600900	Bachenheimer	2119 UNIVERSITY AVE	94704	25k-49,999k	Residential	\$ 15,150	BESO
055 186702301		2732 HASTE ST	94704	25k-49,999k	Residential	\$ 15,097	BESO
055 182502401	Parker Villa Apartments	2124 PARKER ST	94704	15k-24,999k	Residential	\$ 15,092	CBCECS
057 211400201		1760 4TH ST	94710	25k-49,999k	Retail	\$ 15,051	CBCECS
057 208502500		1931 SAN PABLO AVE	94702	15k-24,999k	Mixed (Residential/Commercial)	\$ 15,001	CBCECS

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060 238800203		999 HARRISON ST	94710	50k-99,999k	Office	\$ 14,998	BESO
055 184302602		2508 BENVENUE AVE	94704	15k-24,999k	Residential	\$ 14,931	CBCECS
055 186600105		2400 WARRING ST	94704	15k-24,999k	Hotel/Lodging	\$ 14,922	CBCECS
058 217300203		1600 SHATTUCK AVE	94709	25k-49,999k	Retail	\$ 14,912	CBCECS
059 234500202		1310 THIRD ST	94710	25k-49,999k	Industrial	\$ 14,896	CBCECS
059 234100400		1401 EASTSHORE HWY	94710	25k-49,999k	Industrial	\$ 14,709	CBCECS
059 232200104		601 JONES ST	94710	25k-49,999k	Other	\$ 14,664	CBCECS
060 238800500		1111 8TH ST	94710	25k-49,999k	Industrial	\$ 14,660	CBCECS
055 183800500	Blake Telegraph Apartments	2423 BLAKE ST	94704	15k-24,999k	Residential	\$ 14,641	BESO
059 233801603		1417 4TH ST	94710	25k-49,999k	Industrial	\$ 14,587	CBCECS
056 197201600		2023 8TH ST	94710	25k-49,999k	Education	\$ 14,433	CBCECS
060 236102203	Terminal Manufacturing	707 GILMAN ST	94710	25k-49,999k	Industrial	\$ 14,416	CBCECS
055 183002301		2230 DWIGHT WAY	94704	25k-49,999k	Residential	\$ 14,311	BESO
Multiple APNs		2700 LE CONTE AVE	94709	15k-24,999k	Residential	\$ 14,304	CBCECS
060 235001600		900 GILMAN ST	94710	25k-49,999k	Warehouse and Storage	\$ 14,290	CBCECS
060 243502205		1619 HOPKINS ST	94707	15k-24,999k	Residential	\$ 14,251	BESO
056 195400301		650 UNIVERSITY AVE	94710	25k-49,999k	Industrial	\$ 14,195	CBCECS
056 200601907		2125 JEFFERSON AVE	94703	15k-24,999k	Education	\$ 14,185	BESO
053 170400201		800 GRAYSON ST	94710	25k-49,999k	Industrial	\$ 14,171	CBCECS
053 169402200		2821 HILLEGASS AVE	94705	15k-24,999k	Residential	\$ 14,149	BESO
055 189100901		2117 HASTE ST	94704	25k-49,999k	Residential	\$ 14,143	BESO
055 186601100		2425 PIEDMONT AVE	94704	15k-24,999k	Hotel/Lodging	\$ 14,141	CBCECS
055 185100101		2513 PIEDMONT AVE	94704	15k-24,999k	Residential	\$ 14,135	CBCECS
054 172001802		2747 SHATTUCK AVE	94705	25k-49,999k	Office	\$ 14,121	CBCECS
055 183002001		2216 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 14,120	BESO
057 203100400	Magnes Museum	2121 ALLSTON WAY	94720	25k-49,999k	Education	\$ 14,110	CBCECS
059 229300106	Hopkins Park Apartments	1290 HOPKINS ST	94702	15k-24,999k	Residential	\$ 14,031	CBCECS
055 186802000		2728 CHANNING WAY	94704	15k-24,999k	Hotel/Lodging	\$ 14,011	CBCECS
057 210200901		715 HEARST AVE	94710	15k-24,999k	Mixed (Residential/Commercial)	\$ 13,985	CBCECS
058 219900900	Hoyt Hall	2519 RIDGE RD	94709	15k-24,999k	Hotel/Lodging	\$ 13,978	CBCECS
057 208701200	Finnish Hall	1819 TENTH ST	94710	15k-24,999k	Public Assembly	\$ 13,911	CBCECS
058 218900700	The Berk on Arch	2311 LE CONTE AVE	94709	15k-24,999k	Residential	\$ 13,904	BESO
058 217001201		1921 FRANCISCO ST	94709	25k-49,999k	Residential	\$ 13,879	BESO
055 188902101		2230 HASTE ST	94704	25k-49,999k	Residential	\$ 13,876	BESO
057 207000705	Renaissance Villas	1631 UNIVERSITY AVE	94703	25k-49,999k	Residential	\$ 13,867	BESO
055 184201801	Parker House	2511 PARKER ST	94704	15k-24,999k	Residential	\$ 13,858	BESO
055 187100600	The Durant	2631 DURANT AVE	94704	25k-49,999k	Residential	\$ 13,783	BESO
052 152801702		3253 ADELINE ST	94703	15k-24,999k	Mixed (Residential/Commercial)	\$ 13,758	CBCECS
055 185601300		2455 PROSPECT ST	94704	15k-24,999k	Hotel/Lodging	\$ 13,737	CBCECS
056 194900700	Aquatic Labs	600 BANCROFT WAY	94710	15k-24,999k	Industrial	\$ 13,718	CBCECS
055 189800501		2450 MILVIA ST	94704	25k-49,999k	Residential	\$ 13,679	BESO
060 245506000		1322 SHATTUCK AVE	94709	15k-24,999k	Residential	\$ 13,668	CBCECS
057 202801100		2001 BANCROFT WAY	94704	15k-24,999k	Hotel/Lodging	\$ 13,582	CBCECS
060 245506401		2095 ROSE ST	94709	15k-24,999k	Office	\$ 13,578	CBCECS
057 203101300		2142 CENTER ST	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 13,543	CBCECS
055 186501200		2851 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 13,524	CBCECS

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058 217701801		1725 SHATTUCK AVE	94709	15k-24,999k	Residential	\$ 13,476	BESO
052 151300301		910 FOLGER AVE	94710	15k-24,999k	Industrial	\$ 13,466	CBCECS
052 157307200	Telegraph Avenue Medical Office Building	3017 TELEGRAPH AVE	94705	15k-24,999k	Health Care	\$ 13,459	CBCECS
057 210600104	Sierra Misco	1825 EASTSHORE HWY	94710	15k-24,999k	Industrial	\$ 13,456	CBCECS
057 203400500	Heywood Apartments	2119 ADDISON ST	94704	15k-24,999k	Residential	\$ 13,328	CBCECS
059 234100500		1420 SECOND ST	94710	15k-24,999k	Industrial	\$ 13,221	CBCECS
059 226000201		2110 VINE ST	94709	15k-24,999k	Retail	\$ 13,185	CBCECS
057 207200600	Rodeway Inn	1461 UNIVERSITY AVE	94702	15k-24,999k	Hotel/Lodging	\$ 13,057	BESO
057 202500600	Historic Kress Bldg	2036 SHATTUCK AVE	94704	15k-24,999k	Office	\$ 13,029	BESO
060 238600101		1151 SIXTH ST	94710	15k-24,999k	Public Assembly	\$ 13,006	CBCECS
Multiple APNs		2430 5TH ST	94710	15k-24,999k	Residential	\$ 13,002	CBCECS
Multiple APNs		1450 4TH ST	94710	15k-24,999k	Residential	\$ 12,981	CBCECS
057 204600200	Former UC Press Building	2120 BERKELEY WAY	94704	15k-24,999k	Office	\$ 12,971	CBCECS
056 195401000		2031 2ND ST	94710	15k-24,999k	Industrial	\$ 12,931	CBCECS
Multiple APNs		1519 OXFORD ST	94709	15k-24,999k	Residential	\$ 12,917	BESO
056 199701801	The Kelbourne	1420 ADDISON ST	94702	15k-24,999k	Residential	\$ 12,916	CBCECS
057 202901601	Oxford Court	2150 KITTREDGE ST	94720	15k-24,999k	Other	\$ 12,908	CBCECS
057 202501400	Berkeley Apartments- University (Touriel)	2004 UNIVERSITY AVE	94704	15k-24,999k	Residential	\$ 12,839	BESO
060 235501103		1000 HARRISON ST	94710	25k-49,999k	Warehouse and Storage	\$ 12,815	CBCECS
055 184703102	Holy Spirit Parish/Newman Hall	2700 DWIGHT WAY	94704	25k-49,999k	Religious Worship	\$ 12,636	CBCECS
055 189100201		2404 FULTON ST	94704	15k-24,999k	Residential	\$ 12,605	BESO
058 218202700	Thornburg Village	1829 SPRUCE ST	94709	15k-24,999k	Residential	\$ 12,604	CBCECS
054 176600306		2629 SEVENTH ST	94710	15k-24,999k	Industrial	\$ 12,541	BESO
057 205002901		2030 DELAWARE ST	94709	15k-24,999k	Residential	\$ 12,535	CBCECS
054 172300100		2700 SHATTUCK AVE	94705	15k-24,999k	Office	\$ 12,496	CBCECS
057 202401503	The Tepping Bldg	1916 UNIVERSITY AVE	94704	15k-24,999k	Office	\$ 12,478	CBCECS
055 188200700	Elsmere Apartments	2321 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 12,345	BESO
057 206101000		1717 UNIVERSITY AVE	94703	15k-24,999k	Other	\$ 12,302	CBCECS
Multiple APNs		1849 SHATTUCK AVE	94709	15k-24,999k	Residential	\$ 12,290	CBCECS
057 208501900		1120 HEARST AVE	94702	15k-24,999k	Residential	\$ 12,269	CBCECS
057 204700201	Berkeleyan	1910 OXFORD ST	94704	25k-49,999k	Residential	\$ 12,242	BESO
058 219700702		2555 VIRGINIA ST	94709	15k-24,999k	Residential	\$ 12,238	CBCECS
055 183101801		2309 BLAKE ST	94704	25k-49,999k	Residential	\$ 12,220	BESO
055 189300701	URSA Apartments	2124 BANCROFT WAY	94704	50k-99,999k	Residential	\$ 12,215	BESO
Multiple APNs		2628 TELEGRAPH AVE	94704	15k-24,999k	Residential	\$ 12,196	CBCECS
055 186601003	Piedmont Avenue Apartments	2437 PIEDMONT AVE	94704	25k-49,999k	Residential	\$ 12,187	BESO
053 167200400		1529 RUSSELL ST	94703	15k-24,999k	Residential	\$ 12,178	CBCECS
055 185601400		2425 PROSPECT ST	94704	15k-24,999k	Residential	\$ 12,091	CBCECS
057 208102100		1951 CHESTNUT ST	94702	15k-24,999k	Residential	\$ 12,064	CBCECS
057 202301701	ARTech	2101 MILVIA ST	94704	15k-24,999k	Residential	\$ 12,059	BESO
055 186701000		2715 DWIGHT WAY	94704	25k-49,999k	Residential	\$ 12,026	BESO
055 187601100		2375 TELEGRAPH AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 12,012	CBCECS
055 189500500	Channing Walk Apartments	2035 CHANNING WAY	94704	15k-24,999k	Residential	\$ 11,983	BESO
053 159500903		3031 ADELINE ST	94703	15k-24,999k	Mixed (Residential/Commercial)	\$ 11,980	CBCECS
053 159202100		2024 ASHBY AVE	94703	25k-49,999k	Religious Worship	\$ 11,881	CBCECS
055 187500700		2409 TELEGRAPH AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 11,851	CBCECS

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
057 203300300	Roos Bros. Building	2021 SHATTUCK AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 11,838	CBECs
056 194200302		800 BANCROFT WAY	94710	15k-24,999k	Industrial	\$ 11,814	CBECs
058 218901000		1811 ARCH ST	94709	15k-24,999k	Residential	\$ 11,784	CBECs
055 186801800		2724 CHANNING WAY	94704	15k-24,999k	Residential	\$ 11,736	CBECs
054 176600602	Consolidated Printer	2620 8TH ST	94710	25k-49,999k	Industrial	\$ 11,659	BESO
053 164100704		2950 7TH ST	94710	25k-49,999k	Warehouse and Storage	\$ 11,635	CBECs
057 209700102		806 HEARST AVE	94710	15k-24,999k	Office	\$ 11,540	CBECs
058 219800200		1700 LE ROY AVE	94709	15k-24,999k	Residential	\$ 11,538	CBECs
055 182501502		2621 SHATTUCK AVE	94704	15k-24,999k	Retail	\$ 11,535	CBECs
057 203300400		2020 KALA BAGAI WAY	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 11,503	CBECs
055 187000800		2701 DURANT AVE	94704	15k-24,999k	Residential	\$ 11,444	CBECs
060 245200102	School of the Madeleine	1225 MILVIA ST	94709	15k-24,999k	Education	\$ 11,402	CBECs
056 196101800	The Aquatic II	814 UNIVERSITY AVE	94710	25k-49,999k	Mixed (Residential/Commercial)	\$ 11,384	BESO
058 219100103		1804 EUCLID AVE	94709	15k-24,999k	Mixed (Residential/Commercial)	\$ 11,362	CBECs
058 220300300		1735 HIGHLAND PL	94709	15k-24,999k	Residential	\$ 11,336	BESO
057 202501703	Koerber Building	2054 UNIVERSITY AVE	94704	15k-24,999k	Office	\$ 11,334	CBECs
057 206200501		1743 BERKELEY WAY	94703	15k-24,999k	Residential	\$ 11,320	CBECs
055 184100600	Hillegass Apartments	2610 HILLEGASS AVE	94704	15k-24,999k	Residential	\$ 11,267	BESO
054 170901300	Everest	2740 COLLEGE AVE	94705	15k-24,999k	Residential	\$ 11,238	BESO
059 231900203		1501 EASTSHORE HWY	94710	15k-24,999k	Industrial	\$ 11,221	CBECs
Multiple APNs		1440 4TH ST	94710	15k-24,999k	Industrial	\$ 11,221	CBECs
Multiple APNs		2700 SAN PABLO AVE	94702	25k-49,999k	Residential	\$ 11,218	BESO
062 291606004		645 ARLINGTON AVE	94707	15k-24,999k	Residential	\$ 11,207	CBECs
056 194500102		742 BANCROFT WAY	94710	15k-24,999k	Industrial	\$ 11,102	CBECs
055 187700600		2533 DURANT AVE	94704	15k-24,999k	Residential	\$ 11,096	CBECs
057 206101100		1701 UNIVERSITY AVE	94703	15k-24,999k	Mixed (Residential/Commercial)	\$ 11,078	CBECs
053 165500404		703 HEINZ AVE	94710	25k-49,999k	Warehouse and Storage	\$ 11,069	CBECs
055 184302000		2533 HILLEGASS AVE	94704	15k-24,999k	Residential	\$ 11,037	CBECs
052 157404500		3030 REGENT ST	94705	15k-24,999k	Residential	\$ 10,945	CBECs
057 208700500		1822 SAN PABLO AVE	94702	15k-24,999k	Mixed (Residential/Commercial)	\$ 10,918	CBECs
057 208000800		1810 WEST ST	94702	15k-24,999k	Residential	\$ 10,894	CBECs
053 167200501		1525 RUSSELL ST	94703	15k-24,999k	Residential	\$ 10,818	CBECs
Multiple APNs		2615 TELEGRAPH AVE	94704	15k-24,999k	Residential	\$ 10,788	CBECs
064 423600500		22 DOMINGO AVE	94705	15k-24,999k	Residential	\$ 10,784	CBECs
057 203101100		2130 CENTER ST	94704	15k-24,999k	Other	\$ 10,731	CBECs
Multiple APNs		3031 TELEGRAPH AVE	94705	15k-24,999k	Office	\$ 10,678	BESO
054 177000202	Electro Coatings	893 CARLETON ST	94710	15k-24,999k	Industrial	\$ 10,660	CBECs
052 153300103		1708 HARMON ST	94703	15k-24,999k	Religious Worship	\$ 10,605	CBECs
057 203300101		2000 KALA BAGAI WAY	94704	15k-24,999k	Other	\$ 10,566	CBECs
055 183200701		2339 PARKER ST	94704	15k-24,999k	Residential	\$ 10,537	CBECs
Multiple APNs		2634 VIRGINIA ST	94709	15k-24,999k	Residential	\$ 10,536	BESO
055 182902600		2232 BLAKE ST	94704	15k-24,999k	Residential	\$ 10,519	CBECs
055 182203000		2012 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 10,515	CBECs
055 184300900		2540 BENVENUE AVE	94704	15k-24,999k	Residential	\$ 10,514	BESO
055 183101002		2327 BLAKE ST	94704	15k-24,999k	Residential	\$ 10,497	CBECs
055 183101001		2331 BLAKE ST	94704	15k-24,999k	Residential	\$ 10,495	CBECs

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
059 226200100	Shattuck Commons	1400 SHATTUCK AVE	94709	15k-24,999k	Other	\$ 10,483	CBECs
056 198101501		1310 UNIVERSITY AVE	94702	15k-24,999k	Education	\$ 10,377	CBECs
058 217103101		1615 M L KING JR WAY	94709	15k-24,999k	Residential	\$ 10,331	CBECs
Multiple APNs		2725 PRINCE ST	94705	15k-24,999k	Residential	\$ 10,318	CBECs
060 238800400		1101 EIGHTH ST	94710	15k-24,999k	Industrial	\$ 10,313	BESO
056 194102202	Berkeley Pump	830 BANCROFT WAY	94710	15k-24,999k	Other	\$ 10,313	CBECs
057 207100200		1597 UNIVERSITY AVE	94703	15k-24,999k	Mixed (Residential/Commercial)	\$ 10,279	CBECs
Multiple APNs		1401 WALNUT ST	94709	15k-24,999k	Residential	\$ 10,273	CBECs
056 194202401		2323 FIFTH ST	94710	15k-24,999k	Industrial	\$ 10,267	CBECs
058 217500800		2041 FRANCISCO ST	94709	15k-24,999k	Residential	\$ 10,266	BESO
055 187900100		2350 TELEGRAPH AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 10,239	CBECs
060 235802206		1225 SIXTH ST	94710	15k-24,999k	Industrial	\$ 10,189	CBECs
058 219402200		2456 HILGARD AVE	94709	15k-24,999k	Residential	\$ 10,184	CBECs
058 220000700	Hearst Avenue Apartments	2511 HEARST AVE	94709	15k-24,999k	Residential	\$ 10,134	CBECs
060 243100300		1475 ROSE ST	94702	15k-24,999k	Education	\$ 10,107	CBECs
055 186700300		2442 PIEDMONT AVE	94704	15k-24,999k	Residential	\$ 10,102	BESO
055 183301701		2609 ELLSWORTH ST	94704	15k-24,999k	Residential	\$ 10,091	CBECs
059 231800112		1500 2ND ST	94710	15k-24,999k	Industrial	\$ 10,088	CBECs
058 219300700		2401 LE CONTE AVE	94709	15k-24,999k	Religious Worship	\$ 10,063	BESO
055 189301200		2333 SHATTUCK AVE	94704	15k-24,999k	Office	\$ 10,059	CBECs
058 219402300		2466 HILGARD AVE	94709	15k-24,999k	Residential	\$ 9,989	CBECs
052 156801201		2629 ASHBY AVE	94705	15k-24,999k	Mixed (Residential/Commercial)	\$ 9,958	CBECs
056 194301001		2416 SIXTH ST	94710	15k-24,999k	Industrial	\$ 9,911	CBECs
061 260300400		908 THE ALAMEDA	94707	15k-24,999k	Mixed (Residential/Commercial)	\$ 9,910	CBECs
055 188702201	Durant Park Apartment	2230 DURANT AVE	94704	15k-24,999k	Residential	\$ 9,903	BESO
056 200600106		1640 ADDISON ST	94703	15k-24,999k	Religious Worship	\$ 9,859	BESO
055 183600401	Parker CAL Apartments	2414 PARKER ST	94704	15k-24,999k	Residential	\$ 9,813	CBECs
059 226001300		1550 WALNUT ST	94709	15k-24,999k	Residential	\$ 9,809	BESO
057 208500500		1970 CURTIS ST	94702	15k-24,999k	Residential	\$ 9,788	CBECs
059 231701001		1520 FOURTH ST	94710	15k-24,999k	Industrial	\$ 9,772	CBECs
055 184002401	CVS on Telegraph	2655 TELEGRAPH AVE	94704	15k-24,999k	Retail	\$ 9,706	BESO
054 177901300		2531 NINTH ST	94710	15k-24,999k	Industrial	\$ 9,705	BESO
Multiple APNs		2 PANORAMIC WAY	94704	15k-24,999k	Residential	\$ 9,704	CBECs
052 141000200		3100 COLLEGE AVE	94705	15k-24,999k	Residential	\$ 9,693	CBECs
053 165100500		999 ANTHONY ST	94710	15k-24,999k	Industrial	\$ 9,688	CBECs
053 166002701	Ecole Bilingue de Berkeley	1001 HEINZ AVE	94710	25k-49,999k	Education	\$ 9,665	BESO
055 186401001		2815 CHANNING WAY	94704	15k-24,999k	Residential	\$ 9,661	CBECs
057 208300401		1244 HEARST AVE	94702	15k-24,999k	Residential	\$ 9,560	CBECs
055 189902501	Channing Poolside Apartments	1930 CHANNING WAY	94704	15k-24,999k	Residential	\$ 9,547	BESO
052 151400201	Howlett Machine Works	754 FOLGER AVE	94710	15k-24,999k	Industrial	\$ 9,544	CBECs
057 207301700		1360 BERKELEY WAY	94702	15k-24,999k	Residential	\$ 9,541	CBECs
053 164700100	Berkeley Ironworks	750 POTTER ST	94710	15k-24,999k	Office	\$ 9,538	CBECs
062 288801701		1821 CATALINA AVE	94707	15k-24,999k	Religious Worship	\$ 9,531	CBECs
057 209901706		1800 FIFTH ST	94710	15k-24,999k	Industrial	\$ 9,467	CBECs
055 182902701		2240 BLAKE ST	94704	25k-49,999k	Residential	\$ 9,459	BESO
059 234500900		1333 SECOND ST	94710	15k-24,999k	Industrial	\$ 9,458	CBECs

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
053 169001000		2321 RUSSELL ST	94705	15k-24,999k	Residential	\$ 9,379	CBECS
057 207200200	Aiden by Best Western	1499 UNIVERSITY AVE	94702	15k-24,999k	Hotel/Lodging	\$ 9,357	BESO
058 217802401		1607 SHATTUCK AVE	94709	15k-24,999k	Retail	\$ 9,352	CBECS
058 218202100		1890 ARCH ST	94709	15k-24,999k	Residential	\$ 9,346	CBECS
054 177800202	Parker Plaza (North)	2550 9TH ST	94710	25k-49,999k	Office	\$ 9,310	BESO
056 194402201		2425 FOURTH ST	94710	15k-24,999k	Industrial	\$ 9,247	CBECS
056 194900602		626 BANCROFT WAY	94710	15k-24,999k	Industrial	\$ 9,232	BESO
056 194401801		733 DWIGHT WAY	94710	15k-24,999k	Industrial	\$ 9,161	CBECS
055 183603100		2616 TELEGRAPH AVE	94704	15k-24,999k	Residential	\$ 9,091	BESO
056 195900901	MacKey Marine	739 ALLSTON WAY	94710	15k-24,999k	Industrial	\$ 9,033	CBECS
054 178000801		2546 SAN PABLO AVE	94702	15k-24,999k	Office	\$ 8,994	CBECS
055 183900400		2517 TELEGRAPH AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 8,903	BESO
Multiple APNs		1801 UNIVERSITY AVE	94703	25k-49,999k	Residential	\$ 8,792	BESO
055 187000102		2310 PIEDMONT AVE	94704	15k-24,999k	Residential	\$ 8,782	BESO
061 257504001		941 THE ALAMEDA	94707	15k-24,999k	Religious Worship	\$ 8,775	BESO
058 217000101		1940 VIRGINIA ST	94709	15k-24,999k	Religious Worship	\$ 8,764	CBECS
055 187001501		2736 BANCROFT WAY	94704	15k-24,999k	Public Assembly	\$ 8,760	BESO
057 202301400		2115 MILVIA ST	94704	15k-24,999k	Office	\$ 8,714	CBECS
054 177900100	The Wright Institute	1000 DWIGHT WAY	94710	15k-24,999k	Office	\$ 8,690	CBECS
057 202201304		1900 ADDISON ST	94704	15k-24,999k	Office	\$ 8,674	CBECS
054 178000700		2530 SAN PABLO AVE	94702	15k-24,999k	Office	\$ 8,660	BESO
059 226703101		1930 VINE ST	94709	15k-24,999k	Residential	\$ 8,657	BESO
Multiple APNs		2512 9TH ST	94710	15k-24,999k	Retail	\$ 8,612	CBECS
059 233900600		1404 FOURTH ST	94710	15k-24,999k	Industrial	\$ 8,573	CBECS
053 167400101		1640 STUART ST	94703	15k-24,999k	Religious Worship	\$ 8,573	CBECS
056 195700701		701 BANCROFT WAY	94710	25k-49,999k	Warehouse and Storage	\$ 8,503	CBECS
060 244800401		1910 BERRYMAN ST	94709	15k-24,999k	Residential	\$ 8,495	BESO
058 217900100		2138 CEDAR ST	94709	15k-24,999k	Religious Worship	\$ 8,416	CBECS
055 187701601		2530 BANCROFT WAY	94704	15k-24,999k	Retail	\$ 8,357	CBECS
056 195400801		2013 SECONND ST	94710	25k-49,999k	Residential	\$ 8,250	BESO
054 174701100		920 PARDEE ST	94710	15k-24,999k	Warehouse and Storage	\$ 8,097	CBECS
053 163300109	West Berkeley Warehouse	1036 ASHBY AVE	94710	15k-24,999k	Warehouse and Storage	\$ 8,094	CBECS
059 233900800		1414 4TH ST	94710	15k-24,999k	Warehouse and Storage	\$ 8,094	CBECS
060 238900901		1100 TENTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 8,076	CBECS
056 194600800		2316 FOURTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 8,039	CBECS
060 245504801		1385 SHATTUCK AVE	94709	25k-49,999k	Residential	\$ 7,953	BESO
055 184201700		2519 PARKER ST	94704	15k-24,999k	Residential	\$ 7,911	BESO
056 201102501	Lutheran Church of the Cross	1760 UNIVERSITY AVE	94703	15k-24,999k	Religious Worship	\$ 7,903	CBECS
056 201102100		1732 UNIVERSITY AVE	94703	15k-24,999k	Mixed (Residential/Commercial)	\$ 7,806	BESO
055 189200101	Jodo Shinshu Center	2140 DURANT AVE	94704	25k-49,999k	Office	\$ 7,772	BESO
052 151301001		830 FOLGER AVE	94710	15k-24,999k	Warehouse and Storage	\$ 7,713	CBECS
055 182801501		2211 CARLETON ST	94704	15k-24,999k	Residential	\$ 7,651	BESO
057 211700903		1650 6TH ST	94710	15k-24,999k	Warehouse and Storage	\$ 7,430	CBECS
052 157700902	Webster Poolside Apartments	2321 WEBSTER ST	94705	15k-24,999k	Residential	\$ 7,300	BESO
058 218300203	All Souls Parish Episcopal Church	2220 CEDAR ST	94709	15k-24,999k	Religious Worship	\$ 7,289	CBECS
060 235100103		945 CAMELIA ST	94710	15k-24,999k	Warehouse and Storage	\$ 7,176	CBECS

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
055 188500900		2300 BANCROFT WAY	94704	15k-24,999k	Religious Worship	\$ 7,168	CBECS
059 225601801	The North Berkeley Oxford Street Apartments	1555 OXFORD ST	94709	15k-24,999k	Residential	\$ 7,132	BESO
Multiple APNs	University Terrace	2100 JEFFERSON AVE	94703	15k-24,999k	Residential	\$ 7,031	BESO
057 205301403		1945 MILVIA ST	94704	15k-24,999k	Residential	\$ 6,991	BESO
055 184600200		2640 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 6,987	BESO
055 184000500		2610 REGENT ST	94704	15k-24,999k	Residential	\$ 6,972	BESO
060 238500907		1150 SIXTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 6,847	CBECS
056 197902301		1122 UNIVERSITY AVE	94702	50k-99,999k	Residential	\$ 6,775	BESO
055 189801601	Stranda Apartments	2489 M L KING JR WAY	94704	15k-24,999k	Residential	\$ 6,773	BESO
055 187401200	First Church of Christ, Scientist	2619 DWIGHT WAY	94704	15k-24,999k	Religious Worship	\$ 6,626	BESO
056 195700102		700 ALLSTON WAY	94710	15k-24,999k	Warehouse and Storage	\$ 6,534	CBECS
057 202700203	Mangalam Center	2018 ALLSTON WAY	94704	25k-49,999k	Public Assembly	\$ 6,363	BESO
060 235901803		805 GILMAN ST	94710	15k-24,999k	Warehouse and Storage	\$ 6,354	CBECS
055 186400300		2308 WARRING ST	94704	15k-24,999k	Residential	\$ 6,350	BESO
056 196101601		801 ADDISON ST	94710	15k-24,999k	Warehouse and Storage	\$ 6,037	CBECS
059 225900101		1501 WALNUT ST	94709	15k-24,999k	Religious Worship	\$ 5,870	BESO
059 234900901		1333 SIXTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 5,807	CBECS
057 202501500		2018 UNIVERSITY AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 5,668	BESO
052 152801404		3271 ADELINE ST	94703	25k-49,999k	Office	\$ 5,643	BESO
053 165901605		2830 NINTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 5,531	CBECS
060 238500911		1146 SIXTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 5,479	CBECS
054 177901206	Berkeley Bowl Warehouse	1005 PARKER ST	94710	15k-24,999k	Warehouse and Storage	\$ 5,396	CBECS
055 188201901		2330 HASTE ST	94704	15k-24,999k	Residential	\$ 5,268	BESO
056 195700204		2220 FOURTH ST	94710	15k-24,999k	Warehouse and Storage	\$ 5,105	CBECS
057 210400203	Truitt and White	642 HEARST AVE	94710	25k-49,999k	Warehouse and Storage	\$ 5,072	BESO
053 163500101		830 ASHBY AVE	94710	15k-24,999k	Warehouse and Storage	\$ 5,059	CBECS
053 164400800		2929 5TH ST	94710	25k-49,999k	Industrial	\$ 4,930	BESO
055 186600700		2450 WARRING ST	94704	15k-24,999k	Residential	\$ 4,871	BESO
060 235401001		1049 GILMAN ST	94710	15k-24,999k	Retail	\$ 4,854	BESO
059 225303402	Western Dominican Province	2301 VINE ST	94708	15k-24,999k	Religious Worship	\$ 4,518	BESO
056 198303103		2235 SAN PABLO AVE	94702	25k-49,999k	Warehouse and Storage	\$ 4,269	BESO
055 184202200		2537 REGENT ST	94704	15k-24,999k	Residential	\$ 4,186	BESO
061 261200200	Hundred Acre Wood Building	1820 SOLANO AVE	94707	15k-24,999k	Office	\$ 4,003	BESO
055 188200500		2335 DWIGHT WAY	94704	15k-24,999k	Residential	\$ 3,983	BESO
060 246604600	Congregation Beth El	1301 OXFORD ST	94709	25k-49,999k	Religious Worship	\$ 3,904	BESO
055 188200100		2430 DANA ST	94704	15k-24,999k	Religious Worship	\$ 3,749	BESO
058 218101300	Spruce Street Apartments	1800 SPRUCE ST	94709	25k-49,999k	Residential	\$ 3,722	BESO
053 164401300		800 HEINZ AVE	94710	15k-24,999k	Residential	\$ 3,478	BESO
053 165500900		2850 7TH ST	94710	25k-49,999k	Office	\$ 3,402	BESO
057 202300100	Frances Shattuck Bldg	2104 SHATTUCK AVE	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 3,343	BESO
057 202900400		2288 FULTON ST	94704	25k-49,999k	Mixed (Residential/Commercial)	\$ 2,949	BESO
055 185304000		2425 HILLSIDE AVE	94704	15k-24,999k	Hotel/Lodging	\$ 2,941	BESO
053 163402907	Folger Murray Properties	1047 FOLGER AVE	94710	25k-49,999k	Industrial	\$ 2,753	BESO
057 202401801		1942 UNIVERSITY AVE	94704	25k-49,999k	Office	\$ 2,673	BESO
056 196001203	Sierra Design	2025 FOURTH ST	94710	25k-49,999k	Mixed (Residential/Commercial)	\$ 2,627	BESO
060 240701901		1145 GILMAN ST	94706	15k-24,999k	Religious Worship	\$ 2,621	BESO

APN	Building Name (if available)	Building Address	Zip Code	Sqft Group	Property Type Category	Natural Gas Tax (First Year)	Estimation Source
052 151400301		746 FOLGER AVE	94710	15k-24,999k	Industrial	\$ 2,585	BESO
057 202700400	Dharma College	2222 HAROLD WAY	94704	25k-49,999k	Education	\$ 2,512	BESO
057 202201901	The Addison Apartments	1950 ADDISON ST	94704	50k-99,999k	Residential	\$ 2,411	BESO
054 170211800		2837 CLAREMONT BLVD	94705	15k-24,999k	Religious Worship	\$ 2,293	BESO
057 202401400		1900 UNIVERSITY AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 2,196	BESO
057 203100900		2161 SHATTUCK AVE	94704	15k-24,999k	Mixed (Residential/Commercial)	\$ 2,178	BESO
055 187900601	Telegraph-Channing Garage and Shops	2431 CHANNING WAY	94704	100k-249,999k	Retail	\$ 2,147	BESO
056 199000404		2141 BONAR ST	94702	25k-49,999k	Public Assembly	\$ 1,946	BESO
057 210300103		1805 SECOND ST	94710	15k-24,999k	Warehouse and Storage	\$ 1,631	BESO
056 196601001		837 ADDISON ST	94710	15k-24,999k	Health Care	\$ 1,584	BESO
058 218101200		1786 SPRUCE ST	94709	25k-49,999k	Residential	\$ 1,574	BESO
052 152801300		1837 ALCATRAZ AVE	94703	15k-24,999k	Public Assembly	\$ 1,290	BESO
053 168400100		2801 ADELINE ST	94703	15k-24,999k	Retail	\$ 1,109	BESO
060 238100202	Public Storage	1120 SECOND ST	94710	50k-99,999k	Warehouse and Storage	\$ 878	BESO
059 231600103		760 JONES ST	94710	15k-24,999k	Warehouse and Storage	\$ 700	BESO
052 155700200	Telegraph Medical	3120 TELEGRAPH AVE	94705	25k-49,999k	Residential	\$ 514	BESO
060 238900801		1005 HARRISON ST	94710	15k-24,999k	Industrial	\$ 313	BESO
053 163401802	Urban Ore	927 FOLGER AVE	94710	25k-49,999k	Warehouse and Storage	\$ -	BESO



Office of the City Manager

INFORMATION CALENDAR

July 30, 2024

To: Honorable Mayor and Members of the City Council

From: LaTanya Bellow, Interim City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Analysis and Response regarding the Aerosols Requirements of the “Healthy City Buildings” Voter Initiative on the November 5, 2024 Ballot

INTRODUCTION

At a special meeting on June 14, 2024, the City Council requested a report, under the provisions of California Elections Code Section 9212, on the, “Healthy City Buildings,” citizen initiative that will appear before Berkeley voters on the November 5, 2024 ballot. The Section 9212 report, prepared in response to this request and drafted as an Off-Agenda Memo, is attached.

CURRENT SITUATION AND ITS EFFECTS

As specified in Election Code Section 9212, this report must be presented to City Council no later than 30 days after the date on which the City Clerk certified the sufficiency of the initiative petition. Council requested that this report include:

- An explanation of the air quality standards proposed in this measure, and any other air quality standards applicable, including those under consideration by State or Federal government.
- The technical feasibility and costs of retrofitting these buildings to apply the new air quality standards and systems.
- City resources required for the ongoing monitoring and maintenance after the installation of new systems.
- Staff Time related to the reporting requirements prescribed in the initiative to ensure that systems are functioning and continuously meet the required air quality standards.

BACKGROUND

Staff from the Public Works Department have provided analysis and information on the “Healthy City Buildings” Voter Initiative’s potential impacts, to the greatest extent possible given constraints on available time and resources.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Environmental impact may vary depending on the course of action and project implementation and phasing.

POSSIBLE FUTURE ACTION

Future action will be dependent on the outcome of this initiative at the ballot on November 5, 2024.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

The financial implications of adopting the Healthy City Buildings Ordinance are significant. The estimated cost range for facility assessments alone is \$2M - \$4M, with additional hard and soft costs anticipated for system upgrades, Staff training, and ongoing maintenance. These costs must be factored into the City's budget planning. Unknown costs associated with tenant improvements to existing City building leases, monitoring, and building management associated with the requirements are likely to far exceed existing budget allocations for facility maintenance.

CONTACT PERSON

Terrance Davis, Director Public Works Department

Attachments:

- 1: July 25, 2024 Off-Agenda Memo: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot



Office of the City Manager

July 25, 2024

To: Honorable Mayor and Members of the City Council
From: LaTanya Bellow, Interim City Manager
Re: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot

Background:

Registered voters in the City of Berkeley may soon vote on a new initiative called the Healthy City Buildings Ordinance (Ordinance). This Ordinance which would require building air monitoring and filtration systems. As written, the Healthy City Buildings Ordinance would amend the Berkeley Municipal Code by adding Section 12.12 requiring the City to install and maintain air monitoring and filtration system in existing and new buildings to aid in the control of infectious aerosols. Specifically, the Ordinance would require City-owned or City-leased occupied buildings to meet the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 241-2023.

ASHRAE is a global society aimed at advancing heating, ventilation, and air conditioning (HVAC) technology for the built environment and provides engineering and policy guidance on ventilation, filtration and air cleaning, air distribution, HVAC system operation.

ASHRAE Standard 241-2023 establishes minimum requirements to reduce the risk of airborne disease transmission, including SARS-COV-2 and the flu virus, in buildings. This standard is applicable to both new and existing buildings as well as major renovations, and it sets forth comprehensive guidelines for air system design, installation, operation, and maintenance.

This brief Off Agenda Memo aims to provide an overview of pertinent issues and background to aid in examining the potential impacts of the Ordinance. Given the short turnaround time, a comprehensive analysis was not feasible; however, this memo represents the best effort under the circumstances.

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Re: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot

ASHRAE Standard 241-2023 Elements

The authors of the Healthy City Buildings initiative reference ASHRAE requirements as the desirable indoor air quality standard, so it is important to briefly outline some of the key elements addressed in the Standard 241-2023.

- *Infection Risk Management Mode (IRMM)*: The standard mandates the establishment of an IRMM, activated during periods of elevated disease transmission risk. The local authorities have the jurisdiction to determine when these enhanced protections are necessary. The standard emphasizes resilience in indoor air quality control design and operations to respond to extreme circumstances effectively.
- *Requirements for Equivalent Clean Airflow Rate*: ASHRAE 241 sets specific targets for equivalent clean airflow rates per occupant, ensuring pathogen-free air to reduce infection risks.
- *Use of Filtration and Air Cleaning Technology*: The standard provides detailed requirements for the use of filtration and air cleaning technologies, including HEPA filters, air ionizers, and UV lights. These technologies must be implemented effectively, safely, and cost-efficiently.
- *Planning and Commissioning*: The standard requires a building readiness plan documenting procedures for assessing and ensuring the proper functioning of HVAC systems to meet the equivalent clean air delivery standards.

Existing City Building Ventilation Standards

The California Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, is responsible for regulatory oversight of California employees through the setting and enforcing of health and safety standards. On December 15, 2022, the Occupational Safety and Health Standards Board voted to adopt non-emergency COVID-19 prevention regulations. These regulations took effect on February 3, 2023, and will remain in effect for two years after the effective date, except for the record keeping subsections that will remain in effect for three years.

In compliance with State regulations, on March 2023, the City revised its adopted Covid Prevention Plan (CPP), which includes various control measure to limit the spread of airborne illness. The CPP also includes the following Engineering control measures, relative to the built environment:

For indoor locations, the City identifies and evaluates how to maximize ventilation, to the extent feasible, indoor air exchange with outdoor air by utilizing the maximum mechanical ventilation and utilizing the highest filtration efficiency compatible with the existing ventilation system. Where appropriate, portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air

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Re: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot

cleaning systems, may be utilized to achieve increased air filtration. The City may limit ventilation with outside air when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant.

Applicable City Building Inventory

The City is responsible for maintenance of 95 facilities, not including Library facilities and facilities leased to other entities, which have not been accounted for in this analysis. These 95 facilities include: 39 facilities in the Parks Recreation and Waterfront inventory and 56 facilities in the Public Works inventory.

Implementation Considerations

From a planning, resourcing and operational implementation point of view, Staff have identified the following considerations regarding the proposed Ordinance to implement ASHRAE Standard 241-2023:

- *Facility Assessments:* Although the City regularly performs high level assessments to create condition reports and cost estimates to calculate general deferred infrastructure improvement needs, Staff lack the detailed baseline building condition assessment data necessary to determine the full cost and associated timeline to comply with the proposed Ordinance. An immediate detailed assessment of all City building envelopes, including windows, roofs, and door systems, HVAC filtration and ducting, hazardous materials, and electrical systems is necessary. This assessment is anticipated to take 24-36 months to complete.
- *Building Readiness Plans/IRMM Requirements:* For effective pathogen mitigation, ASHRAE 241 recommends buildings make plans for multiple building operation modes:
 - o For normal operations, buildings follow their normal operating mode that meets the outdoor air ventilation requirements set by ASHRAE Standard 62.1.
 - o During times of high-risk, buildings enter an infectious risk management mode (IRMM). The standard specifies an equivalent outdoor air ventilation rate, on a cubic feet per minute per person basis, to be used during IRMM. This rate is to be derived from a combination of mechanically supplied outdoor air and through air filtration.
- *HVAC Expertise:* The City currently lacks certified HVAC technicians to diagnose, repair, install, and monitor filtration systems. Thus, implementation of the Ordinance would require external contract expertise to design, construct, and monitor the system to meet the requirements and timelines outlined in the proposed Ordinance. The costs to secure contract resources are unknown. Over time, the City would need to establish HVAC certified Facilities Maintenance

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Re: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot

positions to ensure required skilled labor to manage, troubleshoot, repair, and monitor the operation of systems citywide.

- *Staff Training:* City Staff will need extensive training to manage and maintain the new air quality systems effectively. Again, the costs associated with this is unknown and will be dictated by the type of system or systems selected for implementation.
- *Historic City Buildings:* Many City buildings, due to age and construction materials, require significant and costly improvements to their ducting systems to meet the new standards. For example, the potential presence of non-friable hazardous building materials (asbestos mixed with cement or other hard bonding materials) will add significant remediation and air quality monitoring costs to the project in addition to extending the project duration. Assessing a wider range of historic preservation options may be necessary to ensure sustainable and cost-effective solutions are selected. This would require assembling an interdepartmental team (Public Works, Building and Safety, and Planning) to work with a consultant team (historic preservationist, structural engineer, architect/contractor specializing in renovation of historic public buildings) to assess and prioritize City buildings for renovation, preservation, and/or partial or full replacement.
- *Leased Facilities:* The proposed Ordinance requires that any building that the City leases meet the ASHRAE 241-2023 standards. As of 2024, the City leases four (4) facilities for City operations. Compliance with the Ordinance would require renegotiation of some leases to ensure that the adequate tenant improvements to the building ventilation systems can be implemented.
- *Compliance Timeline:* Meeting the compliance timeline by January 1, 2025, is challenging, particularly for interim measures requiring operable windows and HEPA filters installation.
- *Potential Operational Impacts:* Enacting the required measures may lead to temporary closures of some City facilities, impacting public services and operations. It is essential to assess the extent of these operational impacts to plan effectively.

Financial Estimates

The financial implications of adopting the Healthy City Buildings Ordinance are significant. The estimated cost range for facility assessments alone is \$2M - \$4M, with additional hard and soft costs anticipated for system upgrades, Staff training, and ongoing maintenance. These costs must be factored into the City's budget planning. Unknown costs associated with tenant improvements to existing City building leases,

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Re: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot

monitoring, and building management associated with the requirements are likely to far exceed existing budget allocations for facility maintenance.

Required Next Steps (If Ordinance is Adopted)

- *Detailed Facility Assessments:* Prioritize and schedule comprehensive facility assessments to determine the specific requirements and costs for each building.
- *Engage External Expertise:* Hire certified HVAC technicians and consultants to assist with the implementation and on-going maintenance of upgraded and/or new air quality systems.
- *Staff training programs:* Initiate Staff training programs to ensure that city personnel are equipped to manage and maintain the new systems.
- *Budget Allocation:* Allocate sufficient funding in the city budget to cover the costs of assessments, upgrades, and ongoing maintenance.

Conclusion

Implementing the Healthy City Building Ordinance, and the associated ASHRAE Standard 241 in the City of Berkeley's facilities is essential for enhancing indoor air quality and reducing the risk of airborne disease transmission. However, this undertaking requires significant financial investment, technical expertise, and strategic planning. The outlined steps and Staff recommendations aim to ensure a safe and effective implementation process, safeguarding the health and safety of city employees and the public.

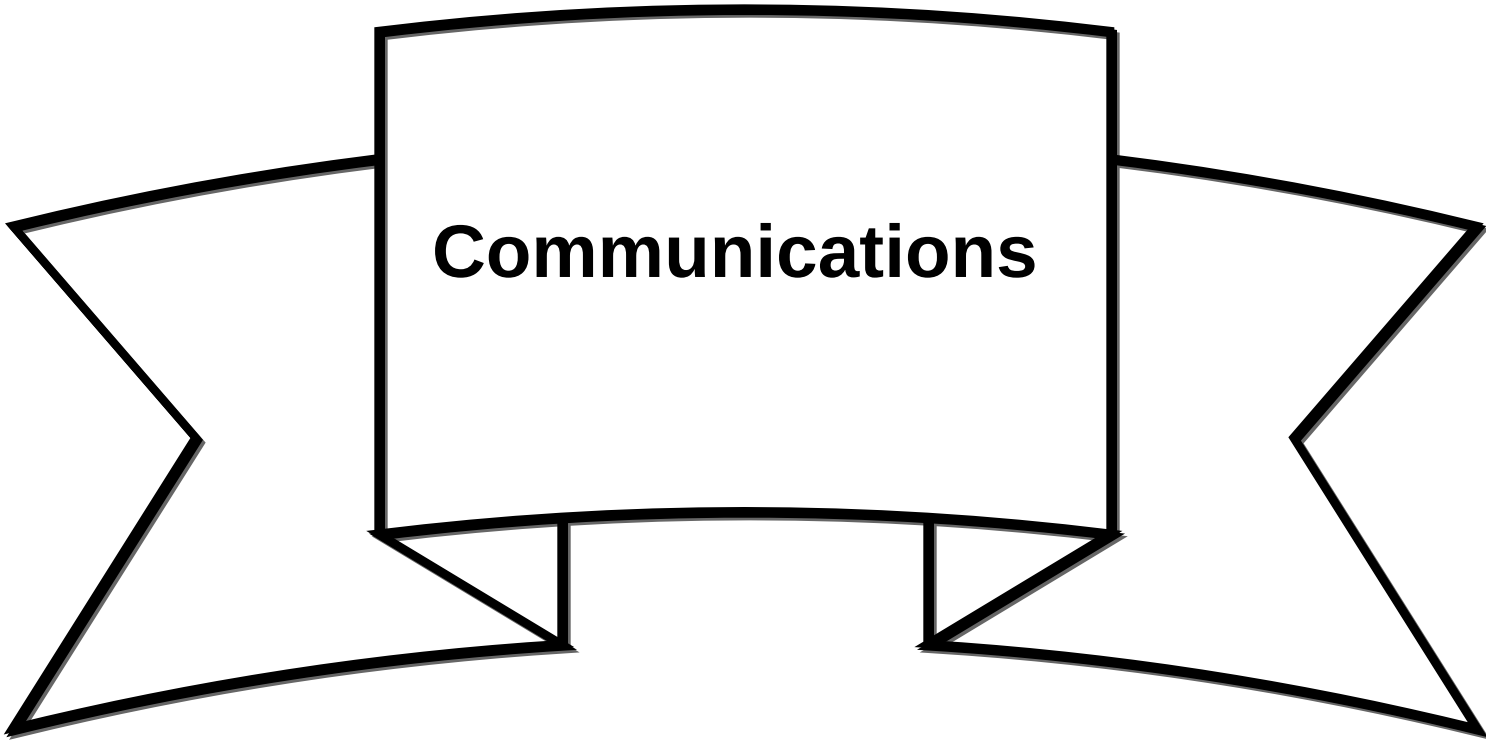
cc:

Anne Cardwell, Deputy City Manager
 Tasha Tervalon, Interim Deputy City Manager
 Jenny Wong, City Auditor
 Farimah Brown, City Attorney
 Mark Numainville, City Clerk
 Matthai Chakko, Assistant to the City Manager

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Re: Analysis and Response regarding the Aerosols Requirements of the 'Healthy City Buildings' Voter Initiative on the November 5, 2024 Ballot



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:

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